A.9178 (Rosenthal, et al.)  S.8474 (Sanders Jr.)

Explanation:

In 2021, New York State enacted a ban on the sale and use of coal tar-based pavement sealants with polycyclic aromatic hydrocarbons (PAH) above 10,000 ppm. This ban is one of the first in the country.

PAHs are carcinogenic to humans and highly toxic to aquatic life. Children living in homes near parking lots that are coated with tar-based pavement sealants face a substantial increase in cancer risk compared to those living next to unsealed lots. People with a lifelong exposure to coal-tar sealant pavements and playgrounds have a 38-times higher risk of cancer. PAHs also kill small organisms living on the bottom of rivers and streams and can cause tumors in fish and other large aquatic animals.

Ensuring the level of allowable PAHs is the most protective is critically important. The District of Columbia, with support from the Environmental Protection Agency (EPA) is establishing a certification program for PAHs in pavement sealants. For a pavement sealant to receive a “gold standard” certification under the program, it must have PAH levels below 1,000 ppm. This legislation would bring New York’s state limit of 10,000 ppm down to 1,000 ppm to align with this nation-leading standard.

Summary:
This bill amends Article 37 of the Environmental Conservation Law to reduce the PAH limit to 1,000 ppm from 10,000 ppm in coal tar pavement sealants.