

## Retaining intact shock absorbers, airbags and seatbelt pretensioners on otherwise fully depolluted end of life vehicles (ELVs) to facilitate the reuse of these parts

### Purpose

This position statement provides clarification on when the removal of shock absorbers, air bags and seat belt pretensioners may be delayed on an (otherwise fully depolluted) end-of-life vehicle (ELV) and stored on a permeable surface (i.e. hardstanding) to facilitate reuse of the part(s).

### Background

The End-of Life Vehicles Directive 2000/53/EC (ELV Directive) sets the standards for sites storing and treating ELVs. These include minimum infrastructure requirements to prevent pollution at sites storing and treating ELVs and the depollution process required to promote recycling and recovery. The Directive also sets recovery and recycling targets. The depollution and treatment standards are implemented through the End-of-Life Vehicles (Storage and Treatment) (Scotland) Regulations 2003<sup>1</sup> as amended.

To prevent pollution, non-depolluted ELVs must be stored, and the depollution process carried out, on an impermeable pavement with a sealed drainage system. Once vehicles have been fully depolluted and so have a low polluting potential, they may be stored on hardstanding (i.e. a permeable surface) prior to being sent for shredding and crushing. The ELV Directive requires that vehicles containing intact shock absorbers, un-deployed airbags and seatbelt pretensioners be stored on impermeable pavement.

The ELV Directive seeks to promote recycling and recovery of vehicles and vehicle parts. To facilitate the reuse of shock absorbers, un-deployed airbags and seatbelt pretensioners SEPA is adopting the following regulatory position.

### Position

SEPA will not normally take enforcement action when ELVs with intact shock absorbers and un-deployed airbags and seatbelt pretensioners are stored on areas of hardstanding provided the following conditions are met:

1. The operator must be able to demonstrate to the satisfaction of SEPA that the vehicle has otherwise been depolluted in accordance with the ELV Directive and is in a condition to be stored on a permeable surface.
2. The shock absorbers remaining on the vehicle are not leaking oil and have been assessed by the operator as suitable for re-use.
3. Airbags and seatbelt pretensioners left on the vehicle have been assessed by the operator as suitable for re-use.
4. The manner in which the vehicle is handled and stored does not damage or otherwise prevent the re-use of the airbags, seatbelt pretensioners or shock absorbers.
5. Prior to the ELV being sent for crushing and shredding any shock absorbers will be drained or removed and any remaining airbags and seatbelt pre-tensioners must be deployed or removed in the depollution area with an impermeable surface and sealed drainage. The operator must be able

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<sup>1</sup> <http://www.scotland-legislation.hmsso.gov.uk/legislation/scotland/ssi2003/20030593.htm>  
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to demonstrate to the satisfaction of SEPA that this second stage depollution has been completed for every vehicle.

6. The storage and treatment is consistent with the relevant objectives of the Waste Framework Directive, i.e.

'... ensuring that waste management is carried out without endangering human health, without harming the environment and in particular:

- (i) without risk to water, air, soil, plants or animals;
- (ii) without causing a nuisance through noise or odours; and
- (iii) without adversely affecting the countryside or places of special interest.'

**This position statement applies only in Scotland. The terms of this position statement may be subject to periodical review and be changed or withdrawn in light of technological, regulatory or legislative changes, future government guidance or experience of its use. SEPA reserves its discretion to depart from the position outlined here and to take appropriate action to avoid any risk of pollution or harm to human health or the environment.**