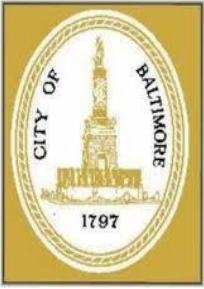


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|-------------|----------------------------------|--|---|---|
| FROM | NAME & TITLE | Richard J. Luna, Interim Director | CITY of BALTIMORE MEMO |  |
| | AGENCY NAME & ADDRESS | Department of Public Works 600 Abel Wolman Municipal Building | | |
| | SUBJECT | City Council Resolution 22-0143R | | |

January 4, 2024

TO:

Public Safety and Government Operations Committee

I am herein reporting on City Council Resolution 22-0143R introduced by Council Members Stokes, Bullock, Dorsey, Schleifer, McCray, Burnett, Middleton, Ramos, Glover, and Cohen.

The purpose of the Bill is to invite the Director of the Departments of Public Works and the Department of Housing and Community Development's Code Enforcement Division to meet with the City Council to discuss the scope of illegal disposal of used tires in the City, the problems that result from the illegal disposal of used tires, and proposed solutions to the illegal disposal of used tires.

State of Maryland

The 1991 Maryland General Assembly adopted the Scrap Tire Recycling Act, which is codified in the Annotated Code of Maryland (Environment Article 9-228), along with corresponding regulations in the Code of Maryland Regulations (COMAR 26.04.08).¹ This new law was to address the correct ways in which scrap tires were to be collected, stored, recycled, and processed; and to enforce, when necessary, to reduce and eliminate the hazards associated with stockpiling, illegal dumping, and disposal of scrap tires. The Scrap Tire Recycling Act established a modest fee per tire (\$0.80) on the first sale of each tire purchased in Maryland. The State Comptroller of the Treasury collects and administers the fee from tire dealerships and deposits them into a special fund. The Maryland Department of the Environment (MDE) utilizes this fund to administer the scrap tire program; license businesses and haulers; enforce and ensure compliance with scrap tire laws and regulations; clean up scrap tire stockpiles (cost recovery from property owners); develop and distribute information about scrap tire issues; and implement and oversee projects that reduce, recover, and recycle scrap tires. Maryland Environmental

¹For more detailed information, please go to this State of Maryland webpage:
<https://mde.maryland.gov/programs/land/recyclingandoperationsprogram/pages/scraptire.aspx>

Services (MES) is responsible for ensuring that Maryland has an adequate recycling capacity to meet its scrap tire management needs, based on the annual generation of scrap tires, as well as

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eliminating scrap tire stockpiles. In Maryland, it is estimated that 6 million new scrap tires are generated each year that will require proper disposal. MDE issues an annual report to inform both houses of the Maryland General Assembly on its progress in implementing the law and ensuring the proper management of scrap tires in Maryland.² According to their FY2021 report, 98% of collected scrap tires were recycled and 2% were used as fuel.

Baltimore City

The Department of Public Works collected a total of 550.1 tons of scrap tires in FY 2023 for recycling or safe disposal at Austin Contractors in Harford County, at a cost of approximately \$165.00 per ton. In the first half of FY 2024 (July 1 to December 31, 2023), the Department collected 264.86 tons of scrap tires.

Public Works provides residents with several ways to safely dispose of their scrap tires:

- Residents may bring two (2) tires without rims to any of the residential drop off locations, except for Sisson Street.
- Up to four (4) tires without rims may be collected as part of a scheduled residential bulk trash collection and only count as one of the three (3) allowed items for pick up.
- The Bureau of Solid Waste holds an annual Residential Scrap Tire Drop Off event, in partnership with MDE and MES. This year the event was held on July 15, 2023, at the DPW Property Management Facility (115 South Kresson Street) where residents could drop off up to 10 tires without rims for responsible disposal. This free event resulted in the collection of 16.52 tons of scrap tires. The cost for this event, and the safe recycling or disposal of the scrap tires collected that day, were covered by the State's scrap tire fund.

Enforcement

COMAR 26.04.08.25 outlines the enforcement provisions of the Scrap Tire Recycling Act. MDE, as the issuer of certain scrap tire-related licenses, has the primary responsibility for enforcement. MDE may suspend or revoke a license for scrap tire disposal if:

- The application contains false or inaccurate information;

²The most recent MDE Scrap Tire Annual Report may be found at this link:

<https://mde.maryland.gov/programs/land/AnalyticsReports/Final%20FY21%20Scrap%20Tire%20Annual%20Report.pdf>

- There has been a substantial deviation from the documentation or requirements established by MDE;

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- A representative of MDE has been refused entry to any area covered by the authorization for the purpose of inspecting the area to ensure compliance;
- There is or has been a violation of the Environment Article, Annotated Code of Maryland, any regulation adopted under the Environment Article, or any condition of approval or licensure; or
- Any other good cause.³

The program lastly encourages residents to report illegal dumping activities by contacting the Maryland Solid Waste Program at 410-537-3315.

Representatives of the Department of Public Works will attend the hearing on City Council Resolution 22-0143R to participate in the discussions and to respond to any questions the Committee may have on this issue.



Richard J. Luna
Interim Director

³ <http://mdrules.elaws.us/comar/26.04.08.25>

RJL:MMC
