

July 2018

Updates regarding the District's Coal Tar Ban and Addressing Sources of PAHs

Momentum is building for the District to move forward with proposed updates to its existing coal tar sealant ban to address new pavement sealant products with a PAH threshold greater than .1%. DOEE has continued to work with the Huron River Watershed Council and other partners and jurisdictions, including Clean Wisconsin, Prince George's County and Montgomery County, to identify potential sources of funding to create a PAH content certification protocol for sealants.

At the March CBPC meeting, members expressed widespread support for the sealant certification, starting with the protocol, but decided a letter of support from CBPC is not necessary to ensure the certification process moves forward.

To build support and partnerships, DOEE has shared this information with Chesapeake Bay Commission, which works with the legislatures of Virginia, Maryland and Pennsylvania. DOEE also spoke with staff responsible for implementing the coal tar ban in Anne Arundel County. Anne Arundel County expressed potential interest in expanding its ban, but is unable to provide funding for certification. Finally, DOEE and USGS presented information to students concerned with coal tar use in Howard County. The students presented their findings to County Councilmember Jon Weinstein and asked him to introduce legislation that includes a .1% PAH threshold, consistent with the District's proposal.

Since our last update to the committee, DOEE has set the following *tentative* timeline for action

- **Summer 2018:** Continue researching potential sources and secure funding for certification creation with partners
 - Amendments are not contingent upon certification moving forward, which can be enforced through routine field and lab testing if need be.
 - Certification is a resource that sealant applicators (both commercial and residential) can use.
- **Fall 2018:** Introduce and deliberate amendments to District Coal Tar Ban
- **Fall-Winter 2018:** begin working with partners and lab to develop PAH testing and certification protocol
- **Summer 2019:** legislative amendments passed by DC Council
- **Summer 2019-Spring 2020:** outreach and education campaign to commercial and residential applicators and wholesalers
- **Fall 2019:** industry begins to submit products for testing using the new PAH certification protocol
- **Spring 2020:** DOEE issues a public list of compliant products that have passed the PAH certification process
- Effective date: **July 1, 2020**

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