

# Milwaukee Alderman Jim Bohl: Council approves ban on coal tar sealants, other sealant products in Milwaukee

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Today the Common Council voted 15-0 to ban the use and sale of coal tar sealants and other select high PAH level pavement sealant products in Milwaukee.

In approving the measure, the Council puts Milwaukee among a growing list of cities and communities across the U.S. – and the states of Washington and Minnesota – in restricting deadly ingredients/additives present in coal tar and select sealant products. Authored by Alderman Jim Bohl, the ordinance was approved by the full Council this morning and is co-sponsored by Alderman Nik Kovac, Alderman Terry L. Witkowski, Alderman Michael J. Murphy, Alderman Tony Zielinski, Alderman José G. Pérez, Alderman Russell W. Stamper, II, and Alderman Cavalier Johnson.

Specifically, the substitute ordinance approved today bans the use and sale of coal tar sealants and other pavement sealant products that contain greater than 1% polycyclic aromatic hydrocarbons (PAHs) by weight.

Alderman Bohl said PAH's are highly toxic and pose serious health and environmental dangers. A known human carcinogen, PAH's have been shown to increase cancer rates in humans 38 fold over lifetime exposure and have been found by the U.S. Geological Survey (USGS) to pose more harm to aquatic life in U.S. streams than any other chemical pollutant.

The unanimous vote came after a hard, last-ditch lobbying push from the trade association representing the sealcoating industry, Alderman Bohl said.

“I applaud my colleagues for rejecting a deceptive and misleading effort by the Pavement Coatings Technology Council (PCTC) to derail legislation that is soundly supported by science and research,” Alderman Bohl said, noting a series of documents attached to this release puts the PCTC lobbying effort in Milwaukee in perspective.

#### Coal tar sealants ordinance/ADD ONE

A recent [Milwaukee Journal Sentinel article](#) revealed a study by the U.S. Geological Survey and Milwaukee Metropolitan Sewerage District (MMSD) which showed coal tar sealants are the primary source of toxic chemicals found in the muck around Milwaukee area waterways. According to a March 2013 [Chicago Tribune article](#) on the coal tar industry’s efforts to fight bans on sealants, the local findings here are consistent with what government scientists are finding in other areas of the U.S.

“Peer-reviewed studies by government scientists have found that coal tar sealants are a major source, and sometimes the dominant source, of PAH contamination in urban areas,” the *Tribune* article states.

The *Tribune* article also noted that in response to a growing body of federal research and regulatory pressures, the coal tar industry turned to “a pair of consulting firms frequently hired by corporations dealing with environmental, health or safety issues – Exponent Inc. and Environ International.”

Alderman Bohl said an Exponent study cited in the *Tribune* article concluded that “industrial pollution and vehicle exhaust” were far bigger sources of PAHs than coal tar. “This is very deceptive and lacks credulity because as the investigation from the *Chicago Tribune* showed, the finding is based on an older scientific model that does NOT include coal tar sealants as a possible source, leading the researchers to conclude that PAHs found in the environment ‘can be explained in the absence of any contribution’ from pavement sealants,” he said.

“This is essentially lying by omission, and it is shameful in my opinion,” Alderman Bohl said.

In attempting to drum up opposition to the proposed legislation using social media,

the PCTC also used a similar omission tactic to imply (falsely) that the new ordinance would ban most or all pavement sealcoating products and falsely stated the financial cost of this measure to be significant to businesses and residents alike, Alderman Bohl said. Neither is remotely accurate. “The ordinance does not affect a large number of competitively priced, cost-effective sealant products, and in fact, there is a significant supply of sealant products out there that are either very low in content or void of deadly PAHs,” he said.