



Date: February 6th, 2026

Dear Chairman Hunt and Members of the House Committee on Commerce and Consumer Affairs:

On behalf of the Pavement Coating Technology Council (PCTC), I am writing in strong opposition to **HB 1614 – An Act restricting the use of coal tar-based sealant products containing levels of polycyclic aromatic hydrocarbons**. This act, as proposed, is unsupported by current science and will increase costs for property owners, municipalities and the state of New Hampshire.

The bill purports to protect the environment and public health by restricting the use of coal tar-based pavement sealants. It would forbid the use and sale of a product used safely across the nation to increase the longevity and durability of asphalt parking lots. Proponents of the bill claim, incorrectly, that because tar-based pavement sealants contain polycyclic aromatic hydrocarbons (PAHs), they pose an increased environmental and public health risk.

These claims do not stand up to scientific inquiry. Much of the concerns about the impact of PAHs from pavement coating come from a 2010 paper published by the United States Geological Survey (USGS). That paper argued that run-off from parking lots and driveways sealed with coal-tar sealants was a primary source of PAHs in lakes, rivers and other waterways. Since the original publication of the USGS paper, a rigorous scientific review of its methodology and analysis has shown that USGS' conclusions are not supported by the data they presented and it should not be used as a basis to restrict or ban the use of coal-tar sealants. A fuller explanation of the study and its shortcomings can be found [here](#).

In addition to that scientific review, PCTC has gone further and conducted case study where a sealant ban was put in place. That study demonstrated that the reduction in environmental PAHs predicted by ban proponents did not occur. The city of Austin, Texas banned coal-tar sealants in 2006. City officials at the time predicted that the ban would reduce PAH input by 90% to local streams.

Samples taken around Austin at three different time periods (2005 – before the ban, 2008 – two years after the ban, and 2023). The result of those sample analyses show no



consistent reduction in PAHs in local streams. A more detailed explanation of the study can be found [here](#).

HB1614 proposes a ban on a product that has been used safely across the country for more than six decades. Coal tar sealants protect underlying asphalt pavement from leaking oil and gas spills, last longer than the asphalt-based alternative, and are more resistant to natural aging processes caused by exposure to the elements (sun, rain, freeze-thaw, etc). While the legislation proports to have no fiscal impact on the state of New Hampshire, in point of fact, the capital assets of state and municipal parking lots and other infrastructure will face increased cost with more frequent and costly maintenance, replacement and upgrade expenses.

Protecting the environment and public health from harmful pollutants is a worthy goal. This legislation as proposed, however, does not further that goal. If passed, it would take a safe, cost-effective product off the market without increasing environmental or public health protections.

The Pavement Coatings Technology Council strongly urges the committee to NOT advance this legislation.

Thank you for your attention and consideration. We will make ourselves available to committee members for any questions or concerns that they may have.

Sincerely,

Brian Riggs, Executive Director

Pavement Coatings Technology Council