

**STATEMENT OF
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PAST CHAIR, TIRE AND RUBBER DIVISION
INSTITUTE OF SCRAP RECYCLING INDUSTRIES
ON H.B. 1098**

**BEFORE THE
MARYLAND HOUSE APPROPRIATIONS COMMITTEE
MARCH 5, 2020
ANNAPOLIS, MARYLAND**

Dear Chair McIntosh, Vice Chair Jackson and members of the Appropriations Committee,

I respectfully submit this statement on behalf of the Institute of Scrap Recycling Industries, Inc. (ISRI) Tire and Rubber Division and its member companies. ISRI is the trade association that represents approximately 1,300 companies that process, broker, and industrially consume recyclable commodities including metals, paper, plastics, glass, textiles, rubber, and electronics. My company, Emanuel Tire, LLC, is an ISRI member company based in Baltimore, MD, and employs over 200 individuals. In the state of Maryland, the recycling industry directly supports over 2,000 jobs, generates \$1.13 billion of total economic impact and garners over \$140 million of tax revenue.

Statement Summary

Thank you for the opportunity to submit testimony for House Bill 1092, prohibiting the use of state funds for synthetic playground or athletic field surfaces and establishing a preference for natural surface materials. The legislation would permanently harm the environmental and economic benefits of the tire and plastics recycling industries in Maryland by hampering sales and installation of synthetic playground and athletic field surfaces simply because of claims not supported by the overwhelming amount of scientific studies available on the subject. ISRI believes that this legislation will harm Maryland's recyclers, the economy, and the environment by:

- Cutting off funds even though sound science supports the safety and use of artificial turf, loose-fill rubber mulch, running tracks, and other surfaces made of recycled rubber and plastics;
- Distorting market demand for vibrant end use markets for recycled rubber and plastics and pushing material to less desirable uses; and
- Limiting choice by local governments and opening the potential for business interests using state policy and funding as an economic weapon.

Emanuel Tires and the Tire Recycling Industry

Emanuel Tire Family of Companies, under the leadership of Norman Emanuel, has been in the scrap tire business for 60 years. We have received national recognition for our efforts to establish standards in the



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scrap tire industry and for deriving new uses for shredded tires. Emanuel Tire was a founding member of the National Association of Scrap Tire Processors (NASTP) – which is now the Tire & Rubber Division of the Institute of Scrap Recycling Industries (ISRI). Emanuel Tire has been a member of the ISRI Board of Directors and is innately familiar with the development of state and national scrap tire recycling programs.

The Emanuel Tire Family of Companies processes over 17 million tires per year, typically received from one of three sources: tires delivered to our plant by individuals or companies; trailers or pick-up services at locations where customers have large volume of tires; and the clean-up of private or government owned stockpiles.

To be perfectly clear, Emanuel Tire does not landfill any of our shredded products. All of the tires we process are shredded and used in one of a number of existing and promising markets, including:

- Tire Chips shredded to customer specification and used in civil engineering projects;
- Safe-T-Play and Safe-T-Footing 100% wire free playground and horse arena material;
- Recycled Reclaim Industry Material (RRIM), used by industry processors who fine grind our material then mold them for cattle mats, athletic surfacing and flooring tiles;
- Tire Derived Fuel (TDF) a fuel source in many kilns and energy plants;
- Septic System Material (SSM) used in commercial and residential drainage fields;
- Sound Wall Material rubber chips used to make highway noise reduction walls; and
- Forever Mulch, a colorized chip used in landscaping and architectural enhancement.

Emanuel Tire is committed to the environmentally safe use of our tire products. We are licensed and recognized by the Maryland Department of the Environment, Pennsylvania Department of Environment and the Virginia Department of Environmental Quality as a Scrap Tire Hauler, Scrap Tire Collection Facility and a Scrap Tire Recycler. Additionally, Emanuel Tire employs an OSHA approved Environmental, Health and Safety program at all of our facilities.

Environmentally Responsible Solutions

Each year, approximately 110 million tires are processed in the United States by the scrap recycling industry – or one tire for every three people in the U.S. In the past, scrap tires — generated when an old, worn tire is replaced with a new tire — were often dumped illegally in lakes, abandoned lots, along the side of the road and in sensitive habitats. Today, scrap tires are playing a much different role as an important part of the manufacturing process in a variety of products as well as providing environmentally responsible solutions to age-old problems.

Over the past few decades, tire recyclers have invested millions of dollars in technologies and equipment to recycle tires, allowing scrap tires to play an important role in strengthening our economy and protecting our environment. Thanks to these innovations in manufacturing, recycled rubber is now a common alternative used, for example, to facilitate softer playground surfaces, reduce the chance of



injuries for athletes, and provide softer, lower-impact surfaces for those on their feet hard at work and play.

Recycled rubber is a highly sought material in the manufacturing industry. In the U.S. alone, scrap processors produce more than 1 billion pounds of crumb rubber annually that is used in the creation of new products ranging from landscaping materials, playground coverings, and infill for athletic playing surfaces used by pro-athletes, colleges/universities, high schools, and communities, as well as long-term, high-traffic items such as roadways, sidewalks and horse tracks. Applications for recycled rubber — such as rubberized asphalt and crumb rubber — have become recognized for their preferable properties and are gaining in prominence and widespread use.

Sound Science Supports Artificial Turf and other Recycled Rubber and Plastic Surfaces

ISRI can only surmise that the underlying rationale for banning state funds for synthetic playground or athletic field surfaces and establishing a preference for natural surface materials is based on unsubstantiated assertions circulated that playing on recycled crumb rubber surfaces is connected to long-term health risks. If that is the case, however, then the proper course of action is to examine the peer-reviewed scientific data from university, federal and international studies that overwhelmingly contradict these false and misleading statements.

From school playgrounds to community tennis courts, recycled rubber provides a shock-absorbent material that helps cushion falls and spills. Just 6 inches of rubber mulch has been tested to a fall height of more than 16 feet, while wood chips come in at a mere 7 feet. Moreover, recycled rubber surfaces can be designed to be widely usable, accessible, and ADA-compliant—a feature that grass and other surfaces lack.

As for the underlying concerns that may be the basis for this proposed moratorium, ISRI joins with the overwhelming number of scientific experts, communities, athletic clubs and others who are avid supporters of artificial turf fields, recycled crumb rubber mats, loose fill mulch, and other synthetic playground or athletic field surfaces. State and local governments around the nation that are responsible for installation and maintenance of athletic fields have chosen synthetic playground or athletic field surfaces based on long-established scientific data indicating it is safe. ISRI would be happy to direct members of this committee to the over 100 independent scientific studies that have examined a number of variables through exposure pathways such as inhalation, ingestion, and dermal contact. They are comprehensive studies with independent analysis.

Most recently, in July 2019, the United States Environmental Protection Agency (EPA) released its own long-awaited crumb rubber characterization report, which summarized results on a range of metals and organic chemicals which the EPA found in their study of tire crumb rubber, confirming what we already knew: crumb rubber is made of the same components found in everyday consumer products, and hospital and classroom floors. In the dozens of substances tested, it found low and below-detection limits emissions consistent with previous studies. Also in July 2019, the National Toxicology Program (NTP) released four reports on potential human exposure to crumb rubber. The reports examined the

chemical and physical characterization of crumb rubber and conducted in vivo and in vitro studies on various routes of exposure from crumb rubber, observing no evidence of health problems in the studies. (https://cdn.ymaws.com/www.syntheticurfCouncil.org/resource/resmgr/research/research_summary_of_recycled.pdf)

Additionally, the Washington State Department of Health completed an investigation of reported cancer among soccer players in the state, stating that "our investigation did not show increased rates of cancer among reported soccer players, and the available research does not suggest that playing soccer on artificial turf causes cancer" and recommending "that people who enjoy soccer continue to play regardless of the type of field surface." (www.doh.wa.gov/CommunityandEnvironment/Schools/EnvironmentalHealth/SyntheticTurf)

While some news reports have focused on the fact that chemicals are found in recycled rubber, the mere presence of a chemical does not mean it poses potential health risks. The most common four chemicals found in recycled rubber that have been brought up as points of concern are arsenic, benzene, cadmium, and nickel. By themselves this may sound an alarm, but it is important to take this in context and in relation to how often we come into contact with each as part of everyday life. For instance:

- Rubber in turf has less arsenic than rice; less cadmium than in lobster; less nickel than in chocolate; and less benzene than in a can of soda.
- The International Agency of Cancer Research has stated these chemicals are all safe in low amounts and are simply part of the world we live in and the food we don't think twice about.

Given this, regulatory reports have found that chemical exposures from synthetic playground and athletic field surfaces present a very low risk.

Banning state funding will disrupt markets and harm recycling in Maryland

By banning state funds for synthetic playground or athletic field surfaces and establishing a preference for natural surface materials, HB 1098 does not just limit the choices of municipalities and school districts, it also creates a market distortion that would likely channel additional material to less desirable end uses, such as tire derived fuel (TDF) and other forms of energy recovery.

Make no mistake, ISRI does not consider incineration or energy recovery to be recycling, however, under certain market conditions, these non-recycling choices are necessary to the overall health of the marketplace. More than 12,000 artificial turf sports fields use crumb rubber infill from recycled tires, providing a market for 110 million recycled tires. Because tire recycling is a classic example of supply and demand economics, if Maryland chooses to restrict vibrant markets for recycled crumb rubber and plastics, it will increase the likelihood of end-of-life tires and plastic material instead being used for TDF or other non-recycling markets. Worse, if such markets are unable to handle the additional supply, the ban on state funds and preference for natural surface materials could directly lead to the disposal of previously recyclable materials.



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Eliminating Funding for Synthetic Surfaces is Not Good for Business or Public Policy

HB 1098 is neither good for business nor for the state of Maryland. Not only could the vibrant tire recycling industry in Maryland be permanently harmed, but state and local government will be exposed to frivolous lawsuits as communities find themselves feeling left out from the benefits that others have been able to enjoy. HB 1098 could chill the market for artificial turf, synthetic running tracks, and other synthetic playground and athletic field surfaces by virtue of placing a de-facto seal of approval on competing products that would be eligible for state funding support. Furthermore, the legislation could hurt Maryland's efforts to attract economic investments and jobs by inadvertently opening a Pandora's Box for particular interests seeking a monopoly utilizing state funding as the primary weapon of choice.

Cutting off state funds for widely accepted and popular products is simply not sound public policy particularly when the decision is based on claims that are contrary to sound science. The state of Maryland has long recognized that local government should be allowed to make smart business decisions and choices concerning the services they provide citizens knowing they may apply for state funds to help support those choices. Yet, HB 1098 essentially tells local governments that despite the fact that the neighboring community may enjoy the benefits of synthetic playground and athletic field surfaces, they are now deprived of the same benefits simply because the state has cut off funding for reasons that are not clear and certainly not based on the overwhelming amount of available scientific data. There is absolutely no logical basis for eliminating the funds for synthetic surfaces and there are no other products singled-out in existing law in such an egregious manner.

Conclusion

By distorting existing markets for processed scrap tires and plastics, Maryland HB 1098 will dramatically limit the recyclability of scrap tires and plastics, not encourage it. ISRI's tire recyclers encourage this body to consult with experts in the recycling industry on the market dynamics for scrap tires and plastics prior to placing bans state funds for synthetic playground or athletic field surfaces that will harm recycling as well as recycling businesses operating in Maryland. Because of this, and on behalf of all tire recyclers working to improve our environment and economy by keeping valuable recyclable materials out of landfills or being illegally discarded in our lakes, parks and our Chesapeake Bay, I urge this distinguished committee to oppose this legislation.

Thank you for your consideration,

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