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**SUFFOLK COUNTY LEGISLATURE BILL TO DAMAGE BUSINESSES AND KILL
JOBS AT JUNE 7 MEETING**

In these times when Long Island and national news is dominated by headlines such as “Jobs Recession,” “Weak Recovery,” “Business Hunkers Down in Uncertain Regulatory Climate” and “Local Government Budget Crisis Forces Lay Offs” the Suffolk County Legislature seems poised to impose a ban on pavement sealers that have been safely used for decades. The ban is not intended to solve any problem in Suffolk County, but will harm – perhaps destroy – dozens of small businesses in the County resulting in hundreds of lost jobs and lower County tax revenues.

The Suffolk County Legislature is planning to consider a bill that would ban the sale and use of refined tar-based pavement sealers at its June 7 meeting. Pavement sealers are not the cause of any known environmental or health problem in Suffolk County or any where else, and the only impact of a ban would be to devastate dozen of small businesses in Suffolk County, resulting in hundreds of lost jobs and a decrease in tax revenues. According to Michael Pitcher, Legislative Aide to Presiding Officer Bill Lindsay of the Suffolk County Legislature, the idea for the ban started with a County staffer surfing the web and coming across an anti-coal web site. Mr. Lindsay is the bill’s sponsor. Local pavement businesses learned of the proposed ban because of an article in Long Island Newsday describing a private web conference in March during which activists who happen to work for a non-regulatory US Government agency compared pavement sealer to dioxins and DDT. A Suffolk County-based manufacturer of pavement sealer products was unsuccessful in its efforts to meet with Mr. Lindsay. The industry’s trade association, the Pavement Coatings Technology Council (PCTC), requested time to set the record straight and was given half an hour before the legislature’s Health and Human Services (HHS) Committee.

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For reasons that remain unclear, the bill's sponsor has been determined to fast track the ban. The County issued an economic impact statement, indicating that the ban would have almost no economic impacts despite the fact that at least one sealer manufacturer and dozens of pavement contractors could be put out of business by a ban. At an April 26 Public Hearing, some legislators asked that the economic analysis be reconsidered in light of the testimony of County business owners. The business community has yet to see a revised economic impact statement. At the June 2 meeting of the HHS Committee, committee members asked for the input of a County Public Health Engineer, Christopher Lubicich. Mr. Lubicich testified that he had only recently been assigned the task of researching sealers, and had not yet had time to look very far into the matter. In none of these hearings has any consideration been given to mundane details such as costs of enforcement, such as identification and allocation of time for personnel and for resources such as laboratory equipment.

In testimony at both the Public Hearing and the HHS Committee meeting, legislators learned not only about the devastating business impacts of a ban, but also learned that a ban would not address – much less solve - any problem in the County. The Committee also learned about the flimsy scientific basis activist bloggers have been using to promote bans. Nevertheless, the HHS Committee approved the ban because, according to Mr. Lindsay, there might be some yet-to-be-identified problem, effectively calling for the destruction of businesses and jobs on the off-chance the bloggers might be right.

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If you would like more information about this topic, or to schedule an interview, please send an email to alehuray@pavementcouncil.org. Additional background and other information are available on the Council's website, www.pavementcouncil.org.

