

## Montgomery

## County Council

##### *From the Office of Councilmember Craig Rice* *July 30, 2019*

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**Montgomery Council Enhances Regulations on Dangerous Driveway Sealants**

ROCKVILLE, Md., July 30, 2019—The Montgomery County Council unanimously approved Bill 8-19 that will prohibit the use and sale of driveway sealants with Polycyclic Aromatic Hydrocarbon (PAH) levels higher than .1 percent. By doing so, Montgomery County becomes the first county in Maryland to join Washington D.C. in the beginning of a regional approach to limit the PAH pollutant from entering our waterways and contaminating our environment. Councilmember Craig Rice is the lead sponsor of Bill 8-19. Council President Nancy Navarro is a cosponsor. The bill also received support from the County Executive and the County’s Department of Environmental Protection (DEP).

The Agency for Toxic Substances & Disease Registry (ATSDR) states that when PAHs are introduced into our natural environment, our air and waterways are polluted with the chemical. This leads to long-term contamination of lakes and rivers as well as ground water. Plants and animals have been shown to exhibit high PAH contents when living in an exposed area. The Environmental Protection Agency (EPA), the Center for Disease Control (CDC), and the Occupational Safety and Health Administration (OSHA) are among several agencies who have also noted the danger of PAH exposure, including its carcinogenic effects for humans and animals. By passing Bill 8-19, Montgomery County is taking action against PAHs, to protect its residents and environment.

“While I hoped prohibiting the use and sale of coal tar products would severely limit our PAH contamination runoff into our waterways, I am happy to have the support of my Council colleagues in correcting the issue of new sealants in the market with high PAHs,” said Councilmember Craig Rice. “This bill is the next step in creating a regional approach to improve our waterways and protect the health of our residents and animals.”

The new legislation enhances the intent of the 2012 legislation, Bill 21-12, which prohibited the use and sale of coal tar pavement products by expanding restrictions to limit the negative consequences of PAHs.

Specifically, Bill 8-19 addresses the unpredicted effect of new non-coal tar sealants with extremely high levels of PAHs entering the market. After the coal tar ban, the runoff from the new sealants with high PAHs were discovered in our County waterways. Due to the adverse health effects caused by PAHs, the county is taking the next step to safeguard residents and wildlife. The goal is for more jurisdictions in the region to join this effort and protect our watershed that ultimately flows into the Chesapeake Bay.

This legislation requires the Director of DEP to publish a list of approved sealants with less than .1 percent PAH for use in the County. DEP also will oversee the enforcement of the law. The bill will go into effect July 1, 2020.

Watch Councilmember Rice’s comments before the final vote on Bill 8-19 [here](https://youtu.be/h-umpnjNWLc).

The Council staff report can be viewed [here](https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2019/20190730/20190730_5A.pdf).

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