

Seaboard Asphalt Products Company

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Presentation in Opposition to Senate Bill 730 as written

1. Introduction of Seaboard Asphalt
  - a. Manufacturing for 90 years in Baltimore City
  - b. United Steel Worker Union employees
2. What is the target of the legislation?
  - a. Is it coal tar or PAH limit?
  - b. Counties tried legislation to limit coal tar and made problem worse.
  - c. Then they tried legislation including PAH limit with no mechanism for approval
  - d. Statewide legislation should not be the test site for this type of legislation
  - e. The three manufacturers in MD should be part of the legislative process
3. What is the applicability?
  - a. If you want to limit driveway sealers; then say driveway sealers
  - b. Senate Bill 730 has unintended applicability:
    - i. MD State Highway Administration contracts can fall into conflict with SB 730
  - c. Does the unintended applicability lead the State and County to litigation problem?
4. Who is the intended target?
  - a. SB 730 if intended to limit the use of driveway sealers; then it should say that
  - b. Unintended targets of SB 730
    - i. Manufacturers could not manufacture and sell products that could be shipped to other jurisdictions where they can be used
      1. Lead to loss of manufacturing jobs in Maryland
      2. Unfair competition practices which could lead to more litigation problems
    - ii. MDSHA may not be able to accomplish road maintenance and construction due to SB 730
      1. Lead to loss of jobs in Maryland of State and County Employees
      2. Lead to State and County litigation problems
5. How to approve products?
  - a. Self-certification or independent certification?
  - b. Who administers approval? What are the costs?
  - c. What are testing criteria for certification?
6. Summary:
  - a. SB 730 as written is incomplete as written and could lead to short and long term litigation and enforcement problems.
  - b. Manufacturers should be part of the drafting of this legislation so that the State can provide an effective and comprehensive plan to move forward