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**SUBSTITUTE HOUSE BILL 1721**

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**State of Washington                      62nd Legislature                      2011 Regular Session**

**By** House Environment (originally sponsored by Representatives Frockt, Kenney, Roberts, Fitzgibbon, and Stanford)

READ FIRST TIME 02/17/11.

1            AN ACT Relating to preventing storm water pollution from coal tar  
2 sealants; and adding a new chapter to Title 70 RCW.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4            NEW SECTION.    **Sec. 1.**    The definitions in this section apply  
5 throughout this chapter unless the context clearly requires otherwise.  
6            "Department" means the department of ecology.

7            NEW SECTION.    **Sec. 2.**    After January 1, 2012, no person may sell at  
8 wholesale or retail a coal tar pavement product that is labeled as  
9 containing coal tar.

10           NEW SECTION.    **Sec. 3.**    After July 1, 2012, a person may not apply  
11 a coal tar pavement product on a driveway or parking area.

12           NEW SECTION.    **Sec. 4.**    (1) The department may issue a notice of  
13 corrective action to a person in violation of section 2 or 3 of this  
14 act.

15           (2) A city or county may adopt an ordinance providing for

1 enforcement of the requirements of section 2 or 3 of this act. A city  
2 or county adopting an ordinance has jurisdiction concurrent with the  
3 department to enforce this section.

4 NEW SECTION. **Sec. 5.** Sections 1 through 4 of this act constitute  
5 a new chapter in Title 70 RCW.

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