

End of Life Vehicles and the Hazardous Waste Regulations

If you comply with the requirements below, we will not pursue certain requirements and the full charges associated with the Hazardous Waste Regulations for the movements of hazardous End of Life Vehicles received at Authorised Treatment Facilities.

Background

This regulatory position statement clarifies how the Hazardous Waste Regulations (HWR) apply to the movements of hazardous End of Life Vehicles (ELVs) received at Authorised Treatment Facilities (ATFs). It also provides a conditional relaxation to the charges applied to ATFs receiving hazardous ELVs. More information about hazardous waste can be found on [our website](#).

All provisions of the HWR apply to waste undepolluted ELVs that are taken to ATFs, for any purpose, and in all circumstances.

The Environment Agency's position

We will not require ATFs to enter each individual consignment of hazardous ELVs on their quarterly consignee return where the conditions below are met. Instead, for such wastes, one consignment note code should be entered that summarises all of your receipts of hazardous ELVs that relates to the quarter for which you are making the return. Other consignments of hazardous ELVs that do not comply with the conditions below or other hazardous wastes, such as batteries, should be entered in accordance with the normal procedure on the same return. You should not send us two separate consignee returns for the same quarter.

We will also not pursue the full charge for consignee returns where:

- it is the first movement of a hazardous ELV from its place of production as waste to the ATF (it does not apply to any further movements of hazardous ELVs from an ATF);
- movements of hazardous ELVs are recorded on a consignment note;
- the premises where the waste is produced or held must comply with the requirements for premises notification;
- the ATF must comply with the requirement to:
 - send the producer and/or consignor a return
 - keep records in accordance with the regulations
 - submit a quarterly consignee return to the Environment Agency.

- the reception facility holds an environmental permit or exemption that authorises them to receive hazardous ELVs;
- you meet the relevant objectives of the Waste Framework Directive; '... ensuring that waste is recovered or disposed of without endangering human health and without using processes or methods which could harm the environment and in particular without –
 - (i) risk to water, air, soil, plants or animals; or
 - (ii) causing nuisance through noise or odours; or
 - (iii) adversely affecting the countryside or places of special interest.'

Enforcement

In not pursuing these aspects of the HWR for the movement of hazardous ELVs to ATFs, this means we will not normally take enforcement action unless the activity has caused, or is likely to cause, pollution or harm to health. For a more detailed explanation of this enforcement position, please refer to the public interest factors in Guidance for the Enforcement and Prosecution Policy. This document can be found on the 'How we regulate you' page in the Business & Industry section of our website.

This regulatory position will be reviewed by 1st August 2011.

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