



# Waste Crime Innovation Programme

**End of Life Vehicles**

Information for Environment Officers

We are the Environment Agency. It's our job to look after your environment and make it a better place – for you, and for future generations.

Your environment is the air you breathe, the water you drink and the ground you walk on. Working with business, Government and society as a whole, we are making your environment cleaner and healthier.

The Environment Agency. Out there, making your environment a better place.

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## What is this information pack about?

This is a simple guide to the Environment Agency's requirements under the End of Life Vehicle (ELV) legislation. This guide is applicable only for England and Wales.

This guide should be used in conjunction with the **ELV training film**. This guide will clearly explain:

- Depollution requirements
- Storage of parts and liquids
- Hazardous waste
- Certificates of Destruction
- Inspection methodology
- Checking if a vehicle is depolluted
- How to get more out of the inspection
- Site infrastructure
- Duty of Care
- European Waste Codes
- Enforcement responses
- International Shipments of Waste

It will also provide you with links to further information from both the Environment Agency and other relevant organisations such as Driver and Vehicle Licensing Agency (DVLA) and Department for Business Innovation and Skills (BIS), formerly BERR.

By following the guidance and using the information given, you will:

- Be able to complete a full detailed inspection;
- Have a greater understanding about the full ELV procedure and site requirements.

## Why do we have the ELV Regulations?

There are two sets of ELV Regulations that implement the requirements of the EU ELV Directive. The Directive applies to cars, vans and certain 3 wheeled vehicles and aims to ensure that:

- New vehicles do not contain certain harmful substances above set threshold levels
- Sites where ELVs are stored or treated have a permit and are run in a way that prevents harm to the environment
- ELVs are treated ('depolluted') to remove harmful components and substances such as fuel, oils and batteries
- Targets are set for vehicle manufacturers and site operators to reduce waste from ELVs and improve the recycling of materials
- A network of authorised treatment facilities (ATFs) is established where the public can return ELVs without charge
- The owner of an ELV can receive a Certificate of Destruction when he takes his vehicle to an ATF.

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## What is an End of Life Vehicle (ELV)?

An ELV is any type of motor vehicle that is waste.

Waste is anything that you discard, intend to discard or are required to discard. This includes metal sent for recycling or reuse.

Whilst some aspects of the ELV Regulations only apply to the vehicle types covered by the ELV Directive (for example cars and vans), the site permitting and treatment requirements have been extended to include all waste motor vehicles, including motorcycles, lorries, coaches and buses.

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## What must an operator do if they want to operate a business treating ELVs?

Before anything else, they will need planning permission from the **Local Authority**.

The operator must have an environmental permit from the Environment Agency. In addition the operator must meet certain standards to ensure that they:

- store and treat ELVs in a way that does not harm the environment
- remove all hazardous components and liquids (known as depollution)
- recycle, store and dispose of the parts appropriately.

## What is an Authorised Treatment Facility (ATF)?

An ATF is a site that holds an environmental permit and meets the standards of Schedule 5 of the ELV Regulations 2003.

There are many existing ATFs and they can be found by looking at **The Public Register**.

As an officer you will be responsible for inspecting the site and ensuring that the requirements are complied with.

If a new site applies to be an ATF then you must conduct an initial inspection to ensure that it meets the standards. If it does then it becomes an ATF upon issue of the permit.

## I have assessed a site as an ATF, who should I inform?

Several processes need to take place once you have assessed a site as compliant. These processes include:

- notification to the DVLA;
- update of the Environment Agency's public register;
- notification to BIS who enforce compliance with regards to recycling targets.

Check the ELV page on Easinet for up to date instructions;

**Policies and procedures\Environmental work\Compliance\  
Environment Officers\Securing compliance\ELV**



## What is a Certificate of Destruction?

When an ELV is brought to an ATF, the operator must issue the owner with proof that the vehicle has been treated to the required standards and that it has been 'destroyed'. This is the Certificate of Destruction (CoD). This is the responsibility of DVLA.

The owner is not necessarily the registered keeper.

NOTE: CoDs only need to be issued for the following classes of vehicle:

- passenger vehicles <3500kg/3.5t
- LGVs <3500kg/3.5t
- certain 3 wheeled motor vehicles

The depollution requirements are required for all vehicles.

The owner should provide the operator with the Registration Certificate (V5C) – although a vehicle may still be accepted without a V5C – and will need the CoD to prove to the DVLA that the vehicle will no longer be on the road. The ATF will notify the DVLA that the vehicle has been destroyed.

To obtain further information on the CoD scheme contact the DVLA at: **[afrl.cod@dvla.gsi.gov.uk](mailto:afrl.cod@dvla.gsi.gov.uk)** or ring **01792 766412**.

The ATF must also notify BIS of the amount of ELVs recycled in a calendar year – **[www.berr.gov.uk/whatwedo](http://www.berr.gov.uk/whatwedo)**

If a vehicle is not registered on the DVLA database (for example, it is a foreign registered vehicle) then a CoD can still be issued. For foreign registered vehicles the last keeper should send their foreign registration document to the registration authority of the country in question and enclose a copy of the UK Certificate of Destruction.

**See box 10** regarding collection of ELVs or transporting waste.

## What will the conditions of an ATF/permit require the operator to do?

If anyone wants to keep or treat (depollute) ELVs then they are required to do/have the following:

### The site

- must be secure – make sure that no-one can enter the site that they don't know about
- must have an impermeable surface – make sure that no material can escape.

If they are just keeping ELVs then the drainage from that area must be:

- to a sealed tank; or
- via an oil interceptor to the foul sewer or a watercourse (permission must be given from the water company or Environment Agency before any such discharge can occur).

If they are depolluting ELVs then the drainage should not escape the impermeable surface.

In both instances, spillage kits for all the liquids likely to be present in an ELV must be present.



**ELVs that are received should be treated (depolluted) as soon as possible – usually within 4 days. To depollute the ELV the operator must:**



Remove the battery



Remove the liquefied gas tank (if needed)



Remove potentially explosive materials (including air bags)



Remove all liquids in the ELV. These are:

Fuel	Motor oil	Transmission oil
Gearbox oil	Hydraulic oil	Cooling liquids
Antifreeze	Brake fluid	Air con fluids
Windscreen wash	Any other fluid	



Remove the liquid from the shock absorbers or remove the shocks themselves



Remove oil filters



Remove any components containing Mercury (for example some switches) if present

Government has produced guidance on the depollution of cars and vans, and separate guidance on the depollution of vehicles over 3.5t. The guidance can be found at:

**[www.defra.gov.uk/environment/waste/topics/elvehicles](http://www.defra.gov.uk/environment/waste/topics/elvehicles)**

For guidance on pollution prevention visit:

**[www.environment-agency.gov.uk/ppg](http://www.environment-agency.gov.uk/ppg)**

## Storage

### Removed parts for re-sale

Parts should normally be stored on racks where practical. Any parts from which liquids could escape should be stored on an impermeable surface and no liquid should be able to escape from this surface.

### Liquids, oil filters/undrained shock absorbers

After removal from the ELV, liquids and removed parts must be stored in separate, clearly labelled leak proof containers and within a bunded area. If it doesn't hamper recycling you can store different types of oil in the same container.

### Batteries

Batteries must be stored in clearly labelled acid resistant containers, be leak proof and prevent rain water entering.

### Car shells

Provided they are fully depolluted they can be stored on a hardstanding.

## What if the operator wants to collect the ELVs himself or wants to employ someone to collect them for him?

Anyone who collects an ELV on a commercial basis (for example by way of trade or for financial gain), must be registered with the Environment Agency as a waste carrier.

To check if someone is a registered waste carrier visit the Environment Agency's website [www.environment-agency.gov.uk/publicregister](http://www.environment-agency.gov.uk/publicregister) or call **08708 506 506** for an instant waste carrier validation check.

Remember that the operator will need to receive the owners V5C and issue the owner with a CoD after destruction. A transfer note must be completed.

If collecting an undepolluted ELV from a business, or a privately owned ELV from any site other than a household or highway, a hazardous waste consignment note is likely to be required. **See box 12.**



## How does an operator deal with materials from ELVs?

The operator must ensure that all parts, fluids and materials are reused, recycled or disposed of safely. We encourage operators to maximise reuse and recycling.

Materials sent for recycling (for example metal) or disposal continue to be classified as waste regardless of any value they may have. Some items such as lead acid batteries or engine oil will be hazardous waste.

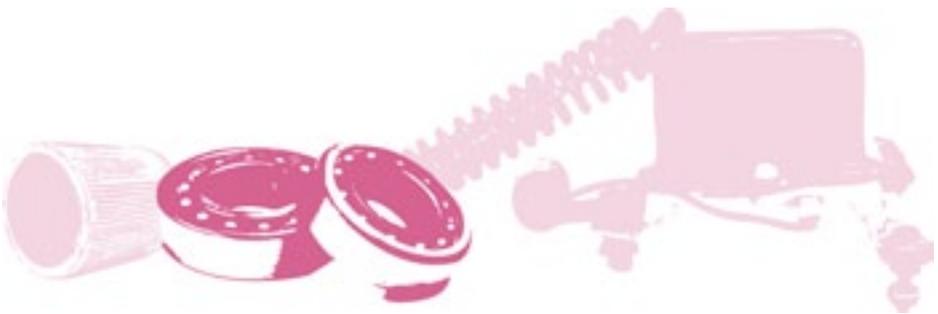
The operator must check that the site he plans to send the waste to, either for recycling or disposal is permitted to accept that waste type.

They must also ensure that the person moving the waste is a registered waste carrier.

Check at: [www.environment-agency.gov.uk/publicregister](http://www.environment-agency.gov.uk/publicregister) or ring **08708 506 506**.

The paperwork will vary depending on the type of waste they wish to remove from the site – either hazardous or non hazardous. **See box 12.**

It is possible to send certain waste abroad for reuse or recycling. **See box 17.**



## The Duty of Care

Anyone producing, keeping, treating or disposing of waste must comply with the 'Duty of Care'. Waste must not be allowed to escape and must only be passed to another authorised person. When transferring waste the operator will need to complete a waste transfer note or, if hazardous waste (for example batteries, undepolluted ELVs, waste engine oil) a hazardous waste consignment note.

Detailed guidance on how to comply with the Duty of Care and the hazardous waste regulations is available online:

**[www.environment-agency.gov.uk/dutyofcare](http://www.environment-agency.gov.uk/dutyofcare)**

**[www.environment-agency.gov.uk/hazwaste](http://www.environment-agency.gov.uk/hazwaste)**

### Non hazardous waste

For non hazardous waste (for example metal, plastic, fully depolluted, ELVs, tyres) the operator needs to complete a transfer note.

This is a document with details of the waste type, quantity, method of carriage (for example skip, lorry), date/time of the movement, operators details as well as the carriers details.

You must describe the waste and use the appropriate code from the **European Waste Catalogue** (also known as List of Wastes). This is a six figure number. Common codes used in the industry are given in **box 13**.

Both the operator and the waste carrier should sign the transfer note to show that the transfer has taken place.

Records must be kept for 2 years.

If the same waste is collected regularly throughout the year by the same carrier and it goes to the same destination then the operator can complete an annual transfer note known as a 'season ticket'. This contains the same information but is only completed once a year.

### Hazardous waste

For hazardous waste leaving the site (any vehicle not fully depolluted, oil, oil filters, the other liquids, batteries, Mercury etc) a consignment note must be completed.

The same information as above must be included. The European Waste Catalogue (EWC) can be found at: [www.environment-agency.gov.uk/ewc](http://www.environment-agency.gov.uk/ewc)

Commonly used codes for hazardous wastes are given in **box 13**.

You will see that the codes for hazardous waste have a star\* next to them. This is to show that they are hazardous.

Anyone who treats undepolluted ELVs is a hazardous waste producer and must register with the Environment Agency.

As a hazardous waste receiver, they must notify the Environment Agency annually of the amount of hazardous waste produced during the previous year: [www.environment-agency.gov.uk/hazwaste](http://www.environment-agency.gov.uk/hazwaste)

Failing to provide hazardous waste returns is an offence.

## European Waste Catalogue (also known as List of Wastes Codes)

This list gives you the headings for the generic waste types likely to arise from an ATF. The headings are subdivided into specific waste types.

Undepolluted Cars	16 01 04*
Fully Depolluted Cars	16 01 06
<hr/>	
Batteries (if lead acid)	16 06 01*
Tyres	16 01 03
Lead Weights	16 01 22
Wheels Without Tyres	16 01 17
<hr/>	
Petrol	13 07 02*
Diesel	13 07 01*
LPG	16 05 04*
Engine/Transmission Oils	13 02 04* to 13 02 08*
Antifreeze/Screen Wash	16 01 14* or 16 01 15
Suspension System Fluids	13 01 01* to 13 01 13*
Brake Fluid	16 01 13*
<hr/>	
Power Assisted Steering System	13 01 01* to 13 01 13*
Catalytic Converter	16 01 21* or 16 01 22*
Oil Filter	16 01 07*
Air Conditioning System Gas	16 05 04* or 16 05 05
Airbag Detonators	16 01 10*
Other Potential Hazardous Materials	for example 16 01 08*, 16 01 09*, 16 01 14*, 16 01 21*
<hr/>	
Brake Pads (Not Asbestos)	16 01 12
Empty LPG Tank	16 01 16
Ferrous Metal	16 01 17
Non Ferrous Metal	16 01 18
Plastic	16 01 19
Glass	16 01 20
Others	16 01 22

\*Hazardous Waste

To see the complete list go to [www.environment-agency.gov.uk/ewc](http://www.environment-agency.gov.uk/ewc)

## Site inspections

Before you go on any site inspection, carry out a **risk assessment**. Generic risk assessment for ELVs are available. There may be a site specific risk assessment available – speak to your line manager.

Show your warrant card.

Always sign in and meet the manager – there may be issues on site that you need to be aware of.

### Kit/PPE:

- Safety boots (steel mid-sole and toe cap), hard hat, reflective jacket, dust mask safety glasses, mobile phone;
- Warrant card, Permit, CAR form, Camera, Pens;
- Notebook, Code B.

### The inspection:

- For full guidance visit **Methodology for Assessing Compliance**;
- Check the site diary. It should provide a good record of incidents on site;
- Within reason, go where you want to go. The operator may try and lead you away from areas he doesn't want you to see;
- Discuss visiting the site out of hours with your team leader. Intelligence suggests that this is when some illegal activities are occurring;
- Check who brings material to the site. Are they registered carriers?
- Always sign out when leaving the site.

### Getting more out of the inspection – things to look out for:

- Check paperwork – see if consignment and transfer notes are being completed.
- Do the figures tally up? If a site has had 100 cars, can 500 tyres be accounted for?

- Check the ELVs – have they been drained of liquids (check the dipstick, antifreeze, wash bottle, other liquids).
- Be aware of vehicles arriving at a site and going straight through to the baler. These vehicles may not have been depolluted prior to their arrival at site. Check where these vehicles have come from.
- Ask the operator to explain how the equipment is used. Prove that he really can use it.
- Does the quantity of liquids/batteries in the storage facilities ever increase? If not, why not?
- Check the shock absorber – has it been removed or does it have a hole in it?
- Are the air bags blown? If so, there is a good chance the ELV has been depolluted.
- Does the ELV on the stand ever change? Ensure that the ELV on the stand is different on different inspections.
- Ask the operator where the removed liquids and parts are stored. Check that he knows the correct methods of storage.
- If a site removes engines with a grab, check no liquids pour out when this happens.
- Check if the brake nipples are removed (this is not always possible as they can seize) – this is the best way to remove brake fluids.
- Check the fuel tank has been drilled. Many fuel tanks have a slight ‘rise’ in the middle. If the hole is only on one side, there is a chance that fuel remains.
- Is the car lying low on the ground? If so, it is likely that the shocks have been removed.
- If the vehicle still has the wheels on then it’s highly likely that the shock absorbers have not been removed or depolluted.
- Does the site drainage drain to an interceptor? Check the oil interceptor.

## 14 Continued

- Is the discharge clean? Is there a consent? Is it ever cleaned – check the consignment notes.
- How is the vehicle being depolluted? How long does it take? Would this really allow the vehicle to be adequately depolluted?

To familiarise yourself with the various parts of an ELV/engine view images here: **Policies and procedures\Environmental work\Compliance\Environment Officers\Securing compliance\ELV**

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### Illegal sites

Operating without a permit is an offence under Reg 38(1)(a) & 12 of the Environmental Permitting Regulations (EPR). The normal enforcement response is prosecution.

The maximum penalty is currently £50K and/or 6 months imprisonment. This can be increased to an unlimited fine and/or 5 years imprisonment in crown court.

Section 33(1)(c) of the EPA 1990 can also be considered where keeping, treating or disposing of controlled waste may cause pollution to the environment.

### Enforcement for non compliance

Reference must be made to the **Enforcement and Prosecution Policy**.

Consultation with your regional legal department is vital when considering any enforcement and/or serving of Notices.

### Remedial response

If the waste has been deposited illegally a Notice under section 59 EPA 1990 can be served.

Failure to comply with any Notice is a criminal offence.

The **Notice handbook** should be used for the preparation of this Notice and a copy sent to your regional legal department.

### Permitted sites

Reference should be made to guidance for undertaking site inspections methodology – and the Compliance Classification Scheme (CCS) scoring methodology.

It is an offence under Regulation 38(1)(b) not to comply with permit conditions. The enforcement response will normally depend on the CCS score and public interest factors.

### Remedial response

An enforcement Notice under Regulation 36 or 37 of the EPR 2007 can be served.

### Other enforcement considerations

Consider revoking environmental permits after a person is convicted of a relevant offence or consider refusing a person a new permit if they have been convicted of a relevant offence.

It is also important to remember other tools available to the Environment Agency in response to non-compliances. In the serious cases and in conjunction with your legal department, consider the use of injunctions and the implications for Proceeds of Crime Act (POCA). This is legislation that can be used to seize illegally gained assets. To use POCA the offender must have committed:

- 1 offence over a 6 month period; or
- 4 offences totalling £5,000.

For assistance on POCA visit the **Proceeds of Crime Act** web page:  
**Policies and procedures\Environmental work\Enforcement\Gathering Evidence\Proceeds of crime act**

## 15 Continued

Remember, enforcement responses are also available for waste carriers, pollution, Hazardous waste, obstruction, offences. **Visit the Enforcement and Prosecution Policy** for more information: **Policies and procedures\Environmental work\Enforcement\Enforcement Process Document**

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### Exemptions

The operator will need to have an appropriate environmental permit or to have registered an exemption with us. The paragraph 45 (and other) exemptions are currently being reviewed by the government.

Find out more on our website:

**[www.environment-agency.gov.uk/para45](http://www.environment-agency.gov.uk/para45)**



## Can waste be sent abroad?

Before sending waste abroad the operator must check whether or not the export is allowed and, if allowed, what controls apply. Generally waste can only be exported for recovery – exports for disposal are almost always prohibited. Exports of certain types of waste to some countries, even if being exported for recovery are prohibited.

Exports that are potentially allowed are subject to either notification or Green List controls.

Notification controls are complex and costly to follow and entail obtaining a number of different permissions before moving the waste. Written permission from the Environment Agency and the country where the waste is going must be obtained. The receiving country must also be notified prior to actually moving the waste.

There is a specific team that can offer advice and support on waste shipments illegal or not. They are the International Waste Shipments Team email: **shipments@environment-agency.gov.uk**

With Green List controls the procedures that must be followed are simple and cheap to comply with – critically the operator does not need permission from us before proceeding with such exports.

In all cases the person exporting the waste must ensure the waste is destined to either an appropriately permitted facility if being exported to a site in the EU or, if being exported outside the EU to a facility that operates in accordance with human health and environmental protection standards that are broadly equivalent to those established in EU legislation.

Exports in breach of the applicable rules will always involve the commission of criminal offences: **www.environment-agency.gov.uk/tfs**

## Securing compliance – Waste Exports

The illegal export of waste is currently one of the Environment Agency's highest priorities. To assist, the Securing Compliant Waste Export Project team are asking Environment Officers to be aware of this issue during inspections. Please note:

- electrical items being stored in bulk quantities. In particular televisions and computer monitors with cathode ray tubes (for example the older, wider style pre-flat screen) and fridges/freezers;
- look out for the presence of any shipping containers/trailers on site.

### When assessing paperwork

- where does the waste go when it leaves the site?
- who is the waste being sold to?
- is there any evidence of shipping documents, for example a bill of lading or invoice addresses abroad?
- if you know a site exports waste, check to see if the loads match the descriptions on the export notes – particularly with Green List waste.

To report any suspicions or if you would like any further information regarding the project please feel free to contact:

**[weee.exports@environment-agency.gov.uk](mailto:weee.exports@environment-agency.gov.uk)**

## Metal theft

Metal theft is a serious problem in the UK.

We are working closely with the Association of Chief Police Officers, trade bodies and other regulators. We are asking you to be aware of potentially stolen metal on sites.

Keep an eye out for large numbers of manhole covers, cable, beer kegs, etc and if you see anything suspicious please contact your local police **[www.askthe.police.uk](http://www.askthe.police.uk)** or speak to your local Environmental Crime Team (ECT).

**Do not gather evidence or put yourself in danger.**



## Further information

For further information, we suggest you visit the following websites:

- Easinet: **Policies and procedures\Environmental work\Compliance\Environment Officers\Securing compliance\ELV**

### Business Innovation and Skills (BIS)



We are responsible for compliance with the recycling targets. ATFs handling vehicles outside arrangements with vehicle manufacturers are required to report annually to BIS by 1 April each year, setting out the number of vehicles they have treated in the preceding calendar year and the recycling rate achieved – the Regulations set a minimum 85% target.

For those ATFs which do have arrangements with vehicle manufacturers, it is the vehicle manufacturer that has the responsibility for reporting to BIS and ensuring that the recycling target is met.

**[www.bis.gov.uk](http://www.bis.gov.uk)**

### Driver and Vehicle Licensing Agency (DVLA)



The DVLA's role in relation to ELVs is to facilitate and enforce the issue of CoDs by ATFs for eligible vehicles, and to update the vehicle keeper record.

**[www.dvla.gov.uk](http://www.dvla.gov.uk)**

**Would you like to find out more about us, or about your environment?**

**Then call us on**

**08708 506 506** (Mon–Fri 8–6)

**email**

**enquiries@environment-agency.gov.uk**

**or visit our website**

**www.environment-agency.gov.uk**

**incident hotline 0800 80 70 60** (24hrs)

**floodline 0845 988 1188**

**\* Approximate call costs: 8p plus 6p per minute (standard landline).  
Please note charges will vary across telephone providers**



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