

January 18, 2021

Delegate Vaughn Stewart
Environment and Transportation Committee
220 House Office Building
6 Bladen Street
Annapolis, MD 21401

Delegate Vaughn Stewart and members of the Environment and Transportation Committee
Re: Ban on Application of Coal Tar Pavement Products (Safer Sealant Act 2021)

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Dear,

The Pavement Coatings Technology Council (PCTC) writes in opposition to HB 0077, the “Safer Sealant Act 2021.” Members of PCTC, a 501(c)(6) trade association, are manufacturers of pavement sealants and their suppliers. Sealcoating pavements is primarily accomplished by small, family-owned businesses that are the customers of sealant manufacturers, which are themselves mostly small, family-owned businesses. HB 0077 would ban the use of the most performative and cost-effective sealant for no valid reason. Four Maryland counties and the nearby District of Columbia have enacted unjustified bans on the sealant product that is the target of HB 0077 resulting in a precipitous decline in the sealcoating business overall. This is not hypothetical. One of three manufacturing plants in the State of Maryland, associated distribution outlets, and the loss of business by dozens if not hundreds of small and micro-business applicators has already happened. These bans were enacted without any evidence that sealcoat of any variety has harmed any person or creature or ecosystem or environmental process.

In support of PCTC’s position, attached to this letter are a comprehensive set of comments submitted in 2020 to the US Environmental Protection Agency (EPA) in response to the Agency’s proposed 2020 Multi Site General Permit (MSGP). The 2021 MSGP has now been finalized and, as EPA also decided during the 2015 MSGP revision process, no restrictions on the use of refined coal tar-based pavement sealants has been included. There is simply no scientific

evidence of risks to human health or the environment sufficient to warrant banning an effective product.

PCTC urges you and the Environment and Transportation Committee to reject HB 0077.

Thank you for your consideration.

Very truly yours

Anne P. LeHuray, Ph.D.
Science Advisor

Attachment