


Government of the District of Columbia
Office of the Chief Financial Officer



Jeffrey S. DeWitt
Chief Financial Officer

MEMORANDUM

TO: The Honorable Phil Mendelson
Chairman, Council of the District of Columbia

FROM: Jeffrey S. DeWitt
Chief Financial Officer 

DATE: November 27, 2018

SUBJECT: Fiscal Impact Statement – Limitations on Products Containing Polycyclic Aromatic Hydrocarbons Amendment Act of 2018

REFERENCE: Bill 22-1014, Draft Committee Print as shared with the Office of Revenue Analysis on November 14, 2018

Conclusion

Funds are sufficient in the fiscal year 2019 through fiscal year 2022 budget and financial plan to implement the bill.

Background

The District bans the sale or use of any products that contain coal tar and are used on asphalt or concrete surfaces.¹ The bill expands the prohibition to apply to any high Polycyclic Aromatic Hydrocarbon (PAH) sealants. PAH products are those that contain coal tar, coal tar pitch, coal tar pitch volatiles, RT-12, refined tar, steam-cracked petroleum residues, steam-cracked asphalt, pyrolysis fuel oil, heavy fuel oil, ethylene tar, ethylene cracker residue, or more than 0.1 percent PAH by weight.² This prohibition applies to products used on impermeable services, including bricks, block, metal, roofing material, asphalt, or concrete.

The bill allows the mayor to publish a list of non-PAH products that are eligible for sale and use in the District. The bill also authorizes the Mayor to enter any location where these products are offered for sale or used and inspect products, records, reports, or other information, including testing any products or surfaces.

¹ Comprehensive Stormwater Management Enhancement Amendment Act of 2008, effective March 25, 2009 (D.C. Law 17-371; D.C. Official Code § 8-153.01).

² Includes variants of many of these products that are assigned chemical abstracts service (which is a division of the American Chemical Society) numbers 8007-45-2, 64742-90-1, 65996-89-6, 65996-92-1, 65996-93-2 and 69013-21-4.

The Honorable Phil Mendelson

FIS: Bill 22-1014, "Limitations on Products Containing Polycyclic Aromatic Hydrocarbons Amendment Act of 2018," Draft Committee Print as shared with the Office of Revenue Analysis on November 14, 2018

Financial Plan Impact

Funds are sufficient in the fiscal year 2019 through fiscal year 2022 budget and financial plan to implement the bill. The Department of Energy and Environment currently enforces the prohibition on coal tar products and can implement the bill's expansion to PAH sealants with existing enforcement staff.