

PUBLIC NOTICE

In accordance with the Statutes of the State of Illinois and the Ordinances of the City of Highland Park, the next meeting of the Natural Resources Commission of the City of Highland Park is scheduled to be held at the hour of 6:30 p.m. on Wednesday, December 14, 2016 at the City of Highland Park City Hall, 1707 St. Johns Avenue, Highland Park, Illinois, during which it is anticipated there will be a discussion of the following:

City of Highland Park NATURAL RESOURCES COMMISSION

Wednesday, December 14, 2016
Highland Park City Hall
1707 St. Johns Avenue
Highland Park, Illinois
6:30 p.m.

MEETING AGENDA

- I. Call to Order**
- II. Roll Call**
- III. Approval of Minutes:** November 9, 2016
- IV. Business from the Public**
- V. Old Business**
 - (a) Update on Coal Tar Sealant Recommendation to City Council
- VI. New Business**
 - (a) Presentation and Discussion of Sustainability Plan & Projects with Grace Rink (Quercus)
 - (b) Discussion for 2017 NRC Action Plan
- VII. Other Business**
 - (a) Commissioner Comments
 - (b) Administrative Items
- VIII. Adjournment**

Posted in City Hall on December 9, 2016

PLEASE RECYCLE



Department of Community Development
1150 Half Day Road
Highland Park, Illinois 60035
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Date: December 9, 2016
To: Natural Resources Commission
From: Eric Olson, Planner II
Department of Community Development
Subject: **NRC Meeting – December 14, 2016
Agenda Summary and Informational Document**

A) Update on Coal Tar Sealant Recommendation to City Council

The NRC's recommendation regarding coal tar pavement sealants will be presented during the Committee of the Whole portion of the City Council meeting to be held on December 12, 2016. The recommendation includes the final draft letter from the NRC, as well as USGS Fact Sheet 2016-3017 (April 2016), example regulations regarding coal tar sealants from the Village of Winnetka, IL, and the proposed changes to the Highland Park City Code.

It is anticipated that the Committee of the Whole will discuss the draft NRC recommendation during the meeting and the Department of Community Development is requesting Council direction regarding the policy matter and whether to incorporate it into the City's work plan in 2017.

A copy of the final draft recommendation and the associated attachments are included in the December 2016 NRC meeting packet. With the December 14th NRC meeting occurring after the City Council meeting, new information regarding potential action by the City Council may be available.

B) Presentation and Discussion of Sustainability Plan & Projects

Grace Rink of Quercus, the City's sustainability consultant, will be in attendance to discuss the City's sustainability plan, fund, and projects. No presentation materials were available at the time of the writing of this memorandum but it is expected that they will be available at the meeting.

C) Discussion for 2017 NRC Action Plan

The NRC approved its 2017 budgetary work plan during the October 2016 NRC meeting. Using the goals and objectives approved for 2017, the NRC is asked to discuss and select potential project tasks, responsible parties, and project timelines.

The 2016 Action Plan and a copy of an Action Plan template for 2017 are included within the meeting packet. The goals and objectives from the approved 2017 work plan are included as Action Items in the template.

**MINUTES OF A REGULAR MEETING OF
THE NATURAL RESOURCES COMMISSION OF THE CITY OF HIGHLAND PARK,
ILLINOIS**

MEETING DATE: November 9, 2016

MEETING LOCATION: Mayor's Conference Room – Highland Park City Hall
1707 St. Johns Avenue, Highland Park, Illinois

CALL TO ORDER

At 6:30 p.m., Chairman Ross called the meeting to order and Eric Olson called the roll.

ROLL CALL

Members Present: Pagoria, LaCosse, Coyle, Wagenius (VC), Ross (C)
Nichols (*arrived late*)

Members Absent: Yates

Chairman Ross declared that there was a quorum of the Commission present.

Staff Present: Eric Olson, Planner
Rob Sabo, Assistant City Manager

Also Present: Kim Stone, City Council Liaison
Amalia Schwartz, Part District Representative

MINUTES

During consideration of the September 14, 2016 meeting minutes, Park District Representative identified a correction related to the maintenance of Park District community gardening plots. Commissioner Coyle then moved to approve the minutes for the September 14, 2016 meeting of the Natural Resources Commission, as corrected. Commissioner LaCosse seconded the motion. Vice Chair Wagenius and Commission Pagoria indicated abstention. The Chairman stated there would not be enough members to vote on the minutes and that they would be tabled until the December NRC meeting.

BUSINESS FROM THE PUBLIC

None

OLD BUSINESS

A. Discussion for 2017 Work Plan

Discussion of Potential Collaboration between NRC and Local Schools in 2017

Commissioner LaCosse introduced Ms. Susan Ozawa, teacher within North Shore School District 112 introduced to the group. Ms. Ozawa then described current environment-related activities occurring at Braeside School and other schools within the District. These included walks and gardening projects. She stated that the school has received a grant from Whole Foods and that there is a goal to grow food that can be donated to the Township food pantry. She added that the projects are student initiatives.

Chairman Ross then discussed the work of the NRC, the focus areas within the group's annual work plan, and the desire to increase collaboration with the schools.

Ms. Ozawa stated that she is unsure about the facilities and resources that will be available to the schools in the future as District 112 undergoes change. She then elaborated on the existing activities in the schools, including recycling. She stated that the recycling efforts could be better but the schools need somewhere to take it. The school produces too much food waste to compost on site but that they would like to do it.

Councilwoman Stone stated that John Fuhrer of District 112 has stated that the District recycles a lot of material. Ms. Ozawa said that was true, but it is limited to paper waste, milk cartons, cans and plastic – not compostable food waste. She added that some mothers take home the materials and put it out at their curbside so it can be picked up and recycled. Councilwoman Stone then stated she would look into it with John Fuhrer.

Commission Nichols arrived to the meeting at 6:40pm.

Chairman Ross then stated that the NRC is looking to develop City-wide Earth Day programming and that it would be great to work with the schools on the project. Ms. Ozawa stated that she can check into this with Advanced Learning team.

Chairman Ross then asked whether there is a sustainability curriculum in the schools. Ms. Ozawa stated that there is not as the schools focus on English and math. She noted that time is limited in her school, as there are smaller classes that meet less regularly. However, she stated that there is opportunity to incorporate sustainability into the curriculum.

Vice Chair Wagenius asked about the Walk-to-School program. Ms. Ozawa stated that is an event where the students meet at a central location and then walk to school together. It is an international event and the students are participating.

Commissioner Nichols asked whether she is aware of an EPA school air quality program which she then described. Ms. Ozawa stated that she was not but is interested in learning more. She stated that they are very open to collaboration and that the school children are very motivated. She added that the students earned an Earth Day Flag from SWALCO and had a class project wherein the students tried to measure particulate matter in the air.

Commissioner Coyle discussed environmental programming that has occurred within schools and stated that there is considerable variation in how the different schools approach environmental issues.

Councilwoman Stone stated that the Alliance for the Great Lakes has a curriculum, and Commissioner LaCosse added that Heller Nature Center used to have more programming. Park District Representative Schwartz then discussed current Park District programming that engages local schools. Commissioner Coyle added that participation by schools is inconsistent.

Vice Chair Wagenius then discussed the difficulty experienced in recycling efforts at Red Oak School. Councilwoman Stone then stated she would follow up with John Fuhrer.

Commissioner LaCosse discussed the "Mighty Acorns" program and buckthorn removal efforts by children. He stated that the hands-on program was utilized to teach students about invasive species.

Vice Chair Wagenius asked whether it would be better to coordinate projects through the teachers or go through the District. Chairman Ross stated that it wants the District to know about their efforts.

Commissioner LaCosse then discussed the logistics of school field trips and potential limitations.

Park District Representative Schwartz then stated that she can put the group in contact with Jessica Reyes, the Naturalist at the Heller Nature Center.

Councilwoman Stone discussed the Lake Forest Collaborative for Environmental Leadership and their theme-based programming. She noted that some of their videos may be online and may be instructive as the NRC looks to center their work on various environmental themes.

Updates on Budget Requests for 2017 Work Plan

Planner Olson discussed the changes that were made to the 2017 NRC Work Plan and associated budget line items, which included the removal of the minute taker request and an increased budget request for Earth Day and related outreach and educational activities.

Assistant City Manager Rob Sabo then discussed Earth Day and Arbor Day programming which he had helped organized during his previous work in Northbrook, Illinois. He stated that it included a variety of activities, and that it was focused more on education than commerce. The events were held on a Saturday, included tree planting, and was coordinated by a “green team” consisting of staff. It included a major recycling event (non-hazardous) that included tires, Styrofoam, and paper shredding as well as a fair that included businesses and non-profit groups to present different environmentally-friendly products and services. ComEd attended and discussed energy efficiency programs, and tree saplings were provided to attendees. No sales or transactions were allowed at the event, but things could be given away for free. The event also included entertainment, such as pony rides for children, rescued bird demonstrations. The event also included a coordinated community-wide clean up event and tree-planting celebration. Attendance was estimated to be approximately 4,000-5,000 people. Mr. Sabo was unsure of the cost to hold the event, but stated that the major expense is renting tables and chairs. He also suggested that it may be possible to partner with the Park District and local schools and that the City Manager’s Office would support a similar initiative in Highland Park.

Commissioner LaCosse asked whether this event is still held regularly in Northbrook. Mr. Sabo said that he believes it is. Councilwoman Stone then stated that it is.

Chairman Ross then asked how long it took to plan. Mr. Sabo was unsure, but he estimated that he put in time approximately equivalent to a work day. He noted that staff in other departments would have to commit, such as Fire, Police, and Public Works. Hr then stated that there would be approximately a year to coordinate the event, following the event from the year prior. Commissioner Coyle stated that there is not much time between now and the upcoming Earth Day and was unsure when there is sufficient time to plan a similar event without substantial City support. Mr. Sabo stated that he will check with the City Manager to see whether there will be resources available to push for an event in short time frame but he is not able to commit to it at this time. If it is not feasible for 2017, then the group will have much more time to plan a large event for 2018.

Councilwoman Stone asked Park District Representative Schwartz whether the Park District has any Earth Day programming. Ms. Schwartz stated she was unsure. Councilwoman Stone stated that it will be important to coordinate with other groups, such as the Park District, to achieve greatest effect.

Chairman Ross stated that there may not be enough time to do the event for 2017, but if there is real desire to hold the event soon, the group may need to shift work plan priorities to dedicate sufficient resources. Mr. Sabo then stated he would report back.

The group then discussed other times of year as potential times for programming, and discussed other events in the community that might overlap or otherwise conflict with the programming considered. The group did not want to have the new event too close to any other existing events.

Planner Olson then noted the amount of money within the 2017 budget for the programming and stated that if the costs will exceed the budgeted amount, then a budget amendment will be necessary

Planner Olson then stated that the minute-taker was removed from the 2017 budget for the NRC, so staff will continue to prepare meeting minutes in 2017.

B. Commissioner Updates and Discussion for On-Going 2016 Work Plan Items

Updates on Education & Outreach for Steep Slope Issues (Q1/Q3)

Commissioner Nichols stated that the work on the translation of the City's ravine brochure into Spanish is almost complete. Planner Olson stated that the funds from the City's sustainability fund that were to be used for the printing of the translated brochure need to be spent this fiscal year.

Commissioner Coyle stated she would like information on the history of the City's sustainability fund as well as the City's contract with Quercus [the City's sustainability consultant] and their projects. Assistant City Manager Rob Sabo stated that he will work with Hayley Gerard to obtain that information and will present it to the group. Chairman Ross stated that the group should discuss the City's sustainability plan and potential updates in greater detail.

Improving Storm Water Management and Addressing Water Pollution

Planner Olson stated that the draft coal tar ban recommendation document is within the November 2016 meeting packet. Chairman Ross stated that no action was needed at this time then discussed the draft document and its future consideration by the City Council.

Updates on Recycling Output Community-Wide

Planner Olson stated that this item was included on the meeting agenda in case there was updated information from SWALCO that would warrant discussion by the group. Councilwoman Stone stated that the data updates are provided quarterly so there was not new data to consider at the time. She then stated that this item should be added to the agenda for the January 2017 meeting of the Natural Resources Commission as there should be more data to discuss at that time.

Update on Efforts toward City Anti-Idling Policy (Q3/Q4)

Chairman Ross stated the group may wish to explore wide-scope air initiatives with respect to air quality when the group works on its 2017 Action Plan. Commissioner Nichols discussed how some of her professional efforts regarding air quality may align with Commission efforts in the coming year, and that they can be discussed at future meetings.

Councilwoman Stone stated that there may an opportunity for internal City anti-idling policy for municipal vehicles. Commissioner LaCosse asked whether schools could be subject to such regulations. Commissioner Nichols stated that they are regulated by the state anti-idling laws. Councilwoman Stone stated that the City may be the best place to start and that she would discuss the issue with the City Manager. Commissioner Nichols then discussed some related efforts in the City of Chicago.

C. Update on Bird-Friendly Design Efforts

Planner Olson stated that the City staff will be developing a bird friendly-design guidelines document to supplement an existing flyer on bird-friendly design. He then stated that another development has been proposed within the City that is contemplating the use of bird-friendly glass in the building façade as part of a required public benefit for Planned Development projects.

Commissioner Pagoria departed the meeting at 7:30pm.

NEW BUSINESS

A. Status Update – Award for Meritorious Service to the Highland Park Environment

Planner Olson stated that the City received one nomination for a 2016 environmental award. The owner of the restaurant Green Panda was nominated for efforts to eliminate the use of plastic carry-out bags.

Vice Chair Wagenius asked about previous efforts within the City to ban plastic bags. The group discussed plastic bag restrictions and Councilwoman Stone then discussed efforts by representatives of the plastic bag

industry to lobby in opposition to potential plastic bag bans.

Commissioner Coyle stated the elimination of single-use plastic bags from a business, while positive, may not be a high enough level of action to warrant an environmental award. She also noted that the restaurant still uses many non-recyclable items and that paper bags could be contaminated by the food, limiting their recyclability.

Councilwoman Stone stated that previous award winners had much larger initiatives and projects, some of which included major investments in solar and wind energy. The group then discussed the 2016 nomination relative to previous winner and determined that no Award for Meritorious Service to the Highland Park Environment would be awarded in 2016.

OTHER BUSINESS

A. Commissioner Comments/Administrative Items

Commissioner LaCosse stated that there would be an Open House event held at the Highland Park Police Department on November 29, 2016 to discuss the extension of the Skokie Valley Bike & Pedestrian Path and stated that anyone interested in biking or the use of the Path should attend.

Chairman Ross departed the meeting at 7:36pm.

Assistant City Manager Sabo stated that he was able to further research the cost of the previously discussed Earth Day event in Northbrook, and that their budget was \$2,500.

Councilwoman Stone then discussed bike share programs. Commissioner Coyle stated that she would like more information on bike share and routes. The group then discussed the suitability the community for a bike share program and potential routes associates with West Ridge Center and the Highland Park Hospital.

ADJOURNMENT

Commissioner LaCosse motioned to adjourn the meeting. Commissioner Nichols seconded the motion. Vice Chair Wagenius adjourned the meeting at 7:45 p.m.

Respectfully Submitted,

Eric Olson, Planner II

MINUTES APPROVED BY THE NATURAL RESOURCES COMMISSION ON _____

- WITH NO CORRECTIONS _____
- WITH CORRECTIONS _____
(SEE MINUTES OF _____ MEETING FOR CORRECTIONS)

Mayor Nancy R. Rotering
Councilman Anthony E. Blumberg
Councilman Paul Frank
Councilman Michelle Holleman
Councilman Daniel A. Kaufman
Councilman Alyssa Knobel
Councilwoman Kim Stone

Re: Natural Resources Commission Water Stewardship Initiative: Coal Tar Recommendations

Dear Mayor Rotering and members of the City Council:

As part of its 2015 work plan, the NRC investigated ways to improve water quality in the City and Lake Michigan. In our research we found that: 1) that driveway sealants are widespread pollutants of water and major health threats, 2) that homeowners and businesses can easily use similar products without coal tar, and 3) that many municipalities and states have banned coal tar products. The City of Highland Park understands that ponds, streams, and Lake Michigan are natural assets that enhance our environmental, recreational, cultural and economic resources and contribute to the general health and welfare of our community. Highland Park is also a signatory to the Greenest Region 2 Compact (GRC2) of the Metropolitan Mayor's Caucus. The GRC2 framework recognizes that coal tar sealants should not be used in order to protect our water quality.

The use of sealers on asphalt driveways is a common practice. Products made with coal tar or with asphalt dominate the market, but coal tar products contain 1000s of times more Polycyclic Aromatic Hydrocarbons (PAHs) than asphalt-based products. Other products, such as gilsonite and acrylic, contain little to no PAHs.¹

PAHs are unhealthy. Exposure to PAHs causes cancer, low IQ & childhood asthma, and is associated with behavioral problems in children. PAHs are group of organic chemicals formed during the incomplete burning of coal, oil, gas, or other organic substances. PAHs are present in coal-tar and evidence shows they are harmful to humans, fish, and other aquatic life.²

Through regular use, PAHs in coal tar sealcoat wear off and turn into dust. The dust is blown, washed, or tracked into soil, storm water ponds, streams, lakes, and nearby houses. Some chemicals in coal tar sealcoat volatilize into the air after application.³ We have attached a fact sheet published in April 2016 by the U.S. Geological Survey, representing the most up-to-date science on coal tar sealants (Attachment A). Scientific studies on the use of driveway sealers have demonstrated a clear relationship between storm water runoff, human health, and environmental degradation.

¹ <https://www.pca.state.mn.us/water/stormwater-great-lakes-coal-tar-sealcoat-pah-reduction>

² https://en.wikipedia.org/wiki/Polycyclic_aromatic_hydrocarbon

³ <http://tx.usgs.gov/sealcoat.html>

Given concern for health and water, many states and municipalities have chosen to ban coal tar sealant from their communities. As of July 2016, Minnesota, Washington State, Washington DC and dozens of municipalities have banned coal tar sealants.⁴ Winnetka and South Barrington are two nearby communities that value clean water and healthy children and have therefore banned coal tar sealants in their communities.

On November 10, 2015, the NRC unanimously recommended that City Council develop an ordinance prohibiting the sale and application of coal tar sealants within the City.⁵ In drafting the ordinance, the NRC reviewed Winnetka's ordinance, ordinances drafted by the Minnesota League of Cities, and others to see how communities protect their environment. Winnetka enacted a ban on coal tar and requires a license for applicators (See Attachments B & C).

The NRC has drafted proposed language for a coal tar sealant ban ordinance based on existing Highland Park Code; specifically, the sections that ban phosphorous fertilizer and require licensing of landscape and lawn care professionals. The language we propose has three parts:

1. prohibit use of coal tar products
 - A) on public property and
 - B) on private property;
2. prohibit sale of coal tar products; and
3. require license of applicators.

Attachment D details these objectives and our recommended changes to the code. The NRC recommends that Highland Park prohibit coal tar sealants on private property, just as it prohibits loose aggregate (93.236 Loose Aggregate Material Prohibited). The NRC recommends that Highland Park require licensing of applicators, as does Winnetka. To accomplish these goals, we drafted a new chapter based on Highland Park's Chapter 102 "Landscape and Lawn Care Professionals" that incorporates the reporting requirements from Winnetka.

Thank you for your consideration. As always, the NRC is available for any further assistance with this important matter.

Respectfully submitted,

Stuart Wagenius, NRC Vice Chairman
Brent Ross, NRC Chairman

Cc: Ghida Neukirch, City Manager
Eric Olson, Liaison to NRC

Attachments:

A. USGS fact sheet published in April 2016, representing the most up-to-date science on coal tar sealants <fs20163017.pdf>

⁴ USGS fact sheet published in April 2016, representing the most up-to-date science on coal tar sealants <fs20163017.pdf>

⁵ The City of Highland Park does not use any sealants.

B. Winnetka's ordinances.

C. The application form for a Winnetka pavement sealer applicator's license.

D. Proposed changes to Highland Park City Code <Proposed Coal Tar Product ban code changes clean.docx>

DRAFT

Coal-Tar-Based Pavement Sealcoat—Potential Concerns for Human Health and Aquatic Life

Sealcoat is the black, viscous liquid sprayed or painted on many asphalt parking lots, driveways, and playgrounds to protect and enhance the appearance of the underlying asphalt. Studies by the U.S. Geological Survey (USGS), academic institutions, and State and local agencies have identified coal-tar-based pavement sealcoat as a major source of polycyclic aromatic hydrocarbon (PAH) contamination in urban and suburban areas and a potential concern for human health and aquatic life.¹

Key Findings:

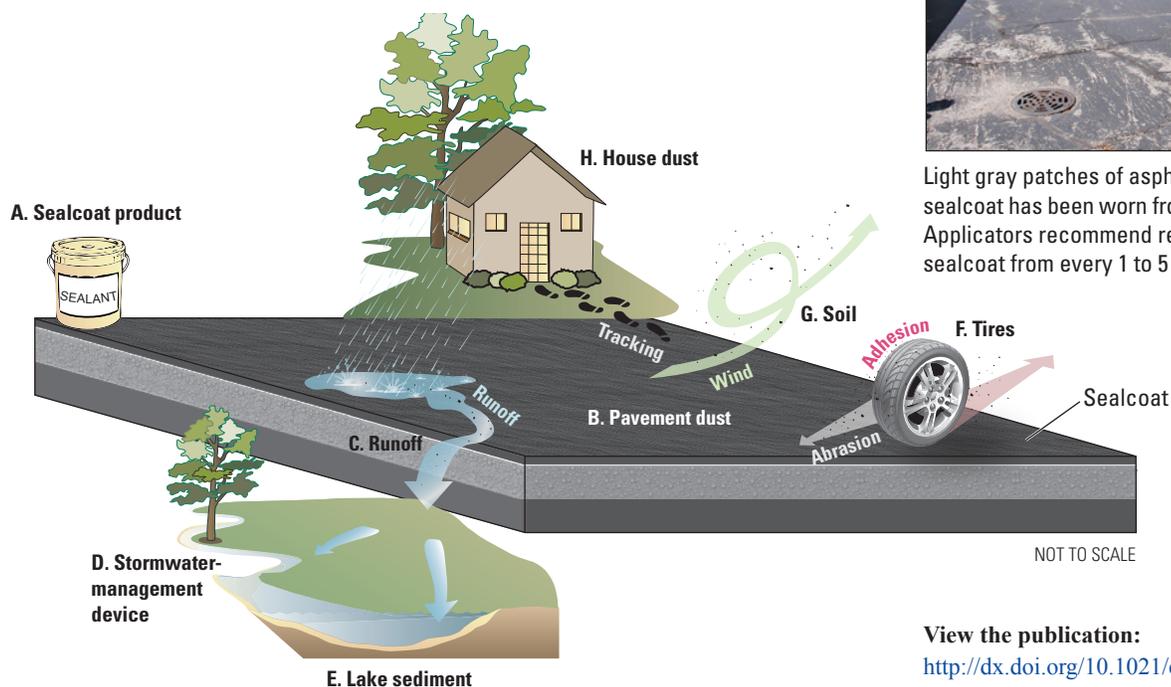
Human Health Concerns—As coal-tar-based sealcoat ages, it wears into small particles with high levels of PAHs that can be tracked into homes and incorporated into house dust. For people who live adjacent to coal-tar-sealcoated pavement, ingestion of PAH-contaminated house dust and soil results in an elevated potential cancer risk, particularly for young children. Exposure to PAHs, especially early in childhood, has been linked by health professionals to an increased risk of lung, skin, bladder, and respiratory cancers.²

Aquatic Life Concerns—Runoff from coal-tar-sealcoated pavement, even runoff collected more than 3 months after sealcoat application, is acutely toxic to fathead minnows and water fleas, two species commonly used to assess toxicity to aquatic life. Exposure to even highly diluted runoff from coal-tar-sealcoated pavement can cause DNA damage and impair DNA repair. These findings demonstrate that coal-tar-sealcoat runoff can remain a risk to aquatic life for months after application.

Coal-tar-sealcoat, which contains elevated levels of PAHs, is commonly applied to parking lots, driveways, and some recreational areas across the central and eastern parts of the United States. Friction from vehicle tires abrades sealcoat into small particles that can be tracked indoors or washed down storm drains and into streams, potentially harming human and aquatic life.



As Sealcoat Wears Off, Where Does It Go?



Light gray patches of asphalt show where sealcoat has been worn from the pavement. Applicators recommend reapplication of sealcoat from every 1 to 5 years.¹

View the publication:
<http://dx.doi.org/10.1021/es203699x>

Worn particles of coal-tar-based sealcoat containing high concentrations of PAHs and related chemicals are transported by rain, wind, tires, and even our feet from pavement to other environmental settings. Sealcoat product (A), after it dries, gradually abrades to a powder and becomes part of the dust on the pavement (B). Pavement dust is transported by rainfall runoff (C) to stormwater-management devices (D) or to receiving streams and lakes (E). Pavement dust also adheres to tires (F) that track it onto unsealed pavement, and wind and runoff transport the dust to nearby soils (G). Sealcoat particles tracked into residences can become incorporated into the house dust (H). Associated PAH concentrations for these settings, from studies by the USGS, other government agencies, and academic institutions, are given below.

Write From Karen, CC BY-NC-ND 2.0



Setting	PAH concentration* (milligrams per kilogram)	
	Coal-tar-sealcoat settings	Non-coal-tar-sealcoat settings
(A) Sealcoat products	66,000	50
(B) Pavement dust	2,200	11
(C) Runoff, particles	3,500	54
Runoff, unfiltered water	62	4
(D) Stormwater-management-device sediment	646	2
(E) Lake sediment	33	0.4
(F) Particles adhered to tires	1,380	3
(G) Soil	105	2
(H) House dust	129	5

*Concentrations are means or medians. References and additional information are provided in Mahler and others (2012).¹

PAH Levels in Asphalt-Based and Coal-Tar-Based Sealcoat

Pavement sealcoat is a commercial product that is applied to many asphalt parking lots, driveways, and playgrounds in North America in an effort to protect and beautify the underlying asphalt. It rarely is used on public roads.

Most sealcoat products are either coal-tar or asphalt emulsion, although some alternative products now are available.³ Coal tar and coal-tar pitch have extremely high concentrations of PAHs as do coal-tar-based sealcoat products, which typically are 20–35 percent coal tar or coal-tar pitch. Asphalt and asphalt-based sealcoat products have much lower concentrations of PAHs.

For historical and economic reasons, use of asphalt-based sealcoat in the United States is more common west of the Continental Divide and use of coal-tar-based sealcoat is more common east of the Continental Divide, except in States, counties, and municipalities where use of coal-tar-based sealcoat is prohibited.³



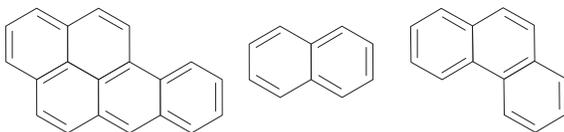
Asphalt-based sealcoat, primarily used west of the Continental Divide, typically contains about 50 mg/kg PAHs.⁴



Coal-tar-based sealcoat, primarily used east of the Continental Divide, typically contains 50,000 to 100,000 mg/kg PAHs.⁴

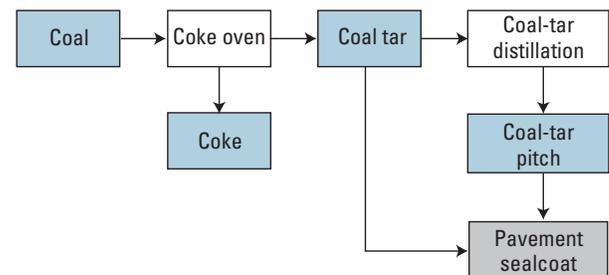
PAH levels in dust swept from sealed parking lots reflect the type of pavement sealcoat commonly used west and east of the Continental Divide.¹ Concentrations, in units of milligrams per kilogram (mg/kg), also referred to as “parts per million” (ppm), shown here are for the sum of the 16 PAHs listed by the U.S. Environmental Protection Agency as Priority Pollutants. Concentrations are for composite samples from multiple parking lots or a median of several individual samples.⁵

Polycyclic aromatic hydrocarbons (PAHs) are a group of chemicals created by heating or burning material that contains carbon. The many sources of PAHs to the urban environment span a wide range of PAH concentrations and include asphalt (2–9 mg/kg), tire particles (84 mg/kg), used motor oil (730 mg/kg), and coal-tar-based sealcoat (34,000–202,000 mg/kg).⁶ PAHs are an environmental concern because many cause cancer, mutations, birth defects, or death in fish, wildlife, and invertebrates.⁷ Exposure to sunlight greatly intensifies the adverse effects of several PAHs. The U.S. Environmental Protection Agency (EPA) has classified seven PAHs as probable human carcinogens (Class B2) and 16 PAHs as Priority Pollutants. Environmental and health effects depend on which PAHs are present and their concentrations.



PAHs are made up of various arrangements of benzene rings. PAHs commonly occur in the environment as mixtures, which typically include at least some of the PAHs that are classified as probable human carcinogens.

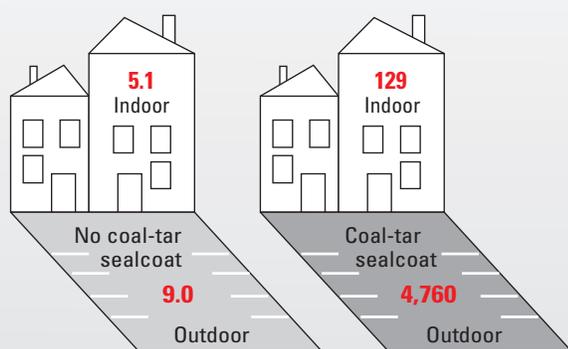
Coal tar is a byproduct of the coking, liquefaction, or gasification of coal and is a complex mixture composed primarily of aromatic hydrocarbons. Coal-tar pitch is the residue that remains after the distillation of coal tar; it is a complex mixture of high molecular weight aromatic hydrocarbons and black carbon solids. The primary use of coal-tar pitch is in electrode manufacturing for the aluminum industry.⁸ Coal-tar emulsion pavement sealants contain either crude coal tar (Chemical Abstracts Service [CAS] Registry Number 8007–45–2) or coal-tar pitch (CAS Registry Number 65996–93–2). Coal tar and coal-tar pitch are known human carcinogens.⁹



Potential Risks to Human Health

PAHs from coal-tar-based sealcoat contaminate house dust¹⁰

In a study of 23 ground-floor apartments in Austin, Texas, PAH levels in house dust in apartments with parking lots sealed with a coal-tar-based product were 25 times higher than in house dust in apartments with parking lots with other surface types (concrete, unsealed asphalt, and asphalt-based sealcoat). No relation was found between PAHs in house dust and other



PAH-contaminated dust on coal-tar-sealcoated pavement (right) is tracked indoors.¹⁰ Concentrations shown are median values for the sum of the 16 Priority Pollutant PAHs, in units of milligrams per kilogram, in house dust and parking lot dust.

View the publication:

<http://pubs.acs.org/doi/pdf/10.1021/es902533r>

Living adjacent to coal-tar-sealed pavement increases cancer risk¹²

The USGS partnered with a human-health-risk analyst to estimate the excess lifetime cancer risk associated with the ingestion of house dust and soil for people living adjacent to parking lots with and without coal-tar-based sealcoat. Excess cancer risk is the extra risk of developing cancer caused by exposure to a toxic substance. The excess cancer risk for people living adjacent to coal-tar-sealcoated pavement (1.1 cancer incidences for every 10,000 individuals exposed) was 38 times higher, on average (central tendency), than for people living adjacent to unsealed pavement. The central tendency excess cancer risk estimated for people living adjacent to coal-tar-sealcoated pavement exceeds the threshold generally considered by the EPA as making remediation advisable.

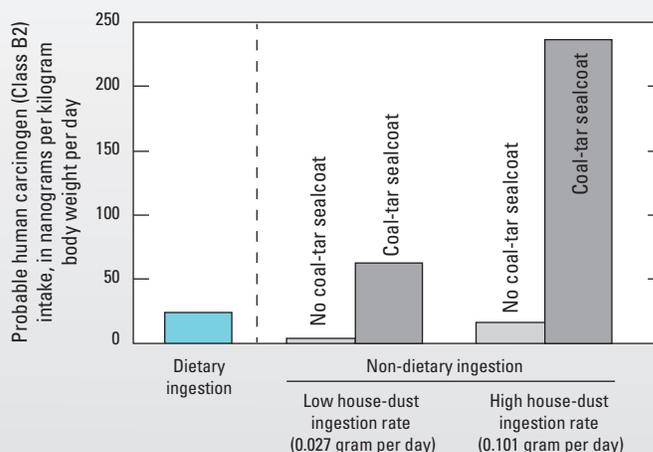
The assessment used measured concentrations of the B2 PAHs in house dust and soils adjacent to coal-tar-sealed pavement (adjusted for relative potency to the PAH benzo[a]pyrene), established house dust and soil ingestion rates, and the EPA-established slope factor to estimate the excess cancer risk. Much of the estimated excess risk comes from exposures to PAHs in early childhood (that is, 0–6 years of age). The study did not consider the excess cancer risk associated with exposure to the sealcoated pavement itself, which has PAH concentrations 10 or more times greater than in adjacent residence house dust or soils.^{5, 10}

View the publication:

<http://pubs.acs.org/doi/pdf/10.1021/es303371t>

possible indoor PAH sources such as tobacco smoking and fireplace use.

House dust is an important pathway for human exposure to many contaminants, including PAHs. This is particularly true for small children, who spend time on the floor and put their hands and objects into their mouths.



The preschooler living in a residence adjacent to coal-tar-sealed pavement who has relatively low hand-to-mouth activity consumes about 2.5 times more PAHs from house dust than from their diet.¹¹ For the more active preschooler, whose hand-to-mouth activity is higher, the PAH intake from house dust is nearly 10 times more than the PAH intake from their diet.



Children ingest house dust and soil when they put their hands or objects into their mouth. Much of the estimated excess cancer risk associated with the ingestion of PAH-contaminated soil and house dust is incurred during early childhood.

Potential Risks to Aquatic Life

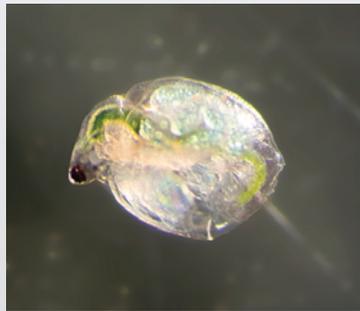
Runoff from coal-tar-sealcoated pavement is acutely toxic to aquatic biota¹³

Exposure to runoff from coal-tar-sealed pavement collected as much as 42 days after sealcoat application resulted in 100 percent mortality to two commonly tested laboratory organisms: day-old fathead minnows (*Pimephales promelas*) and water fleas (*Ceriodaphnia dubia*). In contrast, minnows and water fleas exposed to runoff from unsealed pavement experienced no more than 10 percent mortality. When the minnows and water fleas were also exposed to simulated sunlight, which intensifies the toxicity of some PAHs, runoff collected 111 days (more than 3 months) after sealcoat application caused 100 percent mortality to both species, and caused 100 percent mortality to water fleas even when diluted to 10 percent of its original strength.

The USGS collected samples of runoff from 5 hours to 111 days following sealcoat application to pavement by a

professional applicator. Total PAH concentrations varied relatively little, as rapid decreases in concentrations of low molecular weight and nitrogen-substituted PAHs were offset by increases in high molecular weight PAHs.¹⁴ These results demonstrate that runoff from coal-tar-sealcoated pavement continues to contain elevated concentrations of PAHs and related compounds long after a 24-hour curing time.

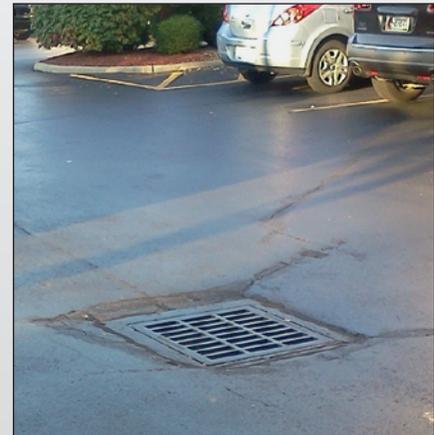
A subsequent study by researchers at the National Oceanic and Atmospheric Administration (NOAA) and the U.S. Fish and Wildlife Service found that coal-tar-sealcoat runoff is acutely lethal to juvenile coho salmon (*Oncorhynchus kisutch*) and causes a wide spectrum of abnormalities to zebrafish (*Danio rerio*) embryos.¹⁵ They also reported that filtration of the runoff through a biovention system substantially reduced toxicity.



Runoff from coal-tar-sealcoated pavement is acutely toxic to fathead minnows (*Pimephales promelas*; left) and water fleas (*Ceriodaphnia dubia*; right).

View the publication:

<http://pubs.acs.org/doi/abs/10.1021/acs.est.5b00933>



Runoff from coal-tar-sealcoated pavement goes down storm drains to receiving water bodies. The runoff contains high concentrations of PAHs and related chemicals that can harm aquatic life.¹⁶

Runoff from coal-tar-sealcoated pavement damages DNA and impairs DNA repair¹⁷

Simultaneous exposure to runoff from coal-tar-sealed pavement and simulated sunlight damaged DNA in rainbow trout liver cells, even when the runoff was diluted to 1 percent of its initial concentration. The cells were from a cell line developed to assess the effects of PAHs on DNA. The test assessed two types of DNA damage: strand breaks and alkylated bases.

Although cells can repair some DNA damage, a second experiment demonstrated that cells exposed to the coal-tar-sealcoat runoff had an impaired capacity to perform at least one type of DNA repair. The combination of DNA damage and impaired repair capacity intensifies the potential for long-term damage to cell health. DNA damage has many possible consequences, including aging, cell death, and mutations. Mutations can affect the function of genes and can potentially lead to cancer.

Types of DNA damage caused by exposure to runoff from coal-tar-sealed pavement include breaks in the DNA strands.

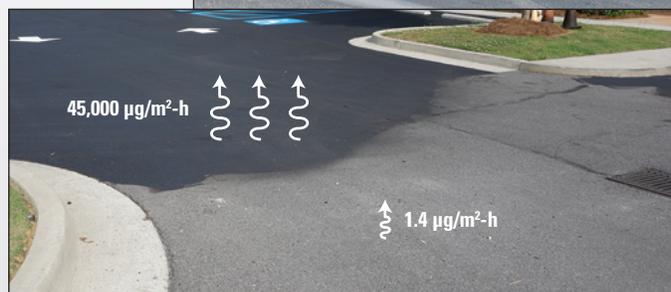


(Image from Genetic Science Learning Center, <http://learn.genetics.utah.edu>.)

Air-Quality Concerns^{18, 19}

Although unseen, releases of PAHs to the atmosphere (volatilization) from freshly coal-tar-sealed pavement are tens of thousands of times higher than from unsealed pavement. Volatilization is a potential human-health concern because inhalation is an important pathway for human exposure to PAHs. Although volatilization decreases rapidly over the weeks following application, it nonetheless continues long after application—PAH releases to the atmosphere from parking lots sealed from 3 to 8 years prior to sampling were on average 60 times higher than PAH releases from unsealed pavement.

Nationwide, the combined PAH releases each year from newly applied coal-tar-based sealcoat are estimated to exceed annual vehicle emissions of PAHs.¹⁸ PAH releases shown here are in units of micrograms per meter squared per hour ($\mu\text{g}/\text{m}^2\text{-h}$).



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By Barbara J. Mahler,* Michael D. Woodside, and Peter C. Van Metre

For more information

Access publications and learn more about PAHs and coal-tar-based pavement sealcoat at <http://tx.usgs.gov/sealcoat.html>.

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Chapter 9.16 Nuisances

Sections:

- 9.16.010 Public nuisances prohibited.
- 9.16.020 Public nuisances defined.
- 9.16.030 Abatement of public nuisances.
- 9.16.040 Cost of abatement.
- 9.16.050 Penalties.

BookmarkSection 9.16.010 Public nuisances prohibited.

No person shall erect, contrive, cause, continue, maintain or permit to exist any public nuisance within the Village or within the police jurisdiction of the Village.

(Prior code § 12.01)

BookmarkSection 9.16.020 Public nuisances defined.

A. General. A public nuisance is a thing, act, occupation, condition or use of property which shall continue for such length of time as to:

1. Substantially annoy, injure or endanger the comfort, health, repose or safety of the public; or
2. In any way render the public insecure in life or in the use of property; or
3. Greatly offend the public morals or decency; or
4. Unlawfully and substantially interfere with, obstruct or tend to obstruct or render dangerous for passage any street, alley, highway, navigable body of water or other public way.

B. Public Nuisances Affecting Health. The following acts, omissions, places, conditions and things are specifically declared to be public health nuisances, but shall not be construed to exclude other health nuisances coming within the definition of subsection A of this section:

1. All decayed, harmfully adulterated or unwholesome food or drink sold or offered for sale to the public;
2. Carcasses of animals not buried or otherwise disposed of in a sanitary manner within twenty-four (24) hours after death;

17. The application after August 19, 2014, being the effective date of this paragraph, of pavement or pavement sealing products that contain coal tar, coal tar derivatives, or coal tar mixtures ("coal tar products") to any public or private property within the Village. Abatement of this nuisance shall consist, at a minimum, of sealing over the coal tar products with an asphalt-based product free of coal tar. (MC-7-2014, § 3, Added ¶17, 08/19/14; MC-6-2007, Added ¶¶14,15,16, 05/01/07)

C. Public Nuisances Offending Morals and Decency. The following acts, omissions, places, conditions
D. Public Nuisances Affecting Peace and Safety. The following acts, omissions, places, conditions and
E. Penalties. Any person found in violation of section 9.16.020 of this chapter shall be subject to a fine of not less than one hundred dollars (\$100.00).

(Ord. MC-1-2014, Subparagraph E added, 2/18/2014; Ord. MC-13-2004 § 2, Subparagraph D amended, 2004; Ord. MC-204-98 § 2, 1998; prior code § 12.02)

BookmarkSection 9.16.030 Abatement of public nuisances.

A. Inspection of Premises. Whenever complaint is made to the Village Manager that a public nuisance exists, or has existed, with the Village, the Village Manager or the Village Manager's representative shall promptly notify the Chief of Police, or some other Village official, who shall promptly inspect or cause to be inspected the premises and shall make a written report of the findings to the Manager. Whenever practicable, the inspecting officer shall cause photographs to be made of the premises and shall file the same in the office of the Village Clerk.

B. Summary Abatement.

1. Notice to Owner. If the inspecting officer shall determine that a public nuisance exists on private property and that there is great and immediate danger to the public health, safety, peace, morals or decency, the Village Manager may direct the Chief of Police, or a deputy sheriff, to serve a notice on the owner, or, if the owner cannot be found, on the occupant or person causing, permitting or maintaining such nuisance and to post a copy of the notice on the premises. Such notice shall direct the owner, occupant or person causing, permitting or maintaining such nuisance to abate or remove such nuisance within twenty-four (24) hours or such time as is reasonable, and shall state that unless such nuisance is so abated, the Village will cause the same to be abated and will charge the cost of abatement to the owner, occupant or person causing, permitting or maintaining the same, as the case may be.

2. Abatement by Village. If the nuisance exists on the public right-of-way or on public property, or if the nuisance is not abated within the time provided, or if the owner, occupant or person causing the nuisance cannot be found, the Director of Public Works, or some other Village official whom the Manager shall designate, shall cause the abatement or removal of such public nuisance.

3. Abatement of Nuisance Trees and Woods. To the extent Chapter 8.20 of this code establishes procedures for the abatement of nuisances arising from the condition of elm trees, elm woods, ash trees, ash woods, or other plants, as provided in that chapter, the provisions of Chapter 8.20 shall supersede the procedures established by this subsection.

(MC-6-2007, Added ¶13, 05/01/07)

C. Abatement by Court Action. If the inspecting officer shall determine that a public nuisance exists on private premises but that the nature of such nuisance is not such as to threaten great and immediate danger to the public health, safety, peace, morals or decency, he or she shall file a written report of his

or her findings with the Manager, who shall cause an action to abate such nuisance to be commenced in the name of the Village.

(Prior code § 12.03)

BookmarkSection 9.16.040 Cost of abatement.

In addition to any other penalty imposed by this chapter for the erection, contrivance, creation, continuance or maintenance of a public nuisance, the cost of abating a public nuisance by the Village shall be collected as a debt from the owner, occupant or person causing, permitting or maintaining the nuisance, and if notice to abate the nuisance has been given to the owner, such cost shall be assessed against the real estate as other special taxes.

(Prior code § 12.04)

BookmarkSection 9.16.050 Penalties.

A. Fines for Violations. Except as provided in subsection B of this section, any person who violates a provision of this chapter shall be subject to a fine of not less than one hundred dollars (\$100.00) nor more than seven hundred fifty dollars (\$750.00) and the cost of prosecution. Each act of violation and each day upon which a violation occurs shall constitute a separate offense. The Village Attorney or, at the direction of the Village Manager, the Village Prosecutor, may file a civil action to recover any penalty or fine against any such person; provided, however, that the filing of such civil action shall preclude incarceration or imprisonment.

B. Pre-Court Payment of Certain Violations. Any person charged with a violation of subsection (D)(20) of Section 9.16.020 of this chapter may pay directly to the Village, at the Village Hall, the minimum fine established in subsection A of this section; provided, such payment is made no later than five days before the date of a court hearing set for such violation at the request of the person receiving the citation alleging the violation. A receipt shall be issued for any pre-court payment so made and any violation for which such a pre-court payment has been made shall not be subject to further prosecution. No pre-court payments will be accepted less than five days before the scheduled court hearing date. If more than two violations are issued to the same person in any thirty (30) day period, only the first two such violations may be subject to a pre-court payment pursuant to this subsection.

(Ord. MC-182-97 § 5, 1997: prior code § 12.05)

Chapter 5.74

PAVEMENT SEALANT APPLICATORS

Section 5.74.010 License.

No person shall apply pavement or pavement sealing products ("sealant") to any public or private property within the Village without a license ("pavement sealant license"), which license shall be renewed annually. A pavement sealant license shall not be required for a property owner applying sealant to pavement on a single-family lot owned by the property owner. Application for a pavement sealant license shall be 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, and such other information as may be required by the Village Manager. (MC-7-2014 § 2, 08/19/2014)

Section 5.74.020 Certification; previous services.

All persons applying for a pavement sealant license shall (i) 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, and (ii) upon the Village's request, provide a written list of locations where the licensee or any person acting under the licensee has applied sealant to any public or private property within the Village within the preceding 365 days. (MC-7-2014 § 2, 08/19/2014)

Section 5.74.030 Fee.

All applications for a pavement sealant license shall be accompanied by the annual license fee, which shall be set from time to time by resolution of the Village Council. (MC-7-2014 § 2, 08/19/2014)

Section 5.74.040 Review and approval.

The Director of Public Works shall review all applications for pavement sealant licenses and shall make a recommendation to the Village Manager for each application. The Village Manager shall grant a pavement sealant license if the application complies with all applicable provisions of this chapter and the Village Code. (MC-7-2014 § 2, 08/19/2014)

**VILLAGE OF WINNETKA
APPLICATION FOR PAVEMENT SEALANT LICENSE**

Description of Application and Licensing: This application is made pursuant to the provisions of Chapter 5.74.010 of the Winnetka Village Code ("Pavement Sealant Applicators - License"), which regulates the application of pavement sealing products to public or private property within the Village. **Registration fee is \$250.00.**

Applicant Information

Name/Business: _____

Address: _____

Phone: _____

E-mail: _____

FAX: _____

Emergency Contact Phone: _____

Person(s) Applying Sealant (*list all*): _____

Please list all locations where your company has applied sealant in Winnetka within the past year:

By signing below I hereby indicate that I will not, nor will any person acting under my license, 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 of Winnetka in accordance with VOW – MC-7-2014.

Name and title (*Please Print*): _____

Address: _____

Phone: _____

Signature: _____ Date: _____

For Village Use

Approved: _____
(Public Works Director)

Approved: _____
(Village Manager)

Fee Paid: Y / N

Date: _____

License is valid until December 31, 2015

Submit applications to the Village of Winnetka Public Works Department at 1390 Willow Rd, Winnetka, IL 60093 or by Fax to (847) 716-3599. For assistance, please call (847) 716-3550.

Goal: Update City of Highland Park code, as it relates to coal tar products, to:

1. Prohibit use
 - A) On public property
 - B) On private property
2. Prohibit sale
3. Require applicators to be licensed

This document identifies the Natural Resource Commission's objectives and includes proposed code language, modeled on existing municipal ordinances in Winnetka, municipalities in Minnesota and other parts of the Highland Park City Code. Unlike the Winnetka ordinance, it does not include language about abatement.

Objective 1A – Prohibit use on Public Property

The NRC recommends adding a new Section to CHAPTER 93: STREETS AND SIDEWALKS, following Section 93.035 Curb Requirements, as proposed.

Sec. 93.036 Coal Tar Products Prohibited.

No pavement or pavement sealing products that contain coal tar, coal tar pitch, coal tar derivatives, coal tar pitch volatiles, coal tar mixtures or any variation assigned the Chemical Abstracts Service (CAS) numbers 65996-93-2, 65996-89-6, or 8007-45-2 ("coal tar products") of any kind shall be permitted on any public street, sidewalk, or paved surface.

Objective 1B – Prohibit use on Private Property

The NRC recommends adding a new Section to CHAPTER 93: STREETS AND SIDEWALKS, following Sections 93.235 Plans and Specifications for Driveways and Driveway Approaches and 93.236 Loose Aggregate Material Prohibited, as proposed.

Sec. 93.238 Coal Tar Products Prohibited.

No pavement or pavement sealing products that contain coal tar, coal tar pitch, coal tar derivatives, coal tar pitch volatiles, coal tar mixtures or any variation assigned the Chemical Abstracts Service (CAS) numbers 65996-93-2, 65996-89-6, or 8007-45-2 ("coal tar products") of any kind shall be permitted on the surface of any driveway, driveway approach, on or off-street parking area, playground, sidewalk, bike trail, patio, sports facility, loading space or facility, or roadway.

Objective 2 – Prohibit Sale

We're not sure where to put this proposed language. The Phosphorous Code does not prohibit sale but the NRC recommends it for coal tar products.

The City of Highland Park prohibits the wholesale and retail sale of pavement sealing products that contain coal tar, coal tar pitch, coal tar derivatives, coal tar pitch volatiles, coal tar mixtures or any variation assigned the Chemical Abstracts Service (CAS) numbers 65996-93-2, 65996-89-6, or 8007-45-2 ("coal tar products") of any kind within the City of Highland Park.

Objective 3 – Require Applicators to be Licensed

The Winnetka Code doesn't match the style of Highland Park Code. Below is a marked up version of Highland Park's Chapter 102 "Landscape and Lawn Care Professionals." It changes "Landscape and Lawn Care Professionals" to "Pavement Sealant Professionals" and makes other relevant changes, including the reporting requirements from Winnetka.

CHAPTER 137: PAVEMENT SEALANT PROFESSIONALS

SECTION

137.001 Required Licensing of Pavement Sealant Professionals

137.002 Denial, Suspension, or Revocation of Pavement sealant Professional's License

137.003 Misdemeanors

137.004 Definitions

137.005 Penalty

Sec. 137.001 Required Licensing of Pavement Sealant Professionals.

No Pavement Sealant Professional shall engage in the business of the sealing pavement and any other occupation pertaining to installation or maintenance of any surface, including but not limited to: a driveway, driveway approach, on or off-street parking area, playground, sidewalk, bike trail, patio, sports facility, loading area or facility, or roadway without first securing a license from the City.

(A) Application for the license shall be made to the City Manager on forms provided by the City and shall contain the following information:

- (1) Name and address of the applicant; if the applicant is a partnership, the application shall show for each partner his name and address and interest, and all information required by paragraph (2) and (7) of this Subsection (A). If the applicant is a corporation, the application shall show the name and address of the registered agent, and with respect to each director, and each shareholder owning 5% or more of the corporation's shares (i) his name and address, together with (ii) the information required by paragraph (2) of this Subsection (A).
- (2) The criminal record, if any, of the applicant.
- (3) The number and kind of vehicles owned and controlled by the applicant.
- (4) The location of the applicant's office and garage.
- (5) The color scheme, insignia, trade name, and telephone number located upon and used to designate the vehicles of the applicant.
- (6) A complete description of each vehicle including the year, make, model and motor or factory number ("VIN") of the vehicle.
- (7) A statement that the applicant has received copies of, reviewed and understands the applicable ordinances of the City (namely those prohibiting the use and sale of coal tar products) and will promulgate same and educate his employees thereof.
- (8) A written list of locations where the applicant has applied sealant to any public or private property within the City within the preceding 365 days,
- (9) Such other information as the City Council of the City may require from time to time.

(B) The fee for the license shall be non-refundable, at the rates set forth in the Annual Fee Resolution per calendar year and shall accompany the application therefore.

(C) Insurance. Evidence that the applicant is covered by a policy of comprehensive general liability insurance, including bodily injury and property damage. The applicant shall also submit proof to the City that it carries adequate workers' compensation and vehicle insurance; provided, however, that the City Manager, or his or her designee, may waive this requirement if the Pavement Sealant Professional employs no more than two employees, including the Pavement Sealant Professional, and the City is otherwise satisfied with the application. Proof of insurance will be periodically reviewed by the City staff.

(D) Vehicle Identification. Each vehicle operated by the licensee shall at all times display:

- (1) The information required by Section 137.001(A)(5); and
- (2) The Pavement sealant professionals' vehicle sticker issued by the City at the time a license is granted pursuant to this Chapter 137, which vehicle sticker shall be placed in the front driver's side window of the vehicle.

(E) Each license shall expire on December 31 of the calendar year for which it is issued unless revoked sooner.

Sec. 137.002 Denial, Suspension, or Revocation of Pavement sealant Professional's License.

(A) The City Manager may refuse to issue or renew, may suspend or revoke a Pavement Sealant Professional's License or fine a licensee for any one or more of the following reasons, including but not limited to:

- (1) Use or sale of coal tar products in the City of Highland Park
- (2) Inaccurate, false or misleading statements having been made by the Licensee in any application for any such license;
- (3) The Licensee having made substantial misrepresentation or false promise of a character likely to influence or induce another in connection with the business of installing, sealing or maintaining pavement; and/or
- (4) Pursuit by the Licensee of a continued course of making false promises through advertising, salesmen, and/or agents or making other misrepresentations in connection with the business of installing, sealing or maintaining pavement.

(B) In the event the City Manager suspends, revokes or fines any such Licensee, such Licensee shall also forfeit his bond. The City Manager shall not assess a fine in excess of \$500.00. No person whose license has been revoked may apply for reissuance of such license for a period of one (1) year following the date of such revocation.

Sec. 137.003 Misdemeanors.

It shall be unlawful for any person, firm or corporation to

(A) Engage in the business of the sealing pavement and any other occupation pertaining to maintenance of any surface, including but not limited to: a driveway, driveway approach, on or off-street parking area, playground, sidewalk, bike trail, patio, sports facility, loading area or facility,

or roadway without first securing a Pavement Sealant Professional's License from the City of Highland Park;

(B) Violate other City ordinances by the Licensee, including, without limitation, ordinances concerning:

(1) The use and sale of coal tar products

(C) Make inaccurate, false or misleading statements in any application for any such license;

(D) Make substantial misrepresentation or false promise of a character likely to influence or induce another in connection with the business of sealing pavement; and/or

(E) Pursue a continued course of misrepresentations or making false promises through advertising, salesman, agents or otherwise in connection with the business of sealing pavement.

Sec. 137.004 Definitions.

(A) The language in the text of this Chapter shall be interpreted in accordance with the following rules of construction:

(1) The singular number includes the plural number, and the plural the singular;

(2) The word "shall" is mandatory; the word "may" is permissive; and

(3) The masculine gender includes the feminine and neuter.

(B) Whenever hereafter in this Chapter the following word or phrase is used, it shall, for the purposes of this Chapter, have the meaning respectively ascribed to **b** in this Subsection, except when the context otherwise indicates.

(1) "City". The City of Highland Park, Lake County, Illinois.

(2) "City Manager". The City Manager of the City.

(3) "sealing pavement". The application of sealant or sealcoat product to maintain any surface, including but not limited to: a driveway, driveway approach, on or off-street parking area, playground, sidewalk, bike trail, patio, sports facility, loading area or facility, or roadway.

(5) "Licensee". A holder of a Pavement Sealant Professional's license issued by the City of Highland Park. In the operation of sealing pavement the term "Licensee" shall include agents and employees of a licensee.

(6) "Person": Any individual, partnership, firm, or corporation.

(7) "Pavement Sealant Professional". Any Person that employs one or more individuals for the purpose of providing sealing pavement for clients, including, without limitation, the maintenance of any driveway, driveway approach, on or off-street parking area, playground, sidewalk, bike trail, patio, sports facility, loading area or facility, or roadway

(8) "Vehicle". Any motor-driven vehicle used by the licensee to transport a work crew, equipment, and/or debris.

Sec. 137.005 Penalty.

(A) Any person found guilty of violating any terms of this Chapter shall be found guilty of a misdemeanor and shall, upon conviction thereof, be fined in an amount not less than \$50.00 nor more than \$1,000.00 for each offense. Every day that a violation exists constitutes a separate offense.

(B) Any owner or occupant of property who permits a violation of Section 137.003(B)(2) of this Chapter to exist or continue upon the property shall be fined not less than \$200.00 nor more than \$500.00 for each offense. Each and every day that such violation is permitted to exist, or is maintained by the owner or occupant, shall be considered a separate offense under this Section 137.005(B).

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NATURAL RESOURCES COMMISSION ACTION PLAN 2016 - UPDATED JULY 2016

Action #	ACTION ITEM	TASK	RESPONSIBLE PARTY	First Quarter 2016	Second Quarter 2016	Third Quarter 2016	Fourth Quarter 2016
2016 WORK PLAN PROPOSED FOR CITY COUNCIL CONSIDERATION							
1	Education & Outreach regarding 2014 Steep Slope Landscape Best Practices Brochure	Provide Public Outreach on Steep Slope BMP	Ross, Park District & City Staff	√		√	
2	Make Policy Recommendations to Improve Recycling Output Community-Wide	Monitor & Review Recycling & Composting Services as part of the City's Waste Hauling Agreement	Coyle, Yates & Staff				√
		Expand Construction and Demolition Debris Recycling by Updating City's Current Mandate	Coyle, Yates & Staff	√	√		
		Evaluate the Feasibility of Initiating a Shoe Recycling Program and Off-Season Compost Site in Partnership with SWALCO	Coyle, Yates & Staff			√	
3	Make Policy Recommendations to Improve Energy Efficiency Community - Wide	Evaluate & Make Recommendations to Remove Obstacles to Renewable Energy in the City's Building & Zoning Codes	Wagenius, Kalter & Staff	√	√		
4	Improving Stormwater Management and Address Water Pollution	Provide Recommendations on Stormwater Best Management Practices, Rain Garden Incentives, Downspout Disconnection and Permeable Paving	Wagenius, Pagoria, and Staff	√	√		
		Evaluate the Feasibility of a Coal Tar & Other Pollutants Ban Community-Wide	Wagenius, Pagoria, and Staff	√			
5	Make Policy Recommendations to Improve the Air Quality Community-Wide	Provide a Recommendation on a City Anti-Idling Policy	Ross & Nichols			√	√
		Evaluate and Provide a Recommendation on Licensing/Registering of Private Mosquito and Insect Spraying Companies	Ross & Nichols		√	√	
6	Develop and Maintain Community Garden	Work with Community Partners and Leaders to Reinvigorate a Community Garden	Ross, Yates, LaCosse, Dotson and Stone	√	√		
7	Follow-up on Lighting Code Amendments for All Zoning Districts	Continue discussions with ComEd and downtown lighting district, Provide Public Outreach As Necessary	Ross	√	√	√	√
8	Grant Award for Meritorious Service to the Highland Park Environment	Accept & Consider Nominations and Grant Award	Entire Commission & Staff			√	√
9	Organize & Host Environmental Movie Series	Contact Library & Park District to Establish Event Dates	Staff	ONGOING BASIS			
		Acquire License to Screen Film	Staff	ONGOING BASIS			
		Promote Film Screenings	Staff	ONGOING BASIS			
10	Assist in the Accomplishment of Sustainability Plan Initiatives	Establish Implementation Plan	Entire Commission & Staff	ONGOING BASIS			
11	Review & Recommend on Variations and Beach Structure Permit Applications	Forward Findings of Fact to ZBA & City Council	Entire Commission & Staff	ONGOING BASIS			
		Conduct Refresher on Steep Slope & Beach Permits	Entire Commission & Staff	√			
		Conduct Educational Workshop on Coastal Management As Needed	Entire Commission & Staff	AS NEEDED			

Pink Highlighted Cell = Task Accomplished

FOR 2017:

- Consider Business Recycling Program
- Invasive Plant Species Restrictions/Ban
- Community Energy Programs
- Awards/Competitions
- Annual Environmental Theme for Policy & Programming

DRAFT - NATURAL RESOURCES COMMISSION ACTION PLAN 2017 - DRAFT

Action #	ACTION ITEM	TASK	RESPONSIBLE PARTY	First Quarter 2017	Second Quarter 2017	Third Quarter 2017	Fourth Quarter 2017
2017 WORK PLAN PROPOSED FOR CITY COUNCIL CONSIDERATION							
1	Monitor waste, composting, and recycling output community-wide and evaluate relative to Sustainability Plan goals						
2	Increase energy efficiency and increase the use of alternative energies community-wide						
3	Improve storm water management and address water pollution						
4	Explore policy recommendations to improve the air quality community-wide						
5	Co-Sponsor Outreach Events with Park District and Library Including But Not Limited To Environmental Films, Earth Day Event, and other Environmental Programming						
6	Assist in the Accomplishment of Sustainability Plan Initiatives						
7	Review & Recommend on Steep Slope Variations and Beach Structure Permit Applications	Forward Findings of Fact to ZBA & City Council	Entire Commission & Staff	ONGOING BASIS			
		Conduct Refresher on Steep Slope & Beach Permits (As Needed)	Entire Commission & Staff				
		Conduct Educational Workshop on Coastal Management (As Needed)	Entire Commission & Staff				
8	Grant Award for Meritorious Service to the Highland Park Environment	Accept & Consider Nominations and Grant Award if Appropriate	Entire Commission & Staff				