



Maryland
Department of
the Environment

SCANNED
3/4

Larry Hogan
Governor

Boyd Rutherford
Lieutenant Governor

Ben Grumbles
Secretary

March 2, 2017

Mr. E. Michael Ensor
Tolson and Associates, LLC
24024 Frederick Road
Clarksburg, MD 20871

MAILED
3/2

COPY

Dear Mr. Ensor:

Enclosed is Maryland Secondary Scrap Tire Collection Facility License No. **2017-RSC-10701**, which authorizes the accumulation of up to **1,500 scrap tires** at any one time at 1451 Capitol Raceway Road in Crofton, Anne Arundel County, as specified in this facility's application of January 4, 2017.

To operate this facility, and to avoid a violation of this license, please have scrap tire haulers who remove scrap tires from this facility (current or planned) show their current Maryland license prior to providing services. Also, you should verify that the site to which your scrap tires are being taken is a facility licensed or approved by the Maryland Department of the Environment (the "Department") by obtaining their license number. In addition, if you are currently hauling your own scrap tires or intend to do so in the future, you must also have a Maryland Scrap Tire Hauler License.

Please note that this license is subject to the enclosed terms and conditions. This license may be appealed by filing a written request for a hearing within thirty (30) calendar days of receipt of this license. The request should be addressed to Ms. Hilary Miller, Director, Land Management Administration, at the Department's address. You will subsequently be contacted regarding a hearing date. All license hearings will be conducted in accordance with the Administrative Procedure Act. If no appeal is received within the specified time period, this will constitute acceptance of the terms and conditions of this license.

If you have any questions, please call Ms. Valerie Norman, Project Manager, Scrap Tire Unit, at (410) 537-3314:

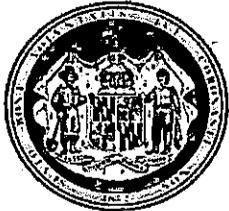
Sincerely,

C. John Sullivan III
Program Manager
Resource Management Program

Enclosure

cc: Hilary Miller
Brian Coblentz (w/ enclosure)

MARYLAND DEPARTMENT OF THE ENVIRONMENT



Larry Hogan
Governor

Land Management Administration • Resource Management Program
1800 Washington Boulevard • Suite 610 • Baltimore, Maryland 21230-1719
410-537-3314 • 800-633-6101 x3314 • www.mde.maryland.gov



Ben Grumbles
Secretary

Secondary Scrap Tire Collection Facility License Number: 2017-RSC-10701

ISSUE DATE: March 2, 2017

EXPIRATION DATE: March 1, 2022

Issued to: Tolson and Associates, LLC

Authorizing: The accumulation of **no more than one-thousand five-hundred (1,500)** scrap tires at any one time, and as specified in your application of January 4, 2017.

At: 1451 Capitol Raceway Road, Crofton, Anne Arundel County, Maryland 21114

This license is issued pursuant to the provisions of Title 9 of the Environment Article, Annotated Code of Maryland, and regulations promulgated thereunder, and are subject to the attached terms and conditions, and compliance with all applicable laws and regulations.

Hilary Miller, Director
Land Management Administration

LICENSE CONDITIONS:

A) Scrap Tire Accumulation and Operational Requirements:

- a) The facility shall be operated in a manner consistent with the Secondary Scrap Tire Collection Facility License and Application.
- b) The licensee may only accumulate **up to 1,500** scrap tires at any one time, and as specified in this facility's Secondary Scrap Tire Collection Facility License Application and its supporting documentations. If there are any discrepancies between this license and the application, the terms and conditions of this license will take precedence.
- c) The licensee may only receive scrap tires from a consumer or a scrap tire hauler licensed by the Department. A consumer or an individual who transports **not more than five (5)** scrap tires annually is exempt from the requirement to obtain a Scrap Tire Hauler License from the Department.
- d) Scrap tires may only be transported from this facility by a scrap tire hauler licensed by the Department.
- e) Scrap tires (or scrap tire portions) from this facility shall only be transported to licensed secondary scrap tire collection facilities, licensed primary scrap tire collection facilities, licensed scrap tire recyclers, or approved Maryland or out-of-state facilities.
- f) If the Department elects to require the delivery of scrap tires generated in this State to facilities designated under COMAR 26.04.08.03C, scrap tires may not be transported from any location in Maryland to any place other than the designated facilities.
- g) The licensee shall not operate this facility in a manner likely to:
 - i) Create a nuisance;
 - ii) Be conducive to insect and rodent infestation;
 - iii) Cause a discharge of any constituents derived from scrap tires into the air unless otherwise permitted by the Department;
 - iv) Cause a discharge of any constituents derived from scrap tires into waters of this State unless otherwise permitted by the Department;
 - v) Impair the quality of the environment;
 - vi) Create other hazards to the public health, safety, or comfort as may be determined by the Department;
 - vii) Result in the transfer of scrap tires by means other than a licensed scrap tire hauler; or
 - viii) Result in the transfer of scrap tires to any place other than a licensed secondary scrap tire collection facility, licensed primary scrap tire collection facility, licensed scrap tire recycler, or an approved facility.

B) Fire Prevention:

- a) The licensee shall not store combustibles in the area where scrap tires, residual scrap tires (or scrap tire portions), products, or raw materials are contained, stockpiled or processed.

- b) The licensee shall not store potential ignition sources such as cutting, welding, and heating devices, open fires, etc., in the area where scrap tires, residual scrap tires (or scrap tire portions), products, or raw materials are contained, stockpiled, or processed.
- c) The licensee shall comply with the Maryland Fire Prevention Code under COMAR29.06, which incorporates by reference the BOCA National Fire Prevention Code and certain standards of the National Fire Protection Association.
- d) The licensee shall not conduct any routine operation involving the use of open flames, blowtorches, or highly flammable substances within fifty (50) feet of a scrap tire or its product piles.

C) Landfilling Prohibited:

- a) Scrap tires shall not be disposed of in this State's landfills.
- b) Scrap tires may be transported to a sanitary landfill if the landfill accepts scrap tires for purposes other than disposal and has received a scrap tire facility license/approval from the Department.
- c) Scrap tires shall not be disposed of in an open dump.

D) Issuance of Receipts:

- a) The licensee shall issue a written receipt to each scrap tire hauler upon receiving a load of scrap tires. The receipt shall specify the type and quantity, by number or weight, of scrap tires received.
- b) The licensee shall issue a written record of destination to each scrap tire hauler upon removal of scrap tires. The record shall specify the quantity, by number or weight, of scrap tires removed and the destination of the scrap tire facility to which the scrap tires will be transported.

E) Notification:

The licensee shall notify the Department within seven (7) calendar days of the name and vehicle registration plate number of any nonlicensed person who attempts to pickup or deposit scrap tires at this facility who is not exempt under COMAR 26.04.08.04A(2).

F) Record Keeping:

The licensee shall maintain, for a period of three (3) years, records of all scrap tires entering and exiting this facility. The records shall include, at a minimum, the following information:

- a) The total type and quantity, by number or weight, of scrap tires including processed portions that are not raw materials that were received or generated at this facility.
- b) The total type and quantity, by number or weight, of scrap tires that were transferred from this facility.
- c) The total type and quantity, by number or weight, of scrap tires that remained at this facility at the end of the reporting period.
- d) The name and identification number of each hauler transporting scrap tires to this facility.
- e) The type and quantity, by number or weight, of scrap tires transported by each hauler to this facility and the origin of the scrap tires. This information must be identified for each transaction.

- f) The name and identification number of each hauler transporting scrap tires **from** this facility.
- g) The type and quantity, by number or weight, of scrap tires transported by each hauler **from** this facility and the name, address, and identification number of the destination facility to which the scrap tires will be hauled. This information must be identified for each transaction, including adjustment tires separated and removed for retreading.
- h) In the case of scrap tire transaction with consumers who are exempt from the Scrap Tire Hauling License requirements, the licensee shall maintain and report a running tally only.
- i) The semiannual reports specified in Condition G "Reporting" of this license.

G) Reporting:

The licensee shall submit to the Department a semiannual report. Each report shall summarize the records required by the Record Keeping Condition of this license. A report for the period of January through June of each year is due no later than August 1 following the reporting period. A report for the period of July through December of each year is due no later than February 1 following the reporting period.

H) Availability of Reports:

Except for information determined to be confidential under Section 10-617(d) of the State Government Article, Annotated Code of Maryland, all documents submitted to the Department pursuant to the record keeping and reporting requirements set forth in this license shall be available for public inspection at the Department's offices.

I) Right of Entry:

The licensee shall allow the Department's authorized representatives, at reasonable times and upon presentation of credentials:

- a) To enter any site(s) where records required by this license are maintained;
- b) To have access to and copy any and all records required to be maintained by this license;
- c) To inspect any equipment or process used in connection with the activities regulated by this license;
- d) To inspect any facility, system, or vehicle used in connection with the activities regulated by this license; and
- e) To obtain photographic documentation, collect samples, or obtain any other information pertinent to the activities regulated by this license.

J) Compliance:

- a) The licensee shall comply with the terms and conditions of this license, and with all applicable local, State, and federal laws and regulations.
- b) If for any reason the licensee cannot comply or is unable to comply with this license or with any applicable local, State, or federal laws and regulations, the licensee shall notify the Department at (410) 537-3315 on the same day or on the next working day, following any noncompliance. Within seven (7) calendar days after this notification, the licensee shall provide the Department with the following information in writing:
 - i) Description of the noncompliance, including date, time, and type of noncompliance;

- ii) Cause of the noncompliance;
 - iii) Anticipated time the noncompliance is expected to continue or if such condition has been corrected;
 - iv) Steps taken by the licensee to correct the noncompliance; and
 - v) Steps to be taken by the licensee to prevent recurrence of the noncompliance.
- c) If the licensee discovers through any means, including notification by the Department, that a noncompliance with any condition of this license has occurred, the licensee shall immediately take all necessary steps to eliminate the condition of noncompliance and to minimize the adverse impact on public health, safety, welfare, or the environment.
 - d) If the licensee discovers through any means, including notification by the Department, that a noncompliance with any condition of this license has affected the public health, safety, welfare, or the environment, the licensee shall immediately notify the Department.

K) Local Zoning and Land Use Requirements:

Nothing in this license authorizes the establishment or the operation of this facility when in violation of any local, State, or federal laws and regulations, including a local zoning or land use approval.

L) Modification:

- a) The Department may modify any term or condition of this license if the modification is needed to reflect changes in local, State, or federal laws or regulations applicable to this type of an operation. Any modification shall also be made, as appropriate, to other documents, which are part of this license.
- b) The Department may modify this license if any violation of a term or condition of this license or any applicable law or regulation has occurred.
- c) The Department may modify this license upon receipt of a written request from the licensee stating the reasons for the proposed modification and providing supporting documentation.
- d) The Department may modify this license upon receipt of a written request for approval to add additional vehicles or pieces of equipment, which have not been previously approved for use, provided that such modification is requested with thirty (30) calendar days following commencement of the use of any additional vehicle(s) or piece(s) of equipment.

M) Transfer of License:

This license may be transferred to new owners if the following conditions are met:

- a) Before any change in the ownership, a written request for the transfer of the license shall be submitted to the Department for review and approval. The request for transfer shall state the reason(s) for the requested transfer and shall be signed by the licensee and the new owner. The request shall also include a completed Scrap Tire License Application signed by the new owner; and
- b) The Department determines that the proposed transfer of the license would not affect present or future compliance with local, State, or federal laws and regulations.

N) Change of Business Name:

The licensee shall inform the Department in writing within thirty (30) calendar days following a business name change, change in ownership or form of business organization, or any other change that affects the license. The licensee must also provide legal documentation showing the old and the new name.

O) Application for Renewal:

At least ninety (90) calendar days before the expiration date of this license, the licensee shall submit a renewal application for a license or notify the Department of the intent to cease operating by the expiration date of this license. The licensee whose license has expired following submission to the Department of a timely and complete renewal application may continue to conduct the authorized activity until the Department takes final action on the application if the Department determines that:

- a) The licensee is in compliance with the terms and conditions of the expired license; and
- b) The Department, through no fault of the person seeking a license, has not taken final action on the application on or before the expiration date of the license.

P) Suspension or Revocation:

- a) In accordance with Section 9-262 of the Environment Article and Title 10 of the State Government Article, Annotated Code of Maryland, the Department may suspend, revoke, or modify this license, if the Department finds that:
 - i) The application contained false or inaccurate information; or
 - ii) There has been a substantial deviation from:
 - (1) The documents accepted by the Department as part of this license application;
 - (2) Any requirement established by the Department;
 - (3) A representative of the Department has been denied entry to any area in which activities regulated by this license are conducted or to any documents required to be maintained by this license;
 - (4) There is or has been a violation of the terms and conditions of the license or any applicable State law or regulation; or
 - (5) There is any other good cause.
- b) In addition to other reasons authorized by statute or regulation, this license may be suspended, revoked, or modified if the licensee lacks, or is in violation of, any local, State, or federal approval necessary to conduct the activity authorized by this license, including a local zoning or land use approval.

Q) Facility Closure:

- a) The licensee shall cease accepting scrap tires and immediately close this facility, if any of the following occur:
 - i) This facility operation or the scrap tire portion of this facility's operation has been terminated;
 - ii) This license has expired and its renewal is denied by the Department;

- iii) This license is revoked by the Department; or
 - iv) The licensee receives a final order of the Department to cease operations at this facility.
- b) The licensee shall complete the closure procedures within ninety (90) calendar days of cessation of this facility's operation, license revocation, license denial, or final order of the Department to cease operations at this facility. Under these procedures the licensee shall:
- i) At least sixty (60) calendar days before closure, notify the Department, local units of government, local land use authorities, and fire and health authorities of the closing of this facility;
 - ii) Close public access upon cessation of this facility's operation;
 - iii) Post a gate notice at all entrances of this facility indicating to the public that this facility is closed and indicating that the Department may be contacted for information regarding alternative sites where scrap tires can be deposited;
 - iv) Remove all solid wastes to a permitted solid waste acceptance facility;
 - v) Remove and transfer all scrap tires to a licensed secondary scrap tires collection facility, licensed primary scrap tire collection facility, licensed scrap tire recycler, or other approved facility; and
 - vi) Notify the Department when the closure activities are completed.
- c) The Department shall inspect this facility and verify that this facility has been closed in compliance with the approved closure plan.

R) Civil and Criminal Liability:

Nothing in this license shall be construed to preclude the institution of any legal action nor relieve the licensee from civil or criminal responsibilities and/or penalties for non-compliance with Title 9 of the Environment Article, Annotated Code of Maryland, or any local, State, federal, or other state's laws or regulations.

S) Property Rights:

The issuance of this license does not intend to convey any property rights in either real or personal property, or any exclusive privilege or franchise, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of local, State, or federal laws or regulations.

T) Severability:

If any provision of this license shall be held invalid for any reason, the remaining provisions shall remain in full force and effect, and such invalid provision shall be considered severed and deleted from this license.

U) Signatory Requirements:

All applications, requests for modification or transfer, renewal requests, reports, or information submitted to the Department shall be signed and verified in accordance with Section 1-201 of the Environment Article, Annotated Code of Maryland, by the licensee or authorized representative of the licensee as being true.

Semi-Annual Scrap Tire Collection Facility Report

**Please Note: It is very important that you submit a semi-annual report even if you did not collect, generate or haul any scrap tires during the reporting period. Please print.*

| | |
|--------------------------------------|--|
| REPORTING PERIOD (check one): | <input type="checkbox"/> 1 January – 30 June (due August 1st) |
| | <input type="checkbox"/> 1 July – 31 December (due February 1st) |
| REPORTING YEAR (enter): | 20 <input style="width:20px;" type="text"/> <input style="width:20px;" type="text"/> |

Your Facility Owner's Name: _____ Your Collection Facility License No.: _____

Your Mailing Address: _____

City: _____ County: _____ State: _____ Zip: _____

Your Facility's Name: _____ Contact Person's Name: _____

Your Facility's Location Address: _____

City: _____ County: _____ State: _____ Zip: _____

Telephone No.: () _____ - _____ Facsimile No.: () _____ - _____

SECTION 1: Receiving/Generating Report - Incoming Scrap Tire Information

Check (✓) Scrap Tire Generation/Receiving Source: Your Facility Customers Other

If you checked "Other", complete SECTION 3 on the reverse side.

SECTION 2: Transfer Report - Outgoing Scrap Tire Information

| Scrap Tire Hauler's Name | Scrap Tire Hauler's License No. | Scrap Tire Type | Destination Facility Name/Address | Destination Facility's License/ Permit No. | Scrap Tire Quantity | Weight (Tons) |
|--------------------------|---------------------------------|-----------------|-----------------------------------|--|---------------------|---------------|
| | | | | | | |
| | | | | | | |
| | | | | TOTAL | | |

TOTAL SCRAP TIRES REMAINING AT YOUR FACILITY AFTER THE REPORTING PERIOD: _____

PLEASE ATTACH ADDITIONAL PAGES IF NECESSARY

By signing this report, I the license holder or duly authorized representative, do solemnly affirm under the penalties of perjury that the contents of this report are true to the best of my knowledge, information, and belief. I hereby authorize the representative of the Department to have access to the site for inspection and to record information relating to this license at any reasonable time.

 Signature Print Name Date

