
By: **Chairman, Economic and Environmental Affairs Committee**
(Departmental - Environment)

Introduced and read first time: January 17, 2000
Assigned to: Economic and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **State Used Tire Cleanup and Recycling Fund - Reinstatement of Fee and**
3 **Permissible Uses of Fund**

4 FOR the purpose of altering the permissible uses of the State Used Tire Cleanup and
5 Recycling Fund; altering a certain reporting date for a certain report;
6 eliminating the repeal of certain provisions relating to the used tire recycling fee
7 and the Fund; repealing a delayed effective date related to the used tire
8 recycling fee and the Fund; and generally relating to the State Used Tire
9 Cleanup and Recycling Fund.

10 BY repealing and reenacting, with amendments,
11 Article - Environment
12 Section 9-275
13 Annotated Code of Maryland
14 (1996 Replacement Volume and 1999 Supplement)

15 BY repealing and reenacting, with amendments,
16 Chapter 627 of the Acts of the General Assembly of 1997
17 Section 3

18 BY repealing
19 Chapter 627 of the Acts of the General Assembly of 1997
20 Section 2

21 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
22 MARYLAND, That the Laws of Maryland read as follows:

23 **Article - Environment**

24 9-275.

25 (a) Subject to the appropriation process in the annual operating budget, the
26 Department shall use the State Used Tire Cleanup and Recycling Fund solely:

1 (1) For removal, restoration, emergency, or remedial action, including
2 the restoration of natural resources where feasible, site maintenance and monitoring,
3 and fire cessation, if requested by a local government, not to exceed \$100,000 for each
4 fire cessation emergency action in that jurisdiction, in response to the disposal or
5 storage of scrap tires in violation of this subtitle, including:

6 (i) All costs incurred by the State in inspecting and monitoring any
7 site where scrap tires are processed, stored, or disposed of in violation of this subtitle
8 and assessing the threat to the public health and the environment of the site, the
9 costs of investigations conducted for the purpose of defining necessary remedial
10 action, and the costs of litigation expenses incurred in obtaining reimbursement for
11 expenditures; and

12 (ii) All costs incurred in providing public information concerning a
13 site where scrap tires are processed, stored, or disposed of; [and]

14 (2) FOR ACTIVITIES RELATED TO WATER QUALITY IMPROVEMENT
15 INCLUDING RESTORATION, REMEDIATION, RESEARCH, PLANNING, MONITORING,
16 AND REMOVAL OF NUTRIENTS AT PUBLICLY OWNED SEWAGE TREATMENT WORKS IN
17 ACCORDANCE WITH SUBSECTION (C) OF THIS SECTION, AND FOR ASSOCIATED
18 ADMINISTRATIVE COSTS; AND

19 [(2)] (3) With the approval of the board of public works, to provide
20 financial assistance:

21 (i) Through the service for projects approved by the Department to
22 reduce, recover, and recycle scrap tires; and

23 (ii) To the service for costs related to the implementation of scrap
24 tire recycling systems, including the costs of:

25 1. Preparation of a scrap tire recycling system under §
26 9-228(e) of this subtitle;

27 2. Implementation of any program established by the service
28 as a part of a scrap tire recycling system; and

29 3. Assisting in funding the establishment of a private or
30 public scrap tire collection, processing, or recycling facility.

31 (b) Subject to § 2-1246 of the State Government Article, the Department shall
32 provide the standing committees of the Maryland General Assembly with primary
33 jurisdiction over this section with a status report on the Fund on or before [July]
34 NOVEMBER 1 of each year. The report shall include an accounting of all moneys
35 expended for each of the purposes specified in subsection (a) of this section.

36 (C) (1) FOR FISCAL YEARS 2001, 2002, AND 2003, THE FUND MAY BE USED FOR
37 REMOVAL OF NUTRIENTS AT PUBLICLY OWNED SEWAGE TREATMENT WORKS AS
38 FOLLOWS:

1 (I) FOR FISCAL YEAR 2001, UP TO \$5,000,000;

2 (II) FOR FISCAL YEAR 2002, UP TO \$3,000,000; AND

3 (III) FOR FISCAL YEAR 2003, UP TO \$1,000,000.

4 (2) ANY MONEYS EXPENDED FROM THE FUND UNDER THIS SUBSECTION
5 SHALL BE ADMINISTERED IN ACCORDANCE WITH §§ 9-345 THROUGH 9-351 OF THIS
6 TITLE.

7

Chapter 627 of the Acts of 1997

8 SECTION 3. AND BE IT FURTHER ENACTED, That Section 1 of this Act shall
9 take effect October 1, 1997[, and Section 2 of this Act shall take effect July 1, 2000].

10 SECTION 2. AND BE IT FURTHER ENACTED, That Section(s) 2 of Chapter
11 627 of Acts of the General Assembly of 1997 be repealed.

12 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
13 July 1, 2000.