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Dear Paul Pinsky,

My name is Robert (Robb) Archie. I am the president of ASMA-USA. (Asphalt Sealcoat Manufacturers Association). ASMA has a long history dating back to the early 1990s. It was first started to bring all of the contractors and manufacturers together in the western states. Its primary mission was to get everyone on the same page, to make sure that quality and safe sealcoats were being applied, and that the work was being done correctly. That was over 40 years ago. It worked, and the West Coast has enjoyed the use of asphalt emulsion seal coat since the 1980s.

Once asphalt emulsion seal coat came upon the scene in the early 1980s, coal tar emulsion was pretty much abandoned by all of us. Although we and other emulsion plants were capable of making coal tar emulsion, none of the contractors wanted to use it. Why? Because there was now a viable, safer alternative, asphalt emulsion seal coat.

The reasons for this change were simple. Coal tar emulsion burned your skin, irritated your airways and was difficult, if not impossible to get off. The only way to remove it from your body and equipment was to use Xylenol and Xylene! These chemicals are highly explosive and flammable. But that was the only way to remove it at that time.

In the early 1970s, my dad had a coal tar emulsion and application facility in Orlando, Florida. We had the contract to sealcoat all of Disney World. We applied it to most of their asphalt pavements, asphalt sidewalks and parking facilities. As a young man applying coal tar emulsion, I and some of the other workers, would take our shirts off and wear shorts because of the high heat and humidity. Big mistake! Why? Because, we wound up in the emergency room later that night, with severe burns from the overspray that had sprayed upon our arms, legs, and torsos. Did it burn us at first? No. That's because you don't realize what it is doing to you until it is left on for a short time.

Needless to say, it took a week for me to recover, but the damage was done. Coal tar was in my tissues. Has it caused medical issues for me specifically now, no one knows for sure. Do workers applying it now know this? Well, if the manufacturers of coal tar are saying it's safe, then I doubt it since they may not be offering additional information regarding possible harm.

Some of the ingredients in coal tar emulsion are: Coal Tar/Cresylic Acid. Yes acid! Does that sound friendly to the human body? No, it is not.

I remember once as a young boy at my dad's plant, I leaned over a vat of Cresylic Acid to smell it. I passed out from the fumes. If my dad hadn't caught me, I would have landed in it. Sound like a safe chemical to you?

I'm also the owner and president of U.S. Seal International, Inc. We manufacture asphalt emulsion sealcoat plants. These plants manufacture "Pitch Black" asphalt emulsion sealcoat materials. Currently, we have 11 Seal Coat Plants in the USA. The list is as follows: Seattle, Idaho, Nevada, Utah, Minnesota, Wisconsin, Texas, Illinois, Michigan, South Carolina and South Dakota, with two new plants going online this year in Colorado and Connecticut.

We tested Pitch Black Asphalt Emulsion Seal Coat for PAHs (Polycyclic Aromatic Hydrocarbons). The test determines to what degree of PAHs are in the seal coat being tested. PAHs are harmful toxins believed to lead to cancer and are harmful to the environment. The seal coat being tested, must have less than 1000 parts PAHs per million in it to pass the test. Pitch Black came back with a 0.00% PAH's.

Does asphalt emulsion seal coat work? Yes, it does. Our Wisconsin plant sold over 700,000 gallons last year in just a 6-month period. Does it stay on the ground? Yes, it's still there after tough winters. The contractors who were using coal tar but have switched to asphalt emulsion seal coat say they will never go back to coal tar emulsion.

Our plants in Michigan and South Carolina are doing well and are converting people from using coal tar to asphalt emulsion seal coat. The East Coast plants making coal tar could make asphalt emulsion but won't. Why? Why do you think! With close to 100 million people living in the West Coast regions, why are they all using asphalt emulsion sealcoat? The reason is simple. It's safe, it works, it lasts a long time and no one's out of work because of the change. It started to happen 40 years ago and no one has regretted it.

My family stopped using coal tar emulsion over 40 years ago and we will never ever use it again.

The Archie family has a very long history of being in the asphalt industry. First my grandfather in the early 1930s and then my dad as his partner in 1946, and then me in the 1960s. Our family had used coal tar for many years.

Currently, I'm 70 years old and probably the oldest person in the room who has used coal tar since 1959. I was 8 years old then, helping my dad on weekends in his asphalt business. In the early 1960s I also worked there as a teenager in the summertime, helping my dad when he worked on Route 66. In total, my family's been in the asphalt business for over 70 years. The experience and wisdom I've gained from my family, the thousands of jobs we've done, as well as the exposure to many engineers, has been invaluable.

As we speak, there are currently over 30 prestigious organizations who have come up with the same results in testing coal tar as the USGS has. The results aren't good for the coal tar manufacturers. If you're hearing that USGS lost a skirmish with the coal tar manufacturers, there is more to the story. The chemists' notes referenced in the court case were from the early stages of their testing. These notes from 12 years ago or more, from the chemists who did the research, do not negate the final findings from the USGS in regards to coal tar. Unfortunately, the chemists are now deceased. In my opinion, if this is all the coal tar manufacturers have, it's a pretty weak argument.

Interestingly enough, I am a Republican, who supports small business, common sense and reason. But I also support safe products, and protecting human health. More important than ever, the American public deserves to know the ingredients in every product that may have a harmful effect on current and future generations.

In closing, Minnesota banned coal tar. New York banned coal tar. Maine banned coal tar as well as the state of Washington. This is your opportunity to do the right thing and protect your constituents.

Sincerely,

Robert B. Archie
President

U.S. Seal International, Inc.