

(3) IN ESTABLISHING THE SCRAP TIRE RECYCLING SYSTEM, THE SERVICE:

(I) SHALL GIVE PREFERENCE TO EXISTING PRIVATE OR PUBLIC SCRAP TIRE COLLECTION, PROCESSING, OR RECYCLING PROGRAMS OR FACILITIES THAT MEET THE REQUIREMENTS OF THIS SUBTITLE; AND

(II) MAY INCLUDE IN-STATE FACILITIES LICENSED BY THE DEPARTMENT AS WELL AS OUT-OF-STATE FACILITIES APPROVED BY THE DEPARTMENT.

~~(E) THE COST OF PREPARING A USED TIRE RECYCLING SYSTEM, AS WELL AS THE COSTS OF IMPLEMENTING ANY PROGRAMS CREATED BY THE SERVICE UNDER SUCH A SYSTEM, SHALL BE PAID FOR OUT OF THE USED TIRE CLEANUP AND RECYCLING FUND.~~

(3) (4) EACH SCRAP TIRE RECYCLING SYSTEM ESTABLISHED UNDER THIS SUBSECTION SHALL:

(I) MEET ALL ZONING AND LAND USE REQUIREMENTS OF THE COUNTY OR MUNICIPAL CORPORATION IN WHICH THE SYSTEM IS TO BE LOCATED; AND

(II) BE PROVIDED FOR IN THE COUNTY PLAN REQUIRED UNDER § 9-503 OF THIS TITLE.

~~(F) (E) (F)~~ (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, AFTER ~~JANUARY 1, 1992,~~ JANUARY 1, 1994 SCRAP TIRES MAY NOT BE DISPOSED OF IN A LANDFILL.

(2) THE SECRETARY MAY WAIVE THE REQUIREMENTS OF PARAGRAPH (1) OF THIS SUBSECTION UNDER SUCH TERMS AND CONDITIONS AND FOR SUCH PERIODS AS THE DEPARTMENT CONSIDERS APPROPRIATE IF THE DEPARTMENT DETERMINES THAT A ~~USED~~ SCRAP TIRE RECYCLING SYSTEM:

(I) DOES NOT EXIST ~~OR~~; OR

(II) HAS INSUFFICIENT CAPACITY TO ACCOMMODATE THE AMOUNT OF ~~USED~~ SCRAP TIRES GENERATED IN THE STATE.

~~(G) (1) EACH TIRE WHOLESALER SHALL BE LICENSED TO TRANSFER TIRES TO RETAIL DEALERS IN THIS STATE.~~

~~(2) TO BE LICENSED BY THE DEPARTMENT, THE TIRE WHOLESALER SHALL:~~

~~(I) APPLY FOR A LICENSE FROM THE DEPARTMENT ON A FORM PROVIDED BY THE DEPARTMENT;~~