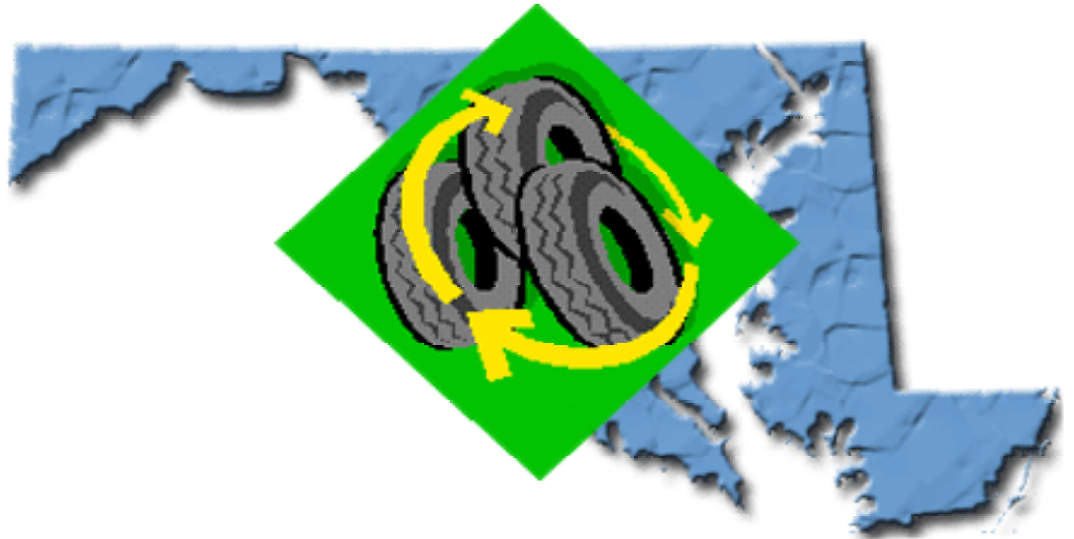


Maryland's Scrap Tire Program



Annual Report for Fiscal Year 2004

Report for the
Senate Education, Health and Environmental
Affairs Committee
and the
House Environmental Matters Committee

November 1, 2004

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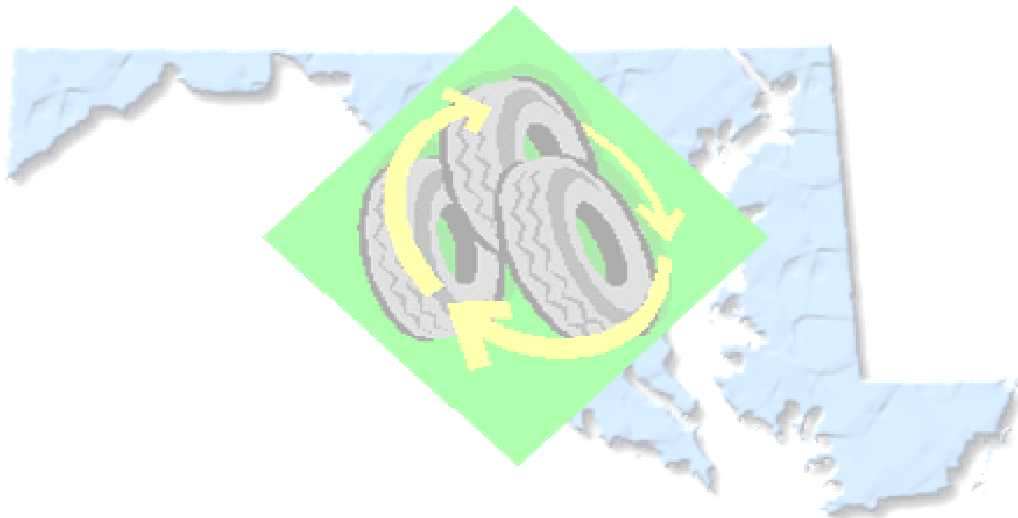
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Executive Summary

This document is the Fiscal Year (FY) 2004 Scrap Tire Annual Report as required by Environment Article, Section 9-275(b) and prepared for the standing committees of the Maryland General Assembly. The report addresses Maryland's Scrap Tire Program activities as undertaken by the Maryland Department of the Environment (Department) and the Maryland Environmental Service (MES) from July 2003 through June 2004 and describes future activities for the coming year.

FY 2004 Objectives And Accomplishments

In keeping with the stockpile cleanup and tire recycling objectives as directed by the Act, the Department's FY 2004 priorities were:

- ❖ In accordance with guidance from the year 2000 Maryland legislative session, accelerate the expenditure of funds in the State Used Tire Cleanup & Recycling Fund (Fund) to clean up remaining illegal scrap tire stockpiles; in conjunction with MES implement scrap tire projects to reduce, recover, and recycle scrap tires; and to expand the scrap tire recycling system on a regional basis to provide additional processing and recycling capacity to manage more effectively the ongoing generation of tires.

Accomplishments –

- A total of 5.5 million scrap tires were processed by Maryland licensed scrap tire facilities. Approximately 75% of these tires were recycled while the remaining 25% were used as supplemental fuel in cement plants and waste-to-energy facilities.
- ❖ Pursue the cleanup and recovery of illegally stockpiled tires through administrative and State-initiated measures.

Accomplishments –

- Since the inception of the Scrap Tire Program in 1992, over 8.3 million scrap tires have been recovered from stockpile cleanup sites.
- 34 illegal scrap tire stockpile sites were cleaned up in FY 2004 and approximately 482,114 tires were recovered and recycled.
- Approximately 82% of all stockpile site cleanups accomplished in FY 2004 were achieved by using administrative means, allowing responsible property owners to perform their own cleanups.



Scrap Tire Stockpile Site

- ❖ Additionally, the Department continues to review and take action on all scrap tire license applications and renewals within designated approval times.

Accomplishments –

- A total of 284 new scrap tire licenses were issued, primarily for scrap tire collection facilities and scrap tire haulers.
- A total of 292 scrap tire licenses were renewed, primarily for scrap tire collection facilities and scrap tire haulers.

- At the end of FY 2004, there were a total of 3,083 valid Maryland scrap tire licenses.
- Over 800 scrap tire site inspections/investigations were performed.



Financial Statement Summary*

The Fund, as authorized by the Environment Article, Section 9-275, provides the funding for administration of the Scrap Tire Program. In FY 2004:

- The Fund generated fee revenues of: \$ 2,259,229.77
- Scrap Tire Program Expenditures by the Department and MES totaled: \$ (2,405,994.94)
- The Fund balance at the end of FY 2004 was: \$ 3,449,990.54

**See Table IX for additional detail*

FY 2005 Objectives

The Scrap Tire Program’s Objectives for the coming year include:

- ❖ Continue to pursue the cleanup and recovery of the remaining scrap tires from Maryland stockpiles through administrative and state-initiated measures.
- ❖ Ensure implementation of procedures established in coordination with the Maryland Department of Health and Mental Hygiene (DHMH) and the Maryland Department of Agriculture (MDA) for the expeditious and timely cleanup of scrap tire stockpiles that have a high mosquito infestation concern.
- ❖ Expand the Scrap Tire Recycling Facility system to further increase capacity for dirty, difficult to dispose of tires.
- ❖ Review and take action on all scrap tire license applications and renewals within the standard approval times.

Introduction

This report has been prepared for the Senate Education, Health, and Environmental Affairs Committee and the House Environmental Matters Committee as required by the Scrap Tire Law to advise the Standing Committees of the progress the Department is making in implementing the law and ensuring the proper management of scrap tires in Maryland. This report is structured to include additional information about the program and future activities.

The Scrap Tire Recycling Act established a mechanism for the cleanup of scrap tire stockpiles and for the collection, transportation and recycling or processing of all scrap tires that are generated annually in Maryland. The Act established the Scrap Tire Cleanup and Recycling Fund (Fund) as the funding support for the Scrap Tire Program.

- ❖ The Department uses the Fund for administration of the program, licensing activities, stockpile cleanups, enforcement/compliance, remedial actions, and for the development and distribution of public information concerning scrap tire issues.

- ❖ Under the Department's authorization, MES may use portions of the Fund to implement and oversee programs established as part of a Scrap Tire Recycling System and other projects that reduce, recover and/or recycle scrap tires.

Since the inception of the Act, the Scrap Tire Program's responsibilities have included licensing, compliance, and enforcement activities for scrap tire collection, recycling/processing and tire derived fuel facilities, and haulers.



Scrap Tire Stockpile Cleanups

The cleanup goal for FY 2004 was the continued clean up and recovery of the 2.0 million scrap tires identified in stockpiles at the end of FY 2003, along with those tires which may be newly identified from stockpiles during the year.

In order to achieve this goal, the following strategies were undertaken:

- The initial employment of administrative procedures to persuade property owners to remove stockpiles using their own resources;
- Use of the Fund to cleanup stockpile sites only when administrative efforts were unsuccessful; and
- Targeting efforts toward eliminating the larger scrap tire stockpile sites (over 5,000 tires).



Cleanup Accomplishments in FY 2004

- ❖ Since the inception of the Scrap Tire Program in 1992, over 8.3 million scrap tires have been recovered from completed and ongoing stockpile cleanup sites.
- ❖ During FY 2004, the Scrap Tire Program successfully completed clean up of 34 illegal scrap tire stockpiles, consisting of approximately 482,114 scrap tires. These sites were located in 16 of the State's 24 jurisdictions and ranged in size from 34 to 279,000 tires. (See Table I for list of large stockpiles.)
- ❖ Much of this scrap tire stockpile cleanup success occurred without using the Fund. Eighty-two percent (82%) of all stockpile abatements completed in FY 2004 (28 out of 34 completed stockpile cleanups) used the administrative approach. The remaining 6 sites for which cleanup was completed in FY 2004 (18% of the stockpile abatements) were conducted using the Fund for cleanup activities. Cost recovery is being pursued for these sites.



Table I
Stockpile Cleanups (≥ 5,000 tires) Completed in FY 2004

Site Name	County	Number of Tires
Hodge/North East	Cecil	278,870
Schultz/Denton	Caroline	78,800
DeLeonibus/Davidsonville	Anne Arundel	32,000
Bay Country Campground LLC/Rock Hall	Kent	25,000
Johnson/Sunderland	Calvert	10,735
Auto Wreckers of Edgewood #2/Edgewood	Harford	10,000
Banks Auto Recyclers/Conowingo	Cecil	10,000
Palmer State Park #1	Harford	9,000
Wood/Bel Air	Harford	5,000
Kapiloff/N. Carrollton Ave.	Baltimore City	5,000
Various smaller sites	----	17,709
	Total	482,000

Stockpile Cleanup Actions Planned for FY 2005

The Department plans to complete or initiate the cleanup of the majority of known scrap tire stockpiles throughout Maryland. Unfortunately, numerous new stockpile sites are continually being identified for cleanup in Maryland.

Twenty four large stockpile sites (over 5,000 tires) have been targeted for either continuation of cleanup efforts or completion in FY2005. (See Table II)

- ❖ In instances in which administrative efforts are not successful in encouraging owner cleanups, the Department will file (or has filed) complaints with the court system for State access to these properties.
- ❖ After access to these stockpiles is granted by the court, State-sponsored cleanup of these stockpiles will likely be completed or initiated during FY 2005.
- ❖ The Department will seek cost recovery for expenses incurred from those determined to be responsible parties.

Table II
Large Stockpile Cleanups (≥ 5,000 tires) Ongoing in FY 2005

Site Name	County	Initial Number of Tires
Garner/Brandywine	Prince George's	722,900
Boehm/Crownsville*	Anne Arundel	301,125
St. Mary's County/Sandgates*	St. Mary's	159,880
Morgan/Mechanicsville*	St. Mary's	150,000
PDC Collingbrook LLC/Bowie	Prince George's	100,000
Tyler Towing/Clarksville	Howard	50,000
Polvi/Brandywine	Prince George's	50,000
Suraci Family LTD/Davidsonville	Anne Arundel	45,000
Millenium Unlimited Recycling/White Hall	Baltimore	45,000
A Plus Auto Recyclers Inc.	Baltimore	37,159
Easton Auto Parts/Preston	Caroline	26,500
Sachs/Linthicum	Anne Arundel	25,000
Auto Wreckers/Edgewood #1	Harford	17,000
Miller/Churchton	Anne Arundel	16,000
Howard 2/Reisterstown	Baltimore	15,000
Era's Auto Salvage/Hurlock	Dorchester	10,000
Christensen Auto/North East	Cecil	10,000
Palmer State Park #2*	Harford	8,100
Insley/Cambridge #2	Dorchester	6,655
SOMCO Towing & Salvage/Westover	Somerset	6,000
Brown's Auto Parts/White Hall	Baltimore	6,000
Salmon/Beltsville	Prince George's	5,000
Bragg/Hughesville	Charles	5,000
Reynolds/Joppa	Harford	5,000
Szymanski/Rock Hall	Kent	5,000
<i>Total Tires from Targeted Sites</i>		<i>1,827,319</i>

* Sites in **bold** referred to MES for a State sponsored cleanup.

Cost Recovery Actions

- ❖ The Department continues to use the services of the Attorney General’s Office to handle scrap tire cost recovery actions (see Table III for details).
- ❖ To date, 121 cleanups have been performed using the Used Tire Cleanup & Recycling Fund.
- ❖ Cost recovery actions have been pursued against 33 scrap tire cleanups initiated by the State and utilizing the Used Tire Cleanup & Recycling Fund.
- ❖ Cost recovery actions were not performed against:
 - 81 sites because they were on publicly owned property;
 - 2 sites because they qualified for the inheritance exemption and the cost of cleanup was less than \$10,000;
 - 1 site because the property owner died and the estate was closed before a cost recovery action could be completed;
 - 1 site because the cost to pursue the case was higher than the amount sought; and
 - 3 sites because cost recovery actions have not yet been initiated. Cost recovery actions for these sites will be initiated once all cleanup documentation has been collected and ongoing legal issues have been resolved.
- ❖ To date, the Department has sought a total of **\$3,395,453.82** and has collected a total of **\$285,682.60** in cost recovery actions. Many of these cases are still in litigation. Some cases are on payment plans, with the property owners making monthly payments against their cleanup debts. Some cases were settled out-of-court for less than the amount originally sought.

Collected through FY 2004 from Cost Recovery actions:	\$285,682.60	(8.4 %)
Amount sought in cases still in litigation:	\$633,428.26	(18.7 %)
Amount still owed on cases with installment plans:	\$12,861.00	(0.4 %)
Amount adjusted due to out-of-court settlements:	\$69,586.00	(2.0 %)
Outstanding amount sought by Central Collections Unit:	\$2,367,492.26	(69.7 %)
Amount still owed on cases without installment plans:	\$26,403.70	(0.8 %)
Total:	\$3,395,453.82	(100 %)

Table III
Initiated Cost Recovery Actions
Through FY 2004

Site Name	County	Cleanup Year	No. of Tires	\$ Amount Sought
Hughesville/Underwood	Charles	1996	720,000	\$1,015,300
WesternCommercial/Smithburg	Washington	1996	505,500	\$770,174
Oak Hill Realty/Easton	Talbot	1997	158,325	\$375,294
Jordan/Oakville	St. Mary's	2002	90,063	\$276,249
Lofland/Sudlersville	Queen Anne's	1996	120,000	\$226,084
Mack/Reisterstown	Baltimore	2000	43,299	\$180,961
Snyder/Calvert	Cecil	1996	129,526	\$151,266
Tull/Federalburg	Caroline	1997	61,688	\$104,586
Insley/Cambridge	Dorchester	2002	20,747	\$60,909
Hustle Tire/Ingleside	Queen Anne's	1998	26,852	\$48,438
Brown/Williamsport	Washington	1998	18,672	\$27,482
Dotson/Preston	Dorchester	2000	24,000	\$26,404
Sproates/Golts	Kent	1998	6,825	\$26,119
Warfield/Bethlehem	Caroline	1997	14,338	\$24,596
Myers/Baltimore	Baltimore	2002	7,179	\$22,349
Williams/Vienna	Dorchester	2002	3,642	\$14,611
Elwood's Auto/Smithburg	Washington	2000	266,664	\$11,388
Husted/Crisfield	Somerset	2003	1,650	\$7,598
Clark/Choptank	Caroline	2004	2,007	\$5,495
Betts/Crisfield	Somerset	2002	922	\$3,877
Heath Salvage/Millington	Kent	2001	3,478	\$3,200
Thomas/Rhodesdale	Dorchester	2003	350	\$2,450
Joy & Morgan				
Developers/Temple Hills	Prince George's	2002	238	\$1,855
Truxon/Hillsboro	Caroline	2003	758	\$1,799
Goodyear/Elkton	Cecil	2003	1,013	\$1,200
McMannis/Cumberland	Allegany	1997	887	\$998
Carter/Queenstown	Queen Anne's	1998	1,117	\$982
Spencer/Golts	Kent	1997	230	\$950
Wilkinson/Oldtown	Allegany	2002	248	\$800
Holley/Collins Road	Somerset	1997	217	\$788
Lane/Princess Anne	Somerset	2003	300	\$750
Turner/White Hall	Harford	2003	500	\$500
Total Amount Sought (Through FY2004):				\$3,395,454

Scrap Tire Projects

MES has the primary role in the planning and implementation of scrap tire projects to promote the development of new technologies for recycling scrap tires while reducing, recovering and recycling scrap tires from stockpiles in Maryland.

Projects Initiated During FY 2004

Public School Playground Construction (Statewide)

- The Department, MES and the State Department of Education again partnered to create scrap tire playground projects at various Maryland public schools.
- The Department and MES are working with the Department of Education to construct and/or renovate several playground facilities using recycled tires and recycled tire materials to improve these public facilities and educate students and the public on the usefulness of recycling technologies. Since this ongoing program began, 43 schools throughout the State have participated in and benefited from the program.
- A total of \$180,000 was encumbered for the project.



Charles Carroll Barrister Elementary School

State Park Tire Playground Improvement Project

- MES is participating with the Department of Natural Resources (DNR) in providing repairs and improvements to nine of the ten previously constructed scrap tire playgrounds.
- This project is intended to foster cooperation between State agencies (Department, DNR and MES) in a state-funded parks recycling improvement project.
- A secondary objective of the project is to educate citizens about the beneficial uses for scrap tire material and to promote scrap tire recycling.
- The intended repairs and improvements will focus on the reapplication of ground cover (both tire and wood mulch) and the repair/replacement of structures to ensure compliance with current guidelines.
- Funding for project materials and services is to be provided through the Tire Fund.
- MDE, MES, DNR and community volunteers will provide all necessary labor to complete the improvements.
- A total of \$75,000 was encumbered for the project.

Public School Playground Improvement Project

- The Department worked in partnership with the Maryland Department of Natural Resources in cooperation with the Baltimore City School System, Baltimore City Department of Recreation and Parks, the Washington Village/Pigtown community and EPA Region III.
- MDE, DNR and its partners arranged for the installation of a poured-in-place athletic safety surface having a recycled

rubber/scrap tire component at a local elementary school.

Amnesty Day Project

- The Scrap Tire Amnesty Day project was executed as three regional one-day events held during Saturdays throughout September and October, 2004.
- County residents were encouraged to participate in the project by delivering scrap tires using non-commercial vehicles to a primary event location chosen by each participating County.
- Residents were permitted to deliver up to 10 scrap tires per vehicle on Amnesty Day free of charge.
- Eleven counties throughout Maryland participated, resulting in the recovery of over 440 tons of scrap tires.
- The ultimate objective of this project was to prevent illegal scrap tire accumulations and dumping activities in the future.

Multi-Media Outreach Campaign

- The Department was awarded a grant through the EPA to raise awareness regarding the health and environmental dangers attributed to illegal dumping and stockpiling of scrap tires and solid wastes. The grant work began in March 2004 and will end December 2004.
- ❖ **TV Commercials and Direct Mail** - The Department partnered with Fox 45 and WB54 to create a 30 second TV commercial and

direct mail advertisement.

- The focus of the commercial and direct mail ad was to increase public awareness of illegal dumping, stockpiling tires and the productive reuse of scrap tires.
 - The direct mail went to 300,000 target audience households.
 - The TV commercials were shown from April through July 2004.
- ❖ **Police Training Poster** - The Department created posters used as a resource and training tool for local law enforcement to help with reporting illegal dumping and prosecution of dumpers.



Community Events

- The Department exhibited at a community event, Free Friday Flicks, hosted by TV Fox45/WB54. Information was distributed to the public on scrap tire recycling, the dangers of scrap tire stockpiles, illegal dumping and proper disposal. Approximately 6,000 people attended the event.
- The Department exhibited at the Washington, Maryland, Delaware Service Station and Automotive Repair

Association's Convention and Mega Show in Ocean City, MD. There were approximately 1,800 attendees that represented tire dealers, service stations, auto parts stores, and more.

- The Department also exhibited at the Maryland Recyclers Coalition Conference, Training and Exposition held at the Catonsville Campus of the Community College of Baltimore County (CCBC). Over 100 representatives from federal, state, and local government, business and the general public attended the conference that included a wide-range of recycling topics.

Projects Continuing from Previous Years

Development of Scrap Tire Chip Design Manual Project

- The Department, MES, and GeoSyntec Consultants have partnered to develop a guidance manual, for using scrap tire chips in various civil and environmental engineering applications.
- The purpose of the manual is to provide design guidelines that would be used as a practical reference tool by both regulators and engineers.
- Some scrap tire recycling applications that would likely be included in the manual would be engineering properties of scrap tires, use as light weight backfill in retaining walls and trenches, drainage layers, gas collection conduit, and light weight aggregate in pavements.
- The project is funded through

encumbered monies for the Newland Park Landfill scrap tire demonstration project.

Beulah Landfill Closure Cap (Dorchester County)

- This project involves the use of tire chips in combination with stone aggregates as an alternative to sand aggregates and/or a geotextile drainage net in the closure cap of the landfill.
- Design work on the stormwater monitoring plan and scrap tire chip specification and testing protocol continued during FY 2004.

Westernport Landfill (Allegany County)

- This project incorporates the use of scrap tire chips in lieu of stone aggregate as a drainage medium in the toe slope berm of the closure cap.
- Construction began during FY 2003 and is substantially complete (98%). The County is completing items on a final punch list and expects to be finished by January 2005.



Westover Landfill (Somerset County)

- This project incorporates the use of scrap tire chips in lieu of stone aggregate as a drainage medium in the toe slope berm of the closure cap.
- Tire chip installation was completed in June 2004.

- Closure cap construction continues and is expected to be completed by January 2005.

facility in Baltimore County, which will allow for the expeditious recycling of difficult to dispose of dirty tires.

Continuing Project Monitoring

- Several scrap tire projects that were completed in previous years have ongoing monitoring programs to assess the suitability of these scrap tire applications and their success in meeting project goals.
- Monitoring continues for the following projects:
 - **Highway Soundwall Barrier**
 (I-95) Baltimore County
 - **Round Glade Landfill**
 Garrett County
 - **Garrett County Landfill**
 Garrett County
 - **Nicholson Road Landfill**
 Kent County
 - **Newland Park Landfill**
 Wicomico County
 - **Reich's Ford Landfill**
 Frederick County
- At the completion of the project monitoring periods final reports will be prepared that summarize the data collected and conclusions reached.



MES Crumb Rubber Recycling Facility

Scrap Tire Projects Planned for FY 2005

- **Public School Scrap Tire Playgrounds Project - (Statewide)**
- **Scrap Tire Amnesty Program - (Statewide)**
- **Scrap Tire Pre-washing unit - MES Crumb Rubber Recycling Facility** – A tire pre-washing unit at the MES crumb rubber production

Licensing

By Maryland law (Section 9-228 of the Environment Article), the Department is required to regulate scrap tire facilities and scrap tire haulers.

- ❖ Facilities that collect or process scrap tires are required to obtain an appropriate license for their respective operation.
- ❖ Scrap tire haulers are also required to obtain licenses for their activities.
- ❖ This comprehensive licensing program allows for the efficient management of scrap tires from the point of generation through a licensed or approved transportation system to a licensed or approved scrap tire facility for the transfer, collection, or processing of scrap tires.



The Department issues the following type of scrap tire licenses:

- **Scrap Tire Recycler License:**
For activities that convert scrap tires into a marketable product.
- **Scrap Tire Collection Facility License:**
For operations that collect or accumulate scrap tires temporarily on a site and transfer scrap tires to licensed or approved scrap tire facilities. There are three categories of collection facility licenses:
 - **General License:** Sites with up to 50 scrap tires at any given time.
 - **Secondary License:** Sites with up to 1,500 scrap tires at any given time.
 - **Primary License:** Sites with more than 1,500 scrap tires at any given time.
- **Scrap Tire Hauler License:**
For a person who, as a part of a commercial business, transports scrap tires in the State.
- **Substitute Fuel/Tire Derived Fuel (TDF) Facility Approval:**
For operations that use scrap tires (whole or chips) to replace existing fuel sources.
- **Solid Waste Acceptance Facility Approval:**
For a permitted refuse disposal or acceptance facility that accepts scrap tires for collection or processing.

Licensing Accomplishments in FY 2004

- ❖ A total of 576 scrap tire licenses (284 new licenses and 292 renewals) were issued. (see Table IV).
- ❖ All (100%) of the license applications received were processed within the standard license application processing time of 60 days, exceeding the Department's goal of 90%. Approximately 61% of the license applications were processed within 30 days.

Table IV
Scrap Tire Licenses – FY 2004

Type	Issued	Renewed	Total Valid Licenses
General Collection	116	N/A	1,537
Secondary Collection	76	188	765
Primary Collection	0	0	2
Recyclers	0	0	2
TDF Facility	0	2	3
Solid Waste	0	0	2
<u>Haulers</u>	<u>92</u>	<u>102</u>	<u>772</u>
Total	284	292	3,083

Scrap Tire Markets and Market Development

Market Analysis

During FY 2004, the State's scrap tire processing capacity handled approximately 5.5 million tires.

- Figure 1 represents a 72% increase from the previous year.
- Emanuel Tire Company processed about 84% more tires than in FY 2003.
- The new MES scrap tire crumb rubber production facility in Baltimore, which began operations in 2003, processed a significant number of tires and increased its capacity by 275% from FY 2003. The plant produces a crumb rubber material used in athletic fields, including the Baltimore Ravens' stadium field and the Louisiana Superdome.

In addition, MES produces a recycled rubber mulch that can be used for both landscaping and playgrounds.

Maryland's Scrap Tire Flow and Destinations

All licensed scrap tire facilities and haulers are required to submit semi-annual reports to the Department. Reports must include:

- The origin and number of scrap tires received at the facility
- Identification of scrap tire haulers transporting the scrap tires, and other scrap tire pick up and delivery facility information.

Figure 2 (on the following page) shows how scrap tires generated in Maryland were managed in FY 2004.

Figure 1
Maryland's Tire Processing Capacity
FY 1999 - 2004

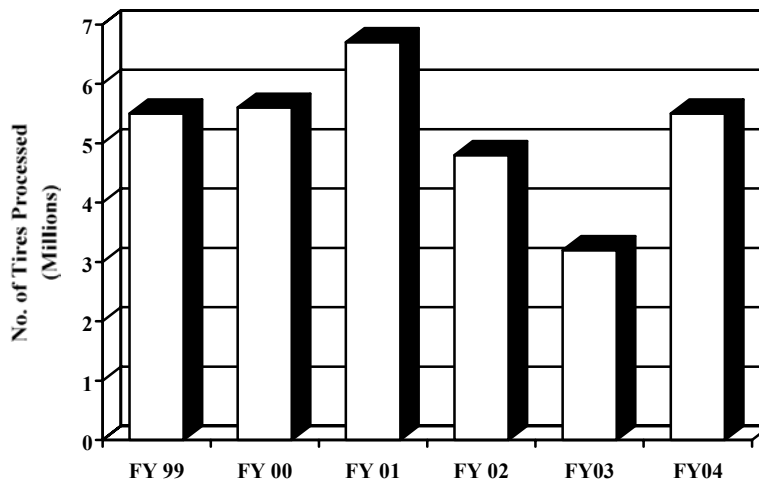


Figure 2 illustrates that 13% of the scrap tires generated in Maryland were used as fuel in Maryland facilities. That number decreased from last year because Lehigh Portland Cement plant closed for construction of a new kiln.

60% of the scrap tires generated in Maryland were recycled in Maryland facilities. This is a 100% increase over the figure for FY 2003.

Figure 3 shows schematically the flow and processing of tires in and out of the State of Maryland.

Figure 2
Destination of 5.5 Million Scrap Tires
Generated in Maryland FY 2004

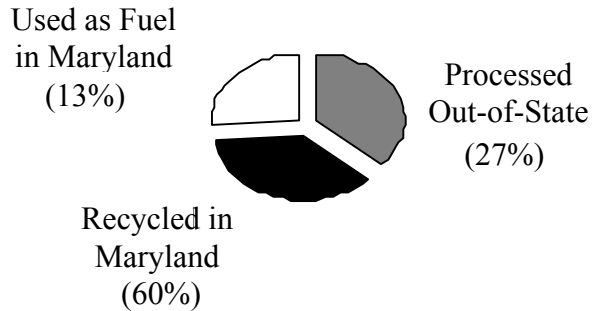
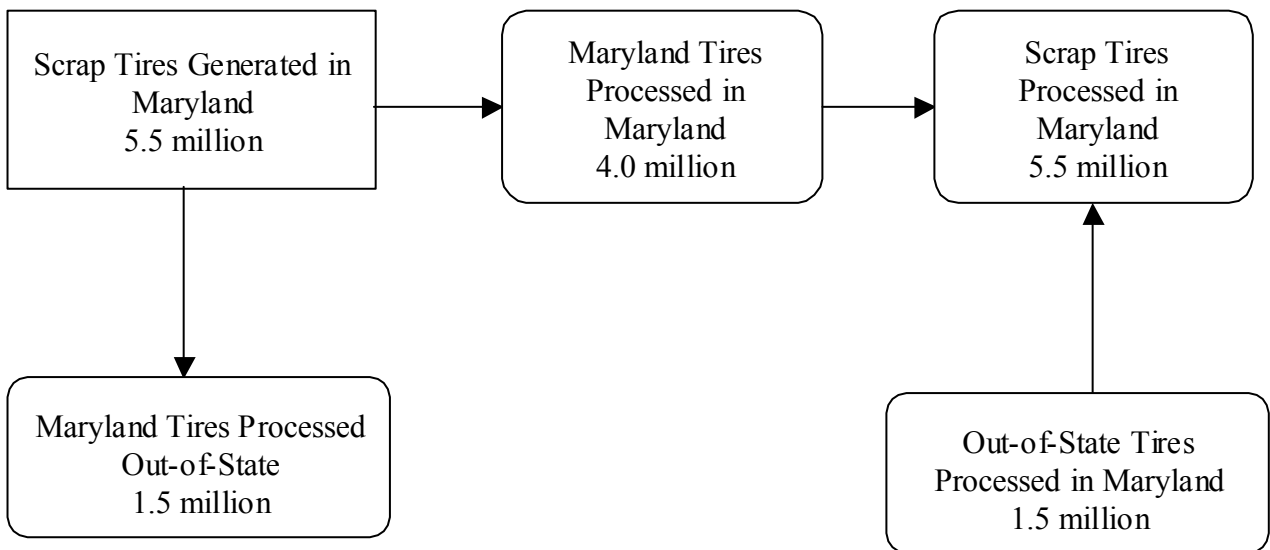


Figure 3
Tire Flow



Projected Markets for FY 2005

The Department estimates that the FY 2005 processing capacity for scrap tires will be similar to or higher than the FY 2004 capacity.

- ❖ The MES crumb rubber facility will continue to maintain its scrap tire processing capacity in Maryland of approximately one million tires per year, and Emanuel Tire Company's processing is expected to remain the same as in FY 04.
- ❖ St. Lawrence Cement Company in Washington County resumed operation for usage of scrap tires in FY 2004 and processed over 90,000 scrap tires in the fiscal year. The company is expected to increase its processing rate, which will also increase the State's processing capacity by up to 1.2 million tires per year.
- ❖ Essroc Cement Company processed over 230,000 scrap tires in FY 2004, a 34% decrease over the number of scrap tires processed in FY 2003. This number is expected to increase during FY 2005.



Products made with Recycled Scrap Tires

Highway Soundwall Barriers constructed from Scrap Tires



Scrap Tires in Landfill Applications

Table V
Maryland Licensed Scrap Tire Processing Facilities

Facility Name/Type	Location Address	Operation	Telephone	Tires Processed FY-2004
Emanuel Tire Company/ Recycler	1300 Moreland Avenue Baltimore MD 21216	The company has been processing scrap tires for last three decades. The operation converts scrap tires into 1 to 2 inch size tire chips.	(410) 947-0660	3,758,993
Maryland Environmental Services Facility	4653 Hollins Ferry Road Halethorpe, MD 21227	The operation processes scrap tires into 100 mesh crumb rubber.	(410) 242-5039	882,713
ESSROC Cement Corporation/ TDF	4120 Buckeystown Lime Kiln MD 21702	The operation utilizes whole passenger scrap tires as a supplemental fuel in its two cement kilns to replace 20 to 30 percent of the process heat needed to convert the raw material into cement.	(301) 874-8271	231,617
St. Lawrence Cement Co./ TDF	1260 Security Road Hagerstown MD 21741	The operation utilizes tire chips as a supplemental fuel in its cement kiln to replace up to 35 percent of the process heat needed to convert the raw material into cement.	(301) 739-1150	93,569
Harford Waste-to Energy Facility/ Incinerator	1 Magnolia Road Joppa MD 21085	The facility processes up to 360 tons per day of municipal solid waste with a tire content of up to 72 tons per day. Steam is generated at the facility to generate electricity for Aberdeen Proving Ground Army facility.	(410) 679-6200	553,787
Wheeler Baltimore LP (BRESKO)	1801 Annapolis Road Baltimore MD 21230	The facility has been approved to burn scrap tires with the municipal solid waste.	(410) 234-0808	0
Lehigh Portland Cement Company	675 Quaker Hill Road Union Bridge MD 21791	Same as ESSROC. Temporarily shut down operations due to installation of the new kiln.	(410) 386-1288	0
Total				5,520,679

Source: Scrap Tire Semi-Annual Report

Compliance and Enforcement Activities

The goal of the Department's compliance and enforcement program is to ensure that all of Maryland's licensed scrap tire facilities and scrap tire haulers are in full compliance with the scrap tire law, regulations and license conditions.

Goals for Compliance and Enforcement Actions in FY 2004

- ❖ Continue to maintain the quality of compliance and enforcement activities and to perform at least 800 inspections and investigations.
- ❖ Provide professional high quality service to Maryland's scrap tire business community.

Accomplishments in FY 2004

- ❖ The Solid Waste Program's inspectors conducted a total of 820 scrap tire investigations and inspections, meeting the program's goals for inspection.
- ❖ Scrap tire sites inspected included both licensed and unlicensed scrap tire facilities, as well as sites that have been designated for cleanup by the Department.
- ❖ There was a decrease in the numbers of scrap tire site inspections conducted in FY 2004, from 1,061 in FY 2003 to 820, a 27% reduction. This was due, primarily, to inspection staff departures during the year which have significantly reduced the Solid Waste Program enforcement staff. Accordingly, this also resulted in a decrease in inspection coverage rate for FY 2004, down to 17% and a return to the FY 2002 rate, in comparison to 22% in FY 2003.
- ❖ With a focus in reporting violations, the scrap tire program continues to issue Notices of Violation to license holders that fail to submit required semi-annual reports. As a result, scrap tire enforcement actions taken in FY 2004 numbered 253. This was significantly fewer than the 573 taken in FY 2003 (55% reduction), but this is a reflection of the Department's success in achieving compliance from licensees for this reporting requirement.
- ❖ In FY 2004, 141 significant violations were resolved, as compared to only 19 in FY 2003.
- ❖ Table VI lists the FY 2004 enforcement data reported in Managing Maryland for Results.
- ❖ The Department, in conjunction with the Environmental Crimes Unit and the Attorney General's Office, prosecuted 4 cases suspected of illegally dumping scrap tires in Maryland, resulting in 3 convictions and 1 Nolle Prossed (defendant served time on related cases). Table VII shows details of these cases.
- ❖ The Department, in conjunction with the Environmental Crimes Unit and the Attorney General's Office, also prosecuted 2 solid waste cases that involved scrap tires, resulting in 2 convictions. Table VIII shows details of these cases.

Table VI
Scrap Tire Enforcement – FY 2004

	2004 Totals
<u>PERMITTED SITES/FACILITIES</u>	
Number of Permits/Licenses issued	576
Number of Permits/Licenses in effect at Fiscal Year End	3,083
<u>OTHER REGULATED SITES/FACILITIES</u>	
Stockpiles to be cleaned up	68
<u>INSPECTIONS</u>	
Number of Sites inspected	504
Number of Inspections, Audits, Spot Checks	820
<u>COMPLIANCE PROFILE</u>	
Number of Inspected Sites/Facilities with Significant Violations	4
% of Inspected Sites/Facilities in Significant Compliance	99%
% of Inspected Sites/Facilities with Significant Violations	1%
Inspection Coverage Rate	17%
<u>SIGNIFICANT VIOLATIONS</u>	
Number of Significant Violations involving Environmental or Health Impact	1
Number of Significant Violations based on Technical/Preventative Deficiencies	249
Number of Significant Violations carried over awaiting disposition from Previous Fiscal Year	6
Total	256
<u>DISPOSITION OF SIGNIFICANT VIOLATIONS</u>	
Resolved	141
Ongoing	115
<u>ENFORCEMENT ACTIONS</u>	
Number of Compliance Assistance rendered	15
Number of Show Cause, Remedial, Corrective Actions issued	6
Number of Stop Work Orders	0
Number of Injunctions obtained	0
Number of Penalty and Other Enforcement Actions	253
Number of Referrals to Attorney General for possible Criminal Action	
<u>PENALTIES</u>	
Amount of Penalties collected	\$26,775.00

*Coverage rate above is computed as the total number of sites inspected and dividing that by the total number of permits/licenses in effect plus the number of stockpiles to be cleaned up.

Table VII
Scrap Tire Prosecutions Completed – FY 2004

Court/Case No.	Trial Date	Charges	Disposition
St. Mary's County District Court 1Q00024599	10/15/03	1 Count §9-228 (Scrap Tire Transportation without License)	Guilty 1 Count §9-228 47 Days Served Pretrial; \$2,500 Fine Suspended; and 2 Years Unsupervised Probation
Prince George's Co. District Court 2E00212865	12/2/03	2 Counts §9-228 (Scrap Tire Transportation without License) and 1 Count §10-110 (Litter/Dump under 100 lbs.)	Guilty 1 Count §9-228 30 Days (10 Suspended); 18 Months Probation Upon Release; and \$1,000 Fine Suspended
Prince George's Co. District Court 4E00212867	12/2/03	3 Counts §9-228 (Scrap Tire Transportation without License)	Nolle Prossed (Defendant Served Time on Related Cases 1Q00024599 & 2E00212865)
Harford County District Court 5R00037896	4/19/04	1 Count §9-228 (Scrap Tire Disposal for Monetary Gain) and 1 Count §10-110 (Litter Disposal for Commercial Gain)	Guilty 1 Count §9-228 2 Years Suspended; \$5,000 Fine Suspended; 2 Years Supervised Probation; and 75 Hours Community Work Service

Source: Office of the Attorney General – Environmental Crimes Unit

Table VIII
Solid Waste Prosecutions Completed Involving Scrap Tires – FY 2004

Court/Case No.	Trial Date	Charges	Disposition
Baltimore City Circuit Court 100290018/25	8/14/03	4 Counts §27-468 (Litter/Dump over 500 lbs.) and 5 Counts §27-342/§27- 349 (Unauthorized Taking and Use of Motor Vehicle)	Guilty 2 Counts §27-468 & 2 Counts §27-342 2 Years (18 Months Suspended); and 2 Years Probation
Prince George's Co. Circuit Court 1254J-2003	8/14/03	2 Counts §27-468 (Commercial Dumping & Litter/Dump over 500 lbs.) and 4 Counts §9-228 (Unlawful Storage, Transport & Disposal of Scrap Tires)	Guilty 1 Count §27-468 1 Year

Source: Office of the Attorney General – Environmental Crimes Unit

Used Tire Cleanup and Recycling Fund Fiscal Report

- ❖ Environment Article, Section 9-275, Annotated Code of Maryland, provides the Department with the responsibility for administering the Fund.
- ❖ The Fund is generated through the collection of a forty cent tire recycling fee on the first sale of any new tire in the State.
- ❖ Table IX summarizes the scrap tire program expenditures for FY 2004.

Table IX
Maryland Used Tire Clean Up and Recycling Fund
FY 2004 Revenues and Expenditures

Fund Balance (7/1/2003):		\$ 3,096,871.70
 <u>FY 2004 Revenues</u>		
Gross Used Tire Fees Revenues:	\$ 2,259,229.77	
Adjustment for Comptroller's Fees:	(\$ 76,367.55)	
Adjustment of the Department's Prior Costs:	\$ 533,433.34	
Cost Recovery Revenues:	\$ 29,627.22	
Fines	\$ 200.00	
Accrued Revenue		\$ 12,991.00
Total Revenue for FY 2004:		\$ 2,779,113.78
 <u>FY 2004 Expenditures</u>		
MDE Program Expenditures:	(\$ 863,284.45)	
Stockpile Clean Ups:	(\$ 617,861.50)	
MDE Indirect Costs:	(\$ 236,136.07)	
MES Projects and Administration:	(\$ 688,712.92)	
Total FY 2004 Expenditures:		(\$ 2,405,994.94)
Fund Balance (6/30/2004):		\$ 3,449,990.54