



NEW YORK STATE SENATOR

Jen Metzger

## Metzger's Bill to Ban Toxic Coal Tar-Based Pavement Sealants Passes in the State Senate

JEN METZGER July 27, 2020

| ISSUE: **TOXIC CHEMICALS, COAL TAR-BASED SEALANT BAN, HEALTHY BABIES**



**Albany, NY...** Senator Jen Metzger's bill ([S6308A](#)) prohibiting the sale and use of pavement products containing coal tar passed the State Senate last week. Coal tar-based sealcoat used in parking lots and playgrounds is a potent source of polycyclic aromatic hydrocarbons (PAHs), a known human carcinogen that is also acutely toxic to fish and other aquatic life. Washington, Minnesota, and Washington, D.C., as well as a number of counties and cities, have already passed laws to ban coal tar sealants. The bill was introduced in the Assembly by

Assemblymember Linda Rosenthal and has not yet passed in that house.

According to the United States Geological Survey, coal tar-based pavement sealcoat typically contains about 100 times more PAHs than in used motor oil and about 1,000 times more PAHs than in sealcoat products with an asphalt (oil) base. When sealcoat wears off, PAHs are carried away by stormwater, and high concentrations of PAHs from coal tar-based sealants have been found in soils, house dust, and waterbodies in areas surrounding their use. Studies have identified dangerous levels in homes, where dust can be accidentally ingested by small children crawling through the toxic dust.

"The dangerous concentrations of PAHs in coal tar make it a highly toxic, cancer-causing substance, and when the risks are weighed against the benefits, there is no good argument for continuing use of coal tar-based sealants in New York, especially when alternatives are available," **said Senator Jen Metzger.** "This type of product is a major source of PAHs in our environment, and it is one we can do without."

"Under Senator Metzger's leadership, the New York Senate took a big step in addressing the toxic and carcinogenic coal tar-based pavement sealants. This harmful fossil-fuel based product is applied to driveways, parking lots, and even playgrounds across the state, running off into our waterways, poisoning wildlife and into people's homes, where it can pose health risks, particularly for children." **said Jeremy Cherson, Legislative Advocacy Manager for Riverkeeper.** "If signed into law, this bill would ban coal tar sealants from being used and sold in New York, which will join Minnesota, Washington and the District of Columbia in banning the toxic product."

*Jen Metzger represents the 42nd Senate District, which includes all of Sullivan County and parts of Delaware, Orange, and Ulster Counties. Senator Metzger serves as Chair of the Agriculture Committee and sits on the Environmental Conservation, Education, Health, Energy and Telecommunications, Local Government, Women's Issues, Domestic Animal Welfare, and Legislative Commission on Rural Resources Committees.*

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RELATED LEGISLATION

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## 2019-S6308A

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- Introduced
  
- - In Committee Assembly
  - In Committee Senate
  
- - On Floor Calendar Assembly
  - On Floor Calendar Senate
  
- - Passed Assembly
  - Passed Senate
  
- Delivered to Governor
  
- Signed By Governor
  
- 

Prohibits the sale of pavement products containing coal tar; prohibits the use of pavement products containing coal tar

June 04, 2019

In Assembly Committee

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Do you support this bill?