

2. Implementation of any program established by the service as a part of a scrap tire recycling system; and

3. Assisting in funding the establishment of a private or public scrap tire collection, processing, or recycling facility.

SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article — Environment

9-228.

~~(b) A person may not store scrap tires in the State unless the person demonstrates to the satisfaction of the Department that, within 90 days of the time that the person stores the scrap tires, the scrap tires will be:~~

- ~~(1) Returned to the marketplace;~~
- ~~(2) Used as fuel in an approved resource recovery incinerator;~~
- ~~(3) Used as a tire derived fuel in an approved facility; or~~

~~(4) Transferred, by means of a scrap tire hauler, to any facility within the scrap tire recycling system established under subsection (c) of this section.~~

~~(c) (1) The service shall establish a scrap tire recycling [system that includes scrap tire collection facilities, scrap tire haulers, and in the following order of priority:~~

~~(i) Scrap tire recyclers; and~~

~~(ii) 1. An approved resource recovery facility that uses tires as a fuel substitute; or~~

~~2. An approved facility that uses tires as a tire derived fuel] SYSTEM.~~

~~(2) A person may not incinerate tires except in:~~

~~(i) An approved resource recovery facility that uses tires as a fuel substitute; or~~

~~(ii) An approved facility that uses tires as a tire derived fuel.~~

~~(3) A facility that processes scrap tires for use as a fuel in an incinerator, boiler, or resource recovery facility or a facility that burns or incinerates scrap tires may not be approved or licensed under this subtitle, unless[:~~

~~(i) There is no reasonable and economically available opportunity to process the tires and return them to the marketplace for reuse; and~~

~~(ii) The] THE burning or incineration meets all federal and State air quality standards.~~