

**Maryland State Senate  
Education, Health, and Environmental Affairs Committee**

**Dear Mr. Chairman and Members of the Committee:**

My name is Victor Davis, owner of Pavement Depot of MD and we are in the business of preserving asphalt pavement, which increases the life of the asphalt by more than double. In Maryland, housing and commercial properties are growing at a rapid pace putting a not so friendly impact on our footprint on the environment. Just like painting the exterior of a building (to preserve and increase life span), sealers preserve and increase the life span of asphalt (driveways, parking lots, schools, airports, roads) etc. We will never be able to eliminate the impact that humans have had on the environment, but it only makes sense to preserve and maintain the structures and infrastructures we have created. This cuts down on more disruption to our environment by removing and replacing which outweighs the maintenance 10-fold.

Little history about our industry. All the sealants we are talking about are water based, similar to water-based paints. Coal tar has been around for over 50 years as the preferred, longest lasting asphalt preservation sealant. In 2012, Montgomery county banned this product due to reported elevated PAH levels. When I watched the hearing in the house, Delegate Barve was asked about what PAH's were and he was unable to explain, only saying they were poison. PAH's (Polycyclic Aromatic Hydrocarbons) are present in coal, oil, gas, and anything that is burnt or decomposed. Facts are that PAHs are everywhere. **\* PAH's have never been identified as a "cause of impairment" in any of Maryland's reports under the Clean Water Act.**

HB77 will not only harm the environment, but it will also destroy 1k plus jobs here in Maryland and cost Maryland property owner's big money. Since Coal Tar was banned in Montgomery County in 2012 asphalt preservation has dropped off significantly. Since then, 3 other counties have banned Coal Tar with the same results. We had logged thousands of calls from unhappy property owners in these counties. Since then, our manufactures have developed a close alternative to Coal Tars (100,000 PPM PAH's) with a product called LP based sealers that have over 90% less PAH's at 10,000 PPM PAH's. **This bill will ban these LP based sealers as well.** Manufacturers spent a tremendous amount of money and research to develop this **Safer Sealer**. This LP product has been working great for our 150 plus contractors that purchase from us with thousands of happy customers. If this current HB 77 bill is passed, this would eliminate asphalt preservation and maintenance in Maryland forever. The asphalt sealants that are 1,000 PPM PAH's (that are in the bill) the House has recommended is subpar and ineffective in preservation of asphalt. We have tested every product at this 1,000 PPM PAH's on the market and they all have failed every test and would be ineffective in preserving asphalt.

I say "Kudos" to the kids for their presentation on the banning of coal tar and its negative effects on the environment however I challenge you to do the same research and demonstrate the negative impact on the environment to not preserve what is already here and send millions of broken-down asphalts into the dumps/landfills across the state. There are always two sides to an argument and only assessing one side is both unfair to all the companies that will be put out of work as well as to the kids themselves, for not understanding the other side to this issue. A good argument reflects both sides of the issue. Simply banning all driveway/parking lot sealers is just not the answer. Taxpayers have the right to products to make their lives better, products that are cost effective and have a solid performance. Especially during a nationwide pandemic, thousands are without work and will be required to preserve what they already have and again, this bill would eliminate that.

## FACTS

PAH's are present in everything that is burnt and decomposed. (heat in your house, hamburgers, compost, fuel, tires, telephone poles), etc. We will always have PAH'S if we have living organisms & their fossils on this earth.

PAH's have never been identified as a "cause of impairment" in any of Maryland's reports under the Clean Water Act.

Coal Tars and new lower PAH's (10,000PPM PAH's) extended the asphalt pavement by 2-3 times and save the property owners more than half over 20 years. this does Not include the inferior Asphalt emulsions.

Coal tar and LP sealants have 70% less PAH's when dried and cured on the surface.

Surfaced sealed with Coal Tar sealants do not contribute significant amounts of PAH's to the aquatic environments. Science not theory!

### **Bottom Line:**

There is no scientific evidence that PAH's from coal tar or LP have ever harmed anyone or our waterways in Maryland. Bill HB77 will cost thousands of jobs, millions of dollars in avoidable property repairs, and millions in tax revenue.

Please vote NO on HB77

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