

The export of End of Life Vehicles (ELVs)

Quick guide 343_18

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What's this document about?

This quick guide sets out when vehicles are ELVs and subject to waste controls including Transfrontier Shipment of Waste (TFS) Regulation controls. It explains what sellers and exporters of ELVs need to do so that they comply with TFS and waste shipment regulations.

Who does this apply to?

Environment officers, enforcement officers and others who are regulating ELV sites and the export of wastes in England.

Contact for queries and feedback

- [Tania Tucker](#) - Senior Advisor (020302 56785)
- Please give [anonymous feedback](#) for this document.

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When is a vehicle an ELV?

Vehicle or ELV?

End of Life Vehicles (ELVs) are waste and the depollution and dismantling of them is a waste treatment activity and must have a permit.

Typically a vehicle becomes an ELV when the owner has decided to scrap it or must scrap it. Examples of ELVs include;

- a vehicle that has been damaged and cannot be safely repaired and driven on the road (Category A or B insurance write off);
 - Insurance write off categories S and N (formally C and D) that are going to be dismantled (broken) for spare parts; or
 - any other vehicle purchased with the intention of scrapping/dismantling for spare parts.
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Who has a role in the export of ELVs?

Export roles

There are often a number of people and companies involved in the export of an ELV and each has a responsibility to ensure they comply with Duty of Care and the TFS Regulations.

1. Seller (also known as the producer). For example the auction site/ATF.
2. Exporter (also known as the notifier/ consignor). This is the person or company that arranges the export and it may be the same as 3,4 and 5.
3. Transporter (the waste carrier who physically transports the ELV from the seller to the dismantler). This may also be the same as 2, 4, and 5 or an independent haulier. They must have a valid upper tier carrier registration.
4. Importer (the person/company who arranges for the import). This may also be the same as 2, 3 and 5.
5. Receiver (also known as the consignee/recipient ATF). This may also be the same person/company as in 2, 3 and 4.

In some cases the same person or company may be acting in several different capacities.

Exporting an undepolluted ELV

Undepolluted ELVs

ELVs that have not had the fluids and hazardous components removed are known as undepolluted ELVs and are hazardous waste.

If the ELV is being exported from the UK, waste notification documents and movement forms must be completed and authorised **before the ELV is moved**. This is not a new regulatory requirement it has been in place for many years and applies throughout the European Union (EU).

Information on the notification process can be found on the GOV.UK website at <https://www.gov.uk/guidance/importing-and-exporting-waste>. An outline of the notification process is in the section below.

Duty of Care

The seller of the ELV can only release the ELV to an **authorised person**. Where the ELV is destined for dismantling in

- the UK this will be a permitted ELV site, and an upper tier registered waste carrier with a hazardous waste consignment note.
- a non-UK country this will be a waste carrier with an upper tier carrier registration in the UK even if they have a carrier registration in their home country and the relevant TFS notification and movement forms for the export of the ELV.

Failure to do this is a criminal offence because it breaches Duty of Care and the Transfrontier Shipment Regulations.

The export notification process

Sellers of undepolluted ELVs

Export is often not undertaken by the vehicle seller but usually by the vehicle purchaser.

The seller is usually the auction site or the ATF where the vehicle was stored and sold from.

Sellers have a legal duty, under Duty of Care, to check that the person receiving the vehicle is authorised to do so and that the correct paperwork is in place. They will need to keep records because they will be listed as the "waste generator/producer" in box 9 of the notification and movement forms.

See appendices 1 and 2 for examples of the forms.

Exporters what do they need to do?

Before starting the application, process exporters need to check that they can export the ELV to the intended destination country.

They do this using the waste export control tool which can be found here: <http://apps.environment-agency.gov.uk/waste-import-export/124357.aspx>

The screenshot shows a web browser window with the URL <http://apps.environment-agency.gov.uk/waste-import-export/124357.aspx>. The page features the Environment Agency logo and a decorative banner. Below the banner is a section titled "Waste export controls tool" with a sub-header "Waste export controls tool". A description states: "This tool will help you to identify the appropriate classification code for waste which is intended for export and the regulatory controls which apply to exports of those wastes to certain countries." The interface includes three tabs: "What do you want to export?", "Where is the waste going?", and "Controls in place?". The "What do you want to export?" tab is active, showing a search box with the placeholder text "Type in the name of the waste you wish to export e.g. Copper scrap" and a "Search" button. Below the search box, it says "Or choose from a popular waste category below:" and lists several categories: Metals, Electrical Equipment, Paper, Glass, Tyres, EL Vehicles, Plastic, and Textiles. The "EL Vehicles" category is circled in red.

There is a quick link for ELVs (highlighted on page 3) and it will take you to the section where you can find the relevant information and guidance on what you need to do to export the ELV.

Exporters what do they need to do?

The tool will enable the exporter to check they can export the ELV to the intended country. Undepolluted ELVs contain hazardous components and are list of waste code (EWC) 16 01 04* so they must select that link.

Your search for EL Vehicles found 2 results

Code	Description
+ B1250	Waste end-of-life motor vehicles, containing neither liquids nor other
- 16 01 04*	End of Life Vehicles + Vehicles containing liquids or hazardous components.

Exporters what do they need to do?

Exporters can then select the country of destination to find out if the ELV is able to be exported and the controls that are in place for the export to that country.

The export of undepolluted ELVs is prohibited outside of European Union (EU) or The countries in the Organisation for Economic Co-operation and Development (OECD). You can find a list of OECD countries at <http://www.oecd.org/about/membersandpartners/list-oecd-member-countries.htm>

Provided the export of the ELV is permitted to the proposed country of destination. The Exporter can apply for the export notification documents using the International Waste Shipments (IWS) online system.

Waste export controls tool

This tool will help you to identify the appropriate classification code for waste which is intended for export and the re

What do you want to export? Where is the waste going? Controls in place?

Select the country to which you would like to export the waste from the dropdown list below

You have selected to export Vehicles containing liquids or hazardous components. . Please select the country from the dropdown list below to which you want to export the waste

Please select a country to export to:

Applying to export ELVs

Making a notification

A notification is made for the export of 'waste' (in this case ELVs) from one named facility/site in England to one named facility/site in the destination country.

To apply to export ELVs exporters must follow the application process using the IWS online system, which can be accessed here:

<https://international-waste-shipments.service.gov.uk/>

Important: It is not possible to have multiple export points (facilities/sites) or multiple destination sites/facilities on a single notification. A notification needs to be made for each facility from which ELVs will be exported from.

The first time exporters use the system they will need to register as a user.

Notification forms

- The **producer** is the last person/company that handled the ELV so where ELVs are purchased from an auction/ATF site and exported from that auction/ATF site then the car auction should be listed as the producer.
- The **notifier** is the person/company who is arranging for the export of the ELV and needs to be registered as a [waste carrier, broker or dealer](#) in the UK. They will need a letter of authorisation from the waste producer to act as notifier on their behalf.
- The **consignee** is the person arranging for the import of the ELV.
- Third party transport companies will be able to transport the ELVs, as long as they are a registered waste carrier in the UK and named in the list of transport companies/hauliers that provided with the notification application.

Notification fees

The fee payable is based on the number of expected shipments. Each notification can last for up to a year.

If an exporter is regularly buying and shipping ELVs from a specific site to a specific site, they estimate how many ELVs they are likely to buy and export over the year and apply for that number of shipments.

If they are exporting from multiple sites then they will need to complete a notification for each site ELVs are exported from or transport and store the ELVs at one site to be exported from.

The fees payable are grouped by the number of shipments. (Correct as of June 2018).

Number of shipments:	1	2 to 5	6 to 20	21 to 100	101 to 500	500+
Export for recovery	£1,450	£1,450	£2,700	£4,070	£7,920	£14,380
Average volume-dependent price per vehicle exported. (If only one car shipped per load so worst case scenario)	£1450	£725-£290	£450-£135	£193-£40.70	£78-£14	£29-

Financial guarantee or insurance

The insurance/financial guarantee must be sufficient to cover the following costs should the load be rejected or deemed illegal by customs or the regulatory authorities:

- transporting the waste back to the UK if it is refused or illegal
- arranging for the depollution and dismantling of the ELVs in the load at a permitted ATF if the import is refused or deemed illegal.
- storage for up to 90 days where the load is stopped/impounded pending repatriation or onward transport.

The Environment Agency must approve the financial guarantee/insurance before the ELVs can be exported. Applications must include a completed financial guarantee form:

<https://www.gov.uk/government/publications/application-for-approval-of-financial-guarantee-or-equivalent-insurance>

Contract

A legally enforceable, written contract between the exporter and the importer must be in place. This contract must include:

- a certificate from the business recovering or disposing of the waste, confirming they have the correct permits in place to depollute and dismantle ELVs.
 - an obligation for the notifier (exporter) and/or the producer (auction house/ATF selling the ELVs) to take the ELV back if the shipment, recovery or disposal does not go ahead as intended, or if the shipment is stopped as illegal
 - an obligation for the importer/receiving site (consignee) to recover or dispose of the ELV if it is found to be illegal as a result of the consignee's action. For example they do not hold the correct permit they must arrange for a suitably permitted site to depollute and dismantle the ELV.
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Insurance

Third party insurance must be in place to cover any issues arising from the shipment of the load. It must be in place before the notification application is submitted.

Completed applications

Completed Applications, fees, original signatures and supporting documentation must be sent to:

International Waste Shipments Team, Environment Agency, Richard Fairclough House, Knutsford Road, Warrington WA4 1HT

How are applications processed?

Approving the notification application can take **approximately 4-6 weeks** (sometimes longer because it is dependent on the information you provide and the time taken for destination authorities to give their consent).

The process can be summarised as:

- The International Waste Shipments Team at the Environment Agency, receives and checks the notification forms and information is complete. The forms are sent to any transit authorities (countries the load will pass through) and the destination authority.

- The destination authority checks the notification forms and if satisfied they stamp the notification form in block 19 (this is acknowledgement). They will send a copy of the acknowledgement to the exporter and the other authorities.
- Once the forms have been acknowledged by the destination authority all authorities (dispatch, transit and destination) have 30 days in which to provide their consent for the notification. If no response is received within 30 days from a transit authority it is deemed that they have given consent.
- Vehicles can only be shipped once consent from all relevant authorities has been given and the financial guarantee has been approved by the Environment Agency.

[IWS online](#) will allow exporters to track your notifications. An example pre-notification form is included in [appendix 1](#)

Summary

The exporter (notifier) must:

- Check the correct consents from the competent authorities are in place and that the financial guarantee is approved and valid.
- Create a pre-notification on [IWS online](#) - print and sign it then upload it to IWS online.
- Send copies to the other competent authorities and the destination waste facility, but not more than 30 days before you intend to ship and no later than 3 working days before shipping.
- Check the carriers you intend to use are registered.

Exporters do not need to send the Environment Agency a copy of the pre-notification if it has been uploaded to IWS online. The pre-notification document must be completed before the start of the shipment (blocks 2, 5 to 8 have been completed).

When the ELVs are shipped

Before each ELV or load of ELVs are exported:

The exporter (notifier) must:

- Complete a movement document for every shipment made under the consented notification. A movement form has been included in [Appendix 2](#)

A copy of the completed movement document and the consented notification document, including annexes, must go with the ELV/load of ELVs and stay with it throughout the journey.

Shipment data must be added to [IWS online](#) upon receipt and then upon the recovery or disposal of the waste at the final ATF site.

The exporter and seller must keep records of the notification and movement documents.

Exporting fully depolluted ELVs

Full depollution

If the ELV destined for export has been fully depolluted by an Authorised Treatment Facility it is no longer hazardous waste.

Depollution must be fully completed in accordance with the ELV Directive and it includes draining shock absorbers (or removing the shock absorbers and packaging them to be sold as second hand parts).

Fully depolluted ELVs are known as “green list waste” and can be exported under Article 18 controls using Annex VII forms.

These are found at <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2013:079:0019:0023:EN:PDF> .

Failure to fully depollute ELVs and exporting them as green list waste will result in the load being illegal.

This is a criminal offence and could result in the load being repatriated to the UK at cost to parties involved in the export chain. This includes the producer.

Can the ELV be legally exported?

As with undepolluted ELVs exporters must check the country to which they intend to export the ELV will allow them to be imported.

They do this using the [waste export control tool](#).

Usually fully depolluted ELVs are able to be exported to European countries but if the export is to countries outside of Europe there may be additional controls or the export may be prohibited.

Your search for EL Vehicles found 2 results

Code	Description
 B1250	Waste end-of-life motor vehicles, containing neither liquids nor other
 16 01 04*	End of Life Vehicles ▶ Vehicles containing liquids or hazardous components.

Waste Shipment code for fully depolluted ELVs.

If the export to the destination country is allowed then the waste Export Tool will provide you with the relevant forms and guidance.

Before the fully depolluted ELV is exported

- The Annex VII form must be completed. A copy is included in [appendix 3](#).
- There is no fee associated with the Annex VII forms it does not need to be submitted to us before shipping the ELVs.

There must be a written contract between the exporter and the person importing the ELV (unless it is one and the same person/company). It must ensure that if the shipment is not completed or is found to be illegal, the exporter will take the waste back or recover it in another way, and provide for its storage in the meantime.

Annex VII forms

- The exporter (block 1) is the person who arranges the shipment and signs the declaration in block 12 to say there is a contract in place.

If the exporter is a [broker/dealer](#) based in the European Union (EU), they must be registered with the Environment Agency, the Scottish Environmental Protection Agency (SEPA) or Natural Resources Wales if

arranging waste shipments from Great Britain. In addition a broker or dealer based outside the EU, must be registered and have a personal or business address in the UK.

- The importer or consignee (block 2) may be either the recovery facility or a broker/dealer who is under the jurisdiction of the country of destination and has legal control over the waste when it arrives there.
- The recovery facility (block 7) must be the facility where the ELV will be dismantled.
- The appropriate codes for (block 8) can be found in annex II of the EU Waste Framework Directive. The dismantling of ELVs is a R4 activity.
- A copy of the Annex VII form must always travel with the waste. When the waste arrives at the destination site the importer and (if different from the importer) the recovery facility must sign and complete the annex VII form at blocks 13 and 14.

Exporters, importers and the recovery site (if different to the importer) must keep copies of the forms for 3 years. These can be audited by the EA/ SEPA/ NRW, or the regulators in the destination country.

Further information on how to complete the Annex VII form can be found in the following link:

http://ec.europa.eu/environment/waste/shipments/pdf/correspondents_guide_lines10_en.pdf

Related documents

Useful links

Guidance on the international shipment of waste can be found:

<https://www.gov.uk/guidance/importing-and-exporting-waste>

Waste Shipment Regulation

<http://eur-lex.europa.eu/legal-content/en/ALL/?uri=CELEX:32006R1013>

Annex VII (regulation 255/2013EC)

<http://eur-lex.europa.eu/legal-content/EN/ALL/?uri=celex:32013R0255>

International Waste Shipments Team: Askshipments@environment-agency.gov.uk