

Assessment of the implementation of Directive 2000/53/EC on end-of life vehicles (the ELV Directive) with emphasis on the end-of life vehicles with unknown whereabouts

Project Description

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1 Background information

Directive 2000/53/EC of the European Parliament and of the Council of 18 September 2000 on end-of life vehicles (subsequently “ELV Directive”)¹ aims to make end-of life vehicle (ELV) dismantling and recycling more environmentally friendly². The ELV Directive stipulates targets for reuse, recycling and recovery of ELVs and their components. It also defines the requirements on how to establish producer responsibility in this field, and it determines minimum technical requirements for treatment standards. Among other, it establishes a framework for producers to manufacture new vehicles free of hazardous substances (in particular lead, mercury, cadmium and hexavalent chromium), thus promoting the reuse, recyclability and recovery of waste vehicles.

Article 5(3) of the ELV Directive states that Member States (MS) shall set up a system for the collection, treatment and recovery of end-of life vehicles, according to which the presentation of a Certificate of Destruction (CoD) is a condition for de-registration. This CoD shall be issued to the ELV’s owner once the vehicle has been transferred to an Authorised Treatment Facility (ATF) for storage and treatment (e.g. dismantling and depollution). Additionally, MS shall take the necessary measures to ensure that their competent authorities mutually recognise and accept the CoD issued by other MS.

Article 6 and Annex I to the ELV Directive provide the administrative and environmental requirements for ATF operation and ELV treatment.

Article 3 of the *Commission Decision 2005/293/EC of 1 April 2005 laying down detailed rules on the monitoring of the reuse/recovery and reuse/recycling targets set out in Directive 2000/53/EC of the European Parliament and of the Council on end-of life vehicles* (subsequently “Commission Decision on annual ELV reporting”)³, requires Member States to provide the annual breakdown of their (a) current national vehicle market and (b) the ELVs in their territory.

As seen from assessments performed for the Commission covering years 2008⁴, 2009⁵, 2012⁶ and 2013⁶, approximately **3.4 to 4.6 million vehicles per year** are not reported; they are neither registered as part of the European vehicle stock (also called “vehicle parc”), nor as vehicles exported from the EU (termed extra EU-Export in COMEXT), nor as ELVs (Eurostat). Vehicles under Eurostat’s ELV listing are treated properly in ATFs, as the ELV Directive envisaged. The assessments also stated that the majority of the vehicles of

¹ OJ L 269, 21.10.2000, p. 34.

² According to the “Recital no. 1” in the ELV Directive (OJ L 269, 21.10.2000, p. 34): “The different national measures concerning end-of life vehicles should be harmonised in order, first, to minimise the impact of end-of life vehicles on the environment, thus contributing to the protection, preservation and improvement of the quality of the environment and energy conservation, and, second, to ensure the smooth operation of the internal market and avoid distortions of competition in the Community.”

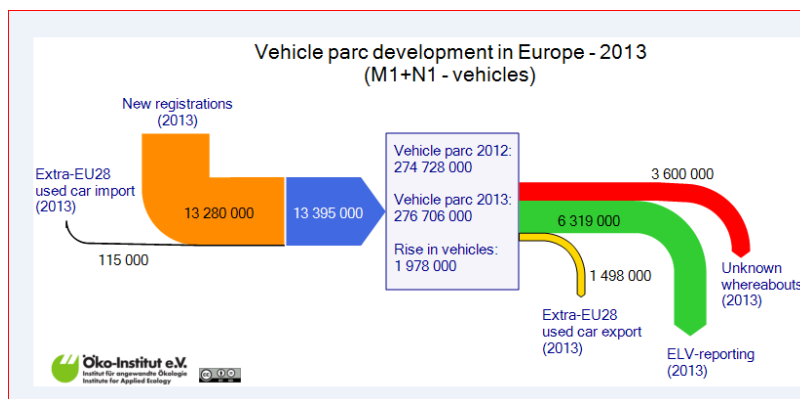
³ OJ L 94, 13.4.2005, p. 30–33.

⁴ European second-hand car market analysis (2011):
http://ec.europa.eu/clima/policies/transport/vehicles/cars/studies_en.htm

⁵ Merz, C.; Mehlhart, G.: Import und Export von Gebrauchtfahrzeugen in Europa, in: *Recycling und Rohstoffe - Band 5*, Hrsg: K. J. Thomé-Kozmiensky, D. Goldmann, TK Verlag Karl Thomé-Kozmiensky; 2012, p. 639-658

⁶ These updated values are preliminary results of a currently running assessment study for the European Commission. They were presented during the 16th International Automobile Recycling Congress IARC 2016 by the Commission (<http://www.icm.ch/iarc-past-events>) and additionally are available in the [document](#) “Assessment of current situation of ELVs with unknown whereabouts – preliminary results”

unknown whereabouts should be considered as illegally scrapped or stored within the EU⁴. The figure below displays the numbers reported for the year 2013.



A summarized assessment of ELVs with unknown whereabouts within EU is available in an additional [document](#).

Reacting to these findings, the European Commission (EC) and the MS have initiated several initiatives and measures to improve the ELV Directive implementation and enforcement. For example, the Commission published the *Correspondents' Guidelines No 9 on shipment of waste vehicles*⁷, which was agreed upon by the Waste Shipment Correspondents and has been in use from 1 September 2011. These Guidelines are also published as the *Guidelines on Reporting*⁸ on ELVs for the MS, according to the Commission Decision on annual ELV reporting.

However, some issues still remain challenging and risk compromising the achievement of certain ELV Directive objectives, in particular the dismantling of ELVs by illegal facilities. The Commission has received complaints raising concerns as to the environmental impact of 'missing vehicles' as well as in relation to distortions of the level playing field for the commercial ELV management across Europe.

ELVs, when not depolluted or treated, are classified as hazardous waste for various reasons. Firstly, spilled or burned engine oil and unsafe FCHC handling from air conditioners can cause particular environmental and human health concerns. About 6 to 12 litres of liquids (other than fuels) are normally separated during the ELV depollution process per vehicle. Calculated from the EU's 3.4 to 4.6 million vehicles of unknown whereabouts, between 20 and 55.2 million litres of hazardous non-fuel liquids are unaccounted for. Furthermore, unsafe handling of the acid from lead-acid batteries and unsafe treatment, e.g. burning of plastics from ELVs, also pose grave concerns.

Because of the high number of EU vehicles of unknown whereabouts, whose materials and content may be valuable and can potentially cause significant environmental harm without proper treatment, the Commission aims to further investigate the reasons for missing ELVs within the EU.

⁷ Correspondents' Guidelines No 9 on shipment of waste vehicles (<http://ec.europa.eu/environment/waste/shipments/guidance.htm>)

⁸ How to report on end-of-life vehicles according to Commission Decision 2005/293/EC (<http://ec.europa.eu/eurostat/web/waste/reporting/2015>)

The DG Environment of the European Commission under Framework Contract ENV.A.2/FRA/2015/0008 of 27/03/2015 requested this study, which is carried out by a consortium that Oeko-Institut e.V. leads.

2 Objectives and scope of the study

The study's **objectives** can be outlined as follows:

- Provide information to improve the knowledge surrounding the unknown whereabouts of vehicles;
- Assess the ELV Directive implementation;
- Identify potential improvements for the Commission Decision on ELV reporting.

The **scope** of the study on vehicles of unknown whereabouts covers, among others, the following points:

- Assessing the current situation (including possible data sources and data quality);
- Identifying the reasons and destinations of vehicles of unknown whereabouts;
- Identifying and assessing the measures that Member States and the European Commission have taken to address the issues of this study, e.g. ELVs, vehicles of unknown whereabouts (including existing EU laws addressing vehicle registration and deregistration);
- Carrying out a public consultation regarding potential measures to improve implementing certain aspects of the ELV Directive, especially emphasizing missing vehicles⁹; and
- Holding a stakeholder workshop to discuss the study's preliminary results.

3 Project set-up and time schedule

The project began in December 2015 and will present first assessments of the issue of ELVs of “unknown whereabouts” and “potential measures to improve the implementation of certain aspects of the ELV Directive” in 2017.

The project's general time schedule is as follows.

⁹ [Guidance document](#) provides more information about the public consultations

Date	Issue
29 June 2016	Launch of a 12-week public stakeholders' consultation
Expected to be available in October/November 2016	Report to share the public consultation's results, published six weeks after closing the public consultation
23 November 2016	Stakeholders' workshop in Brussels, envisaged to discuss the study's preliminary results
Mid-2017	Publication of the final report, with the study's main findings including an assessment of vehicle's unknown whereabouts, the outcome of the public consultation and recommendations for potential measures to improve implementation of the ELV Directive