

January 15, 2021

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

Re: Application of Coal Tar Pavement Products (Safer Sealant Act 2021)

Dear Delegate Vaughn and members of the Environment and Transportation Committee,

My name is Tom Decker, Jr., President of SealMaster-DelMarVa located in Cockeysville, MD. We are going into our 25th year of manufacturing coal tar pavement sealer in Maryland. I am writing in opposition to the Safer Sealant Act 2021.

Our largest year of pavement sealer production was in 2012. The coal tar sealant ban in Washington, D.C. had been established a couple years earlier. Counties in Maryland began to copy the coal tar pavement sealer ban of Washington, D.C. despite having no evidence that coal tar pavement sealer was harming humans, animals, plants or polluting any bodies of water. Since that time, as the coal tar pavement sealer bans have been passed in Montgomery, Prince Georges, Anne Arundel and Howard Counties, our volume of pavement sealer gallons produced has decreased over 20% from its peak in 2012.

When the general public is informed that coal tar pavement sealer has been banned, and not knowing there is any difference between coal tar pavement sealer, asphalt pavement sealer, or LP base pavement sealer; they conclude that all pavement sealer is toxic and harmful to the environment. This is what has occurred in four of the most populated counties in Maryland where coal tar pavement sealer has been banned. The amount of sealcoating of any kind especially in those counties, is steadily decreasing every year since the bans have gone into effect.

GemSeal Pavement Products manufacturing plant located in White Marsh, MD had been safely manufacturing and distributing coal tar pavement sealer for over 35 years. The GemSeal pavement sealer manufacturing plant along with their contractor supply store in Rosedale, MD closed in January 2020, prior to the Covid-19 pandemic. The job losses include pavement sealer manufacturing equipment operators, warehouse personnel, their plant manager, tractor trailer sealer delivery drivers, store managers, and store manager assistants.

Currently, we have less employees that we did previously because the coal tar pavement sealer bans have reduced the demand for all types of pavement sealer in Maryland. For our company, that means less warehousing and manufacturing personnel, and less pavement sealer delivery drivers.

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To date, there has been no evidence produced in the State of Maryland, Washington, D.C., or anywhere else where coal tar pavement sealer has been applied, that coal tar pavement sealer has harmed a single human, animal, plant, or polluted a body of water. Who has died or become ill in the State of Maryland from exposure to coal tar pavement sealer, a product that has been safely manufactured, distributed, and applied since 1957? Prior to the coal tar bans, coal tar pavement sealer had been sold to homeowners in 5 gallon pails at Home Depot, Lowes, and Ace Hardware stores since the 1960's without a single incident of a person becoming ill, dying, or filing a lawsuit against any manufacturer or these well known stores.

The belief that coal tar sealer washes off of asphalt surfaces and flows into ponds, streams, and rivers killing fish and other aquatic life is completely unfounded. Sealcoating Contractors cannot afford to risk applying pavement sealer twice on the same job. With the many accurate weather apps available to sealcoating contractors on their phones, pavement sealer being washed off asphalt because of a rain event is something that does not happen.

The quality of asphalt paving today because it contains such a large percentage of recycled asphalt millings, deteriorates twice as fast as it did 20-25 years ago. Coal tar Pavement Sealer is the most effective product to protect asphalt driveways, parking lots and low traffic roads from water penetration, oxidation from ultraviolet light rays, and chemicals. Coal tar applied regularly every 4 or 5 years will beautify and protect asphalt surfaces saving thousands of dollars by reducing the requirement to mill and repave asphalt surfaces with new asphalt. Regularly sealcoated asphalt surfaces last at least twice as long as unsealed asphalt. The alternative pavement sealers permitted for use where coal tar sealer has been banned wear much more quickly and must be applied more often.

A statewide ban of coal tar pavement sealer in the State of Maryland does the most damage by making the general public fearful of all pavement sealers to the point where one long established manufacturer, GemSeal Pavement Products formerly of White Marsh, MD, has closed its doors permanently and every job eliminated. In addition, the reduction of asphalt maintenance, specifically sealcoating, in the State of Maryland, means more public spending on milling and new asphalt paving costing the citizens significantly more than if they were maintained their asphalt investments with coal tar or other pavement sealers.

The fact that you and your fellow delegates on the Environment and Transportation Committee are willing to ban a product that has not harmed a single citizen in Maryland of anywhere else ever, along with the fact that the coal tar bans in four of our largest counties have reduced demand to the point where it caused one

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pavement sealer manufacturing plant and storefront location to close with good paying jobs with benefits eliminated, shows that you are not working in the best interest of your constituents.

Considering the previous coal tar pavement sealer bans have already caused the closing of a longtime manufacturer and the elimination of good paying jobs, along with the fact you and the other people on the Environment and Transportation Committee are attempting to ban a product that you have no evidence of being harmful to the environment, I oppose the ban of coal tar sealants statewide in the State of Maryland.

Sincerely,
Tom Decker, Jr
SealMaster

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