

San Antonio Express-News

Local

City Council votes to ban coal-tar sealants, truck idling

Second law bars idling by some vehicles

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[Brendan Gibbons](#), San Antonio Express-News

<http://www.expressnews.com/news/local/article/City-Council-votes-to-ban-coal-tar-sealants-8335449.php> or

<http://digital.olivesoftware.com/Olive/ODN/SanAntonioExpressNews/shared/ShowArticle.aspx?doc=SAEN%2F2016%2F07%2F01&entity=Ar00301&sk=FD75B559>

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District 8 City Councilman Ron Nirenberg listens as scientist Anne LeHuray makes a case against a proposed ban on the use of coal-tar-based sealing products.

The San Antonio City Council passed two ordinances Thursday meant to protect the environment at the parking lot level.

Council members approved a ban on the use of pavement-sealing products made from coal tar, which some scientists have linked to harmful human health effects and pollution of rivers and streams.

“This is a major win for public health,” said District 8 Councilman Ron Nirenberg, who proposed the ban in 2014. “We know that coal tar-based sealants pose a risk to human health and can seep into waterways over time through stormwater runoff.”

District 10 Councilman Mike Gallagher and District 9 Councilman Joe Krier voted against the coal-tar ban, citing a lack of evidence that the chemicals of concern have showed up in the Edwards Aquifer.

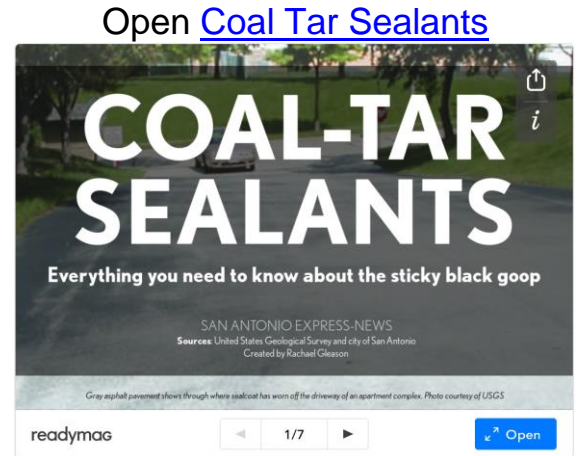
In [multiple peer-reviewed studies](#) published over 15 years, scientists with the U.S. Geological Survey, the city of Austin and universities have linked coal-tar sealants to harmful particles that erode from parking lots and become airborne or washed into river and creek beds.

The USGS has also found that runoff from pavement sealed with coal-tar products is lethal to two species it says are indicators of toxicity to aquatic life.

Gallagher and Krier cited an ongoing open records lawsuit between the USGS and an industry trade group called the Pavement Coatings Technology Council, which has contradicted the USGS' science with its own publications and reports.

"We really haven't heard all of the evidence yet," Gallagher said. "I think it's a failure of leadership when you vote on something and you don't have all the evidence."

Gallagher said he had heard from local businesses upset by the loss of a product they prefer to use on their parking lots and from businesses that sell coal-tar sealants. He asked Nirenberg if he would consider a delay on the vote.



In a phone interview, Nirenberg said any further delay would not have served a legitimate purpose.

"We have undergone due diligence and an extended stakeholder process for almost two years," he said. "The preponderance of evidence suggests the link between negative human health outcomes and coal tar is indisputable."

In an effort to improve local air quality, the council also enacted a ban on idling of more than five minutes for vehicles greater than 14,000 pounds.

The anti-idling ban closely mirrors an [order Bexar County adopted in May](#). Across Texas, 44 communities have passed such bans, Chief Sustainability Officer Doug Melnick said. The measures are meant to reduce tailpipe emissions that form ozone.

Ozone, the main component of smog, irritates the respiratory system, and over large populations, it has been linked to increased asthma attacks, hospital admissions and deaths. In October 2017, San Antonio will likely be deemed [officially in violation](#) of federal ozone standards, according to the Alamo Area Council of Governments.

Council members unanimously approved the idling ban, which included some exemptions for military, law enforcement, emergency responders, vehicles with certified clean-idling engines and others.

Cars and trucks contribute a little more than 30 percent of the metro area's ozone-forming emissions, according to a graph Melnick showed council members. The largest contributors are power plants and cement kilns, which account for nearly 40 percent of emissions.

Some council members have called the idling ban the city's first step in bringing down ozone levels.

"This is a great first step, but it is time to see City Council making improving air quality a priority," said Krystal Henagan, local field organizer for air quality advocacy group Moms Clean Air Force.

Henagan, environmental health consultant Ana Sandoval and Greater Edwards Aquifer Alliance director Annalisa Peace held a news conference to support both ordinances before the meeting.

Krier said he supports the idling ban but questioned how it could effectively be enforced.

Melnick said the city's enforcement strategy would start with outreach and education and warning letters, then progress to civil penalties if necessary.

Both ordinances take effect Jan. 1.

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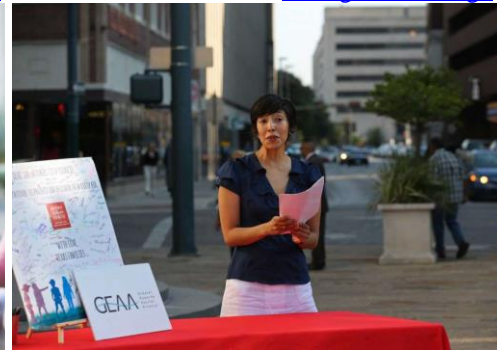
Jerry Lara / San Antonio Express-News
Ana Sandoval, director of Air and Health Collaborative of San Antonio speaks during a protest in front of San Antonio City Council Chambers, Thursday, June 30 2016. Sandoval and others, including Moms Clean Air Force, were in support of a proposed ordinance that would ban the use of coal tar-based sealcoat products in the city. The council went on to votes for the ban on the products that are mostly used in parking lots. Council member from District 8 Ron Nirenberg introduced the measure back in 2014. "This is a major win for public health," Nirenberg said in a press release, "We know that coal tar-based sealant poses a risk to human health and can seep into waterways over time through stormwater runoff." The city also passed a ban on heavy truck idling. Both will take effect in January 1, 2017.

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Holly Arredondo, 3, hangs out with her mother, Megan Arredondo, during a protest in front of San Antonio City Council Chambers, Thursday, June 30 2016. Arredondo is a member of Moms Clean Air Force, who along with others, were in support of a proposed ordinance that would ban the use of coal tar-based sealcoat products in the city. The council went on to votes for the ban on the products that are mostly used in parking lots. Council member from District 8 Ron Nirenberg introduced the measure back in 2014. "This is a major win for public health," Nirenberg said in a press release, "We know that coal tar-based sealant poses a risk to human health and can seep into waterways over time through stormwater runoff." The city also passed a ban on heavy truck idling. Both will take effect in January 1, 2017.

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Ana Sandoval, director of Air and Health Collaborative of San Antonio speaks during a protest in front of San Antonio City Council Chambers, Thursday, June 30 2016. Sandoval and others, including Moms Clean Air Force, were in support of a proposed ordinance that would ban the use of coal tar-based sealcoat products in the city. The council went on to votes for the ban on the products that are mostly used in parking lots. Council member from District 8 Ron Nirenberg introduced the measure back in 2014. "This is a major win for public health," Nirenberg said in a press release, "We know that coal tar-based sealant poses a risk to human health and can seep into waterways over time through stormwater runoff." The city also passed a ban on heavy truck idling. Both will take effect in January 1, 2017.

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Council gadfly Jack M. Finger works on a poster before the meeting, during which the council also approved an ordinance that bans idling of more than five minutes for vehicles greater than 14,000 pounds.

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The San Antonio City Council fixture Jack M. Finger works on his props before a regular meeting, Thursday, June 30, 2016. During the meeting the council voted to implement a ban on the use of coal tar-based sealcoat products in the city. The product is mostly used in parking lots.

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Annalisa Peace (left) of the Greater Edwards Aquifer Alliance and Kyle Cunningham of the Metropolitan Health District hug after the City Council voted for an ordinance that bans the use of coal-tar-based sealing products.

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