



www.gemseal.net

5050 Denver Street, Tampa, FL 33619 Office: 813.630.1695 Fax: 813.630.1660

February 18, 2021

Maryland State Senate
Education, Health, and Environmental Affairs Committee
Miller Senate Office Building, 2 West Wing
11 Bladen Street
Annapolis, MD 21401

Re: Vote No on HB-77

Dear Mr. Chairman & Committee Members:

After previous multiple attempts to ban coal tar sealer from both production and use in the state of Maryland by its' legislature, and by the bans put in place by the four Maryland counties surrounding Washington, D.C., Gem Seal Pavement Products decided to close our Baltimore production and storefront distribution facilities in February of 2020, prior to the Corona-virus pandemic. It was a disappointment to us and especially to our employees whom we had to permanently layoff; a plant manager, a production manager, an administrative assistant, a marketing representative, four plant employees, storefront manager, and 2 truck drivers. All were well paid with full benefits too.

We believed it was too risky to spend the capital to upgrade our White Marsh manufacturing facility and our Rosedale storefront location, given the hostile legislative climate over the past decade in Maryland and the misplaced animosity for refined tar products given in a presentation by school children who only presented one side of the story from the USGS, easily obtained on the internet. The fact remains that there is no legacy of adverse health effects within and outside of the pavement maintenance industry from refined coal tar sealers during the 65 years they have been in commercial use. Not one documented incident. Since we sold and transported nearly 75% of the refined coal tar and petroleum pitch pavement sealer produced at our White Marsh plant to clients in neighboring states following the coal tar bans in the 4 Maryland counties, we determined that we could supply those customers from two other facilities located in North Carolina and Pennsylvania. None of the White Marsh employees we had to layoff were relocated.

The school children who presented to the Howard County Council and the House of Delegates only consulted sources provided by advocates of the coal tar and petroleum pitch sealer bans. Never once did they consult or visit one of the refined tar sealer companies located in Maryland, Gem Seal or SealMaster. Never once did they consult with me, a 41-year veteran of the industry and still working, or Tom Decker, who has operated a coal tar manufacturing plant in Cockeysville for 25 years. Never once did they consult Dr. Brian Magee, Dr. Kirk O'Reilly, or the multitude of other science experts who have refuted through multiple and repeatable peer reviewed research publications how misguided Barbara Mahler and Peter Van Metre's research into refined coal tar sealer really is. Did they document even one incident of adverse human health effect to a person who worked in a Maryland sealer production facility? No. A commercial sealcoating contractor? No. Or, any employee who was and no longer employed at Gem Seal? No. Are they aware that there are no .1% PAH pavement sealers that wear as well as the current coal tar and petroleum pitch products which are the current preferred choices of contractors and property owners in Maryland? No...

We are permanently closed in Maryland due to this misuse of legislation in the 4 counties closest to Washington, D.C.

I find ironic, if not tragic, that Washington is spending vast sums of time and money to keep businesses stable through the corona-virus crisis and yet, at the same time, Maryland is about to severely cripple our industry with this over-reaching and targeted bill, HB-77. As for the current pandemic that overshadows our country, **I am proud that our company is one of few that has remained open, with exception to Maryland, without laying off a single employee or**

Page 2

Vote No for HB77

taking a single dime in Federal assistance. HB77, if passed, however, will bring a rapid decline to our industry that will shut down additional plants and layoff salaried and wage-earning employees of manufacturers, resellers, and sealcoating contractors.

Chris Mariani

Gem Seal Pavement Products
Southern Regional GM

chrism@sealmasterpmg.com

813-630-1695 office

727-422-8021 cell