Text consolidated by Valsts valodas centrs (State Language Centre) with amending regulations of:

2 August 2011 [shall come into force from 6 August 2011];

26 January 2016 [shall come into force from 29 January 2016].

If a whole or part of a paragraph has been amended, the date of the amending regulation appears in square brackets at the end of the paragraph. If a whole paragraph or sub-paragraph has been deleted, the date of the deletion appears in square brackets beside the deleted paragraph or sub-paragraph.

Republic of Latvia

Cabinet

Regulation No. 135

Adopted 22 February 2011

**Regulations Regarding Recycling of End-of Life Vehicles and Environmental Requirements Determined for Treatment Facilities**

*Issued in accordance with*

*Section 8, Paragraph three, Section 9, Paragraph two and four,*

*Section 13, Paragraph one of the End-of Life Vehicles Management Law and*

*Section 24.2, Paragraph two of the Law On Pollution*

**I. General Provisions**

1. This Regulation prescribes:

1.1. the requirements for environmental protection to be conformed to by a treatment facility;

1.2. the time periods and the scope to which economic operators shall ensure re-use, recovery and recycling of end-of life vehicles (except special vehicles — ambulance cars, funeral cars, motor vans or armoured cars), the components and materials thereof;

1.3. the mandatory information to be included in the plan for the re-use, recovery and recycling of end-of life vehicles and the elements and materials thereof (hereinafter — the plan);

1.4. the information to be included by a treatment facility in the report regarding a preceding calendar year (hereinafter — the report).

2. Provisions of Chapter II of this Regulation shall apply to treatment facilities which carry out dismantling of motor vehicles (passenger cars, lorries, buses, mopeds, motorcycles, tricycles, quadricycles), mobile agricultural machinery, mobile mechanisms not to be used in traffic, and also trailers, semi-trailers and other mobile machinery, as well as the re-use, recovery and recycling of elements and materials thereof.

3. Provisions of Chapters III and IV of this Regulation shall apply only to the vehicles referred to in the End-of Life Vehicle Management Law.

3.1 Undertakings referred to in Paragraph 17 of this Regulation shall ensure establishment of the sites for collection of end-of life vehicles, by covering the entire territory of the State.

*[2 August 2011]*

4. The State limited liability company *Latvian Environmental, Geology and Meteorology Centre* shall draw up and send a report to the European Commission (by conforming to the report outline laid down by the European Commission) on the situation in the Latvian market of vehicles, end-of life vehicles in the State territory and amounts of re-use and recovery of materials and elements of end-of life vehicles or amounts of re-use and recycling thereof. A report shall be provided within 18 months after the end of the period of time covered by such report.

**II. Requirements for Environmental Protection for Treatment Facilities**

5. An operator of the treatment facility (hereinafter — the operator) shall obtain Category B permit in accordance with the laws and regulations regarding the procedures for applying for Category A, B and C polluting activities and the issuance of permits for the performance of Category A and B polluting activities.

6. An operator shall co-ordinate with a local government in writing the location of a treatment facility and end-of life vehicle collection point.

7. Before the treatment of an end-of life vehicle labelled or otherwise identifiable materials and elements of a vehicle shall be removed.

8. Materials and elements, after shredding of which hazardous waste is produced, shall be removed and segregated separately so as not to contaminate subsequent shredder waste.

9. Elements shall be removed from an end-of life vehicle and end-of life vehicle shall be stored so as to ensure suitability of the elements of the vehicle for re-use, recovery and recycling.

10. An operator shall ensure the following at storage sites (including temporary storage) of end-of-life vehicles prior to their treatment:

10.1. surfaces impermeable by water and polluting substances with the provision of surface spillage collection facilities, decanters and cleanser-degreasers;

10.2. equipment for the treatment of water and rainwater, in compliance with laws and regulations regarding emission of polluting substances into the water.

11. An operator shall ensure the following at sites intended for the treatment of end-of life vehicles:

11.1. surfaces impermeable by water and polluting substances with the provision of surface spillage collection facilities, decanters and cleanser-degreasers;

11.2. storage facilities for dismantled, re-usable elements, also for storage of oil-contaminated elements so as leakage of oil would not be possible;

11.3. appropriate containers for storage of batteries (with electrolyte neutralisation on site or elsewhere), oil filters, and also for separate storage of polychlorinated biphenyl/polychlorinated terphenyl-containing condensers;

11.4. appropriate storage tanks for the segregated storage of end-of-life vehicle fluids: fuel, motor oil, manual gearbox oil, automatic gearbox oil, transmission oil, hydraulic oil, cooling liquids, brake fluids, battery acids, air-conditioning system fluids and any other fluid contained in the end-of-life vehicle;

11.5. equipment for the treatment of water and rainwater, in compliance with laws and regulations regarding emission of polluting substances into the water;

11.6. facilities for the storage of used tyres, by ensuring the prevention of fire hazards, and also taking into account the maximum permissible stockpiling of used tyres laid down in a permit;

11.7. commencement of treatment of an end-of life vehicle within one month after acceptance thereof;

11.8. that after obtaining a special permit (licence) for activities with cooling fluids works are carried out in conformity with laws and regulations regarding substances depleting the ozone layer and fluorinated greenhouse gases which are cooling fluids.

12. When carrying out dismantling and treatment operations of end-of-life vehicles, an operator shall ensure:

12.1. disassembly of batteries and liquefied gas tanks;

12.2. disassembly or neutralisation of potential explosive components, including air bags and seat belt retractors;

12.3. removal, separate collection and storage of fuel, motor oil, manual gearbox oil, automatic gearbox oil, transmission oil, hydraulic oil, cooling liquids, brake fluids, battery acids, air-conditioning system fluids and any other fluid contained in the end-of-life vehicle, unless the abovementioned liquids are necessary for the re-use of the elements concerned;

12.4. disassembly, as far as feasible, of all elements containing mercury;

12.5. disassembly of catalysts;

12.6. disassembly of metal elements containing copper, aluminium and magnesium if these metals are not segregated in the shredding process;

12.7. disassembly of tyres and large plastic elements (dashboard, fluid containers, bumpers, seats), if these materials are not segregated in the shredding process in such a way that they can be effectively recycled as materials;

12.8. disassembly of glass elements;

12.9. disassembly of seats and passenger compartment upholstery.

13. The storage of elements shall be carried out avoiding damage to elements containing fluids or to re-usable or recoverable elements and spare parts.

14. A log-book shall be arranged for accounting of hazardous waste produced during the dismantling process in accordance with the laws and regulations regarding the procedures for the accounting, identification, storage, packing, labelling and accounting of transportation of hazardous waste.

15. If an operator does not carry out waste management and waste-water treatment, he or she shall, upon a request of the State environment inspector, present the following agreements:

15.1. on the transfer of waste for management;

15.2. on the waste-water treatment.

16. If the results of inspection or other information indicates that activity of a treatment facility fails to comply with the requirements laid down in this Regulation, other laws and regulations governing environmental protection or permit conditions, a relevant regional environmental board of the State Environmental Service (hereinafter — the board) shall immediately request the operator to carry out appropriate measures in order to ensure conformity with the abovementioned laws and regulations.

**III. Norms for the Re-use, Recovery and Recycling of End-of Use Vehicles, Elements and Materials Thereof**

17. Performance of the norms for the re-use, recovery and recycling of end-of use vehicles, elements and materials thereof (hereinafter — recycling norms) shall be ensured by:

17.1. a treatment facility;

17.2. one or several economic operators, if they have mutually agreed on joint measures for the achievement of the recycling norms;

17.3. a manufacturer or an authorised representative thereof, provided that he or she has established a system for the management of end-of life vehicles in accordance with Section 8, Paragraph two of the End-of Life Management Law or entered into agreements with treatment facilities, and also entered into agreement with the Ministry of Environmental Protection and Regional Development.

18. The facilities referred to in Paragraph 17 of this Regulation shall ensure fulfilment of the following recycling norms:

18.1. the re-use and recycling of all collected elements and materials of end-of use vehicles up to a minimum of 85 % of the average weight of end-of life vehicles per year;

18.2. the re-use and recovery of all collected elements and materials of end-of use vehicles up to a minimum of 95 % of the average weight of end-of life vehicles per year.

*[26 January 2016]*

19. The facilities referred to in Sub-paragraphs 17.1 and 17.2 of this Regulation shall develop and submit a plan for the next five years to a relevant board. It shall be laid down in the plan how to achieve the recycling norms referred to in Paragraph 18 of this Regulation. The facilities referred to in Sub-paragraph 17.2 of this Regulation shall submit a joint plan to a relevant board.

20. The facilities referred to in Sub-paragraph 17.3 of this Regulation shall develop a plan for the establishment and implementation of management system of end-of life vehicles for the next three years in conformity of the laws and regulations regarding procedures for payment of natural resources tax for vehicles and refund thereof and procedures for exempting from the payment of natural resources tax for vehicles and submit it to the Administration of Latvian Environmental Protection Fund. The plan shall provide for the measures ensuring:

20.1. the use of components (elements) suitable for re-use;

20.2. recovery of components (elements) unsuitable for the re-use by giving preference to the recycling, if it is justified from the point of view of environmental protection and conforms to the requirements of the laws and regulations regarding the vehicle safety and environmental protection, especially emissions into the air and noise control.

**IV. Mandatory Information to be Included in the Plan for Recycling of End-of Use Vehicles**

21. The following information shall be indicated in the plan for each year of activity:

21.1. the planned number and total mass of end-of use vehicles treated;

21.2. the location of existing and planned sites for collection of end-of life vehicles;

21.3. the planned mass of removed components (elements) and materials, by indicating it separately for each type of components and materials;

21.4. the planned re-use, recovery or recycling (separately) of components and materials of end-of life vehicles, by indicating the mass for each type of spare parts and materials;

21.5. the facilities referred to in Sub-paragraphs 17.1 and 17.2 of this Regulation in which the re-use, recovery or recycling of elements and materials of end-of life vehicles is planned;

21.6. the recycling norms in conformity with the recycling norms and periods of time referred to in Paragraph 18 of this Regulation;

21.7. the procedures for management of waste generated in a treatment facility, by providing a detailed information regarding temporary storage of waste, types and quantities thereof, and also waste treatment facilities to which it is planned to transfer such waste;

21.8. the development objectives and plans, recognised problems of the treatment facility, and also information regarding introduction of the environmental management and audit system and involvement in different co-operation schemes, if it is intended;

21.9. the description of measures for the implementation of the plan, supervision of implementation, monitoring of indicative figures;

21.10. the planned co-operation with inhabitants, manufacturers, vehicle insurance undertakings and local governments in issues related with end-of life vehicle management.

22. An operator of a new treatment facility shall submit a plan concurrently with an application for a permit.

23. A board shall, within a month, take a decision to accept a plan for five years and inform a submitter of the plan thereon in writing. If all information referred to in Paragraph 21 of this Regulation is not indicated in the plan, or it is not possible to ensure achievement of the recycling norms referred to in Paragraph 18 of this Regulation, when implementing the plan, the board shall take a justified decision to refuse acceptance of the plan.

24. Decisions referred to in Paragraph 23 of this Regulation may be contested before the Environment State Bureau within a month.

**V. Information to be Included in the Report of a Treatment Facility of End-of Life Vehicles and Documents to be Appended Thereto**

25. The following information shall be included in the report:

25.1. the number of end-of use vehicles collected and total mass thereof;

25.2. the number and total mass of those end-of life vehicles, which at the time of transfer do not have any market value in accordance with the assessment of the operator, and also average treatment costs of such end-of life vehicles;

25.3. environmental management and audit systems in a treatment facility (if introduced);

25.4. information regarding the necessary additional measures which a treatment facility has intended to carry out, if the amounts of re-use and recovery or re-use and recycling laid down in the plan have not been achieved.

26. Following documents shall be appended to the report:

26.1. a form for the accounting of issued certificates of destruction of end-of life vehicles (Annex 1);

26.2. a form for the summary of data necessary for the accounting of collection and treatment of end-of life vehicles (Annex 2);

26.3.a form for the accounting of materials and waste obtained during the process of dismantling, re-use or recycling of end-of life vehicles (Annex 3);

26.4. a form for the accounting of materials obtained during the shredding process of end-of life vehicles (Annex 4), if the treatment facility of end-of life vehicles carries out shredding activities, also using a shredder (a device used for tearing into pieces or fragmenting end-of life vehicles, including for the purpose of obtaining directly reusable metal scrap).

**VI. Closing Provisions**

27. Cabinet Regulation No. 243 of 16 April 2004, Requirements for Recycling of End-of Life Vehicles and Environmental Requirements for Treatment Facilities (*Latvijas Vēstnesis*, 2004, No. 65; 2005, No. 119; 2006, No. 207; 2007, No. 117; 2009, No. 172) is repealed.

28. Plans for the re-use, recovery and recycling of end-of life vehicles and the elements and materials thereof that were accepted until the day of coming into force of this Regulation shall be in force until the end of the period of time indicated in the decision to accept the plan.

**Informative Reference to Directive of the European Union**

This Regulation contains legal norms arising from Directive 2000/53/EC of the European Parliament and of the Council of 18 September 2002 on end-of life vehicles.

Prime Minister V. Dombrovskis

Minister for Environmental Protection and

Regional Development R. Vējonis

**Annex 1**

Cabinet Regulation No. 135

22 February 2011

**Sample Form for the Accounting of Issued Certificates of Destruction of End-of Life Vehicles**

|  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| Treatment facility | |  | |  |  | | | | |
|  | firm name | |  | |  | | | | |
|  | legal address | |  | |  | | | | |
|  | registration number in the Commercial Register | | | | |  |  |  |  |

Permit No.\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ for Category B polluting activity issued on \_\_\_\_\_\_\_\_\_\_\_\_\_\_, valid until \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

During a period of time from \_\_\_ \_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_ until \_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_ end-of life vehicles have been collected and the following certificates of destruction have been issued thereon:

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| No. | Date of issue | Certificate number | Vehicle make, model | Collected from | | |
| the owner | local government (abandoned) | manufacturer |
|  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |
| **In total** (pieces) | | | |  |  |  |
| **In total** (pieces) | | | |  |  |  |
| **In total** (pieces) | | | |  |  |  |

I hereby declare that the provided information is true.

Date \_\_\_\_\_\_\_\_\_\_

A representative of the treatment facility (a person who in accordance with the documents establishing the facility has the right to represent the treatment facility, or a person who has the relevant power of attorney)

|  |  |  |
| --- | --- | --- |
| (position, given name, surname) |  | (signature) |

Place for a seal

Minister for Environmental Protection and

Regional Development R. Vējonis

**Annex 2**

Cabinet Regulation No. 135

22 February 2011

**Sample Form for the Summary of Data Necessary for the Accounting of Collection and Treatment of End-of Life Vehicles**

|  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| Treatment facility | |  | |  |  | | | | |
|  | firm name | |  | |  | | | | |
|  | legal address | |  | |  | | | | |
|  | registration number in the Commercial Register | | | | |  |  |  |  |

Permit No.\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ for Category B polluting activity issued on \_\_\_\_\_\_\_\_\_\_\_\_\_\_, valid until \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

During a period of time from \_\_\_ \_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_ until \_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_ the following amount of end-of life vehicles has been collected and treated:

|  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| No. | Type | Stock of non-treated vehicles in the beginning of the year | | Vehicles collected during the year | | Vehicles treated during the year | | Remaining number of non-treated vehicles in the end of the year | |
|  |  | pieces | mass (t) | pieces | mass (t) | pieces | mass (t) | pieces | mass (t) |
| 1. | Collected from owners |  |  |  |  |  |  |  |  |
| 2. | Collected from local governments (abandoned) |  |  |  |  |  |  |  |  |
| 3. | Collected from a manufacturer |  |  |  |  |  |  |  |  |
|  | Total |  |  |  |  |  |  |  |  |

I hereby declare that the provided information is true.

Date \_\_\_\_\_\_\_\_\_\_

A representative of the treatment facility (a person who in accordance with the documents establishing the facility has the right to represent the treatment facility, or a person who has the relevant power of attorney)

|  |  |  |
| --- | --- | --- |
| (position, given name, surname) |  | (signature) |

Place for a seal

Minister for Environmental Protection and

Regional Development R. Vējonis

**Annex 3**

Cabinet Regulation No. 135

22 February 2011

**Sample Form for Accounting of Materials and Waste Obtained During the Process of Dismantling, Re-use or Recycling**

|  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| Treatment facility | |  | |  |  | | | | |
|  | firm name | |  | |  | | | | |
|  | legal address | |  | |  | | | | |
|  | registration number in the Commercial Register | | | | |  |  |  |  |

Permit No.\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ for Category B polluting activity issued on \_\_\_\_\_\_\_\_\_\_\_\_\_\_, valid until \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

During a period of time from \_\_\_ \_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_ until \_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_ the following amount of materials and waste (in tonnes) has been obtained during the process of dismantling, re-using or recycling of end-of life vehicles:

|  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| Materials | Accumu- lated in the beginning of the year | Amount of materials or spare parts obtained during the year | Re-use | Shredded or transferred for shredding\* | Recycling\*\* | Energy recovery\*\* | Disposed\*\* | Exported for recycling | Exported for recovery | Exported for disposal | Accumu- lated in the end of the year |
| Batteries |  |  |  |  |  |  |  |  |  |  |  |
| Liquids (except fuel) |  |  |  |  |  |  |  |  |  |  |  |
| Oil filters |  |  |  |  |  |  |  |  |  |  |  |
| Other materials (except fuel) which generate during destruction of harmful substances |  |  |  |  |  |  |  |  |  |  |  |
| Catalysts |  |  |  |  |  |  |  |  |  |  |  |
| Metal components (including wrecks prepared for shredding) |  |  |  |  |  |  |  |  |  |  |  |
| Non-ferrous metal components |  |  |  |  |  |  |  |  |  |  |  |
| Tyres |  |  |  |  |  |  |  |  |  |  |  |
| Large plastic components |  |  |  |  |  |  |  |  |  |  |  |
| Glass |  |  |  |  |  |  |  |  |  |  |  |
| Other materials under dismantling process |  |  |  |  |  |  |  |  |  |  |  |
| Total |  |  |  |  |  |  |  |  |  |  |  |

Notes.

1. \* A report on materials obtained during the shredding process of end-of life vehicles shall be provided in accordance with Annex 4 to Cabinet Regulation No. 135 of 22 February 2011, Regulations Regarding Recycling of End-of Life Vehicles and Environmental Requirements Determined for Treatment Facilities.

2. \*\* The amount of materials and waste produced when performing the relevant activities in the territory of Latvia shall be indicated.

I hereby declare that the provided information is true.

Date \_\_\_\_\_\_\_\_\_\_

A representative of the treatment facility (a person who in accordance with the documents establishing the facility has the right to represent the treatment facility, or a person who has the relevant power of attorney)

|  |  |  |
| --- | --- | --- |
| (position, given name, surname) |  | (signature) |

Place for a seal

Minister for Environmental Protection and

Regional Development R. Vējonis

**Annex 4**

Cabinet Regulation No. 135

22 February 2011

**Sample Form for Accounting of Materials Obtained During the Shredding Process of End-of Life Vehicles**

|  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| Treatment facility | |  | |  |  | | | | |
|  | firm name | |  | |  | | | | |
|  | legal address | |  | |  | | | | |
|  | registration number in the Commercial Register | | | | |  |  |  |  |

Permit No.\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ for Category B polluting activity issued on \_\_\_\_\_\_\_\_\_\_\_\_\_\_, valid until \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

During a period of time from \_\_\_ \_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_ until \_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_ the following amount of materials (in tonnes) has been obtained during the shredding process of end-of life vehicles:

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| Materials | Accumulated in the beginning of the year | Materials obtained during the shredding process during the year | Treated | Used for energy production | Total amount of recovery of shredded materials  (Column 4 + Column 5) | Exported | Disposed | Stored in the end of the year |
| Scrap metal (steel) |  |  |  |  |  |  |  |  |
| Non-ferrous metal materials |  |  |  |  |  |  |  |  |
| Light fraction of shredding |  |  |  |  |  |  |  |  |
| Other |  |  |  |  |  |  |  |  |
| Total |  |  |  |  |  |  |  |  |

I hereby declare that the provided information is true.

Date \_\_\_\_\_\_\_\_\_\_\_\_\_\_

A representative of the treatment facility (a person who in accordance with the documents establishing the facility has the right to represent the treatment facility, or a person who has the relevant power of attorney)

|  |  |  |
| --- | --- | --- |
| (position, given name, surname) |  | (signature) |

Place for a seal

Minister for Environmental Protection and

Regional Development R. Vējonis