



MARYLAND DEPARTMENT OF THE ENVIRONMENT

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Martin O'Malley
Governor

Robert M. Summers, Ph.D.
Secretary

Anthony G. Brown
Lieutenant Governor

June 24, 2014

The Honorable Mike V. Miller, Jr., President
Senate of Maryland
State House, H-107
Annapolis MD 21401-1991

The Honorable Michael E. Busch, Speaker
House of Delegates
State House, H-101
Annapolis MD 21401-1991

The Honorable Joan Carter Conway, Chairwoman
Senate Education, Health and
Environmental Affairs Committee
Miller Senate Office Building
2 West Wing
11 Bladen Street
Annapolis MD 21401-1991

The Honorable Maggie McIntosh, Chairwoman
Environmental Matters Committee
House of Delegates
House Office Building, Room 251
6 Bladen Street
Annapolis, MD 21401-1991

Dear Senator Miller, Delegate Busch, Chairman Conway and Chairman McIntosh:

In accordance with §23-303 of the Libraries Article, Annotated Code of Maryland, I am submitting copies of a report prepared by the Department of the Environment, entitled "Maryland's Scrap Tire Annual Report for Fiscal Year 2013."

This report was prepared for the Maryland Legislature and is submitted to the Maryland Legislature pursuant to §9-275 (b) of the Environment Article.

If we can provide you with any additional information, please contact me or Horacio Tablada, Director of the Land Management Administration, at 410-537-3304 or via email at horacio.tablada@maryland.gov.

Sincerely,

Robert M. Summers, Ph.D.
Secretary

Enclosure

cc: Horacio Tablada, Director, Land Management Administration



Department of the Environment

MARYLAND SCRAP TIRE ANNUAL REPORT – Fiscal Year 2013 –

Prepared by:

Land Management Administration

Prepared for:

Senate Education, Health and Environmental Affairs Committee

House Environmental Matters Committee

November 2013



MARYLAND DEPARTMENT OF THE ENVIRONMENT
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Executive Summary

Introduction

This is the Fiscal Year (“FY”) 2013 Scrap Tire Annual Report as required by Environment Article, Section 9-275(b), which is 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 (“the Department” or “MDE”) and the Maryland Environmental Service (“MES”) from July 2012 through June 2013, and describes activities for the coming year.

Accomplishments and Results

- Maryland generated an estimated 5.9 million scrap tires in FY 2013 that were managed in the following manner: Recycled or used as fuel in Maryland (58 percent) and exported to other states for disposal, recycling, or used as fuel (42 percent).
 - Maryland’s licensed scrap tire facilities processed 6.4 million scrap tires in FY 2013, including 3.4 million Maryland-generated scrap tires and 3.0 million scrap tires imported from out-of-State.
 - Approximately 85 percent of the tires processed in Maryland were recycled and 15 percent were used as supplemental fuel in cement plants and waste-to-energy facilities.
 - Since the inception of the Scrap Tire Program in 1992, over 10.6 million scrap tires have been recovered from 972 stockpile cleanup sites.
 - During FY 2013, a total of 56 illegal scrap tire stockpile sites were cleaned up and approximately 21,362 tires were removed.
 - 100 percent of all stockpile site cleanups accomplished in FY 2013 were achieved by administrative enforcement, without using the Used Tire Cleanup and Recycling Fund (“the Fund”).
 - A total of 269 new scrap tire licenses were issued.
 - A total of 30 scrap tire licenses were renewed.
 - At the end of FY 2013, there were a total of 3,147 valid Maryland scrap tire licenses.
 - MDE inspectors performed 697 scrap tire site inspections/investigations.
-

Financial Statement Summary

- ★ The 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 an eighty cent (\$0.80) per tire recycling fee on the first sale of any new tire in the State.
- ★ Gross tire fee revenues to the Fund were slightly lower (2.66 percent) in FY 2013 than in FY 2012.
- ★ Table I summarizes the Scrap Tire Program expenditures for FY 2013.

**Table I – Maryland Used Tire Cleanup and Recycling Fund
FY 2013 Revenues and Expenditures**

Fund Balance (7/1/2012)	\$3,645,848.37
Add Open Prior Year Encumbrances	<u>\$1,968,232.65</u>
Adjusted Beginning Balance	<u>\$5,614,081.02</u>
FY 2013 Revenues	
Gross Used Tire Fees Revenues after Comptroller Adjustment	\$3,528,605.73
Cost Recovery	\$0.00
Total Revenue for FY 2013	<u>\$3,528,605.73</u>
FY 2013 Expenditures	
Scrap Tire Program Expenses	(\$963,502.60)
Land Management Administration Expenses	(\$1,250,893.53)
Department Expenses	(\$7,879.60)
Department Indirect Costs	(\$344,087.93)
Stockpile Cleanups	(\$153,423.86)
MES Projects and Administration	(\$74,588.88)
Prior FY Encumbrance Payments	(\$113,705.04)
Total FY 2013 Expenditures	<u>(\$2,908,081.44)</u>
Total Open Encumbrances	<u>(\$1,627,247.50)</u>
Total Fund Balance (6/30/2013)	<u>\$4,607,357.81</u>

* Note: Revenue collected from scrap tire penalties is deposited into the Maryland Clean Water Fund, not the Used Tire Cleanup and Recycling Fund. Scrap tire penalties for FY 2013 were \$35,680.00.

Legislative Update

- ✓ Section 9-275(a) of the Environment Article, Annotated Code of Maryland also allows the Department to use up to 50 percent of the revenues received by the Fund in FY 2010, and each fiscal year thereafter, for administrative expenses of the Department.
 - ✓ In accordance with the Environment Article, Section 9-275(a), Annotated Code of Maryland, the Department used \$1,250,893.53 of the revenues received by the Fund in FY 2013 for administrative expenses of the Department.
-

Overview

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 Department's progress in implementing the law and ensuring the proper management of scrap tires in Maryland. This report includes 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 Fund to support 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.

Scrap Tire Stockpile Cleanups

Objective

The Department's Scrap Tire Cleanup Objective for FY 2013, to initiate the planning and cleanup process for 100 percent of illegal scrap tire stockpile sites identified during the year, was accomplished. During FY 2013, the Scrap Tire Program continued cleanup and recovery of the remaining 368,533 scrap tires identified in stockpiles at the end of FY 2012, along with those scrap tires from 50 stockpiles newly identified during the year. In order to achieve this goal, the following strategies were undertaken:

- ✦ The initial employment of administrative enforcement procedures to persuade property owners to remove stockpiles using their own resources.
- ✦ Use of the Fund to clean up stockpile sites only when administrative enforcement efforts were unsuccessful.
- ✦ Targeting efforts toward eliminating all scrap tire stockpile sites.
- ✦ Seeking cost recovery from responsible parties for Department expenses incurred at sites that are not eligible for exemption.

Accomplishments

Since the inception of the Scrap Tire Program in 1992, over 10.6 million scrap tires have been recovered from completed and ongoing stockpile cleanup sites.

During FY 2013, the Scrap Tire Program successfully completed cleanup of 56 illegal scrap tire stockpiles, consisting of approximately 21,362 scrap tires. These sites were located in 18 of the State's 24 jurisdictions and ranged in size from 20 to 4,000 tires (see Table II for a list of stockpile cleanups completed during FY 2013). The Scrap Tire Program also initiated the planning and cleanup process for the 46 illegal scrap tire stockpile sites newly identified during FY 2013.

All of the scrap tire stockpile cleanups occurred without using the Fund. One-hundred percent (100 percent) of all stockpile abatements completed in FY 2013 – 56 of 56 completed stockpile cleanups – used the administrative approach.

Table II – Scrap Tire Cleanup Sites Completed in FY 2013

Site Name	County	Initial Number of Tires
Washington / Baltimore	Baltimore City	4,000
Taylor Contractors / Easton	Talbot	3,521
L.W. Wolfe Enterprises, Inc. / Meyersville	Frederick	1,328
Ed's Towing / Rising Sun	Cecil	1,000
Ruggiero / Baltimore	Baltimore City	1,000
Luther / Damascus	Montgomery	846
Gault/Herrera / Jessup	Anne Arundel	700
Craig / Earleville	Cecil	657
BCI Consortium / Capitol Heights	Prince George's	500
Laney Properties, LLC / Westminster	Carroll	494
Theo Properties, LLC / Laurel	Prince George's	484
PJ Associates, LLC / Upper Marlboro	Prince George's	444
9280 Edmonston Road #2 / Greenbelt	Prince George's	415
Charlestown Crossing, LLP/EJP, LLC #2 / North East	Cecil	398
Blevins / Baltimore	Baltimore	386
Dashan, LLC / Capitol Heights (East Coast Scrap Metal)	Prince George's	352
Auto Correct Car Care, Inc. / Finksburg	Carroll	321
Preston / Bel Air	Harford	300
Hooker / Salisbury	Wicomico	269
Hall / Lanham	Prince George's	250
Fagan / Crapo	Dorchester	200
Jones / California	Saint Mary's	200
Richardson / Federalsburg	Caroline	200
Deliverance Free Will Baptist Church / Temple Hills	Prince George's	190
Washington Boulevard, LLC / Halethorpe	Baltimore	184
Greer Transportation Company / Falston	Harford	182
Young / Rockville	Montgomery	179
Glick / Libertytown	Frederick	177
543 and Route 1 / Hickory	Harford	176

Site Name	County	Initial Number of Tires
Brunswick Family Campground / Brunswick	Frederick	165
Freni / Brandywine	Prince George's	153
Cecil Bank / Joppa	Harford	150
Lake / Federalsburg (Batson / Federalsburg)	Caroline	150
Graybill / Whaleyville	Worcester	131
Ana Farms, LLC / East New Market	Dorchester	100
Towson/Gelof / Chestertown	Kent	100
Whitman / La Plata	Charles	100
Novo Realty, LLC / Perryville (Harbold / Perryville)	Cecil	86
Lydell Road Limited Partnership / Hyattsville	Prince George's	76
Stoney Springs Farm, LLC / Poolesville	Montgomery	75
Scott / Rhodesdale	Dorchester	64
Anderson / Cambridge	Dorchester	63
Figard / Lanham	Prince George's	61
Fair Hill Natural Resources / Elk Mills #2	Cecil	56
Shipe / Union Bridge	Frederick	51
A & J Investment, LLC / Hyattsville	Prince George's	50
Lambert / Elkton	Cecil	50
JKL Holdings, LLC / Cambridge	Dorchester	49
Trevathan / La Plata	Charles	46
Harrington / Elkton	Cecil	42
Santoro-Armocida / Brandywine	Prince George's	41
Justice / Elkton	Cecil	35
Wolcott / Bel Air	Harford	34
Ramos / Lanham	Prince George's	31
Sheets / Elkton	Cecil	30
Hanko / Clarksville	Howard	20
TOTAL TIRES REMOVED		21,362

FY 2014 Ongoing Stockpile Cleanups

New stockpile sites are continually being identified for cleanup in Maryland. A total of 56 stockpile sites are targeted for either continuation of cleanup efforts or completion during FY 2014. This represents the majority of known scrap tire stockpiles throughout Maryland. Most of the stockpiles will be cleaned up using administrative efforts and enforcement actions because funding is limited for State-funded cleanups. Table III details the scrap tire cleanups continuing during FY 2014.

Table III – Scrap Tire Stockpile Cleanups Pending or Ongoing in FY 2014

Site Name [▲]	County	Legislative District	Initial Number of Tires
Boehm / Crownsville	Anne Arundel	33	214,400
Tyler Towing / Clarksville	Howard	13	61,376
Mt. Airy Auto & Truck Parts, LLC / Mt. Airy	Frederick	4A	15,000
Howard / Reisterstown #2	Baltimore County	4	10,000
Zepp / Pasadena	Anne Arundel	31	10,000
Insley / Cambridge #2	Dorchester	37B	6,655
Pulaski Tire Service, Inc. / Rosedale	Baltimore County	6	6,200
Gough / Lusby	Calvert	29C	6,000
G & TL. Smith Contracting, LLC / Chesapeake Beach	Calvert	27B	5,000
Ewings Used Cars & Parts, Inc. / Middle River	Baltimore County	7	4,500
Alston / Capitol Heights	Prince George's	24	4,000
Brickhead Road / Crofton	Anne Arundel	33A	4,000
Mizzell / Aquasco	Prince George's	27A	4,000
Johns-Gibbs / Marydel	Caroline	36	3,050
Harpers / Elkton	Cecil	36	3,000
Tilghman / Easton	Talbot	37B	3,000
Gilbert / Joppa	Harford	34A	3,000
Spargo Enterprises, Inc. / Capitol Heights	Prince George's	24	3,000
Prince George's County / Capitol Heights	Prince George's	24	2,500
Lieske / Perryman	Harford	34A	2,000
Tower Terra, LLC / Brandywine	Prince George's	27A	2,000
Mike's Works, LLC / Lusby	Calvert	29C	1,500
Pechin / Sudlersville	Queen Anne's	36	1,500
Allen / Harwood	Anne Arundel	33B	1,000
DNR / Mardela Springs	Wicomico	37B	1,000
McIntyre / Huntingtown	Calvert	27B	1,000
Prince George's County / Fairmount Heights	Prince George's	24	1,000
Tucker Enterprises, LLC / Clarksville	Howard	13	800
Bare / Manchester (Bachman Valley Road)	Carroll	5A	600
Szymanski / Rock Hall #2	Kent	36	600
Carter / Nanjemoy	Charles	28	500
Decatur / Cumberland	Allegany	1C	500
Munson / Waldorf	Charles	28	500
Beachwood North H.O.A. / Sparrows Point	Baltimore County	6	500
Frederick / Crownsville	Anne Arundel	33A	500

[▲] Sites listed in **bold** represent potential State funded cleanups.

Site Name ^	County	Legislative District	Initial Number of Tires
Turner Transit / Capitol Heights	Prince George's	24	500
Legore Bridge Road / Monocacy River	Frederick	4A	375
Rodenhauser / Bowie	Prince George's	23B	250
Baltimore City / Baltimore	Baltimore City	46	250
Square 743 Investors LP ETL / District Heights	Prince George's	25	250
Curry / Hyattsville	Prince George's	47	200
Fenwick / Waldorf	Charles	28	200
Sarver/Hill / Cumberland	Allegany	1B	200
Stanton / East New Market	Dorchester	37B	200
Words of Life Fellowship Church / Hyattsville	Prince George's	24	200
Nanney / Jessup (Champion Forest Consolidated Prop)	Anne Arundel	32	167
Deshong / Big Pool	Washington	6	150
Williamson / Mardela Springs (Dave's Towing)	Wicomico	37B	102
2801-2803 52nd Avenue, LLC / Hyattsville	Prince George's	47	100
Anne Arundel County / Pasadena	Anne Arundel	2	100
Lawhorn / Golts	Kent	36	100
Morgan / Sharpsburg	Washington	3B	100
Rose / Deal Island	Somerset	38A	100
McAleer / Dickerson	Montgomery	15	60
Hatten / Newark	Worcester	38B	50
Lexin NHA Associates, LLC / Hyattsville	Prince George's	20	20
TOTAL TIRES REMAINING TO BE REMOVED			387,855

State Funded Cleanups

The following are descriptions of each of the State-funded scrap tire cleanups active during FY2013.

Garner/Brandywine Scrap Tire Stockpile Cleanup – Located in Prince George’s County, this was one of the few remaining very large scrap tire dumps in Maryland. This stockpile consisted of approximately 1,135,160 tires in seven ravines on the property. In FY 2005, the Board of Public Works approved funding the cleanup. Due to the inheritance exemption in the law, there is no cost recovery for this cleanup.

Status: Cleanup activities on the first ravine (Ravine #5) began in FY 2010 and were completed in June, 2011. Cleanup of the remainder of the site (Ravines #1-4) began in June, 2011 and was completed in June, 2012, a year and a half ahead of schedule. Monitoring of tree growth will continue for five years, until 2017, to ensure that the site stabilization and restoration efforts are successful. The total cost for cleanup of the entire site, including permitting activities and

project management, is estimated at \$10,509,118.00. MES has secured a loan from the Department's Water Quality Financing Administration to help finance this cleanup.



A video documenting MDE and MES's cleanup efforts is available online at <http://www.menv.com> by clicking on the "Garner Scrap Tire Cleanup Video" link.

Garner/Brandywine Cleanup



Aerial Photo of Entire Site During Cleanup



Ravine 2 - Before Cleanup



Ravine 3 - Before Cleanup



Ravine 2 - During Cleanup



Ravine 3 - During Restoration



Ravine 2 - After Cleanup

Boehm/Crownsville Scrap Tire Stockpile Cleanup – This was the site of an old commercial landfill in Anne Arundel County that currently has approximately 214,400 scrap tires in ravines, both loose and partially buried in the ground.

Status: In November 2012, the Department commenced litigation against the owners to compel them to clean up the tires or grant access to the State for the cleanup of the tires and to pay for all expenses incurred by the State related to the cleanup. This litigation is pending.

Boehm/Crownsville Cleanup



Tyler Towing/Clarksville Scrap Tire Stockpile Cleanup – This property was used as a junkyard for decades in Howard County. There are estimated to be 61,376 scrap tires in stockpiles throughout the property. Scrap tires are in stockpiles throughout the property and mixed with scrap metal, soil, and other solid wastes in a berm that roughly follows the property perimeter.

Status: All administrative and enforcement efforts by the Department have been exhausted, and the property owners have failed to remove and properly dispose of the scrap tires on site. The Department is working with the Office of the Attorney General to pursue other cleanup and/or enforcement actions.

Cost Recovery Actions

- ♦ The Department continues to use the services of the Office of the Attorney General to handle scrap tire cost recovery actions (see Table IV for details).
- ♦ To date, 144 cleanups have been performed using the Fund.
- ♦ In total, 32 property owners have been pursued in cost recovery actions for cases in which the State initiated scrap tire cleanups with Fund monies since the inception of the program.
- ♦ Cost recovery actions have not been performed against:
 - 92 sites because they were on publicly owned property;
 - 9 sites because they qualified for the inheritance exemption;
 - 3 sites because the property owner passed away and the estate was closed before a cost recovery action could be completed; and
 - 3 sites because the cost to pursue the case was higher than the cost recovery amount that could be sought.
- ♦ To date, the Department has sought a total of \$3,438,877.55 from property owners and has collected a total of \$323,349.24 in cost recovery actions. Many of these cases are still in litigation or have been sent to the Central Collections Unit (“CCU”). Some cases were settled out-of-court for less than the amount originally sought due to the Defendant’s inability to pay.
- ♦ The Morgan/Mechanicsville (completed in FY2011), Garner/Brandywine (significantly completed in FY 2012, except for monitoring of restoration efforts), and Tucker/West River (completed in FY 2012) sites qualify for the inheritance exemption. Therefore, cost recovery will not be sought for these sites.
- ♦ No cost recovery funds were collected in FY2013.

Table IV – Initiated Cost Recovery Actions Through FY 2013

Site Name	County	Cleanup Year	No. of Tires	Amount Sought
Hughesville/Underwood	Charles	1996	720,000	\$1,015,299.72
Western Commercial/Smithburg	Washington	1996	505,500	\$770,174.47
Oak Hill Realty/Easton	Talbot	1997	158,325	\$375,294.16
Lofland/Sudlersville	Queen Anne’s	1996	120,000	\$226,083.74
Mack 1, 2, & 3/Reisterstown**	Baltimore	2000	44,087	\$184,451.09
Snyder/Calvert	Cecil	1996	129,526	\$151,266.00

Site Name	County	Cleanup Year	No. of Tires	Amount Sought
Shorter/Waldorf**	Charles	1998	129,626	\$137,902.00
Tull/Federsburg	Caroline	1997	61,688	\$104,586.00
Johnson/Sunderland	Calvert	2003	10,735	\$91,123.00
Howard/Crisfield	Somerset	2002	21,505	\$86,395.00
Insley/Cambridge	Dorchester	2002	20,747	\$60,908.91
Hustle Tire/Ingleside	Queen Anne's	1998	26,852	\$48,437.69
Brown/Williamsport*	Washington	1998	18,672	\$27,482.37
Dotson/Preston	Caroline	2000	24,000	\$26,403.70
Sproates/Golts	Kent	1998	6,825	\$26,118.75
Warfield/Bethlehem	Caroline	1997	14,338	\$24,596.24
Myers/Baltimore	Baltimore	2002	7,179	\$22,349.00
Williams/Vienna	Dorchester	2002	3,642	\$14,611.00
Elwood's Auto/Smithburg	Washington	2000	266,664	\$11,388.02
Husted/Crisfield	Somerset	2003	1,650	\$7,598.00
Clark/Choptank	Caroline	2004	2,007	\$5,495.00
Betts/Crisfield	Somerset	2002	922	\$3,877.00
Heath Salvage/Millington	Kent/Queen Anne's	2001	3,478	\$3,200.00
Thomas/Rhodesdale	Dorchester	2003	350	\$2,450.00
Joy & Morgan Developers/Temple Hills	Prince George's	2002	238	\$1,855.00
Truxon/Hillsboro	Caroline	2003	758	\$1,799.00
Goodyear/Elkton	Cecil	2003	1,013	\$1,200.00
McMannis/Cumberland	Allegany	1997	887	\$998.00
Carter/Queenstown	Queen Anne's	1998	1,117	\$982.00
Spencer/Golts	Kent	1997	230	\$950.00
Wilkinson/Oldtown	Allegany	2002	248	\$800.00
Holley/Collins Road	Somerset	1997	217	\$788.00
Lane/Princess Anne	Somerset	2003	300	\$750.00
King/Annapolis Junction**	Anne Arundel	1999	0	\$533.19
Turner/White Hall	Harford	2003	500	\$500.00
Miller/Churchton	Anne Arundel	2004	16,000	\$231.50
Total Tires Removed			2,319,826	
Total Amount Sought (Through FY 2013)				\$3,438,877.55

* Cost to pursue recovery of funds will exceed amount sought.

** Owner died before costs were recovered. Costs were expended in preparation for State-funded cleanup (site assessment, compiling cost estimate, etc.), but adjacent property owner removed all scrap tires before State-funded cleanup activities began.

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 2013

Citizen and Agricultural Scrap Tire Drop-Off Day Project

- MDE, in conjunction with MES and the Maryland Farm Bureau, Inc., initiated a Citizen and Agricultural Scrap Tire Drop-Off Day with 19 participating counties and Baltimore City.
- Garrett County held their event on June 29, 2013, and collected approximately 72.13 tons of scrap tires (equal to 7,213 passenger tire equivalents) from citizens and farmers.
- The remaining participating counties will hold their events in FY2014 prior to December 31, 2013.
- Four counties declined to participate: Anne Arundel County (Department of Public Works), Baltimore County, Harford County, and Montgomery County.
- Although Anne Arundel County declined to participate in the Citizen Scrap Tire Drop-Off Day Event, the Anne Arundel Economic Development Corporation is participating to provide an Agricultural Scrap Tire Drop-Off Day Event for local farmers.
- The Maryland Farm Bureau, Inc. will help coordinate Agricultural (but not Citizen) Scrap Tire Drop-Off Day Events in the remaining counties that declined to participate.

Projects Continuing from Previous Years

Rubber-Modified Asphalt Project (Caroline County)

- This project demonstrates and encourages the use of rubberized asphalt products by public agencies and private contractors in Maryland.
- The rubberized asphalt is expected to show several advantages over traditional materials including increased flexibility and durability, and decreased slumping, reflective cracking, and noise.
- In FY 2007, MES worked with Talbot County to identify potential sites for rubber-modified asphalt installations; however, Talbot County did not provide MES with identified sites and paving schedules. Therefore, the project was moved to Caroline County.
- In FY 2009, the Department and MES began working with Midshore Regional Landfill, a cooperative effort between Kent, Caroline, Queen Anne's, and Talbot County governments. The project involved installation of rubber-modified asphalt in lieu of traditional paving materials as part of construction of the Midshore II Regional Landfill in Caroline County. The project targeted County, municipal, and/or landfill roads in several high/diverse use areas.

- In FY 2009, a portion of River Road in front of the Midshore II Regional Landfill near the Town of Ridgely in Caroline County was selected as the paving location.
- Representatives from State and county government agencies and private contractors were invited to observe the manufacture of the rubberized asphalt mix and installation of the material on River Road.
- The rubber modified asphalt was installed in October 2010, in conjunction with construction of the Midshore II Regional Landfill, which opened on October 11, 2010.
- Upon completion of the installation in October 2011, informational signs were placed at the project site educating the public about the project and scrap tire recycling.
- The rubberized asphalt road section is being visually monitored for pavement condition every 6 months for 3 years (through October 2014).
- The first post-construction inspection was completed on March 1, 2011, and the pavement was observed to be in excellent condition.
- The second inspection was performed on November 4, 2011, and the pavement was again observed to be in excellent condition.
- The third inspection took place on May 8, 2013. The pavement appeared to be maintained in excellent condition, and does not show any evidence of raveling, rutting, distortion, cracks, or major potholes. Three very small potholes were observed, however, they appear to be minimal and do not show any sign of deterioration. These small potholes should not cause any hazard to traffic safety and, therefore, immediate repair to the potholes was not recommended.
- The next inspection is scheduled to take place in November 2013, and the final inspection will be performed in Spring 2014.

Scrap Tire Projects Planned for FY 2014

The Scrap Tire Program will continue the Citizen and Agricultural Scrap Tire Drop-Off Day project that was initiated during FY2013.

Licensing

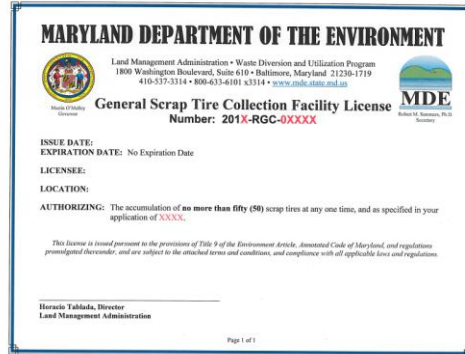
Under Maryland law (Section 9-228 of the Environment Article), the Department is required to regulate scrap tire facilities and scrap tire haulers.

- ★ Facilities that collect or process scrap tires are required to obtain an appropriate license for their respective operations.
- ★ 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,
 - *via* a licensed or approved transportation system, and
 - *to* a licensed or approved scrap tire facility for the transfer, collection, or processing of the scrap tires.

The Department issues the following types 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 whole or chipped scrap tires 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 2013

- ❖ A total of 269 new and 30 renewal scrap tire licenses were issued. (see Table V).

Table V – Scrap Tire Licenses in FY 2013

Type	New	Renewed	Total Issued (FY 2013)	Total Valid Licenses
General Collection	56	N/A	56	1,515
Secondary Collection	124	13	137	878
Primary Collection	0	0	0	2
Recyclers	1	0	1	4
TDF Facility	0	0	0	1
Solid Waste	0	0	0	1
Haulers	88	17	105	746
TOTAL	269	30	299	1347

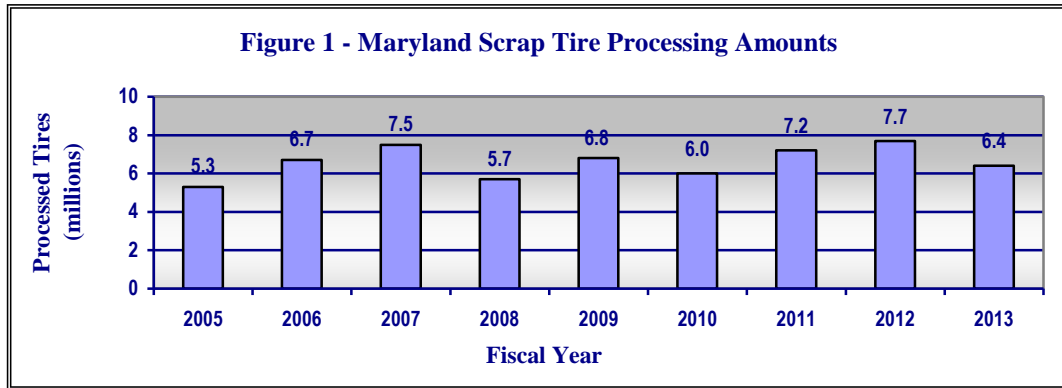
Scrap Tire Markets and Market Development

Market Analysis

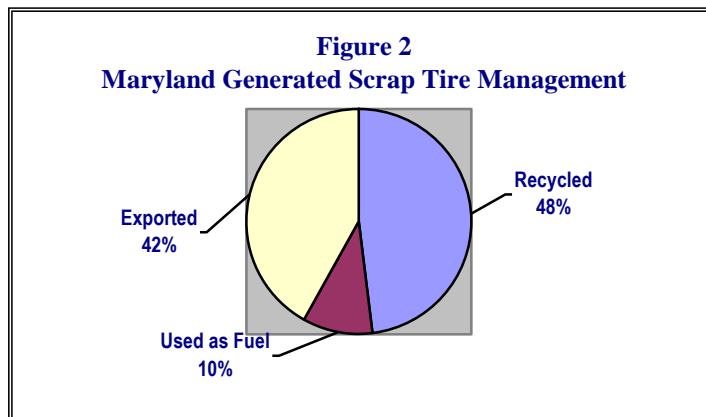
- ❖ All licensed scrap tire facilities and haulers are required to submit semi-annual reports to the Department. Reports must include:
 - The origin and number of scrap tires received, collected, or processed at the facility.
 - Identification of scrap tire haulers transporting the scrap tires, quantities in number or weight, and delivery facility information.

- ❖ There is no data available on actual amounts of scrap tires generated, so an estimate based on population is used. Based on the assumption that scrap tires are generated at a rate of one tire per person per year, the most recent census numbers were used to estimate that 5.9 million scrap tires were generated in Maryland during FY 2013. The actual number of scrap tires generated could vary (up or down) from the estimate due to factors such as economic conditions, special government programs, product recalls, etc.

- ❖ During FY 2013, the State’s scrap tire processing facilities managed approximately 6,433,692 scrap tires generated from Maryland and out-of-state facilities.
 - ✘ This represents a 16 percent decrease from the previous year. (See Figure 1). The 6,433,692 scrap tires processed include approximately 53 percent (3,407,036) Maryland generated and 47 percent (3,026,656) imported tires.
 - ✘ Of the 6,433,692 scrap tires processed, approximately 85 percent (5,458,639) were recycled, a 5 percent increase from the percentage reported in FY 2012. The remaining 15 percent (975,053) were used as fuel.



- ✘ Approximately 48 percent (2,798,527) of the estimated 5.9 million Maryland-generated scrap tires were recycled in Maryland facilities and 10 percent (608,509) were used as fuel in Maryland facilities during FY 2013. The remaining 42 percent of the tires (2,492,964 million) were exported. (See Figure 2).



- ✘ Emanuel Tire Company (Maryland's largest scrap tire recycling facility) in Baltimore City processed 5,104,962 tires in FY 2013, a 9 percent decrease from the number processed in FY 2012 (5,587,687).
- ✘ The Harford Waste-to-Energy Facility processed 510,979 tires during FY 2013, a 37 percent decrease from the number of tires processed during FY 2012 (815,845).
- ✘ During FY 2013, Holcim US, Inc. (formerly the St. Lawrence Cement Company) in Washington County processed approximately 461,109 tires, a 32 percent decrease from the reported quantity (673,523 tires) in FY 2012.
- ✘ K & K Tire, Inc. in Anne Arundel County processed 204,000 tires in FY 2013, a 19 percent decrease from the 251,240 tires processed in FY 2012.
- ✘ The Auston Tire Recycling facility in Harford County processed 149,677 tires in FY 2013, a decrease of 49 percent from the 294,909 tires processed in FY 2012.
- ✘ Wheelabrator Baltimore LP in Baltimore City processed 2,909 tires in FY 2013, a 94 percent decrease from the 47,968 tires processed in FY 2012.
- ✘ Fort Detrick in Frederick County processed 56 scrap tires in FY 2013, a 77 percent decrease from the 243 tires processed in FY 2012.

Maryland's Scrap Tire Flow and Destinations

- ▶ The overall amount of scrap tire processing (6,433,692 scrap tires) decreased 16 percent from the reported processing for FY 2012 (7,671,415 scrap tires). All of the Maryland processing facilities decreased their processing of scrap tires (Emanuel by 5 percent and Fort Detrick by 9 percent), decreasing their processing in FY 2013 by a combined total of 1,237,723 tires. The overall amount of scrap tires processed in Maryland decreased by 16 percent, and the ratio of scrap tires that were recycled versus used as fuel in Maryland increased 5 percent during FY 2013.
- ▶ Overall, the scrap tire generation, processing, and handling of the estimated 5.9 million Maryland scrap tires follow the traditional trends, although the number of Maryland tires exported to other states appear to have increased from 29 percent in FY2012 to 42 percent in FY2013: 2,798,527 scrap tires were recycled, approximately 2,492,964 scrap tires were exported, and the remaining 608,509 scrap tires were used as fuel. The apparent increase in the number of Maryland generated scrap tires exported to other states may be skewed, because it is based on the assumption that 5.9 million scrap tires were generated in Maryland. That figure is estimated by assuming that one scrap tire is generated for every resident in Maryland each year, based on the most current census data. Since every processor in Maryland reported a decrease in processing from FY2012 to FY2013, it is possible that less scrap tires were generated in Maryland than the estimated 5.9 million. The sluggish economy may be resulting in less automobile travel, which would likely result in fewer scrap tires generated.
- ▶ Continued emphasis needs to be given to market development of scrap tire products and processed raw materials. The Department worked with MES and the private sector to develop a “best practices” manual to encourage engineers and designers to incorporate the use of tire-derived products into civil engineering projects. The manual advises the design engineer of possible uses for engineering materials derived from scrap tires, including the use of tire chips in drainage layers. The guidance will increase the utilization of these materials, and using alternatives will help conserve natural resources, such as gravel and crushed stone. The manual is available free of charge online at the Department’s website at:
http://www.mde.maryland.gov/programs/Land/RecyclingandOperationsprogram/ScrapTire/Documents/www.mde.state.md.us/assets/document/Guidance_Manual_For_Scrap_Tires.pdf.

Figure 3 – Scrap Tire Flow in FY 2013

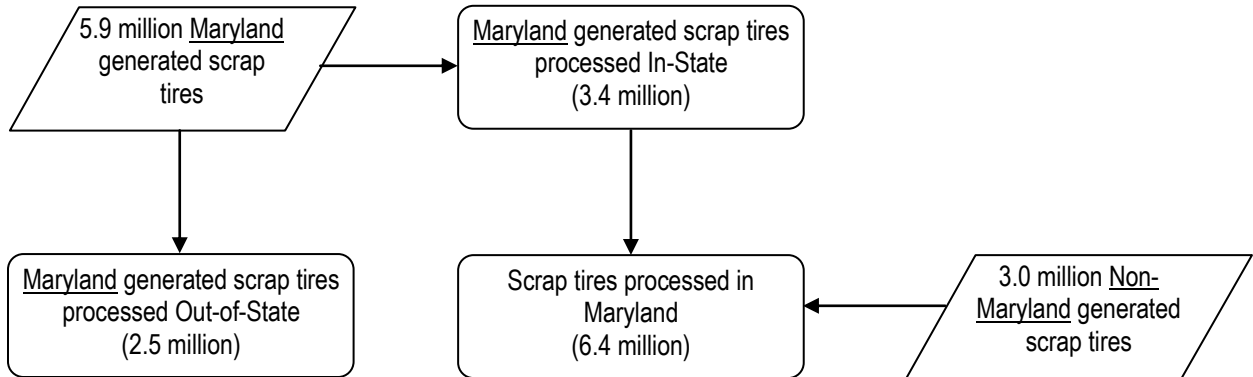


Table VI – Maryland Licensed Scrap Tire Processing Facilities

Facility Name/Type	Location	Operation	Telephone	Tires Processed in FY 2013
Emanuel Tire Company/ Recycler	1300 Moreland Ave Baltimore MD 21216	The company has been processing scrap tires for the last four decades. The operation converts scrap tires into 1 to 2 inch size tire chips.	(410) 947-0660	5,104,962
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	510,979
Holcim US, Inc. (formerly 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 generate up to 35 percent of the process heat needed to convert the raw material into cement.	(301) 739-1150	461,109
K & K Tire, Inc./ Recycler	816 Oregon Avenue Linthicum MD 21090	Processes scrap tires into products.	(410) 636-2002	204,000
Auston Tire Recycling/ Recycler	1202 Pauls Lane Joppa MD 21085	Processes scrap tires into products.	(410) 335-1016	149,677
Wheelabrator Baltimore LP (BRESKO)	1801 Annapolis Road Baltimore MD 21230	The facility has been approved to burn scrap tires with municipal solid waste.	(410) 234-0808	2,909
Fort Detrick	393 Beasley Road Frederick MD 21702	The facility burns scrap tires with solid waste and medical waste.	(301) 619-2323	56
A2Z Scrap Tire Recycling Facility	250 S. Kresson Street, Baltimore, MD 21224	The facility has been approved to process scrap tires into products.	(410) 679-8877	0
TOTAL				6,433,692

Compliance and Enforcement Activities

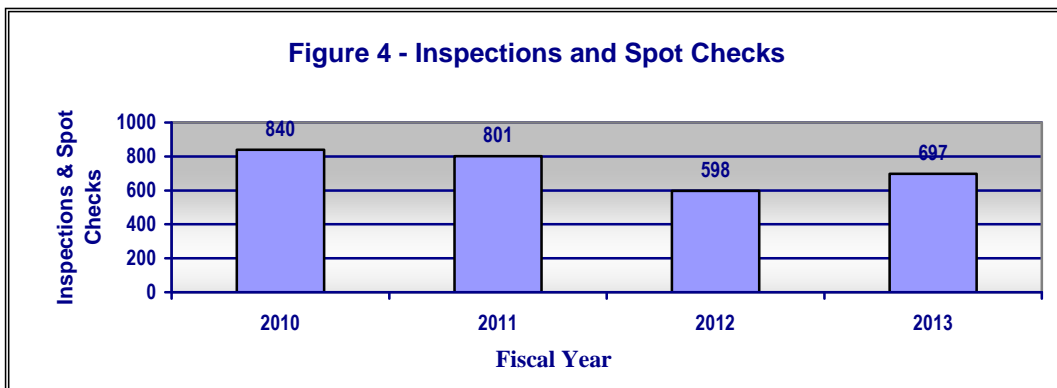
The goal of the Department's compliance and enforcement activities is to ensure that all of Maryland's licensed scrap tire facilities, scrap tire haulers, and scrap tire stockpiles are in full compliance with the scrap tire law, regulations, and license conditions.

Strategies for Compliance and Enforcement Actions in FY 2013

- ✦ Continued to maintain the quality of compliance and enforcement activities and routinely perform site inspections and investigations.
- ✦ Maintained inspection, compliance assistance, and enforcement actions of scrap tire licensees to discourage illegal scrap tire stockpiles.
- ✦ Continued coordinating with the State Fire Marshal's Office to ensure that plans for tire recycling and storage facilities meet applicable fire prevention standards and have adequate provisions for fighting fires should they occur.
- ✦ Continued identification and cleanup of illegal scrap tire stockpiles.

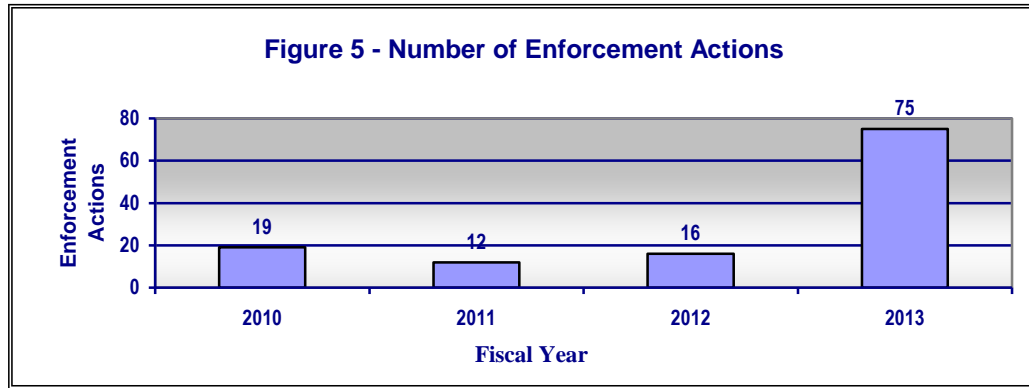
Accomplishments in FY 2013

- ♦ A total of 697 scrap tire investigations and inspections were conducted (See Figure 4).
- ♦ There was a significant increase (17 percent) in the number of scrap tire inspections conducted in FY 2013 to 697 from 598 in FY 2012. The reported inspection coverage rate of 16 percent in FY 2013 is a 23 percent increase from the coverage rate reported in FY 2012. Scrap tire inspections are performed by inspectors in the Solid Waste Program.



- ♦ The percentage of inspected facilities in significant compliance was 86 percent during FY 2013, a decrease from the compliance rate of 96 percent reported in FY 2012.
- ♦ A total of 157 significant violations were resolved, a 528 percent increase from the number (25) resolved in FY 2012.
- ♦ The number of compliance assistance actions rendered increased from 7 in FY 2012 to 9 in FY 2013.

- ♦ The Scrap Tire Program issued 75 enforcement actions during FY 2013 consisting of 72 penalties and other actions and three show cause, remedial, or corrective actions. Two referrals were made to the Office of the Attorney General for possible criminal enforcement action (See Figure 5).



- ♦ Table VII displays the FY 2013 enforcement data as reported in the annual *MDE Enforcement & Compliance Report*.

Table VII – Scrap Tire Compliance and Enforcement in FY 2013

PERFORMANCE MEASURE	TOTAL
PERMITTED SITES/FACILITIES	
Number of permits/registrations issued	299
Number of permits/registrations in effect at fiscal year end	3,147
OTHER REGULATED SITES/FACILITIES	
Stockpiles to be cleaned up	73
INSPECTIONS	
Number of sites inspected (“inspected” defined as at the site)	508
Number of sites audited but not inspected (places where MDE reviewed submittals but did not go to the site)	1,427
Number of sites evaluated for compliance (sum of the two measures above, same as #11 on the prior charts)	1,935
Number of inspections, spot checks (captures number of compliance activities at sites)	697
Number of audits (captures number of reviews of file/submittals for compliance)	1,700
Number of inspections, audits, spot checks (sum of the two measures above)	2,397
COMPLIANCE PROFILE	
Number of inspected sites/facilities with significant violations	70
Percentage of inspected sites/facilities with significant violations	14%
Inspection coverage rate (number of sites inspected/coverage universe)*	16%
SIGNIFICANT VIOLATIONS	
Number of significant violations involving environmental or health impact	68
Number of significant violations based on technical/preventative deficiencies	8
Number of significant violations carried over awaiting disposition from previous fiscal year	136**
Total number of significant violations (sum of the three measures above)	212
DISPOSITION OF SIGNIFICANT VIOLATIONS	
Resolved	157
Ongoing	55

PERFORMANCE MEASURE			TOTAL
ENFORCEMENT ACTIONS			
Number of compliance assistance rendered			9
	Administrative	Civil/Judicial	Total
Number of show cause, remedial, corrective actions issued	3	0	3
Number of stop work orders	0	0	0
Number of injunctions obtained	0	0	0
Number of penalty and other enforcement actions	72	0	72
Number of referrals to Attorney General for possible criminal action			2
PENALTIES			
Amount of administrative or civil penalties obtained (\$ collected in FY)			\$35,680.00

* Coverage rate above is computed as the total number of sites inspected and dividing that by the total number of permits/licenses in effect.

** This is a correction to last year's ongoing number of 152.

Conclusion

The Maryland Scrap Tire Program continues to monitor cleanups, ensures compliance with licensing requirements and oversees facilities' compliance.