



# Requested Budget Rider for Additional Research to Address Coal Tar Based Sealants

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Coal tar-based sealant is widely used to recondition asphalt surfaces, but there are environmental concerns with its use. The 2009 Legislature enacted a bill pertaining to use of coal tar-based asphalt sealants. The bill restricts state agencies from purchasing undiluted coal tar-based sealant, and directs the Pollution Control Agency to study its environmental effects and develop management guidelines.

The MPCA has made good progress in implementing the requirements of the legislation. Additional work is needed to provide assistance to local government units (LGUs) on management of contaminated sediments. In order to complete this work additional funding is needed. The MPCA is requesting a budget rider change that would provide up to \$145,000 in FY11 to complete our research efforts on best management practices (BMPs) to address the pollutants in sediments coming in part from coal tar.

The purpose of this fact sheet is to provide background for the budget rider, including what has been completed to date and what remains to be done.

## Background

The legislation provided the MPCA with:

- \$155,000 in FY10 to notify state and local government, develop a stormwater pond inventory schedule, and develop BMPs for treating and cleaning up contaminated sediments.
- \$345,000 for FY11 to develop a model ordinance for the restricted use of undiluted coal tar sealants and provide grants to LGUs that enact a coal tar ordinance to implement BMPs for treating or cleaning up contaminated stormwater pond sediments. Grant awards cannot exceed \$100,000. Currently the City of White Bear Lake is working to enact an

ordinance and would be eligible to apply for a grant.

## Activities completed to date

- MPCA developed a communication plan to scope and coordinate notice of the potential for stormwater and sediment contamination and the restriction on purchase of coal tar sealers for state agencies and local governmental units (LGUs). Notice and background information was sent to major target audiences in January 2010. Additional messages to other audiences are planned.
- Municipal stormwater permittees (MS4s) were also informed of the storm-pond inventory requirements and schedule. The required pond inventory data will be submitted with the MS4 permit application due in June 2011. Forms for the inventory are posted on the MPCA Web site.
- MPCA worked closely with the League of Minnesota Cities (LMC) to draft a model ordinance for local restrictions on coal tar sealants which is available to all LGUs through the web sites of both organizations. MPCA has drafted process and grant criteria for the contaminated sediment treatment- cleanup.
- The MPCA completed survey sampling of storm-pond sediments in October 2009 and the laboratory data is currently being evaluated. Promising test results were obtained on feasibility of a possible screening technique to reduce pond assessment costs. Consistent with the original budget plan, most of the \$155,000 allocation was spent on this work item.

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- A white paper on storm pond sediments contaminated by PAHs has been completed and is available on the MPCA Web site. The white paper is an extensive review of literature and research done on PAH-contaminated sediments and the impacts on the environment.

## Remaining needs

- A report on the storm-pond sampling and data analysis is planned for June 2010. Information has been gathered from the existing literature, the report from the sediment sampling project, and other research. MPCA will use this information from this project to modify or incorporate new BMPs for treatment and cleanup into a Storm Pond Dredge Management Guidance document.
- MPCA modified a contract for some existing research by the University of Minnesota to conduct laboratory research on the feasibility of treating PAH-

contaminated sediments by mixing them with composting yard waste under controlled conditions. A report on this work is also expected by June 2010.

- Additional work is needed to identify options for managing contaminated sediments and evaluate new methods to reduce or treat PAHs in sediment. If the results of the compost lab research are positive, field testing of the methods will be needed. Research is needed to identify and evaluate BMPs that may be able to reduce concentration of PAHs picked up by stormwater, as well as identify BMPs that may be effective at removing PAHs prior to their being deposited in stormwater ponds.

## For more information

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