SENATE DOCKET, NO. 1563 FILED ON: 1/16/2025

SENATE . . . . . No. 645

The Commonwealth of Massachusetts

PRESENTED BY:

Michael O. Moore

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act prohibiting the use of coal tar sealers.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Michael O. Moore	*Second Worcester*

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SENATE . . . . . No. 645

By Mr. Moore, a petition (accompanied by bill, Senate, No. 645) of Michael O. Moore for legislation to prohibit the use of coal tar sealers. Environment and Natural Resources.

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Fourth General Court
(2025-2026)

An Act prohibiting the use of coal tar sealers.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Chapter 111 of the General Laws, as appearing in the 2022 Official Edition, is hereby amended by inserting after section 244 the following section:-

Section 245. Coal Tar Pavement Sealant Products.

(a) For the purposes of this section, the following words shall have the following meanings:

"Coal tar", a viscous substance obtained by the destructive distillation of coal and containing levels of polycyclic aromatic hydrocarbons in excess of 10,000 milligrams per kilogram. "Coal tar" includes, but is not limited to, refined coal tar, high temperature coal tar, coal tar pitch and coal tar pitch volatiles.

"Coal tar sealant product", a surface-applied sealant product that contains at least a 20 percent coal tar pitch and is for use on an asphalt or concrete surface, including a driveway or parking area, and are a major source of polycyclic aromatic hydrocarbons in the environment.

(b) No person or entity shall apply, or permit the application on property he or she owns, a coal tar sealant product on a driveway or parking area.

Any person or entity who violates this subsection shall be punished by a fine of not less than $500 and, for a second or subsequent violation, by a fine of not less than $1000 or by imprisonment in the house of correction for not more than 1 year.

SECTION 2. Section 1 shall take effect on January 1, 2026.