

CHAPTER 16

PAVEMENT SEALANTS (APPLICATORS)

SECTION:

3-16-1: Definitions

3-16-2: Product Identification

3-16-3: License Required

3-16-4: Certification

3-16-5: License Fee

3-16-6: Nontransferability Of License

3-16-7: Review And Approval

3-16-8: Penalties

3-16-1: DEFINITIONS:

APPLICATOR(S): Any person(s) that is licensed by the village to apply pavement sealants or any individual applying pavement sealants.

PAVEMENT SEALANT, PAVEMENT SEAL, OR SEALCOAT: A liquid that is applied to asphalt surfaces or in some occasions on any surface, to protect the surfaces from damage or further damage usually due to the freezing and thawing cycles, UV rays and traffic.

POLYCYCLIC AROMATIC HYDROCARBONS (PAH): Known carcinogens which are toxic to mammals, birds, fish, amphibians and plants. In humans PAH have been linked to blood, kidney, liver, lung, scrotal, skin and stomach cancers, with children under age six (6) at increased risk of cancer. (Ord. 0-2016-1129, 8-11-2016)

3-16-2: PRODUCT IDENTIFICATION:

The village of South Barrington will request the material safety data sheet (MSDS) (or called the safety data sheet (SDS)), for the sealant product to be used by the contractor, and will scrutinize the chemical abstract service (CAS) numbers on the ingredient list of the product and will refrain from using any product with the following identifiers:

Coal Tar Based Sealants

Coal Tar Based Sealants

- a. CAS#65996-92-1
- b. CAS#65996-93-2
- c. CAS#65996-89-6
- d. CAS#8007-45-2
- e. Coal tar
- f. Coal tar pitch
- g. Coal tar distillates
- h. RT-12
- i. Refined tar
- j. Refined coal tar pitch

Other High PAH Sealants

Other High PAH Sealants

- a. CAS#64742-90-1
- b. CAS#69013-21-4
- c. Steam cracked petroleum residues
- d. Steam cracked asphalt
- e. Pyrolysis fuel oil
- f. Pyrolysis oil
- g. Heavy aromatic pyrolysis oil
- h. Heavy fuel oil (HFO)
- i. Heavy pyrolysis oil (HPO)
- j. Ethylene tar

k. Coal tar pitch volatiles

l. Tar

m. Related terms

k. Ethylene bottoms

l. Related terms

As other coal tar and high PAH sealants are identified by descriptive terms and/or are identified by CAS number, this additional product information will be added to the product list stated above and will be excluded from use.

In any case, any sealant product that exceeds 0.1 percent total PAH by weight will be excluded from use. If it is not clear if a sealant product contains a high level of PAH by the descriptive terms and CAS numbers listed in this section, then a product's total PAH content by weight may be determined by independent laboratory analysis; alternately, a product's total PAH content by weight may be estimated through the use of the MSDS (or SDS), independent laboratory analysis, independent peer reviewed research, studies by authoritative governmental bodies, or a combination of these sources. (Ord. 0-2016-1129, 8-11-2016)

3-16-3: LICENSE REQUIRED:

It is unlawful for any contractor to apply any pavement sealant, pavement seal, or sealcoat, or any other sealant product to any public or private property without first obtaining a license which must be renewed annually. Application for a pavement sealant license shall be made on a form provided by the village and shall, at a minimum, state the name, address, and contact information of the person applying for the license and the person or persons who will be applying the sealant, type of sealant, and other such information as may be required by the village. (Ord. 0-2016-1129, 8-11-2016)

3-16-4: CERTIFICATION:

All persons applying for a pavement sealant license shall sign a certification on a form provided by the village, certifying, at a minimum, that neither the licensee nor any person acting under the license will apply products that contain coal tar, coal tar derivatives, or coal tar mixtures ("coal tar products") to any public or private property within the village. (Ord. 0-2016-1129, 8-11-2016)

3-16-5: LICENSE FEE:

The annual license fee for each paving sealant applicator is one hundred dollars (\$100.00) each year. (Ord. 0-2016-1129, 8-11-2016)

3-16-6: NONTRANSFERABILITY OF LICENSE:

No license granted under the provisions of this chapter shall be assigned or transferred, nor shall any such license authorize any person other than the licensee named therein to do business or act under such license. (Ord. 0-2016-1129, 8-11-2016)

3-16-7: REVIEW AND APPROVAL:

The building officer shall review all applications for pavement sealant licenses for each application and shall grant a pavement sealant license if the application complies with all provisions of this chapter and this code. (Ord. 0-2016-1129, 8-11-2016)

3-16-8: PENALTIES:

Any person found guilty of violating any of the provisions of this chapter shall be punished by a fine of not less than five hundred dollars (\$500.00) nor more than seven hundred fifty dollars (\$750.00) for each offense. A separate and distinct offense shall be regarded as committed each day on which such person shall continue or permit any violation; and shall be subject to license revocation. (Ord. 0-2016-1129, 8-11-2016)