



# Prohibition of High-PAH Asphalt Sealants

## What You Need to Know

This fact sheet provides information about the ban on sale or use on driveways and parking areas of asphalt sealants that contain a high level of Polycyclic Aromatic Hydrocarbons (PAHs). The ban was established by the Safer Sealant Act of 2022, and went into effect on October 1, 2023.

### What are PAHs? What products are affected?

---

PAHs are “Polycyclic Aromatic Hydrocarbons”, a class of aromatic hydrocarbon chemicals composed of multiple benzene rings. They occur naturally in petroleum and tar, and can be formed by incomplete combustion of oil, coal, refuse and other organic materials. There are many compounds in this class, and among them are naphthalene, anthracene, and pyrene. The prohibition applies to asphalt sealants that are intended to be applied to asphalt driveways and parking areas that contain greater than 1% PAHs by weight.

### What does the ban entail?

---

The ban prohibits anyone from supplying, selling, offering to sell, apply, or solicit the application of a high-PAH sealant product to a driveway or parking area in Maryland.

### Are there penalties for violations?

---

Yes, the law provides for civil penalties of up to \$2,500 per violation with no cap, or an administrative penalty of \$2,500 per violation but not exceeding \$100,000 total. Each day that a violation occurs is a separate violation.

### Are there exceptions?

---

Yes. The ban does not apply to sealants used at airports, federal facilities, or military facilities. County governments can establish more stringent restrictions but cannot implement rules that are less strict than the statute.

### Questions

---

Please contact the Solid Waste Program at (410) 537-3315 with any questions about this ban.