



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

June 27, 2011

Motion 13503

Proposed No. 2011-0175.2

Sponsors Phillips, McDermott and Hague

1 A MOTION seeking review of federal requirements to use
2 coal-based tar sealants at county airport facilities.

3 WHEREAS, coal tar-based sealants have been used in significant quantities
4 nationwide on driveways, playgrounds and other pavement as a means of sealing outdoor
5 pavement surfaces against penetration by water or other liquids, and

6 WHEREAS, coal tar compounds, which contain polycyclic aromatic
7 hydrocarbons, are considered to be a human and animal carcinogen by the International
8 Agency for Research on Cancer, and

9 WHEREAS, coal tar-based sealants have been identified as a significant source of
10 polycyclic aromatic hydrocarbons, carried from application sites to local streams, rivers
11 and lakes through stormwater runoff, and

12 WHEREAS. The Washington Department of Ecology has adopted regulatory
13 standards under the Model Toxics Control Act to control the impacts of polycyclic
14 aromatic hydrocarbons such as those associated with coal tar-based sealants, and

15 WHEREAS, a recent nationwide survey by the United States Geological Survey
16 assessed levels of polycyclic aromatic hydrocarbons in forty lakes nationwide, as well as
17 the proportional contribution of coal tar-based sealants to the identified polycyclic
18 aromatic hydrocarbon levels, and found that about fifty percent of the polycyclic

19 aromatic hydrocarbons found in lake sediments studied could be attributed to coal tar-
20 based sealants, and

21 WHEREAS, attention to the toxic impacts of polycyclic aromatic hydrocarbons
22 on the health of lakes and other water bodies, has raised the concern of residents, public
23 health advocates, environmentalists and local governments in various parts of the nation,
24 and

25 WHEREAS, in the 2011 legislative session, the Washington state Legislature
26 approved, and the Governor signed, legislation enacting a statewide ban on the sale of
27 coal tar-based sealants, and their use on driveways or parking areas

28 WHEREAS, local governments in Austin, Texas, Washington, D.C., and
29 elsewhere have banned the use of coal tar-based sealants as a measure to protect the
30 quality of surface waters in their jurisdictions, and

31 WHEREAS, a survey of King County agencies was conducted recently to assess
32 whether they utilize coal tar-based sealants in the construction or maintenance of their
33 capital facilities, and

34 WHEREAS, King County agencies have discontinued use of coal tar-based
35 sealants in construction or maintenance activities with the exception of King County
36 International Airport, which, due to requirements by the Federal Aviation Administration
37 ("FAA"), uses coal tar-based sealants on airport ramps and aircraft fueling aprons, and

38 WHEREAS, the King County International Airport receives grant funding from
39 the FAA for capital projects and is thus required to follow FAA standards in project
40 design including use of coal tar-based sealants, and is audited against such standards
41 annually, and

42 WHEREAS, alternatives to coal tar-based sealants appear to be available to
43 provide effective replacements for coal tar-based sealants for airport facility use, and

44 WHEREAS, airports nationwide may be subject to the same FAA regulations,
45 and be mandated to use coal tar-based sealants by FAA guidance circulars;

46 NOW, THEREFORE, BE IT MOVED by the Council of King County:

47 A. The council requests a review by the FAA of its requirements for use of coal
48 tar-based sealants within FAA-licensed airport facilities, including on airport ramps and
49 aircraft refueling aprons, and seeks support for this review from King County's
50 representatives in the United States Congress.

51 B. The FAA's review should consider the potential toxic impacts of coal tar-
52 based sealants on area waterways and human and animal health.

53 C. The review should include an assessment of the availability and utility of
54 alternative sealants for airport facilities with less toxic impacts on the environment.

55 D. The review should assess how many commercial airports nationwide are
56 adhering to FAA standards mandating use of coal tar-based sealants.

57 E. The FAA should give all due consideration to revising its requirements for use
58 of coal tar-based sealants at airports locally and nationwide.

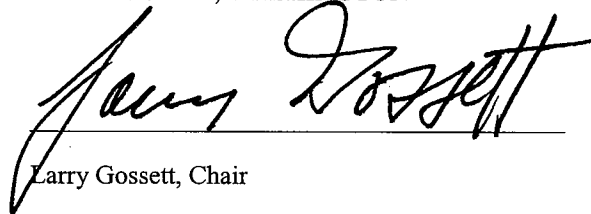
59 F. The FAA should communicate its findings and decision, within eighteen

60 months of the effective date of this motion, to King County's representation in the United
61 States Congress, and to the King County executive and King County council.
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Motion 13503 was introduced on 4/11/2011 and passed by the Metropolitan King
County Council on 6/27/2011, by the following vote:

Yes: 9 - Mr. Phillips, Mr. von Reichbauer, Mr. Gossett, Ms. Hague,
Ms. Patterson, Ms. Lambert, Mr. Ferguson, Mr. Dunn and Mr.
McDermott
No: 0
Excused: 0

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON



Larry Gossett, Chair

ATTEST:



Anne Noris, Clerk of the Council

Attachments: None