

SENATE BILL 136

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2000 Regular Session  
0lr0140

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

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

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Committee Report: Favorable with amendments  
Senate action: Adopted with floor amendments  
Read second time: March 23, 2000

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CHAPTER \_\_\_\_\_

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~~ clarifying the permissible uses of the State Used Tire  
5 Cleanup and Recycling Fund; altering a certain reporting date for a certain  
6 report; exempting under certain circumstances certain persons from the  
7 requirement that certain expenditures from the fund be reimbursed to the  
8 Department of the Environment; eliminating the repeal of certain provisions  
9 relating to the used tire recycling fee and the Fund; repealing a delayed effective  
10 date related to the used tire recycling fee and the Fund; requiring the  
11 Department of the Environment to accelerate the expenditure of certain funds  
12 for certain purposes and include certain information in the annual report on the  
13 Fund; and generally relating to the State Used Tire Cleanup and Recycling  
14 Fund.

15 BY repealing and reenacting, with amendments,  
16 Article - Environment  
17 Section 9-275 and 9-276  
18 Annotated Code of Maryland  
19 (1996 Replacement Volume and 1999 Supplement)

20 BY repealing and reenacting, with amendments,  
21 Chapter 627 of the Acts of the General Assembly of 1997  
22 Section 3

23 BY repealing

1 Chapter 627 of the Acts of the General Assembly of 1997  
2 Section 2

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

5 **Article - Environment**

6 9-275.

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

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

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

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

22 (2) FOR ACTIVITIES RELATED TO ~~WATER QUALITY IMPROVEMENT~~  
23 ~~SCRAP TIRE RECYCLING PROGRAMS, INCLUDING RESTORATION, REMEDIATION,~~  
24 ~~RESEARCH, PLANNING, MONITORING, AND REMOVAL OF NUTRIENTS AT PUBLICLY~~  
25 ~~OWNED SEWAGE TREATMENT WORKS IN ACCORDANCE WITH SUBSECTION (C) OF~~  
26 ~~THIS SECTION PUBLIC EDUCATION, AND MARKET DEVELOPMENT, AND FOR~~  
27 ASSOCIATED ADMINISTRATIVE COSTS; AND

28 [(2)] (3) With the approval of the board of public works, to provide  
29 financial assistance:

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

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

34 1. Preparation of a scrap tire recycling system under §  
35 9-228(e) of this subtitle;

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



1           (2)     THE TIRES WERE STORED OR DISPOSED OF AT THE SITE PRIOR TO  
2 JANUARY 1, 2000.

3

**Chapter 627 of the Acts of 1997**

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

6     SECTION 2. AND BE IT FURTHER ENACTED, That Section(s) 2 of Chapter  
7 627 of Acts of the General Assembly of 1997 be repealed.

8     SECTION 3. AND BE IT FURTHER ENACTED, That the Department of the  
9 Environment shall:

10     (a)     accelerate the expenditure of funds in the State Used Tire Cleanup and  
11 Recycling Fund in accordance with § 9-275 of the Environment Article. Accelerated  
12 expenditures from the Fund shall include expenditures for:

13           (1)     cleaning up the remaining illegal scrap tire stockpiles;

14           (2)     in conjunction with the Maryland Environmental Service,  
15 implementing scrap tire projects that are undertaken to promote the development of  
16 new technologies for recycling scrap tires and to reduce, recover, and recycle scrap  
17 tires; and

18           (3)     expanding the scrap tire recycling system on a regional basis to  
19 provide additional processing and recycling capacity to manage more effectively the  
20 ongoing generation of tires; and

21     (b)     in the annual status report on the State Used Tire Cleanup and Recycling  
22 Fund required under § 9-275(b) of the Environment Article, include an accounting of  
23 all moneys expended for each of the purposes specified in this section.

24     SECTION ~~3~~ 4. AND BE IT FURTHER ENACTED, That this Act shall take  
25 effect July 1, 2000.