

**Article - Environment**

9-274.

~~(a) The State Used Tire Cleanup and Recycling Fund shall consist of moneys made available under:~~

- ~~(1) Loan authorizations;~~
- ~~(2) Funds appropriated in the State budget;~~
- ~~(3) Fees collected for the sale of tires by retail dealers under § 9-228(g) of this subtitle; or~~
- ~~(4) Bond and security forfeitures collected under § 9-228(k) of this subtitle.~~

~~(b) (1) The Fund is limited to a maximum of [~~\$15,000,000~~] \$10,000,000.~~

~~(2) If the sum of unallocated funds in the Fund and the projected fees for the next fiscal year exceeds [~~\$15,000,000~~] \$10,000,000, the Board of Public Works shall adjust the fees for the next fiscal year on a pro rata basis so that the sum of unallocated and actual fees does not exceed [~~\$15,000,000~~] \$10,000,000.~~

9-275.

(a) Subject to the appropriation process in the annual operating budget ~~AND SUBSECTION (C) OF THIS SECTION~~, the Department shall use the State Used Tire Cleanup and Recycling Fund solely:

(1) For removal, restoration, EMERGENCY, or remedial action, including the restoration of natural resources where feasible ~~and~~, site maintenance and monitoring, AND FIRE CESSATION, IF REQUESTED BY A LOCAL GOVERNMENT, NOT TO EXCEED \$100,000 FOR EACH FIRE CESSATION EMERGENCY ACTION IN THAT JURISDICTION, in response to the disposal or storage of scrap tires in violation of this subtitle, including:

(i) All costs incurred by the State in inspecting and monitoring any site where scrap tires are processed, stored, or disposed of in violation of this subtitle and assessing the threat to the public health and the environment of the site, the costs of investigations conducted for the purpose of defining necessary remedial action, and the costs of litigation expenses incurred in obtaining reimbursement for expenditures; and

(ii) All costs incurred in providing public information concerning a site where scrap tires are processed, stored, or disposed of; and

(2) With the approval of the Board of Public Works, to provide financial assistance:

(i) Through the service for projects approved by the Department to reduce, recover, and recycle scrap tires; and

(ii) To the service for costs related to the implementation of scrap tire recycling systems, including the costs of: