

ESHB 1721 - S COMM AMD

By Committee on Environment, Water & Energy

ADOPTED AS AMENDED 04/06/2011

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 viscous substance obtained by the
6 destructive distillation of coal and containing levels of polycyclic
7 aromatic hydrocarbons in excess of ten thousand milligrams per
8 kilogram. "Coal tar" includes, but is not limited to, refined coal
9 tar, high temperature coal tar, coal tar pitch, or any substance
10 identified by chemical abstract number 65996-93-2.

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

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

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

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

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

21 (4) A city or county may adopt an ordinance providing for
22 enforcement of the requirements of subsection (1) or (2) of this
23 section. A city or county adopting an ordinance has jurisdiction
24 concurrent with the department to enforce this section.

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

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1 On page 1, line 2 of the title, after "sealants;" strike the
2 remainder of the title and insert "and adding a new chapter to Title 70
3 RCW."

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