

Bartelt Enterprises

April 6, 2021

**RE: Dane County Sealcoat Ban**

Polycyclic aromatic hydrocarbons (PAHs) found in coal tar and other high-PAH sealants have been identified as human carcinogens. Dust in homes is an important pathway for human exposure to many contaminants, including PAHs. Household dust in homes adjacent to coal tar sealed pavement is 25 times higher in PAHs than homes near pavement sealed with other types of sealants or unsealed concrete.

Dane County Code of Ordinances Chapter 80.08 bans the commercial application of any pavement sealant containing **>0.1% PAHs** in Dane County. Any sealcoat product applicator that violates Chapter 80.08 shall be subject to a forfeiture of \$500 for the first violation within a twelve month period, \$1000 for the second violation within a twelve month period, and \$2000 for the third and each subsequent violation within a twelve month period.

Asphaltic sealants typically contain 0.005% PAHs.

Coal tar sealants typically contain 5-20% PAHs.

Black Diamond by Gem Seal contains about 1.9% PAHs.

If a banned sealant is applied, each day the product remains on the property will be considered a separate offense until the material is removed and disposed of in a manner approved by the Department. HEPA filtration will likely be a required component of any approved removal procedure.

It is recommended to remove any residual high-PAH product from application equipment before filling with asphaltic sealant for work in Dane County, as a mixture of materials may result in a sealant that is over the 0.1% PAH ban.

If you have any question or require further information, please contact Rick Wentz, (608) 225-2396, of the Environmental Protection Unit, Public Health Madison and Dane County.