



# Maryland

## Department of the Environment

Larry Hogan, Governor  
Boyd K. Rutherford, Lt. Governor

Ben Grumbles, Secretary  
Horacio Tablada, Deputy Secretary

February 21, 2020

The Honorable Kumar P. Barve  
House Environment and Transportation Committee  
House Office Building, Room 251  
Annapolis, Maryland 21401

**Re: House Bill 1032 – Solid Waste Management - Refuse Disposal Systems - Incinerators, Scrap Tires, and Local Authority**

Dear Chair Barve and Members of the Committee:

The Maryland Department of the Environment (MDE) has reviewed House Bill 1032 entitled *Solid Waste Management - Refuse Disposal Systems - Incinerators, Scrap Tires, and Local Authority*. We would like to provide additional information regarding this bill.

House Bill 1032 would prohibit MDE from issuing a refuse disposal permit to construct, materially extend, or alter an incinerator for disposal of a solid waste stream, or from renewing an incinerator's refuse disposal permit coverage. It would also prohibit a person from storing scrap tires if the scrap tires will be returned to the marketplace for use as fuel in an incinerator, as tire derived fuel, or for artificial turf. The bill also prohibits a person from incinerating scrap tires. The bill adds scrap tire retreading facilities as a top priority in the scrap tire recycling system to be established by the Maryland Environmental Service. Finally, the bill specifies that it does not limit the power of a political subdivision to adopt a law or rule to regulate refuse disposal systems or solid waste, as long as that law or rule is no less stringent than standards set by MDE under the Title 9 of the Environment Article.

The bill's limitations on storage of scrap tires for use as fuel in an incinerator, to create tire-derived fuel, or to produce artificial turf would further restrict the already-limited markets for scrap tires. For example, the only licensed scrap tire processing facility in Western Maryland is a cement producer that uses tire chips as supplemental fuel in its cement kiln. Over the past 10 years, that facility has used over 4 million Maryland-generated scrap tires. There are six total licensed scrap tire processors in Maryland, five of which processed scrap tires in FY 2019. Disposal of scrap tires in a landfill is generally prohibited in Maryland, so it is important to maintain sufficient alternative outlets for managing scrap tires in order to avoid illegal dumping.

MDE and the person storing scrap tires may not always be aware of whether the scrap tires will ultimately be used for artificial turf or fuel after being returned to the marketplace. Scrap tires may be shredded or chipped by a licensed scrap tire recycler. Shredded or chipped tires produced by a scrap tire recycler are not regulated as scrap tires once they are purchased by another entity. This material is commonly further processed by the purchaser into the raw material of crumb rubber, which may be used for artificial turf. For example, the only facility in Maryland that currently produces crumb rubber

The Honorable Kumar P. Barve

Page 2

suitable for use in an artificial turf does not accept whole scrap tires and is not licensed or regulated by MDE.

Thank you for your consideration. We will continue to monitor House Bill 1032 during the Committee's deliberations, and I am available to answer any questions you may have. Please feel free to contact me at 410-260-6301 or by e-mail at [tyler.abbott@maryland.gov](mailto:tyler.abbott@maryland.gov).

Sincerely,

A handwritten signature in blue ink, appearing to read "Tyler Abbott", with a long horizontal flourish extending to the left.

Tyler Abbott

cc: The Honorable Stephanie Smith  
Ms. Kaley Laleker, Director, Land and Materials Administration