



GREAT LAKES AND ST. LAWRENCE CITIES INITIATIVE
ALLIANCE DES VILLES DES GRANDS LACS ET DU SAINT-LAURENT

RESOLUTION 01 – 2017M

RESTRICTING THE USE OF COAL TAR SEALANTS IN THE GREAT LAKES
AND ST. LAWRENCE RIVER BASIN

WHEREAS, the Great Lakes and St. Lawrence River provide drinking water to more than 48 million Canadian and U.S. citizens, and the freshwater system, including its rivers, streams and tributaries, supports significant ecosystems and fisheries that are dependent upon good water quality; and

WHEREAS, runoff from permeable surfaces is a well know vector for pollutants entering our waterways, particularly after rain events; and

WHEREAS, paved concrete or asphalt surfaces such as driveways, parking lots, and playgrounds are fixtures in municipalities, and may be coated with a sealcoat, sealant, or driveway sealer for aesthetic purposes or to increase the lifespan of the surface containing refined coal tar, known as coal tar based sealcoat; and

WHEREAS, coal tar based sealcoat is made with coal tar pitch, which results from the process of coking coal, and coal tar pitch is a group 1 human carcinogen and contains polycyclic aromatic hydrocarbons (PAHs). PAHs are persistent organic compounds, several of which are known or probable human carcinogens; and

WHEREAS, coal tar based sealcoats contains PAH concentrations about 1000 times higher than those in asphalt based sealcoat (Mahler et al, Coal-tar Based Pavement Sealcoats and PAHs: Implications for the Environment, Human Health, and Stormwater Management <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3308201/>); and

WHEREAS, over time, coal tar based sealcoats are eroded by use and small particles are released onto the surface and even into the air, and can be tracked into homes and washed away in stormwater; and

WHEREAS, PAH concentrations in urban waterways have been documented at high levels, as studies conducted by the US Environmental Protection Agency (US EPA), the US Geologic Survey, and the municipalities of Austin, TX, Milwaukee, WI, DuPage County, IL and elsewhere have demonstrated; and



WHEREAS, US EPA has taken initial steps to address coal tar sealants as the result of the settlement of a lawsuit filed by a coalition of national environmental organizations; US EPA is committed to propose in 2019 that industrial facilities that use coal tar sealants should be ineligible for coverage under the National Pollutant Discharge Elimination System (NPDES) industrial stormwater multi-sector general permit, and either must stop use of coal tar sealants or apply for an individual NPDES permit (source: http://waterkeeper.org/app/uploads/2016/08/Waterkeeper_Alliance_Settlement_Agreement_08162016-EPA-MSGP.pdf); and

WHEREAS, Environment and Climate Change Canada and Health Canada, pursuant to sections 68 and 74 of the Canadian Environmental Protection Act, have conducted a draft screening assessment of coal tars and their distillates, and preliminarily determined they do present a risk to human health and the environment, and if the final assessment concurs, then the Government of Canada proposes further action on coal tar sealants; and

WHEREAS, driven by evidence of high levels of PAHs in urban waterways, the primary source of which is surfaces paved with coal tar sealants, and concern for human and environmental health given the known and potential risks of PAHs, a number of municipalities throughout the United States have already taken action to ban the use of coal tar sealants, including Milwaukee, WI and Highland Park, IL, two Cities Initiative members; and the states of Washington and Minnesota have similarly taken action; and legislation is under consideration in a number of other states including Illinois; and

WHEREAS, alternatives to coal tar sealants for municipalities and residents exist and are comparable in cost and performance.

NOW THEREFORE BE IT RESOLVED, that the Great Lakes and St. Lawrence Cities Initiative encourages US EPA and Environment and Climate Change Canada and Health Canada to continue their evaluations of coal tar sealants and take the necessary actions at the federal level to ensure protection of human health and our waterways from harmful pollution; and

BE IT FURTHER RESOLVED, that the Cities Initiative calls on the Provinces of Ontario and Quebec and the states of Illinois, Indiana, Michigan, New York, Ohio, Pennsylvania, and Wisconsin to explore actions that can be taken at the provincial and state levels to ensure human health and environmental protection from coal tar sealants; and



BE IT FURTHER RESOLVED, that the Cities Initiative encourages its member municipalities to become educated on the issue of coal tar sealants and consider implementing a local ordinance or ban on the use of coal tar sealants within their respective municipalities; and

BE IT FINALLY RESOLVED, that the Cities Initiative will form a working group to support its members as they consider the issue of coal tar sealants and actions they can take to address this pollution source and educate citizens on its potential risks.

Signed this 14th day of June 2017

A handwritten signature in black ink, appearing to be 'Denis Coderre', is written over a horizontal line.

Denis Coderre, Chair
Great Lakes and St. Lawrence Cities Initiative
Mayor, City of Montréal