

'Draft E-waste Regulations'

SPECIAL ISSUE

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LEGAL NOTICE NO.

ENVIRONMENTAL MANAGEMENT AND CO-ORDINATION ACT

(No. 8 of 1999)

**ENVIRONMENTAL MANAGEMENT AND CO-ORDINATION (E-WASTE
MANAGEMENT)**

REGULATIONS, 2013

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IN EXERCISE of the powers conferred by Sections 86 and 147 of the Environmental Management and Co-ordination Act No. 8, of 1999, the Cabinet Secretary for the time being responsible for Environmental matters, on the recommendation of the National Environment Management Authority and upon consultation with the relevant lead agencies, and in fulfillment of the requirement of Public participation makes the following Regulations:

The Environmental Management and Coordination (E-Waste Management) Regulations of 2013

PART I: PRELIMINARY

Citation

1. These Regulations may be cited as the Environmental Management and Co-ordination (E-Waste Management) Regulations, 2013.

Interpretation

2. In these Regulations unless the context otherwise requires:

‘Authority’ means the National Environment Management Authority established under section 7 of the Environmental Management and Coordination Act of 1999;

‘collection centre’ means a centre established individually or jointly or a registered society or a designated agency or a company or an association to undertake collection operations of e-waste;

‘consumer’ means user of electrical and electronic equipment or generator of E-waste;

‘electrical and electronic equipment’ means equipment which is dependent on electric currents or electromagnetic fields in order to work properly and equipment for the generation, transfer and measurement of such currents and fields falling under the categories set out in schedule 5 of these regulation;

‘electrical and electronic equipment registry’ means a unit housed by the Authority for the purposes of effecting registration of all electrical and electronic equipment producers and recyclers;

‘entity’ includes Agency, organisation, establishment, business, partnership, body corporate with capacity to sue or to be sued;

‘environmentally sound management’ means taking all steps required to ensure that e-waste are managed in a manner which shall protect health and environment against any adverse effects, which may result from hazardous substance contained in such waste;

‘evidence note’ means

‘e-waste’ also referred to as waste electrical and electronic equipment means waste resulting from electrical and electronic equipment including components and sub-assemblies thereof;

‘generator’ means any person whose activities or activities under his or her direction produces e-waste or if that person is not known, the person who is in possession or control of that e-waste;

‘market’ means an environment that facilitates trading in Electrical and electronic equipment and e-waste;

‘manufacturer’ means an entity involved in the making or production of electrical and electronic equipment either locally or internationally;

'minimum collection incentive' means the minimum collection price paid by recyclers to the collection network to ensure collection of problematic fractions;

'problematic fractions' means components or parts of e-waste where the collection and treatment cost far outweighs the material recovery value;

'producer' means any person or entity who introduces or causes to be introduced new and used electrical and electronic equipment into the market by sale, donation, gifts, inheritance or by any such related methods and can either be a manufacturer, importer, distributor or assembler;

'recovery' means any operation the principal result of which is waste serving a useful purpose by replacing other materials which would otherwise have been used to fulfill a particular function;

'recycling' means any operation by which waste materials are reprocessed into products, materials or substances whether for the original or other purposes;

'recycler' means any person or entity engaged in recycling or reprocessing used electrical and electronic equipment or assemblies or their component;

'refurbisher' means any person who repairs, dismantles or re-assembles electrical and electronic equipment to extend the working life of the product;

'refurbishing' means the action of repair, dismantling, improvement of e-waste for the purposes of extending the working life of the product;

'take-back' means the process of returning or repossessing used products from the market to the producer or their representative;

'transporter' means a person or entity that is in the conduct of carrying or conveying e-waste from one point to another;

'treatment' means processing e-waste through modern and eco-friendly technologies to ensure compliance with environmental protection; and

'treatment facility' means a licensed plant, premise, and establishment for processing e-waste.

Application

3. (1) These regulations shall apply to all categories of electrical and electronic equipment as set out in schedule 10 and facilities for transportation, recycling, re-use and recovery as provided for herein.

(2) These regulations may be read together with the Guidelines for E-waste Management in Kenya.

PART II: E-WASTE

Registration of Producers

4. (1) A Producer who intends to introduce new or used electrical and electronic equipment into Kenya shall apply for registration from the Authority.

(2) An application for registration shall be made to the Authority;

(a) In a form as set out in schedule 1; and

(b) Upon payment of a prescribed fee as set out in schedule 13.

(3) Every Producer operating in Kenya must register with the Authority within sixty (60) days of the coming into force of this regulation as per sub-regulation (2);

(4) After submission of the application, the Authority shall make a decision and communicate the decision within fourteen (14) days.

(5) (1) The Authority upon receipt of the application may;

(a) Approve the application;

(b) Request for further particulars; or

(c) Reject the application.

(6) where the Authority rejects the application under sub-regulation 5 (c), the applicant shall have a right to appeal to the National Environmental Tribunal within 60 days.

(7) If the decision is to approve, then the Authority shall issue a registration certificate to the producer as set out in the schedule 2 of these regulations;

(8) The Authority shall maintain an electrical and Electronic Equipment producer's register as specified in schedule 3 which shall be opened to the public for inspection.

Annual compliance certificate of Producers

5. Every producer shall obtain an annual compliance certificate upon-

(a) declaring the previous year's weight of electrical and electronic equipment introduced in the market by product type;

(b) production of an evidence note with a licensed treatment facility;

(c) production of a valid contractual agreement with a licensed treatment facility; and

(d) payment of the prescribed fee.

Producer Responsibility

6. (1) Every producer shall, declare to the Authority-

(a) The previous year's electrical and electronic equipment products introduced into the market; and

(b) Provide to the Authority subsequent year's projected imports of any electrical and electronic equipment products.

(2) The declaration referred to in Regulation 6 (1) shall be in the format stipulated in schedule 11;

(3) Every producer shall provide information to recyclers on how to dismantle their product at the end of life and the location of any hazardous substances or items within the product;

(4) Every producer shall, within their relevant product category and on the basis of their market share, support the financing of collection and treatment for problematic fractions by the licenced treatment facility to ensure effective take back and treatment of e-waste;

(5) (a) Every producer shall pay upon receipt of the evidence note from the licence treatment facility the treatment fee determined by the Authority based on the market share of the producer.

(b) In determining the market share of the producer the authority shall be guided by the formula as indicated in schedule 11.

(6) Any producer or a third party acting on behalf of the producer and intending to establish an e-waste collection centre shall notify the Authority of the location and physical address of the center indicating the Global Positioning System coordinates;

(7) (a) Every producer shall ensure that e-waste returned under individual take-back schemes, is not disposed of at municipal disposal site/facility,

(b) A producer or a third party acting on behalf of the producer shall:

(i) provide evidence of affiliation with a recycling facility;

(ii) facilitate e-waste take-back;

(iii) facilitate the receiving, sorting and transfer of e-waste to recycling facilities or refurbishers;

(8) the Authority may from time to time and on case by case basis require other persons to undertake the functions specified under sub-Regulation 6 (3) (1);

(9) every producer or a third party acting on behalf of the producer shall ensure that the collection centre is operated in accordance with the Occupational Health and Safety Act of 2007 and the rules there under.

Electrical and electronic equipment *Registry*

7. (1) The Authority shall maintain an electrical and electronic equipment Registry.

(2)The purpose of the registry shall include:

(a) To receive and determine applications for registration.

(b) Issue certificates of registration and registration numbers

(c) to calculate individual producer responsibility by market share for problematic fractions and shall communicate this to the producer;

(d) The electrical and electronic equipment Registry shall keep a register on the following;

(i) The tonnage and categories of e-waste collected and processed by the licenced treatment facilities;

(ii) The total tonnage and categories of electrical and electronic equipment placed on the market by all producers;

(iii) Status of compliance based on percentage of obligation fulfilled.

(e) the Authority shall operate the electrical and electronic equipment Registry through multi-sectoral stakeholder participation;

(f) the Authority shall keep the register in the format stipulated in schedule 11.

Disclosure

8. (1) The Authority shall ensure that the register is open to the public for perusal during official working hours;

Provided no confidential information, held by the Authority shall be disclosed to third parties unless-

a) pursuant to a court order; or

b) required by any other act or regulation.

Licencing of Recyclers

9. (1) Any person intending to establish an E-waste recycling facility shall obtain an EIA licence in accordance with the Environmental (Impact Assessment and Audit) Regulations of 2003;

(2) Every owner/operator of a recycling facility shall obtain an operating license from the Authority in accordance with the Environmental Management and Coordination (Waste Management) Regulations of 2006

(3) An application for a license to operate a recycling facility shall be made to the Authority and shall be—

(a) in a form set out in schedule 12 of these regulations; and

(b) accompanied by the prescribed fee

(4) (a) After submission of the application, the Authority shall make a decision to approve or reject and communicate the decision in writing within twenty one (21) days

(b) If the decision by the Authority is to reject the application, then the communication shall state;

(i) The reasons for the decision; and

(ii) The right of appeal

Responsibilities of Recyclers

10. (1) Recyclers shall;

(i) Receive and dismantle the Waste electrical and electronic equipment into hazardous and non-hazardous components in an environmentally sound manner;

(ii) Ensure that the components which cannot be recycled locally are exported as specified in this regulation.

(2) The licenced recycler shall collect and treat e-waste in accordance with the Guidelines published by the Authority;

(a) the standards set out in this regulation,

(b) the contractual agreement between the licenced facility and the producer

(3) The licenced recycler owners/operators shall submit to the electrical and electronic equipment registry on a quarterly basis and as per schedule 13 including the following;

- (a) Quantities in weight by category of e-waste received
- (b) Quantities in weight by category of whole components refurbished for reuse
- (c) Quantities in weight by category of materials for recycling and recovery within the facility
- (d) Quantities in weight of precious metals recovered

(4) The licenced recycler shall ensure that they receive or collect e-waste from approved collection centres or other persons;

(5) The licenced recycler shall give priority to the refurbishment of used electrical and electronic equipment to increase its working life before dismantling for recycling purposes, material recovery or reprocessing;

(7) The licenced recycler shall ensure that the e-waste fractions that cannot be recycled in the country are exported in accordance with the provisions of the Environmental Management and Coordination (Waste Management) Regulations of 2006

(8) Subject to sub-regulation (7) of this regulation the licenced recycler shall obtain an export permit for any e-waste fractions after application to the Authority in the manner set out in Schedule 14 of these regulations.

(9) The Authority shall notify the applicant in writing of its decision under sub-regulation (8) of this regulation not later than eight (8) weeks after the application was made and if the decision is a decision to refuse approval such a notification shall state—

- (a) The reasons for the decision; and
- (b) The right of appeal.

Responsibilities of Generators

11. The generator shall ensure e-waste is segregated from other forms of waste and is taken to licenced refurbishers, collection centres or recyclers.

Responsibilities of Refurbishers

12. (1) Refurbishers shall ensure that the resultant e-waste is transferred to a collection centre or to licenced recyclers;

(2) Every person involved in the repair or refurbishment of electrical and electronic equipment shall ensure that the e-waste is recycled in a facility licenced by the Authority.

Transportation of E-Waste

13. All transporters of e-waste shall;

- (1) obtain necessary licences from the Authority upon application in a prescribed form and payment of the prescribed fee;
- (2) maintain *tracking documents* at all times which shall be made available on request by environmental inspector; and
- (3) ensure that the mode of transport used complies with Regulation 8 of the Environmental Management and Coordination (Waste Management) Regulations of 2006.

Responsibilities of Collection Centers

14. Any person intending to establish a collection center shall notify the authority in the form prescribed in schedule xxxx.

E-WASTE- Control and handling

15. (1) The Authority may establish a mechanism to ensure collaboration within African States on importation of e-waste;

(2) Any e-waste imported into Kenya from within Africa shall be for the purpose of recycling, refurbishment, and material recovery;

(3) Any person importing e-waste referred to under these regulations from within Africa into Kenya shall apply to the Authority for a permit in accordance with the prescribed format upon payment of the prescribed fee set out in schedule 10;

Importation of Electrical and Electronic Equipment

16. (1) The importation of electrical and electronic equipment containing Cathode Ray Tubes into the country are restricted except for essential services such as medical equipment;

(2) The importers of all electrical and electronic equipment donated to individuals, educational institutions, religious organizations, communities, or body corporate by whatever means, shall obtain the necessary approvals from the Authority in accordance with the prescribed form and fee.

(3) Every electrical and electronic equipment imported into the country shall bear a label indicating the year and country of manufacture

Prohibitions

17. (1) No person shall dispose e-waste;

(a) by burning;

(b) in non-designated waste receptacles; or

(c) By burial or at a dump site.

(2) No person shall;

(a) Treat Cathode Ray Tubes in an unsound environmental manner;

(b) Cause leaching of precious metals with acids and other hazardous waste from printed wire boards or Printed Circuit Board in an uncontrolled manner;

(c) Carry out open burning of electrical and electronic equipment /e-waste at the recycling facilities;

(d) Abandon e-waste anywhere other than in the collection centres and/or in the licenced recycling facilities.

Any person who contravenes this regulation commits an offence and liable on conviction to a fine not exceeding one hundred thousand shillings or to imprisonment for a term not exceeding six months or to both.

Environmentally Sound Management

18. Every person dealing in e-waste shall practice principles and standards of Environmentally Sound Management of e-waste.

Reporting

19. (1) Every refurbisher of electrical and electronic equipment shall keep records of quantities of e-waste transferred to the collection centers;

(2) every recycler of e-waste shall submit to the Authority every six months records of;

- (a) Quantities of e-waste received of each category for recycling;
- (b) Quantities and types of recovered materials including precious metals;
- (c) Recycling technologies applied;
- (d) Quantities exported for further recycling; and
- (e) Certificate of disposer recovery;

(3) The records required under sub-regulations 1 and 2 shall be in a format as prescribed under schedule 13.

Minimum collection incentives/values

20. The Authority shall establish a framework through which to provide incentives to actors in the e-waste value chain.

The minimum collection value is the value that will be paid by the recycler to collectors ensuring that all e-waste is collected. Some e-waste does not have a positive recovery value due to the cost to process being more than the revenue recovered. As a result currently these materials may not be collected. The regulation will need to be clear that recyclers must supplement these materials to ensure collection. The recycler will recover these costs from the producers based on their market share of the respective category of products. This will prevent the 'cherry picking' of only valuable e-waste.

Transfer of Responsibility

21. A producer intending to cease operations shall notify the Authority six (6) months in advance in writing and shall provide evidence of arrangements for alternative entities to bear their obligation within the compliance period.

PART III-MISCELLANEOUS

Offences and Penalties

22. No person shall import any near end-of-life and e-waste from outside Africa into Kenya;

Offences relating to Registration

23. (1) It is an offence for any producer introducing electrical and electronic equipment into the Country without registration by the Authority. The producer in addition to the penalty prescribed by the law shall be required to forfeit the goods so introduced and to export back or have the electrical and electronic equipment destroyed at their own cost;

(2) Any person who introduces or distributes electrical and electronic equipment contrary to this regulation or any other law commits an offence.

Failure to meet Obligations

24. (1) Any person who fails to meet their obligations under these Regulations or any other written law commits an offence;

(2) In addition to the penalty prescribed by the law, and without prejudice to any other lawful remedy, the producer may be deregistered by the Authority.

Disposal of e waste by County governments

25. (1) No County Government shall allow disposal of e-waste in their waste facilities save for in the manner prescribed by these regulations;

(2) It shall be an offence for any county government to allow disposal of e waste in their waste facilities save for in the manner prescribed by these regulations.

Offence relating to false information

26. Any person who submits false information in records or evidence or deliberately misleads the Authority commits an offence.

Failure to furnish information

27. Any producer who upon ceasing operations in Kenya, fails to inform and provide evidence to the Authority of transfer of responsibilities to alternative entities, commits an offence.

Handling unauthorized e-waste consignments

28.(1) Any person who exports e-waste either by ship, railway, air or road without an export permit issued by the Authority, shall commit an offence.

General penalty

29. Any person who violates any of the provisions of these Regulations commits an offence and is liable upon conviction to imprisonment of not less than 36 months and a fine of not less than two million Kenya shillings or both such imprisonment and fine.

Operation of Regulations

30. These Regulations shall operate in addition to other relevant Regulations and Standards made under any other law.

REGISTRATION REQUIRMENTS

- (a) A duly filled application form set out in schedule 1 of these regulations,
- (b) Pay the prescribed fee and;
- (c) Provide a valid written contractual agreement with a licenced treatment facility. Provided that all documents in support of the application shall be submitted by the applicant;

SCHEDULE 1 (sec. 4(2) (a))

APPLICATION FORM FOR REGISTRATION OF PRODUCERS

Reg.37

Application Reference No.

.....

THE ENVIRONMENTAL MANAGEMENT AND COORDINATION ACT

Act No. 8 of 1999

**APPLICATION FOR REGISTRATION AS AN ELECTRICAL AND ELECTRONIC
EQUIPMENT (EEE) PRODUCER**

Part A: DETAILS OF APPLICANT

A1	Name of producer
	Company <input type="checkbox"/>
	Business name <input type="checkbox"/>
	Others.....
A2	Nationality.....
	.
A3	PIN No.

	.
A4	Identification number/Business Registration Number/Incorporation Number (as applicable).....

A6 Postal and physical Address (Road/Street/Building):

A7 Telephone No.

A8 Fax No.

A9 E-mail.....

Part B: NATURE OF BUSINESS

B1 Nature of business (State whether Importer, Manufacturer or which other)).....

B2 Location of business (GPS Coordinates).....

PART C: DETAILS OF EEE

C1 Category of EEE

Category 1. Large household appliances	Category 6. Electrical and electronic tools <input type="checkbox"/>	<input type="checkbox"/>
Category 2. Small household appliances	Category 7. Toys, leisure and sports equipment <input type="checkbox"/>	<input type="checkbox"/>
Category 3. IT and	Category 8. Medical devices	<input type="checkbox"/>

Approved/ Not Approved

.....
.....
.....

Comments

.....
.....
.....
.....

.....Name of Official

.....

DesignationSign.....

Date

SCHEDULE 2 (sec. 4(7))

REGISTRATION CERTIFICATE

Reg.

37

THE ENVIRONMENTAL MANAGEMENT AND COORDINATION ACT

Act 8 of 1999

**CERTIFICATE OF REGISTRATION AS AN ELECTRICAL AND ELECTRONIC
EQUIPMENT (EEE) PRODUCER**

Registration Certificate No.

Name.....
.....

Address.....

.....You are hereby registered as an Electrical and Electronic
Equipment (EEE) Producer for the following categories:

.....
.....

Subject to the following conditions

.....
.....
.....

Date:

Signature.....

For Director General

National Environment Management Authority

SCHEDULE 4

ANNUAL COMPLIANCE CERTIFICATE

Reg. xxx

THE ENVIRONMENTAL MANAGEMENT AND COORDINATION ACT

Act No 8 of 1999

ANNUAL COMPLIANCE CERTIFICATE

Certificate No.

Name.....
.....
.....

Address.....
.....

I CERTIFY that the individual/entity named above complies with the Environmental Management and Coordination (E-Waste Management) Regulations, 2013 for the year.....

Subject to the following conditions.....
.....

Date:

Signature.....

For Director General

National Environment Management Authority

SCHEDULE 5 (sect 2)

CATEGORIES OF PRODUCTS

List of products which shall be taken into account for the purpose of this Regulation include, but are not limited to;

1. Large household appliances

- i. Large cooling appliances
- ii. Refrigerators
- iii. Freezers
- iv. Other large appliances used for refrigeration, conservation and storage of food
- v. Washing machines
- vi. Clothes dryers
- vii. Dish washing machines
- viii. Electrical Cooking equipment
- ix. Electric stoves
- x. Electric hot plates
- xi. Microwaves
- xii. Other large appliances used for cooking and other processing of food
- xiii. Electric heating appliances
- xiv. Electric radiators

- xv. Other large appliances for heating rooms, beds, seating furniture
- xvi. Electric fans
- xvii. Air conditioner appliances
- xviii. Other fanning, exhaust ventilation and conditioning equipment

2. Small household appliances

- i. Vacuum cleaners
- ii. Carpet sweepers
- iii. Other electrical appliances for cleaning
- iv. Appliances used for sewing, knitting, weaving and other processing for textiles
- v. Ironing, mangling and other clothing appliances.
- vi. Toasters
- vii. Fryers
- viii. Grinders, coffee machines and equipment for opening or sealing containers or packages
- ix. Electric knives
- x. Appliances for hair-cutting, hair drying, tooth brushing, shaving, massage and other body care appliances
- xi. Clocks, watches and equipment for the purpose of measuring, indicating or registering time
- xii. Scales

3. IT and telecommunications equipment

- i. Centralized data processing:

- a. Mainframes
- b. Minicomputers
- c. Servers
- ii. Printer units
- iii. Personal computing:
 - a. Personal computers (CPU, mouse, screen and keyboard included)
 - b. Laptop computers (CPU, mouse, screen and keyboard included)
 - c. Notebook computers
 - d. Notepad computers
- iv. Copying equipment
- v. Electrical and electronic typewriters
- vi. Pocket and desk calculators and other products and equipment for the collection, storage, processing, presentation or communication of information by electronic means
- vii. User terminals and systems
- viii. Facsimile
- ix. Telex
- x. Telephones
- xi. Pay telephones
- xii. Cordless telephones
- xiii. Cellular telephones

- xiv. Answering systems and other products
- xv. Broadcasting equipment for transmitting sound, images or other information by telecommunications
- xvi. And other products or equipment for the purpose of recording or reproducing sound or images, including signals or other technologies for the distribution of sound and image than by telecommunications

4. Consumer equipment

- i. Radio sets
- ii. Television sets
- iii. Video cameras
- iv. Video recorders
- v. Hi-fi recorders
- vi. Audio amplifiers
- vii. Musical instruments

5. Lighting equipment

- i. Luminaries for fluorescent lamps. Straight fluorescent lamps
- ii. Compact fluorescent lamps
- iii. High intensity discharge lamps, including pressure sodium lamps and metal halide lamps
- iv. Low pressure sodium lamps
- v. Other lighting or equipment for the purpose of spreading or controlling light
- vi. (KPLC and Kengen to give inputs)

6. Electrical and electronic tools

- i. Drills
- ii. Saws
- iii. Sewing machines
- iv. Equipment for turning, milling, sanding, grinding, sawing, cutting, shearing, drilling, making holes, punching, folding, bending or similar processing of wood, metal and other materials
- v. Tools for riveting, nailing or screwing or removing rivets, nails, screws or similar uses
- vi. Tools for welding, soldering or similar use
- vii. Equipment for spraying, spreading, dispersing or other treatment of liquid or gaseous substances by other means
- viii. Tools for mowing or other gardening activities

7. Toys, leisure and sports equipment

- i. Electric trains or car racing sets
- ii. Hand-held video game consoles
- iii. Video games
- iv. Computers for biking, diving, running, rowing, and other similar gadgets.
- v. Sports equipment with electric or electronic components
- vi. Coin slot machines

8. Medical devices (with the exception of all implanted and infected products)

- i. Radiotherapy equipment

- ii. Cardiology
- iii. Dialysis
- iv. Pulmonary ventilators
- v. Nuclear medicine
- vi. Laboratory equipment for in-vitro diagnosis
- vii. Analysers
- viii. Freezers
- ix. Other appliances for detecting, preventing, monitoring, treating, alleviating illness, injury or disability

9. Monitoring and control instruments

- i. Smoke detector
- ii. Heating regulators
- iii. Thermostats
- iv. Measuring, weighing or adjusting appliances for household or as laboratory equipment
- v. Other monitoring and control instruments used in industrial installations (

10. Automatic dispensers

- i. Automatic dispensers for hot drinks
- ii. Automatic dispensers for hot or cold bottles or cans
- iii. Automatic dispensers for solid products
- iv. Automatic dispensers for money

11. Batteries

12. Security and Military Equipment

13. Florescent tubes

SCHEDULE 6

APPLICATION FORM TO OWN/OPERATE A RECYCLING FACILITY

**APPLICATION/RENEWAL FOR A LICENCE TO OWN/OPERATE AN E- WASTE
RECYCLING/TREATMENT FACILITY**

I hereby apply for a licence to own/operate an e-waste recycling/treatment facility, particulars whereof are given below:-

Name of Applicant.....

Address

.....

Phone No.....

Contact Person.....

.....

PIN Number

.....

Location of plant/site

.....

.....

.....

.....

Recycling Technology

applied.....

.....

Types of e-waste to be treated/recycled at plant/site

.....

.....

.....

Installed Capacity (tonnes/annum).....

Quantity of e-waste treated/recycled during the previous year
(tonnes/kg)
.....
.....

Estimated life span of plant/site
Any (.....
.....

Proposed hectarage/area of plant/site (include plan or
designs).....
.....

Executive summary of environmental impact statement (please attach)

Is Application for: Initial license Renewal

Previous License Number
.....

E.I.A. License Number
.....

Additional
information.....
.....
.....
.....

Date:.....

Signature:.....

Designation/Title:.....

FOR OFFICIAL USE ONLY

Application received

by.....on.....20.....

Fee paid Kshs..... (in
words).....

Signature.....Date.....

.....

.....

.....

For: Director General

National Environment Management Authority

Approved by

CEOSign.....Date.....

- **Note; Report to be submitted on Quarterly basis**

SCHEDULE 8 (sect. 14(1))

E-WASTE COLLECTION CENTRE

REQUIREMENTS FOR NOTIFICATION TO THE AUTHORITY

1. The collection centre should indicate:
 - a. Physical Location
 - b. GPS position
 - c. Postal Address
 - d. Contact Person
 - e. Tel. No
 - f. E-mail address
2. Type of e-waste to be collected
3. Name of the transporter
4. Recycling/Treatment plant where e-waste is taken for recycling
5. Safety Measures in Place
6. Emergency Preparedness

SCHEDULE 9 (sect. 14(1))

NOTIFICATION FORM FOR ESTABLISHMENT OF COLLECTION CENTRES

Name of Collection

centre.....

Address.....

Provide details of;

a. Physical Location.....

.....

b. GPS position.....

c. Postal Address.....

.....

.....

d. Contact Person.....

e. Tel. No.....

f. E-mail address.....

Indicate the type of e-waste to be collected at the

centre.....

.....

...

Recycling/Treatment plant where e-waste is taken for recycling

.....

.....

.....

.....

Safety Measures in Place at the collection

centre.....

.....

....

.....

....

Emergency Response

Plan.....

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.....

.....

SCHEDULE 10 (sect. 15(3))

APPLICATION FORM FOR E-WASTE EXPORT PERMIT

APPLICATION FOR TRANSBOUNDARY

MOVEMENT OF WASTE

(FOR EXPORT OR TRANSIT PURPOSE ONLY)

1. NOTIFIER*

Name: Telephone:.....

Address: Telefax:.....

E-mail.....

Contact person (name, address, telefax, e-mail)

2. GENERATOR (S) OF WASTE

Name:.....Telephone.....

Address:..... Telefax:.....

. E-mail.....

Contact person (name, address, telephone, telefax, e-mail)

.....

Process by which the waste was
generated:.....

Site of
generation:.....

3. REASON FOR WASTE EXPORT

Why the waste cannot be disposed of in the country of origin

Why the waste has to be exported/imported through Kenya

4. WASTE

Description of the waste:

Y number H number UN class UN number:

Shipping name IWIC code

Physical state at 20oC:

Powder Solid Paste/viscous Sludge Liquid

gaseous Other (specify)

Estimated quantity (Kg or L) of the shipment:

Type of packaging:.....

Number of packages:.....

Special handling requirements including emergency provisions in case of accidents:

Method of disposal:

5. EXPORT/IMPORTER OF THE WASTE

Competent Authority and details of approval

Exporter/Importer of the waste in the country of origin/destination

Name:.....Telephone: Telefax

E-mail

6. DISPOSER OF WASTE (final disposal facility)

Contact person in case of emergency:

Name:.....TelephoneTelefax

E-mail:

Approximate date of disposal:

Actual site of disposal:

Signature and official stamp of disposer:

7. TRANSIT

Projected length of time the waste shipment shall be in transit in Kenya territory

Expected date of entry

Expected date of exit

Means of transport envisaged:

Information relating to insurance:

***(To confirm if there is more information on the asterik)**

SCHEDULE 11(sect. 6(2))

PRINCIPLES OF ENVIRONMENTALLY SOUND MANAGEMENT (ESM)

Principles of ESM

1. Principle of waste Prevention
2. Principle of waste minimization
3. Principle of self sufficiency
4. Principle of safe disposal close to point of generation
5. Polluter pay principle
6. Design for environment
7. Best appropriate technology
8. Right to know
9. Principle of substitution
10. Participatory management
11. Integrated pollution prevention and control
12. Cleaner production technologies
13. Principle of green growth

Guidelines for E-waste treatment facility (Refer to the National E-waste management guidelines)

SCHEDULE 12(sect. 9(3) (a))

FORMULA FOR PRODUCER OBLIGATION CALCULATION

a. **Market Share calculation** for a producer is:

The weight of products put on the market by an individual producer in his product type/s

divided by

The total weight of products put on the market by all producers in this **product type/s**

b. **Obligation calculation** for a producer is:

Total reported tonnage treated by **product type**

multiplied by

The individual producers market share

c. **Pollution impact factor (develop pollution index table)**

SCHEDULE 13 (sect. 10(3))

FEES

1. Application fee for Producer registration -R-37 -1 Kshs. 3,000
2. Annual compliance certificate - Kshs. 500 – 10,000 (based on producer annual turn-over)
3. Licensing of recyclers-R-52b, ksh-40,000
4. Transportation fee for e-waste- R- 65-1 ksh-5,000
5. Importation of e-waste permit fee-R-66-3-5, ksh-30,000

(Annual renewal fee based on the producers turn-over)

Develop schedule for:

EEE DECLARATION FORMAT