

**SHB 1721 - H AMD 59**

By Representative Frockt

ADOPTED 02/28/2011

1 Strike everything after the enacting clause and insert the  
2 following:

3 NEW SECTION. **Sec. 1.** The definitions in this section apply  
4 throughout this chapter unless the context clearly requires otherwise.

5 (1) "Coal tar" means a material that contains coal tar identified  
6 by chemical abstract number 8007-45-2.

7 (2) "Coal tar pavement product" means a material that contains coal  
8 tar that is intended for use as a pavement sealant.

9 (3) "Department" means the department of ecology.

10 NEW SECTION. **Sec. 2.** (1) After January 1, 2012, no person may  
11 sell at wholesale or retail a coal tar pavement product that is labeled  
12 as containing coal tar.

13 (2) After July 1, 2012, a person may not apply a coal tar pavement  
14 product on a driveway or parking area.

15 (3) The department may issue a notice of corrective action to a  
16 person in violation of subsection (1) or (2) of this section.

17 (4) A city or county may adopt an ordinance providing for  
18 enforcement of the requirements of subsection (1) or (2) of this  
19 section. A city or county adopting an ordinance has jurisdiction  
20 concurrent with the department to enforce this section.

21 NEW SECTION. **Sec. 3.** Sections 1 and 2 of this act constitute a  
22 new chapter in Title 70 RCW."

23 Correct the title.

EFFECT: Creates definitions for the terms "coal tar" and "coal tar

pavement product." Restructures the changes made in the underlying bill.

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