



**CITY OF SAN ANTONIO  
OFFICE OF THE CITY COUNCIL  
COUNCIL CONSIDERATION REQUEST**

TO: Mayor and City Council

FROM: Councilman Ron Nirenberg, District 8

COPIES TO: Sheryl Sculley, City Manager; Leticia Vacek, City Clerk; Edward Benavides, Chief of Staff; Chris Callanen, Assistant to the City Council; Robbie Greenblum, City Attorney; John Peterek, Senior Management Analyst

SUBJECT: Prohibition on Coal Tar-Based Sealants

DATE: November 13, 2014

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Issue Proposed for Consideration

I ask for your support for the inclusion of the following item on the agenda of the earliest available meeting of the Infrastructure & Growth Committee:

Directing staff to consider a prohibition on coal tar-based sealants during the development of the comprehensive water study.

Brief Background

Coal tar-based sealants are often used to recondition and rehabilitate asphalt surfaces. Coal tar-based sealants contain high levels of polycyclic aromatic hydrocarbons (PAHs). Over time, PAHs found in these sealants are released into soil and water through storm water runoff. PAHs are a public health concern because they are toxic to fish and aquatic life and probably contain carcinogens.

Storm water runoff has been identified as a primary cause of water pollution. The Environmental Protection Agency currently regulates the City of San Antonio storm water system through a permitting process that requires the adoption of best management practices and the implementation of storm water pollution prevention plans. A prohibition on coal tar-based asphalt sealants would be a step toward mitigating the impact of water pollution on the City of San Antonio storm water utility system.

The Cities of Austin and Washington, D.C. and the States of Washington and Minnesota have enacted prohibitions on coal tar-based sealants. The Edwards Aquifer Authority adopted a ban on environmentally sensitive areas of Hays and Comal Counties. In these jurisdictions, industry has adopted the use of asphalt-based sealants with minimal economic impact.

On October 9, 2014, the San Antonio City Council approved a comprehensive water study that will, in part, recommend policies that will protect the quality of San Antonio water. Given the link between PAHs and water quality, City staff should consider a prohibition on coal tar-based asphalt sealants during the development of the comprehensive water study. While City staff studies such a ban, City and community leaders should engage in an education and

outreach campaign to industry partners.

Submitted for Council consideration  
by:

  
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Councilman Ron Nirenberg, District 8

Supporting Councilmember's Signatures (4 only)

District No.

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