



Illegal Automotive Junkyards in the North of Israel

An Environmental Status Report

THE FUTURE OF THE AUTOMOBILE



Regavim is a public NGO dedicated to the protection of Israel's national land reserves and natural resources.

Regavim acts to prevent illegal seizure of state land and to promote best practices regarding land use policy in the State of Israel.

Regavim is active in Israel's public, parliamentary, and legal spheres, through publication of articles, research reports, and position papers, as well as through legal action, in order to restore the Zionist vision to its rightful place in Israel's public discourse and public policy.

The Zionist vision, in the view of the Regavim Movement, is first and foremost a confident, unapologetic Jewish vision that is, at the same time, the moral, humanist vision expressed in clean government and legislative integrity.

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HUGE SWATHS OF LAND THAT IN THE PAST HAD BEEN ORCHARDS AND VINEYARDS HAVE BECOME AUTOMOTIVE JUNKYARDS.

This is the scenery that greets anyone travelling on the roads in the north of Israel: The roadsides adjacent to the Arab villages of the Galilee are choked with tens of thousands of wrecked, rusting cars that blight the once-pastoral landscape and turn the area into an environmental, aesthetic, and safety disaster.

THE STATE OF ISRAEL HAS CHOSEN TO IGNORE THESE PIRATE JUNKYARDS AND TO REFRAIN FROM ENFORCING THE LAW.





Car Scrapping in Israel

Executive Summary

According to the Central Bureau of Statistics,¹ there are 3,373,000 automobiles in Israel, of which 2,758,000 are private cars. In 2017, 375,000 new cars joined this impressive fleet, while some 241,000 were "retired" from service. What happens to these retired vehicles? Most of them are scrapped; in other words, they are disassembled. Usable parts are sold, and the body is compressed into a hunk of metal before it, too, is sold. This high turnover rate of vehicles is a global phenomenon; in the OECD, some 50 million vehicles are scrapped each year.

There are hundreds of automotive salvage and scrap yards (also known "car breaker yards") in Israel. Some are licensed, as required, and adhere to the law's environmental protection protocols. By law, whenever a car is scrapped, after a major collision or any other circumstance renders it no longer road-worthy ("total loss"), it must be "disassembled only in a place of business that is permitted by law to engage in disassembling automobiles," as per Israel's Law Regulating the Use and Registration of Used Car Parts (Prevention of Car Theft) of 1998.²

We asked the Ministry of Transport to provide a list of registered car-scrapping establishments; they, in turn, referred us to the Ministry of Environmental Protection - who responded that they, too, do not maintain such a list. Instead, we were told to approach each of the municipalities in which such establishments operate. We also checked with insurance companies and automotive assessors; not one of these bodies had an organized, systematic listing of licensed car-scrappers.

In fact, a sample survey we conducted revealed that a good number of the automotive-salvage establishments proudly displayed on the Ministry of Transport's official website are, in fact, illegal "chop shops" that operate without licenses, without building permits for their premises, and in a manner that causes extensive environmental damage.

In the following pages, we map and document more than one hundred illegal car-scrapping operations in the area from Route 5 northward.³ These junkyards operate without the requisite licensing, without Ministry of Transport permits, without paying taxes, and without any oversight, and are major sources of environmental pollution and safety hazards. Additionally, because the majority of these "businesses" are located on agricultural land adjacent to major roadways, motorists are subjected not only to an ever-growing eyesore, but also to illegal, "improvised" roads that access the junkyards, which pose a very serious traffic hazard.

1 Central Bureau of Statistic, "Motor Vehicles in Israel, 2017: http://www.cbs.gov.il/reader/newhodaot/hodaa_template.html?hodaa=201827141
2 Israel's Law Regulating the Use and Registration of Used Car Parts (Prevention of Car Theft) of 1998 (Hebrew text): <https://tinyurl.com/y7fwxqob>
3 See Appendix 1: List of Illegal Scrap Yards in Northern Israel, By Size.

The State of Israel, like many other western countries, encourages the scrapping of old cars, with good reason: Older vehicles are not equipped with the advanced systems that prevent accidents; they endanger passengers and others with whom they share the road, and are more polluting than newer cars. According to informed estimates, some 60,000 vehicles aged 20 years or more are still on the road in Israel.⁴

An analysis of road accident statistics indicates that accidents involving old vehicles are twice as likely to be fatal, and the likelihood of serious injury is one-third higher in comparison to accidents involving newer vehicles. In addition to the physical and emotional damage, the economy pays a higher price as the severity of the injuries increases. This cost includes medical treatment, loss of work days by the injured party and his or her family members, and other factors. According to the Bank of Israel, "when the increased costs engendered by the increased severity of the injuries is calculated according to the age of the vehicle, taking into account the likelihood that the vehicle will be involved in an accident, the estimated cost of an old car is calculated at NIS 1,000 per year, a figure that is considerably higher than the estimates made in the past."

These data, as well as the Bank of Israel's analysis of other costs to the economy engendered by old cars (such as pollution and damage caused by car accidents to infrastructure and property), contributed to the conclusion that the cost of maintaining old cars is considerably higher than their market value. For these reasons, the Bank of Israel has recommended that the government reinstate its national car-scrapping program for old vehicles.

"Old cars cause relatively high levels of pollution as compared to newer cars, and thus cause greater harm to the public's health. Furthermore, old cars are more dangerous than newer cars because safety standards are constantly improving. Therefore, it is worthwhile for the government to periodically enact a program for early scrapping - in other words, to purchase and retire privately-owned old cars, and in this way to prevent the aforementioned damage." The high taxes that are paid on new cars create significant revenue surpluses in the state's coffers even after it subsidizes the scrapping of old cars, making the scrapping program a valuable economic strategy.

In recent years, the Ministry of Environmental Protection operated a scrapping program that encouraged owners of old cars, aged 20 years or more, to scrap their vehicles.⁵ Between 2010-2013 some 28,000 old cars were scrapped, and their owners received a grant of NIS 3000 per vehicle. The project was run jointly with the Ministry of Transport, for a limited time period.

After the successful completion of the project, there is now interest in renewing its operation in 2018. In this new program, owners of old diesel-engine vehicles will be eligible for

4 Bank of Israel, "Vehicle Retirement Program: Conclusions and Recommendations," <http://www.boi.org.il/he/Research/DocLib3/3-139.pdf>
5 Economic ramifications of scrapping program: See Ministry of Environmental Protection website, <https://tinyurl.com/ybjspw4s>.

grants of NIS 5000-22,000 for each vehicle turned over to a licensed scrap yard. The Ministry hopes to focus on heavy vehicles with diesel engines, which are especially polluting.⁶ According to the Ministry of Environmental Protection, as part of the contract, the scrap yards must meet requirements that will prevent environmental damage as well as licensing requirements for their operation (building and safety permits, etc.).⁷

In its 2016-2017 Annual Report, the Ministry of Transport stated that it would work toward "encouraging the use of environmentally friendly vehicles and ecological, non-polluting fuels, by streamlining procedures for conversion of car engines to natural gas, enforcing stricter standards for annual vehicular licensing tests, and encouraging retirement of old cars."⁸

In the 2010-2013 program operated by the Ministry of Environmental Protection, only four scrap yards were licensed, all of them in the south of Israel.⁹ When the program is reactivated, it is likely that additional businesses will be authorized, in other areas of the country.

According to Regavim's research, the Ministry of Transport has not yet activated the program, neither for private cars nor for heavy vehicles; the program is scheduled for activation in the coming weeks.¹⁰

The Ministry of Environmental Protection has very strict standards for the licensing of scrap yards, and its call for tenders for the new scrapping project is based on detailed operational and technical specifications that reflect the Ministry's awareness of the environmental damage that can result from improper operation of scrap yards. The new program lays out exacting parameters for submission of tenders to operate official scrap-yards for this program, including the handling of motor oil, fuel, brake fluid, filters, batteries, and tires, as well as the sorting and recycling of various metal, plastic, glass, aluminum, rubber copper, fabric, upholstery, and electrical components. Scrap yard owners will be required to erect a structure under which certain car parts are to be stored, to place compactor machines on the grounds of the scrap yard, and to build the scrap yard in such a way as to prevent fires and leakage of materials into the soil and the water supply.

The scrap yards whose tenders were accepted meet these requirements, and maintain work areas that are impervious to leakage of fuel and oil and are equipped with adequate drainage systems; they separate oil, and store fuel and batteries according to the law's requirements.

6 Program to Reduce Emissions Pollution Caused by Diesel Engine Vehicles, Ministry of Environmental Protection: <https://tinyurl.com/ydhjz7gp>.

7 See Appendix 2 for a summary of the data: https://www.mr.gov.il/Files_Michrazim/264148.pdf.

8 Freedom of Information Report, 2016-2107, Ministry of Transport website: <https://tinyurl.com/ycf4ynee>.

9 See footnote 6, above.

10 Information regarding the Ministry of Transport was transmitted orally, in a phone conversation with a Ministry information officer, July 2018. Information regarding the Ministry of Environmental Protection was transmitted in email correspondence with Keren Kodriashov, Assistant Ministry Spokesperson, who responded to our query.

The Dangers of Illegal Scrap Yards - Not Merely a Pipe Dream

In contrast to the stringent environmental standards imposed by the Ministry of Environmental Protection on companies operating as licensees of the government program, there is not a hint of any of these standards in the illegal "chop shops" that are currently operating in the north, nor is any government body enforcing the law.

The dangers presented by these illegal junk yards are many, and they include pollution of groundwater and soil, sale of sub-standard auto parts, illegal business practices, and safety violations.

Pollution of groundwater

In illegal scrap yards, motor oil, petrol, and other automotive fluids drain into the ground and pollute the soil and the groundwater, creating massive environmental damage: A single liter of oil or gasoline is capable of polluting 100,000 cubic liters of groundwater.¹¹ According to the Ministry of Environmental Protection's statement, "a hole the size of a pin head can release 1.5 cubic meters of petrol over the course of one year, a quantity that can pollute nearly 1.5 million cubic meters of drinking water when fully dissolved".¹² This may be a conservative estimate; the US Environmental Protection Agency's calculation is even more discouraging.

The Ministry for Environmental Protection has also addressed the danger of soil and water pollution by motor oil: "In Israel, some 80,000 tons of oil are used by the automotive industry annually. A significant quantity of this oil makes its way into the environment and pollutes the groundwater".¹³

A report released by the Knesset's Research and Data Center discusses the pollution caused by automotive garages (which is equally applicable to automotive scrap yards), in which it states: "There are thousands of automotive garages operating in Israel, and more than 5000 of them deal with private cars. The activities of these garages involve the use of a variety of pollutants, such as mineral oils, chemical solvents, and battery lead. Unregulated disposal



11 Ministry of Environmental Protection website, presentation on land and groundwater contamination caused by fuel: <https://tinyurl.com/y8z2w3aa>.

12 Water pollution caused by petrol stations, from the Ministry of Environmental Protection website: http://kids.gov.il/sababa/sababa_pool/pages/3786.

13 Ibid.

of these materials may lead to soil contamination. The greatest contamination hazard is posed by oils. Used oil contains toxic heavy metals, as well as organic matter that has been classified as a dangerous substance. Unregulated flow of used oil to the general sewage system, or onto the ground surrounding the garage, may cause severe soil and water contamination."¹⁴

Soil Contamination

Another environmental hazard is caused by the proximity of scrap yards to agricultural fields and orchards. Run-off contamination of the soil makes its way into the produce, and eventually reaches the consumer's plate. Contamination of soil and the agricultural produce that grows in and on it also harm the wildlife that feed on this produce.

Soil is composed of particles of varying sizes, separated by spaces of varying sizes which may harbor contaminated build-up from a variety of sources: Industrial run-off, automotive garages, transportation by-products, petrol stations, defunct garbage dumps, construction refuse, and more. The Knesset Research and Data Center's report enumerates several hundred sites throughout Israel at which soil and water contamination are proven, documented facts. In addition to the water contamination discussed above, soil contamination harms plant life and contaminates subterranean spaces. The dust that rises from contaminated soil makes its way into peoples' lungs, and sometimes into the mouths of children.

A report published by the Ministry of Environment in 2009 mentioned 1,250 locations at which ground contamination had been identified, and added: "Local and international experience indicates that it is reasonable to assume that there are thousands more contaminated sites that require intervention and treatment".¹⁵

¹⁴ Soil Pollution in Israel: The Phenomenon, and The Treatment," Knesset Research and Data Center, 2009: <https://www.knesset.gov.il/mmm/data/pdf/m02352.pdf>

¹⁵ Soil Survey and Rehabilitation of Contaminated Soil in Petrol Stations: Ministry of Environmental Protection Guidelines: <https://tinyurl.com/ybhlxdsp>.

HAIFA SCRAP METAL FIRE CAUSES LOCALS TO FLEE DUE TO POLLUTION

Ten firefighting crews spend several hours bringing the blaze, which created a great deal of smoke and a sharp odor, under control.

(<https://www.haaretz.com/.premium-haifa-fire-causes-intense-pollution-1.5263141>)



Sub-standard replacement parts

Another problem that may arise from illegal scrap yards is the question of the safety of spare parts sold by them to auto repair shops. An old, outmoded vehicle that is retired – often after being involved in an accident – is dissected, and any usable parts are sold to automotive shops. When we, the consumers, purchase used parts from these scrap yards, there is no way to know whether they meet safety or other standards.

Safety hazard

The location of illegal scrap yards creates an additional danger to public safety: Most of them are situated alongside highways, on plots of land that were once orchards, groves, or vineyards. There are no proper access roads to these plots of land, and when patrons or salespeople enter or exit the highway via improvised access routes, they endanger other motorists and often cause accidents.

Illegal activity

Pirate scrap yards are often a breeding ground for other illegal activities, including weapons and drug trafficking.

הפתעה במגרש הגרוטאות

בפעילות יזומה של משטרת ישראל אותרו במגרש פיראטית ליד הכפר ראמה נשק וסמים.



כידוע, אחזקת הנשק הבלתי חוקי במגזר הערבי הנועד לפתרון סכסוכים פנימיים הפכה לתופעה מטרידה המסכנת חיי רבים. משטרת ישראל משקיפה מאמצים רבים למיגור תופעה זו. בפעילות יזומה שביצעו שוטרי משטרת ישראל, לוחמי היחידה הטקטית של מג"ב ובסיוע כלב והכלב "אונקס", איתרו הכלב במגרש גרוטאות בכפר ראמה שני רובים מסוג "קרנל" ומחסניות, מוסלקים מתחת לגלגל בין עשרות הגרוטאות המפוזרות בשטח. בנוסף איתרו 187 גרם של סם מסוג מריחואנה מחולק למנות.

במקום נעצר על ידי השוטרים חשוד (30 ראמה) שיובא הבוקר לדיון בבקשה להאריך את מעצרו בבימי "ש שלום עכו".

תמונה: דוברת המשטרה 26.6.18



Government Ministries' Response to the Problem of Illegal Scrap Yards

Whether or not the government's auto-retirement plan is renewed, our research has documented more than 100 illegal scrap yards, located for the most part in the north of Israel. Many of them are operating above or adjacent to Israel's primary or secondary aquifers, where the danger of fuel contamination is a far greater and more immediate concern, and in many cases has already caused irreparable damage.

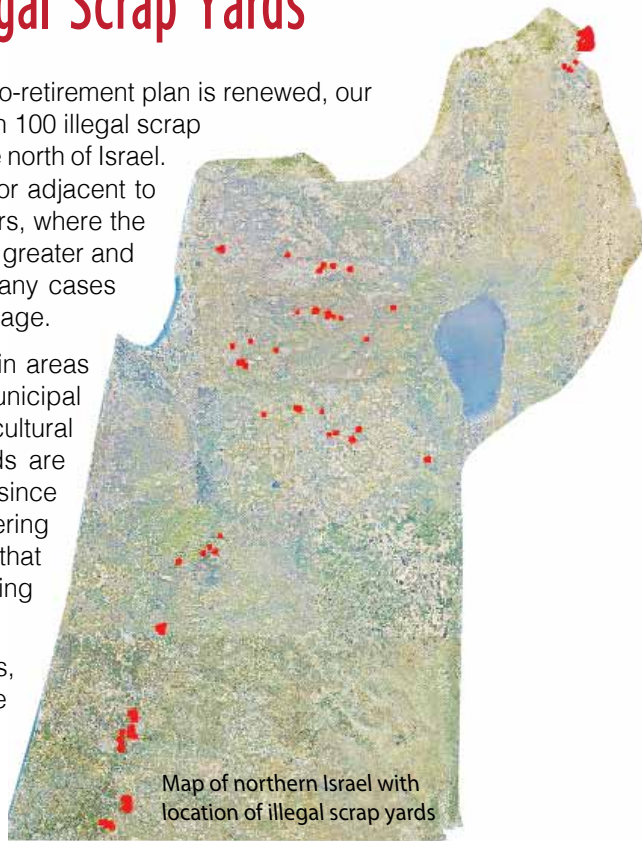
Most of these scrap yards operate in areas that are zoned and registered in municipal master plans ("Taba") as agricultural land. As a result, these scrap yards are unregistered and unlicensed, since the most basic criteria for registering a place of business of any kind is that the premises meet municipal zoning requirements.

Since these are active businesses, why isn't the law enforced? Why are they allowed to continue to conduct business without licenses, and why are they unsupervised?

We asked the Ministry of Environmental Protection if they are aware of the existence of these illegal scrap yards and if they are conducting any sort of monitoring of the illegal scrap yards in the Haifa and Northern Regions.

The Ministry responded as follows: "We are unaware of automotive scrap yards in the Haifa vicinity. In the Northern Region..... Other than this, no survey of the region has been conducted with regard to scrap yards." The survey and photographs included in this report prove unequivocally that the Ministry of Environmental Protection is out of touch with the reality on the ground.

The Ministry's response continues: "The question of business licenses and the authority to issue such licenses both fall within the jurisdiction of the municipalities..., and unless these scrap yards submit a request for a license to the municipality in which they are operating, the Ministry itself will not carry out enforcement measures." This is strange, circular reasoning indeed; the activity of illegal scrap yards in areas designated for agricultural use, is a violation of the zoning laws, which by definition renders them ineligible for licensing and precludes them from submitting requests for licensing - which is precisely

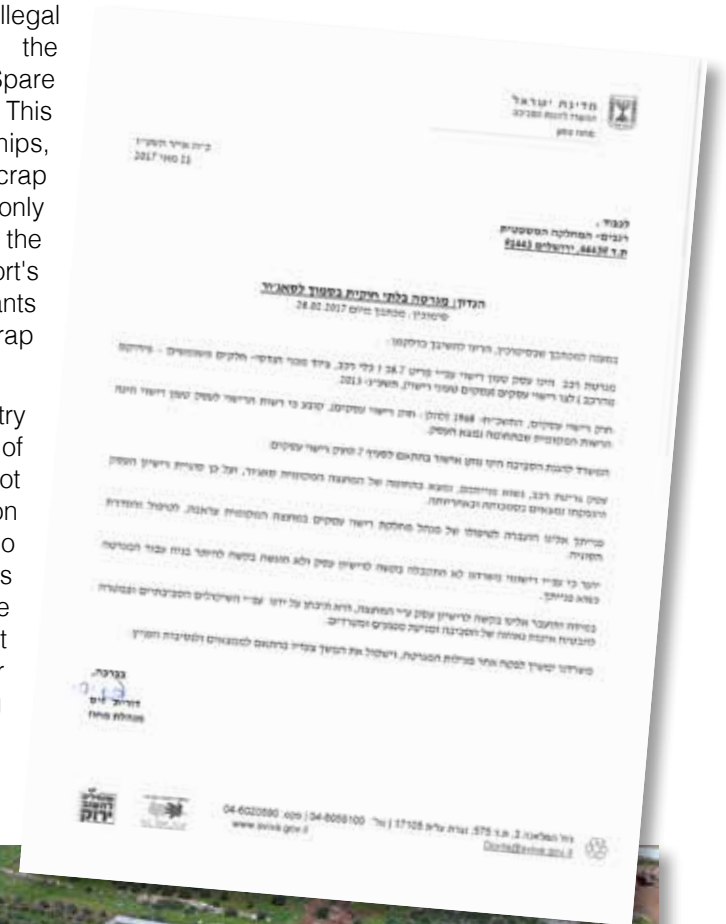


what allows them to operate without any Ministry of Environment oversight or enforcement, and precisely what allows them to cause irreversible environmental damage.

It is important to note that the Ministry of Environmental Protection's website offers detailed guidelines for reporting other types of environmental hazards, but there is nowhere to turn regarding illegal automotive scrap yards, which cause an array of ecological ills.

Nonetheless, although the Ministry of Environmental Protection acknowledges that many of the scrap yards are illegal and are unlicensed (and do not, among other things, meet environmental safety standards), some of these same illegal operations are featured on the Ministry of Transport's list of "Spare Automotive Parts Dealerships." This list includes 1,736 dealerships, some of which are illegal. The scrap yards in Rameh and Sajur are only two examples that illustrate the rule: The Ministry of Transport's website publicizes and grants de facto approval to illegal scrap yards.

The bottom line is that the Ministry of Transport and the Ministry of Environmental Protection are not sharing the relevant information regarding scrap yards; they do not apply uniform standards regarding licensing these businesses; and they do not cooperate with one another to enforce the law and bring violators to justice



Summary and Recommendations

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