

**Written Statement of
Mark Rannie, Chairman, Tire and Rubber Division
Institute of Scrap Recycling Industries
on Maryland Senate Bill 321
before the Maryland Senate Education, Health, and Environmental Affairs Committee
February 2, 2022**

Members of the Committee, I respectfully submit this statement on behalf of the Institute of Scrap Recycling Industries (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 1,700 jobs.

Thank you for the opportunity to submit testimony in opposition to Senate Bill 321, an act concerning synthetic turf and turf infill chain of custody. By mandating that manufacturers of individual components of a synthetic turf field system are responsible for the end-of-life management of fields, ISRI believes that, as with the cross-filed legislation House Bill 131 and prior session versions of the same, this legislation will hurt Maryland businesses like mine that have invested in the Maryland recycling infrastructure to help develop end markets for recycled content for materials such as tires, and will limit the beneficial use and recycling of synthetic turf and infill, which is a valuable end market for recycled tires and rubber.

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 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 sat on 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.

Tires are shred and used in one of a number 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 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.

Recyclables Are Valuable Commodities in the Circular Economy

The components of synthetic turf are valuable commodities traded and sold in global markets. Recyclables are commodities processed into tradable and highly valued specification-grade products that manufacturers use as raw material inputs to make new products. SB 321 imposes a producer-responsibility control mechanism on synthetic turf and turf infill components that is not appropriate for valuable recyclable commodities for which there is a vibrant and active marketplace.

Chain of Custody / Manifest Models do not fit Synthetic Turf Fields

While chain of custody systems are an excellent way to ensure compliance with scrap tire recycling requirements, tires represent a fundamentally different product than synthetic turf fields; what works for one simply does not work for the other. For tires, a chain of custody is clear and should be immediate: from generator, to hauler, to scrap tire recycler.

However, synthetic turf fields are installed by one or more contractors using products from multiple different producers, all of which have different multi-year effective lifespans until they must be repaired or replaced, and all of which have different end-of-life management strategies to ensure the highest use of the valuable commodities that make up the turf field components and highest returned value to their owner. Imposing a chain of custody through the producer will require continual monitoring of (and control over) those products, interfering with the property owner's right to manage their own property, and will be inherently complex and prone to failure.

Maryland Recycling Businesses & Individual Property Rights will be Harmed

By requiring that the producer or, for fields already in installed as of January 1, 2023, the current owner of synthetic turf and turf infill, establish a chain of custody tracking system for all of the disparate materials that make up a synthetic turf field, SB 321 would impose administrative burdens and responsibility for ongoing monitoring of and control over products either on

- The multiple individual producers of the components of a synthetic turf field, creating a complex chain of responsibility if the components are not all retired for recycling at the same time; or on
- The current owner, who may be disincentivized from seeking higher use end-of-life management options for their field components in order to minimize future administrative burdens or liabilities.

Synthetic turf and infill for athletic fields bring value-added benefits that offset the up-front cost to the property owner, such as limited maintenance compared to grass fields, extended use during colder seasons, and the intrinsic value of the materials used to construct the field. If the property owner chooses to uninstall the synthetic turf, the owner has numerous options to recover some of that value including the recycling and reuse of the valuable commodities that make up the turf. By placing chain of custody responsibility for such products in the hands of the original producers, SB 321 will necessitate that those same producers retain control over their end-of-life management.

This legislation would also hurt Maryland businesses like my own that have invested in recycling technology and infrastructure here in the state of Maryland, which helps Maryland achieve its own recycling goals. The legislation usurps control of the free market flow and management of recyclable materials from the owners and recyclers. This entire concept is troubling at the very least and clearly stifles innovation and new entries into the market for the reuse and recycling of materials such as the components in the turf.

Conclusion

Maryland Senate Bill 321 will deprive turf field owners of their property and bargaining rights to seek out best use recycling options for their fields at the end of their current use, and harm the beneficial use and ultimate recycling of synthetic turf and synthetic turf infill. By mandating that manufacturers of individual components of a synthetic turf field system are responsible for the end-of-life management of fields, ISRI believes that this legislation will take power over end-of-life management decisions from field owners and limit the recyclability of synthetic turf and infill, not encourage it.

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, I urge this distinguished committee to oppose this legislation.

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