

# HOUSE BILL 710

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8lr1422

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By: **Delegate Costa**

Introduced and read first time: February 4, 2008

Assigned to: Environmental Matters

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## A BILL ENTITLED

1 AN ACT concerning

2 **Scrap Tires - Reimbursement of Costs - Interest in Site**

3 FOR the purpose of clarifying a certain exemption from the requirement  
4 of reimbursing a certain fund for costs incurred due to the storage, disposal, or  
5 processing of scrap tires; and generally relating to the storage, disposal, or  
6 processing of scrap tires.

7 BY repealing and reenacting, with amendments,  
8 Article - Environment  
9 Section 9-276  
10 Annotated Code of Maryland  
11 (2007 Replacement Volume and 2007 Supplement)

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

14 **Article - Environment**

15 9-276.

16 (a) Except as provided in subsection (d) of this section, all expenditures from  
17 the State Used Tire Cleanup and Recycling Fund made by the Department under  
18 § 9-275(a)(1) of this subtitle in response to the storage or disposal of used tires at a  
19 particular site shall be reimbursed to the Department for the State Used Tire Cleanup  
20 and Recycling Fund by the owner or operator of the site or any other person who  
21 caused the tires to be stored or disposed of at the site in violation of this subtitle.

22 (b) In addition to any other legal action authorized by this subtitle, the  
23 Attorney General may bring an action to recover costs and interest from any person  
24 who fails to make reimbursement as required under subsection (a) of this section.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (c) Except as provided in subsection (d) of this section, the Department may  
2 recover costs incurred by the Department under § 9-275(a)(1) of this subtitle whether  
3 or not the discarded tires were disposed of or stored at the site before July 1, 1989.

4 (d) This section does not apply to expenditures related to removal,  
5 restoration, or remedial action in response to the disposal or storage of scrap tires in  
6 violation of this subtitle if the owner of a site where scrap tires were stored, disposed,  
7 or processed only before July 1, 1989:

8 (1) Is not engaged in the business of storage, disposal, or processing of  
9 scrap tires, hazardous substances, or other waste;

10 (2) Did not cause or allow scrap tires to be stored, disposed, or  
11 processed on the site; and

12 (3) (I) Obtained the site or an interest in the site by inheritance,  
13 bequest, or otherwise at the death of the transferor prior to January 1, 2000.

14 (II) **IS A LEGAL ENTITY IN WHICH THE OWNERSHIP**  
15 **INTEREST IN THE LEGAL ENTITY WAS OBTAINED AT THE DEATH OF THE**  
16 **TRANSFEROR PRIOR TO JANUARY 1, 2000.**

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
18 October 1, 2008.