

Pub. Imp. \_\_\_\_\_  
Govt. Grnt. \_\_\_\_\_  
Emer. \_\_\_\_\_  
P. Hrngs. \_\_\_\_\_  
Pgs. 3  
Filed: 12-7-10

Sponsored by: Chiles

COUNCIL BILL NO. 2010-316 RESOLUTION NO. Failed111

A RESOLUTION

1 PROHIBITING the use of coal tar-based asphalt sealants by the City of Springfield;  
2 requesting City staff to conduct sediment sampling of waterways to  
3 test for the presence of and concentration levels of Polycyclic  
4 Aromatic Hydrocarbons (PAHs); requesting City staff to develop an  
5 educational program on the possible hazards of coal tar-based  
6 asphalt sealants; requesting City staff to explore ways to provide  
7 incentives to citizens to use non-coal tar-based sealants; and  
8 requesting state and federal agencies to take action to monitor and,  
9 if warranted, ban coal tar-based asphalt sealants.

10 \_\_\_\_\_  
11  
12 WHEREAS, the Springfield-Greene County Environmental Advisory Board raised  
13 concerns about the use by citizens and businesses of coal tar-based asphalt sealants  
14 on parking surfaces within the City of Springfield due to the concentration within this  
15 product of PAHs; and

16  
17 WHEREAS, the City of Springfield, through its various departments, had  
18 previously ceased using coal tar-based asphalt sealants on City-owned parking  
19 surfaces; and

20  
21 WHEREAS, the City Council Community Involvement Committee conducted  
22 several informational sessions to receive testimony from persons knowledgeable on this  
23 topic; and

24  
25 WHEREAS, after receiving this testimony, the Community Involvement  
26 Committee has determined that certain actions should be taken immediately and further  
27 study is warranted in order to better address issues raised during the hearings.

28  
29 NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF  
30 SPRINGFIELD, MISSOURI, as follows, that:

31

32 Section 1 - Based on testimony received, the informal prohibition of the use of  
33 coal tar-based sealants by the City of Springfield on its properties is hereby formalized  
34 as a policy of City Council.  
35

36 Section 2 - This issue will be reviewed by City Council on or before the first  
37 regularly scheduled City Council Meeting in July of 2011.  
38

39 Section 3 - In the interim, the Department of Public Works and/or its  
40 subcontractors is to conduct additional sampling, including sediment sampling of  
41 waterways, to test for the presence and concentration of PAHs in the Springfield urban  
42 area and test for the possible sources of such contamination.  
43

44 Section 4 - The Department of Public Works Stormwater Division is requested to  
45 formulate an educational program on the potential hazards of PAHs. City departments  
46 are requested to explore ways to provide incentives for citizens and businesses to use  
47 non-coal tar-based asphalt sealants.  
48

49 Section 5 - The City Council urges the Missouri Department of Health and Senior  
50 Services and Department of Natural Resources, as well as the United States  
51 Environmental Protection Agency to monitor and, if warranted, prohibit the use of coal  
52 tar-based sealants.  
53

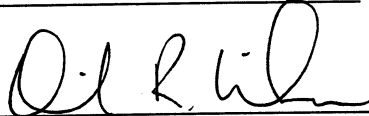
54 Section 6 - This resolution shall be in effect immediately upon adoption.  
55

56 Passed at meeting: \_\_\_\_\_  
57

58 \_\_\_\_\_  
59 Mayor  
60

61  
62 Attest: \_\_\_\_\_, City Clerk  
63

64  
65 Filed as Ordinance: \_\_\_\_\_  
66

67  
68 Approved as to form: , City Attorney  
69

70  
71 Approved for Council action: , City Manager  
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73  
74 N:\SHARE\CBILLS - 2010\12-13-10\Finals\Coal Tar\_res\_dw.docx

Aff. Agcy. Noticed \_\_\_\_\_  
Emergency Required \_\_\_\_\_  
P. Hrngs. Required \_\_\_\_\_  
Fiscal Note Required \_\_\_\_\_  
Board Rec. Required \_\_\_\_\_

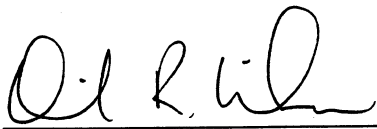
EXPLANATION TO COUNCIL BILL NO. 2010-

ORIGINATING DEPARTMENT: CITY COUNCIL

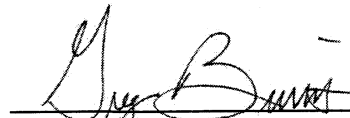
**PURPOSE:** Adopt a resolution prohibiting the City of Springfield from using coal tar-based asphalt sealants on City properties and directing City staff to undertake additional studies and educational programs, and to report back to Council by July 1, 2011.

**BACKGROUND INFORMATION:** This Resolution is offered to address concerns expressed by some Council members over the City's use of coal tar-based asphalt sealants on City parking lots as well as the effects the sealant has on the environment and the public. The Resolution prohibits the use of the sealant by the City, authorizes City staff to conduct a sediment study to determine the concentration of PAH's in sediment, authorizes staff to undertake an educational campaign discussing the possible effects of using the sealant and requests that staff report its findings to Council by July 1, 2011. The Community Involvement Committee approves this resolution and recommends that it be presented to the full City Council for action.

Submitted by:

  
\_\_\_\_\_  
City Attorney

Approved by:

  
\_\_\_\_\_  
City Manager