

COUNCIL OF MINISTERS

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REGULATION

**on the Terms and Conditions for Reduction of Contamination
caused by Waste from End-Of-Life Vehicles**

Promulgated, State Gazette No. 98/16.11.2001 – effective 1.01.2002

Corrected, SG No. 110/21.12.2001

Article 1

This Regulation provides for the terms and conditions, which shall ensure:

1. prevention of the generation and reduction of end-of-life vehicles (ELV) contamination;
2. achievement of high levels of re-use, recycling and other forms of recovery of the ELV including components thereof, so as to reduce the disposal of waste;
3. improvement of the environmental performance of the economic operators involved in the life cycle of vehicles, and especially those directly dealing with treatment of ELV;
4. establishment of system for collection, transportation and treatment of ELV, components and materials thereof;
5. environmentally sound treatment or safe storage of the ELV, of their components and materials, as well as waste thereof while meeting the necessary pollution prevention measures, and in case of pollution occurrence – reduction or limitation of the consequences on the human health and environment.

Article 2

In order to implement waste related prevention measures, the vehicle manufacturers must:

1. limit the use of hazardous substances in vehicles, and reduce them as far as technically feasible, at the conceptual phase of the new vehicle in order to prevent their impact on the environment, to facilitate recycling and avoid the need to dispose of hazardous waste;
2. take into account dismantling, re-use and recovery facilities, in particular those for recycling of ELV, their components and materials while designing and manufacturing new motor vehicles ELV;
3. join their efforts with the producers of materials and equipment to improve the quality of the recycled materials in motor vehicles (MV) and other products, in order to develop the markets for recycled materials.

Article 3

(Effective 1.07.2003)

Putting on the market parts and components of MV containing lead, mercury, hexavalent chromium and cadmium shall not be allowed, except for those listed in Annex 1.

Article 4
(Effective 1.07.2003)

- (1) The Head of the State Agency on Standardisation and Metrology shall supervise the market through its "Market Surveillance" General Directorate, in order to ensure the compliance of the parts and components of MV with the requirements of Article 3.
- (2) The authorities under paragraph (1) shall check the compliance of the MV parts and components MV by checking:
 1. the labelling - in the cases provided for in this Regulation;
 2. the manufacturing documentation.

Article 5

A national system for treatment of end-of-life motor vehicles (ELV) shall be established, including the following participants:

1. the MV owners;
2. the municipal administrations;
3. the economic operators.

Article 6

Waste owners as defined in Article 4, paragraph (1) of the Limitation of Harmful Impact of Waste upon the Environment Act (LHIWEA) shall be the owners of waste originated from ELV, from the moment of waste generation until its transfer to persons treating such waste, as well as the operators involved in its treatment under the conditions provided for in this Regulation,.

Article 7

The owners of ELV shall transfer them to the collection facilities specified in this Regulation.

Article 8

End-of-life vehicles may be stored by their owners on landed properties they own or co-own, until transferring them to the facilities referred to in Article 17 hereof.

Article 9

The owners of ELV shall not pay any charges and expenses related to the vehicle transportation and treatment.

Article 10

The natural and legal persons shall not:

1. release ELV, their components or materials otherwise than provided for in this Regulation;
2. transfer ELV, components or materials thereof to operators who do not possess the respective permits referred to in Article 37 of the LHIWEA;
3. transport ELV either on self-run or otherwise, except in the cases and by the means specified in this Regulation.

Article 11

- (1) The collection and storage of ELV on the temporary storage sites shall be organized by the mayors of municipalities.

- (2) The mayors of municipalities shall:
1. designate locations for the temporary storage sites and define their number on the territory of the municipality;
 2. organise the collection, transportation and storage on the temporary storage sites. The sites shall be situated on easily accessible and sufficiently large locations, , taking into account the number of ELV in the municipality; the sites shall be designed in accordance with the requirements specified in Annex 2;
 3. organise the activities under paragraph (1) themselves or delegate their responsibilities to natural or legal persons registered as traders and holding a permit under Article 37 of the LHIWEA.
- (3) The mayors of municipalities shall carry out the activities referred to in paragraph (2) individually or jointly with mayors of other municipalities.

Article 12

To facilitate the implementation of Article 11, the regional structures of the Ministry of Interior (MI), "Control of Automobile Transport (Bulgarian abbreviation 'KAT') - Road Police" Unit shall quarterly provide the mayors of municipalities with lists of motor vehicles, which are ELV according to this Regulation.

Article 13

- (1) The municipality mayor or the dismantling centre operator, or persons designated thereby, shall issue a certificate of deregistration to the owner of ELV in accordance with the provisions of Article 18, paragraph (2) of Regulation I-45 on Registration of and Reporting on Motor Vehicles and Their Trailers (State Gazette No 31/14.04.2000).
- (2) The owner of ELV shall submit to the authorities of the Ministry of Interior - "Control of automobile transport – Road Police" Unit, the certificate under paragraph (1) within 14 days after acceptance of the ELV in a temporary storage site or a dismantling centre.
- (3) The template form of the certificate referred to in paragraph (1) shall be specified by an Order of the Minister of Interior.
- (4) The owner of ELV shall not be charged neither for issuing of the certificate nor for the transfer of the ELV to the sites under Article 17.

Article 14

The economic operators shall provide for:

1. systems for collection of ELV from the temporary storage sites and, as far as technically feasible, of waste used parts removed when vehicles are repaired;
2. ELV collection and treatment facilities with sufficient capacity to ensure their treatment on the territory of the Republic of Bulgaria;
3. treatment of the ELV collected in the dismantling centres.

Article 15

In pursuance of the provisions of Article 14, the relevant economic operators, depending on their main activities, shall take all the necessary measures to attain the following targets:

1. no later than January 1, 2006, for all ELV, the reuse and recovery shall reach 85% by an average weight per vehicle and year, and the reuse and recycling shall reach 80% by an average weight per vehicle and year;

2. for motor vehicles, produced before January 1, 1980, the requirements under item 1 must not be lower than 75% for reuse and recovery, and not lower than 70% for reuse and recycling;
3. no later than January 1, 2015, for all ELV, the reuse and recovery shall be increased to a minimum of 95% by an average weight per vehicle and year, and the reuse and recycling shall be increased to at least 85% by an average weight per vehicle and year.

Article 16

- (1) The collection, storage, treatment, dismantling and/or disposal of ELV, their components and materials shall be performed by operators holding a permit according to Article 37 of the LHIWEA.
- (2) The responsible authorities shall include in the permit all the requirements provided for in this Regulation.

Article 17

End of life vehicles shall be collected at:

1. temporary storage sites;
2. dismantling centres.

Article 18

The temporary storage sites are facilities for acceptance and temporary storage of ELV, their components and materials, prior to their transferring to the dismantling centres for further treatment or processing. These sites shall comply with the technical requirements under Annex 2.

Article 19

- (1) The dismantling centres shall accept ELV delivered from the temporary storage sites.
- (2) Each owner of ELV may himself hand over the vehicle directly to the dismantling centre for further treatment according to the provisions of this Regulation.

Article 20

The dismantling centre is a facility for acceptance, temporary storage and further treatment of ELV, components and materials thereof and shall comply with the technical requirements specified in Annex 2.

Article 21

On the temporary storage sites it shall be forbidden to:

1. dismantle ELV and to obtain parts and components thereof;
2. collect other types of waste, which do not originate from ELV or their components and materials.

Article 22

- (1) Treatment of ELV in the dismantling centers shall include the operations specified in items 3, 4, and 5 of Annex 2, in the following sequence:
 1. removal of the battery, segregation of liquids - motor oils, fuel, brake fluids, cooling liquids, etc. Other hazardous substances - explosive and inflammable - shall also be removed. During these operations the requirements of Decree No 53/1999 of the

Council of Ministers on the Treatment and Transportation of Industrial and Hazardous Waste (State Gazette No 29/1999) must be complied with.

2. Further operations:
 - a) dismantling of electronic components, microprocessor systems, air conditioning system and catalysts; assembled and classified by type, these shall be stored and treated in compliance with the relevant safety regulations;
 - b) dismantling of units and components, separation of the reusable ones;
 - c) separation of the other waste by type.
 3. Waste generated during dismantling, which represents separate parts of ELV, shall be put to further treatment for separation into suitable and unsuitable for recovery/recycling and reuse; at the same time they shall be prepared for the subsequent treatment stages.
- (2) The waste suitable for recovery/recycling and reuse shall be subject to:
1. separation of the primary metal, as well as of other metals or materials and removal of those damaged by corrosion and of the contamination of mechanical origin;
 2. dismantling of compound components made of steel, cast iron, non-ferrous metals and other materials, combined by melting, pressing or by other methods and inconsistent with mechanical segregation;
 3. sorting and collection of the waste separated by type and its preparation for transportation according to weight and size and in compliance with the conditions and requirements related to its subsequent treatment.
- (3) The waste that is unsuitable for recovery/recycling and reuse, shall be prepared for transportation to disposal sites, including its collection and storage by types, according to the provisions of the LHIWEA.

Article 23

- (1) Components, materials and waste, resulting from preliminary and additional treatment of ELV, which are suitable for recovery/recycling and reuse, may be subject to trade deals carried out by the operators of dismantling centres.
- (2) Parts removed by dismantling and considered to be suitable for reuse, shall be subject to special technical control and labelling.
- (3) Dismantling and storage operations must be performed in such a way as to ensure the suitability of the ELV components for reuse and recovery, or recycling.

Article 24

The economic operators shall take appropriate measures, in compliance with the system referred to in Article 14, item 1, in order to ensure:

1. the reuse of components, which are suitable for reuse;
2. the recovery of components, which can not be reused, giving preference to recycling and without prejudice to requirements regarding the safety of vehicles and environmental provisions related to air emissions, noise control, soil and water protection.

Article 25

The rules for labelling the components and materials, suitable for reuse and recovery, as well as those, which can be dismantled prior to subsequent treatment, shall be specified by an Order of the Minister of Environment and Water.

Article 26

(Effective 1.07.2003)

In order to cover the costs of the National ELV Treatment System, fees shall be collected according to the Tariff on products, which in their production process or after final use generate hazardous or wide-spread waste, enforced in 1999 (State Gazette No 60/1999, as amended in SG No 2 and 52/2000).

Article 27

The funds raised under Article 26 shall be spent according to Article 35 paragraph (1), item 2 of the LHIWEA.

Article 28

The manufacturers of vehicles and of components thereof must:

1. provide all distributors with dismantling information for each new vehicle within 6 months after the vehicle is put on the market, with a view to fulfil the requirements hereof;
2. the information under item 1 must contain data on the different vehicles, on their components and materials, the location of all hazardous substances in the vehicle, as well as other data, as far as it is needed by the economic operators of ELV treatment facilities in order to comply with the provisions of this Regulation;
3. the information under item 1 shall contain data concerning dismantling, storage and testing of components, which can be reused.

Article 29

- (1) The persons under article 16., paragraph (1) shall keep report books and shall prepare and submit to the Regional Inspectorates of Environment and Water annual reports in accordance with the provisions of Regulation No.10 on the Filling out of the Report and the Waste Management Information Documents (State Gazette No 152/1998).
- (2) The manufacturers of vehicles shall submit on an annual basis to the Regional Inspectorates of Environment and Water reference data in three copies, containing information on:
 1. the design of vehicles and their components, with a view to their suitability for recovery and recycling;
 2. the environmentally sound treatment of ELV, in particular the removal of all fluids and dismantling;
 3. the possibilities for development and improvement/optimization of ways to reuse, recycle and recover ELV and their components;
 4. the progress achieved with regard to recovery and recycling to reduce the waste to be landfilled and to increase the recovery and recycling rates.
- (3) The economic operators on an annual basis shall submit to the Ministry of Environment and Water a report on the fulfilment of the obligations provided for in Article 16.

ADDITIONAL PROVISION

§ 1 Within the meaning of this Regulation:

1. "Dismantling information" is any information concerning the correct environmental sound treatment of ELV. It shall be made available to the operators of authorised treatment facilities by vehicle manufacturers and/or component producers, in the form of manuals or reference data on electronic media upon request by the operators.
2. "End of life vehicle" (ELV) is:
 - a) vehicle deregistered according to Regulation I-45 on Registration of and Reporting on Motor Vehicles and Their Trailers;
 - b) vehicle, which has not been presented for a regular check-up of its technical condition for more than two consecutive years and is parked on a public property;
 - c) vehicle, which cannot be identified, due to lack of registration or other identification number.

End of life vehicles shall be considered waste within the meaning of §1, item 1 of the Additional Provisions of the LHIWEA.

3. "Motor Vehicle" (MV) is any motor vehicle, which can be classified into one of the following categories:
 - a) passenger MV, with at least 4 wheels and at most 8 seats if not counting the seat of the driver;
 - b) cargo MV, with at least 4 wheels and maximum technically permissible mass of 3,5 tons;
 - c) three wheel motor vehicles with wheels arranged symmetrically towards the longitudinal middle section of the vehicle, but excluding motor tricycles, and fitted with an engine having a cylinder capacity of more than 50 cm³ if of the internal combustion type and/or a maximum design speed of more than 50 km/h regardless of the driving type.
4. "Disposal" means any of the operations, applicable to end-of life vehicles and their components, provided for in Annex 1A of the Regulation on the Treatment and Transportation of Industrial and Hazardous Waste (enacted by Decree No 53/1999 of the Council of Ministers, promulgated in State Gazette No 29/1999).
5. "Hazardous substances" are all substances considered to be dangerous under § 1 of the Transitional and Concluding Provisions of the Limitation of the Harmful Impact of Chemical Substances and Preparations upon the Environment Act.
6. "Producer" is a natural or legal person, which manufactures or is a professional importer of a MV into the country by way of trading.
7. "Prevention" means measures, aiming at the reduction of the quantity and the harmfulness for the environment of end of life vehicles, their components and substances.
8. "Treatment of end of life vehicle" means any activity after the end of life vehicle has been handed over to the sites and facilities for fluid removal, disassembly, cutting, shredding and/or preparation for the disposal of the shredder waste, as well as any other operation carried out for the reprocessing and/or disposal of end of life vehicles or their components.

9. "Reuse" means any activity, by which components of an end of life vehicle are used for the same purpose, for which they were conceived.
10. "Reprocessing" is any operation applicable to end of life vehicles and their components and provided for in Annex 1B of the Regulation on the Treatment and Transportation of Industrial and Hazardous Waste (enacted by Decree No 53 of the Council of Ministers of 1999, promulgated SG No 29 of 1999).
11. "Recycling" means the reprocessing within a production process of the waste materials for the original purpose or for other purposes, but excluding the use of combustible waste to generate energy through direct incineration with or without other waste, but with recovery of the heat.
12. "Economic operators" are the MV producers, MV distributors or MV insurance companies, as well as the persons performing collection, dismantling, disassembly, cutting, reprocessing, recycling of end of life vehicles, the various operators carrying out dismantling, cutting, shredding, recovery, recycling and other operations for treatment of end of life vehicles, including their components and materials. Distributors are the persons who sell on the market MV, which have been imported or manufactured in the country and are subject to initial registration in the country.
13. "Shredder" means a facility used for tearing into pieces or fragmenting an end of life vehicle or components thereof, including for the purpose of obtaining directly reprocessible metal scrap.

TRANSITIONAL AND FINAL PROVISIONS

- § 2. The legal basis for this Regulation is Article 23 Paragraph (1), Article 36 and § 11a of the Transitional and Final Provisions of the Limitation of Harmful Impact of Waste upon the Environment Act.
- § 3. The Regulation becomes effective as of January 01, 2002.
- § 4. For MV under § 1, item 1 c (three wheel motor vehicles) of the Additional Provisions hereof only Articles 5, 6, 7, 8, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21 22, 23 of this Regulation shall apply.
- § 5. The Minister of Environment and Water shall provide guidance for the application of this Regulation.
- § 6. The Minister of Environment and Water shall be responsible for the control over the implementation of this Regulation.

Materials and components, exempt from the requirements of Article 3

Materials and Components	Designation
1	2
<i>I. Lead contained in alloys</i> 1. Steel (incl. galvanised steel) containing up to 0,35% of lead by weight 2. Aluminium, containing up to 0,4% of lead by weight 3. Aluminium (in wheel rims, parts of engines and handles of windows), containing up to 4% of lead by weight 4. Copper alloys , containing up to 4% of lead by weight 5. Lead/bronze in bearing sleeves and shells	•
<i>II. Lead and lead compounds in components</i> 1. Batteries 2. Inner coatings in fuel tanks 3. Vibration-killing devices (shock-absorbers, shock-eliminators) 4. Vulcanising agents for high-pressure or fuel pipes 5. Stabilisers in protective coatings 6. Soldering on printed-circuit boards and other devices	• • •
<i>III. Hexavalent Chromium</i> Anti-corrosion coatings on various key components of the vehicle (a maximum of 2 g per vehicle)	
<i>IV. Mercury</i> Electrical bulbs and dash board display	•

Note: The materials and components marked with "•" must be labelled in compliance with the requirements of Article 26.

Minimal Technical Requirements

1. Requirements for temporary storage sites for end of life vehicles prior to treatment:
 - a) The respective sites must have impermeable surfaces with the provision of spillage collection facilities, decanters and cleanser-degreasers;
 - b) The sites must have equipment for the treatment of water, including rainwater, in compliance with health and environmental regulations;
2. Requirements for dismantling centres:
 - a) impermeable surfaces on the respective sites with the provision of spillage collection facilities, decanters and cleanser-degreasers;
 - b) appropriate storage locations for dismantled parts, including impermeable storage for oil-contaminated parts;
 - c) appropriate containers for storage of batteries, filters and PCB/PCT-containing condensers, as well as acid neutralisation facilities, if the acids are disposed of on site;
 - d) appropriate storage tanks for the segregated storage of end of life vehicle fluids, such as fuel, motor oil, gear box oil, transmission oil, hydraulic oil, cooling liquids, antifreeze, brake fluids, battery acids, air conditioning system fluids and any other fluids, contained in the end of life vehicle;
 - e) equipment for treatment of water, including rainwater, in compliance with health and environmental regulations;
 - f) appropriate storage for the removed tyres to prevent fire hazards, arising with excessive stockpiling.
3. Treatment operations aiming disposal of end of life vehicles:
 - a) removal of batteries and liquified gas tanks;
 - b) removal or neutralisation of potentially explosive components, including air bags;
 - c) removal and separate collection and storage of fuel, motor oil, gear box and transmission oil, hydraulic oil, cooling liquids, antifreeze, brake fluids, battery acids, air conditioning system fluids and any other fluid, contained in the end of life vehicle, unless they are required for the reuse of the respective parts;
 - d) removal, as far as feasible, of all components identified as containing mercury.
4. Treatment operations to promote recycling:
 - a) segregation of catalysts;
 - b) segregation of metal components, containing copper, aluminium and magnesium, if these metals are not segregated in the cutting/shredding process;
 - c) removal of tyres and large plastic components (bumpers, dash boards, fluid containers, etc.) if these materials are not segregated in the cutting/shredding process, so that they can be effectively recycled as materials;
 - d) removal of glass.
5. The storage operations shall be carried out in such a way as to avoid damage to liquid containers or to recoverable components to be used as spare parts.