



February 02, 2022

The Honorable Paul G. Pinsky, Chair  
Education, Health, and Environmental Affairs Committee  
Miller Senate Office Building, Suite 2W  
Annapolis, Maryland 21401

**Re: Senate Bill 321 - Environment – Synthetic Turf and Turf Infill – Chain of Custody**

Dear Chair Pinsky and Members of the Committee:

The Maryland Department of the Environment (MDE or the Department) has reviewed SB 321, entitled *Environment – Synthetic Turf and Turf Infill – Chain of Custody* and would like to provide additional information regarding the bill.

On or before January 1, 2023, a producer of synthetic turf and turf infill, as defined in the bill, would be required to establish a system to track the chain of custody of the material from its manufacture to its use, reuse, recycling, and final disposal. The producer must report to MDE the chain of custody of the synthetic turf and turf infill from their manufacture and, if known, installation, use, reuse, recycling, or final disposal. Owners of synthetic turf and turf infill installed in the state as of January 1, 2023, would also be required to report to MDE the current geographic location of the installed product and the chain of custody from its use, reuse, recycling, and final disposal during their duration of ownership. MDE would serve as the repository for submitted chain of custody information and be required to develop and maintain a website that includes: copies of submitted chains of custody; the names and contact information of producers, owners, or other individuals that provide chain of custody information; and a list of the brands specified in the chain of custody information. A person found in violation of the bill's chain of custody requirements would be subject to a written warning for the first violation and civil penalty of up to \$1,000 for a third or subsequent violation.

Synthetic turf fields are typically composed of plastic blades of grass and an infill material that can be made of various materials, including crumb rubber from recycled tires. Depending on the materials used, synthetic turf and turf infill would often constitute nonhazardous solid waste that could be managed similarly to other municipal wastes. Additionally, while MDE regulates and imposes certain requirements on the disposal and the recycling of scrap tires, crumb rubber and other products composed of recycled tires are not considered scrap tires under state regulations. Used synthetic turf and turf infill are nonhazardous solid waste that can be reused, recycled, or properly disposed of in a permitted solid waste acceptance facility. If a person's improper handling of used synthetic turf and turf infill results in the pollution of land or waters of the state, MDE and local governments have existing enforcement authorities provided under the following laws and regulations to address the violation: the Maryland Litter Control Law's ban on the illegal disposal of litter (Criminal Law Article, §10-110); ban on the discharge of any pollutant, such as solid waste, into the waters of this state (Environment Article, §9-322); and the ban on the disposal of solid waste in an open dump (COMAR 26.04.07.03B(4)).

To provide MDE with sufficient time and resources to properly implement this bill, we propose the date in which producers and owners must establish a system to collect chain of custody information and start reporting to MDE chain of custody information beginning no earlier than January 1, 2024. The Department currently has adequate and sufficient staff and resources to conduct its mission effectively and efficiently. Any additional legislatively-mandated program or regulation, such as this, will likely hamper our efficiency, force us to divert resources away from current core competencies and likely disrupt customer service and/or diminish services. MDE would need to perform extensive research and outreach to identify all of the members of the large regulated community (e.g., public and private schools, institutions of higher education, playing fields, sport leagues, and residential properties owners of synthetic turf fields and businesses that manufacture, sale, maintain, and install synthetic turf fields). In addition, MDE will need to develop standardized chain of custody reporting forms and reporting processes, and an online database that will store submitted chain of custody information. MDE would be unable to accomplish all of aforementioned tasks in the current 3-month period between the bill's effective date and the January 1, 2023 compliance date for producers and owners of synthetic turf and turf infill.

Thank you for your consideration. We will continue to monitor SB 321 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 [tyler.abbott@maryland.gov](mailto:tyler.abbott@maryland.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "Tyler Abbott", written over a horizontal line.

Tyler Abbott

cc: Kaley Laleker, Director, Land and Materials Administration