

Approved for tabling. *Bat* *SNA*

31/5/17



*Paper laid by
Chairperson
Wednesday Afternoon
31/5/2017
ZK*

THE NATIONAL ASSEMBLY

ELEVENTH PARLIAMENT – FIFTH SESSION – 2017

DEPARTMENTAL COMMITTEE ON ENVIRONMENT AND NATURAL RESOURCES

**REPORT ON THE PETITION BY THE RESIDENTS OF KAJIADO NORTH
CONSTITUENCY REGARDING THE CLOSURE AND RELOCATION OF NGONG
DUMPSITE.**

DIRECTORATE OF COMMITTEE SERVICES,
CLERK'S CHAMBERS
PARLIAMENT BUILDINGS
NAIROBI



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CHAIRPERSON'S FOREWORD

The petition was tabled before the House by Hon. Joseph Manje, MP on behalf of the petitioners. This is in accordance with the provisions of Standing Order 225 (2) (a). The petition requests the National Assembly through the Departmental Committee on Environment and Natural Resources to intervene and ensure the closure and relocation of Ngong Dumpsite, recommends that the relevant authorities establish a dumpsite away from human settlement, ensures that the petitioners plight are addressed and makes any other order or direction that it deems fit in the circumstances of the petition.

In considering the petition, the Committee held meetings with the Hon. Joseph Manje, MP, who appeared on behalf of the petitioners. The Committee also carried out an inspection visit on the dumpsite on 19th May, 2017. On the same day, the Committee also held a public hearing forum with the residents of Kajiado North Constituency where it received their views. The Committee established that the dumpsite was next to residential homes, churches and school, polytechnic and, with the stench emanating from the site, it made the area inhabitable.

The Committee appreciates the assistance provided by the Office of the Speaker and the Clerk of the National Assembly that enabled it to discharge its functions in considering the petition. On behalf of the Committee, and pursuant to Standing Order, 227 it is my duty to table on the Floor of the House the Report of the Committee on the petition.

Hon. Amina Abdalla, CBS, MP

- Describe alternatives designs and technologies for the decommissioning of the dumpsite.
- Describe the “no action” alternative of the Ngong dumpsite not being decommissioning, but continuing with the existing dumpsite as it is currently being operated
- Compare the alternatives in terms of not only potential environmental impact (which is irreversible, unavoidable and which can be mitigated but also potential social impacts); capital and operation costs; sustainability under local conditions; and institutional, training and monitoring requirements.
- To the extent possible, quantify costs and benefits of each alternative

Task 6: Development of management plan and to mitigate negative impacts

- Recommend feasible and cost-effective measures to prevent or reduce significant negative impacts to acceptable levels
- Indicate the impacts and costs of those measures to implement them
- Indicate the costs of the institutional capacity building and training required to implement mitigation measures.
- Consider compensation to affected parties for impacts which cannot be mitigated (e.g. re-housing of residents within an acceptable distance from the proximity of the decommissioned dumpsite).
- Prepare management plan (including budget estimated, time frame, verifiable indicators, staffing requirements and other necessary support) to implement the mitigating measures.
- Recommend feasible and cost effective measures for the management of decommissioned dumpsite.

Task 7. Identification of institutional needs to implement environmental assessment recommendations

- Review the institutional capacity of the National Institutions and the County Government of Kajiado to implement, manage and monitor (in the short term as well as in the long-term) the decommissioning of the dumpsite.
- Recommend, if necessary, institutional strengthening at all levels

Task 8. Development of monitoring plans

Set up a monitoring plan for the decommissioning process. The monitoring plan shall compromise the following:

- Leachate quality and quantity;
- Air quality
- Groundwater quality and levels
- Monitoring plan for social impacts
- Gas quality on-site and off-site and, if required (i.e. utilization on-site quantity;

- Monitoring plan for land acquisition, resettlement loss of business & rehabilitation impacts if **ANY**
- Effluent quality from leachate.

The monitoring plan shall only include indicator parameters which are uncomplicated to obtain and easy to evaluate and submitted to relevant lead agencies.

Task 9. Assist in inter-agency coordination and public/NGO participation

- Prepare together with the National Environment Management Authority and county government of Kajiado, a meeting to which all relevant ministries and departments in the County government are invited.
- At this meeting, present the project, the environmental issues related to the project and the responsibility, involvement and commitments of the relevant ministries and departments.
- Hold public meetings during the preparation of the EIA study report. This should be held at least twice (scoping and draft final stages)
- Prepare also, together with the National Environment Management Authority and county government of Kajiado a public hearing to which all affected parties and relevant NGO's, local residents, local business persons and other interested parties are invited.
- In the public hearing, present the project reports and all environmental issues related to the project.
- Keep records of these meetings. Report should incorporate results from sociological surveys and local consultations.

Reporting

The Environmental Impact Assessment study shall be concise and limited to significant environmental issues. The main text must focus on findings, conclusions and recommendations, supported by summary of data collected and citation for any references used in interpreting those data.

Consulting Team

The consulting team consisted of the following:

- Environmental Engineers experienced in Landfill techniques, design and environmental impact assessment
- Hydrological experienced in hydrological field survey and modeling of contaminant release from landfills
- Chemical/environmental engineers experienced in degradation process in landfills and outcome in term of leachate and gas.

- Civil engineers experienced in soil mechanics and design of landfills and environmental protection measures
- Civil engineers experienced in noise and vibration evaluation
- Sociologist
- Land use planner experienced in community participation, community mobilization and resettlement programs.
- Resettlement and rehabilitation (R&R) specialist with sufficient experience

Schedule

- Develop a clear model for monitoring the consultants by lead agencies.
- The consultant shall ensure the EIA study report shall be submitted to NEMA and follow up all the requirements of NEMA.

He finally made the following observations and recommendations,

- i. Increase in population has led to increase in waste at the dumpsite. The dumpsite was serving a very large population and yet the site is very small compared to the waste that is disposed off in the area;
- ii. Failure to man the dumpsite had resulted to haphazard dumping and dumping outside the designated area. This had resulted to blocking of the entrance of the dumpsite;
- iii. The area was also insecure due to criminal gangs who have occupied the dumpsite;
- iv. NEMA had various talks with the County Government of Kajiado, and the County was looking for an alternative site for the dumpsite;
- v. There was need for the matter to be given priority as the dumpsite is next to a river
- vi. While waiting for a solution, NEMA had given the county government Ten (10) Minimum points for solid waste management to adhere to as follows:

Waste collection

1. Ensure that the waste collection areas are zoned;
2. Ensure timely and regular collection of all solid waste either through door to door collection or from centralized collection points;
3. Ensure waste collection facilities such as skips, bulk containers and waste cubicles are regularly emptied and do not become eye-sores;

Waste transportation

4. Ensure that all the collected waste is transported using NEMA licensed vehicles to designated disposal sites.

Waste disposal site

5. Ensure there is a designated site(s) for waste disposal
6. Ensure that the disposal site is secured with a fence and a gate manned by a county government official to control dumping and spread of waste outside the disposal site;
7. Ensure all incoming waste is weighed or estimated and the quantities recorded in tonnes;
8. Develop and maintain motorable roads inside the site to ensure ease of access during disposal;
9. Ensure the waste is spread, covered and compacted at regular intervals;
10. Put in place appropriate control measures for the management of dumpsite fires;
11. Enhance security and control of the disposal sites so that illegal activities are contained;

Requirement for licensing

12. Ensure waste transportation vehicles have NEMA licences;
13. Obtain licences to operate waste disposal sites.

2.2 INSPECTION OF NGONG DUMPSITE

The Committee accompanied by NEMA County Officials, church leaders, local leaders and residents carried out an inspection of the dumpsite and established the following:

- i. lorries with garbage from other counties was dumped in Ngong dumpsite ;
- ii. The dumpsite was next to residences and with the stench emanating from the site, it made the area inhabitable;
- iii. There were youth in the area who made a living through sifting through the garbage and selling the garbage for recycling.

2.3 PUBLIC HEARING FORUM

The Committee held a public hearing forum at Ngong and received submissions from the following:

A. MR. SHADRACK OKENYU- AREA RESIDENT

Mr. Shadrack expressed his disappointment by the slow pace at which this vital issue was taking to be solved. He informed the Committee he had been a resident in the area for a long time and the youth had made their living through selling garbage for recycling. However he noted that the income they were earning was not making any economic sense in having it since it employs 300 but negatively affects tens of thousands. He noted that the workers were earning ksh300 per day but spend almost Ksh. 3000 in hospital in a week. He suggested that as a solution, the dumpsite be relocated to a bigger dumping site and far from residents. He also said that in the future the garbage need to be separated before being brought to the dumpsite, there was therefore need to invest to put up the system.

B. MR. CHRISTOPHER MURITHI :- PROJECT DIRECTOR AND RESIDENT

Mr. Murithi informed the Committee that, he was working for a registered organisation group working in environment and solid waste management informal sector and that they are authorised by the County Government of Kajiado through the department of environment to mobilize, to create awareness, to sensitize, educate and provide simple and effective ideas to the communities and establishing a sustainable environment protection and decentralised waste management system. He also proposed that a solid waste management plant be put up at the site to process the waste and also employ the youth. He further urged the government to protect them from diseases and also guarantee them their right to a clean environment.

C. MS. CAROLINE WAMBUI CHEGE- SENATOR ASPIRANT

Ms. Carol submitted the following:

- i. That there was need for separation of the garbage at the household level.
- ii. That the garbage need to be recycled and the bio-degradable waste be sold.
- iii. She also requested the county Government to look for short term strategies to solve the problem as they come up with long term solutions
- iv. She also expressed the need for planting of flowers around the dumpsite areas as a way of beautifying the area
- v. While waste management is a county function in the Constitution, the county government was not doing enough and requested the intervention of the national government to bring a solution at the dumpsite.

D. MR. RICHARD PARSITAU

Mr. Richard urged the members of parliament to assist Ngong residents to look for garbage site solution. He also informed the committee that the District officer constituted a meeting on 18th December 2006 with county council of Olkejuado pursuant to resident's outcry of the condition they were living in due to the dumpsite and they suggested among other things upgrading of the slum. He further noted that every Kenyan has a right to clean environment, however the residents have been suffering with children always falling sick due to the poor environment they were living in. He urged the county government to take up its mandate and provide an alternative site for the dumpsite.

E. HON. PAUL SUPET-MCA NGONG WARD

Mr. Paul informed the Committee that;

- i. The area under the dumpsite started as quarry which killed many children
- ii. In 2002 the local community decided to start dumping their garbage there with the intention of filling up the quarry.
- iii. Since then residents from Ngong and other areas like Eastleigh, Dagoreti and other areas continued to dump in the area.
- iv. That the population of Ngong has increased and so as the amounts of the garbage
- v. The county Government of Kajiado had invited private investors like the ASTICOM (K) LTD to help recycle the garbage however they had not started operation as they lacked Contracts, NEMA permit and Approval to construct recycling facility according to the waste and Disposal Act.
- vi. He however noted that the county was to engage their legal expert but ASTICOM was to write a letter explaining the request they would like included in the contract for the county deliberation.

3.0 FINDINGS

During its meetings with the petitioners and other stakeholders and fact finding visit to the dumpsite, the Committee established the following:

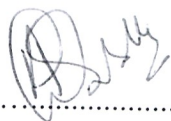
- i. Article 42 of the constitution grants every person the right to a clean and healthy environment and that a clean environment is key to well-being of residents,
- ii. The dumpsite was not licensed however to manage the site, NEMA had given the County government of Kajiado ten (10) Minimum points to adhere to while looking for an alternative to relocate the dumpsite;
- iii. The dumpsite was next to residential houses, churches and school, and, with the stench emanating from the site, it made the area uninhabitable;
- iv. There were youth in the area who made a living by sifting through the garbage and selling the garbage for recycling.
- v. That the residents had no problem with the relocation of the dumpsite provided the people who were working there be considered for job opportunities

4.0 RECOMMENDATIONS

The Committee recommends the following:

1. The Ministry of Environment and Natural Resources through the National Environment Management Authority should close the Kajiado dumpsite since it is a health hazard to the residents of Ngong and the schools and churches next to the dumpsite;
2. The County Government of Kajiado should look for an alternative site for a dumpsite far from human settlement while in the meantime adhere to the ten minimum points provided as stipulated by the National Environment Management Authority;
3. The County Government of Kajiado should consider the youth working at the dumpsite when looking for an alternative site and upgrading to a garbage recycling plant; and,
4. The Ministry of Environment and Natural Resources should work on a stand-alone legislation on waste management which will ensure compliance to environment standards in the Country.

Signed.....



Date.....

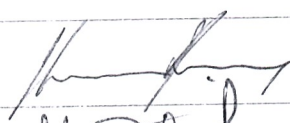
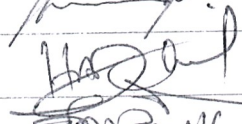
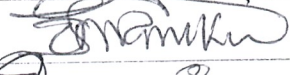
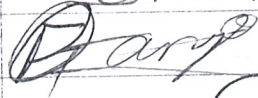
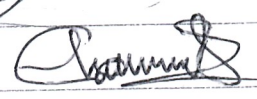
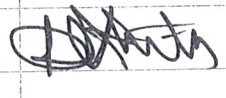
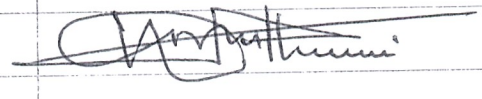
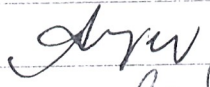
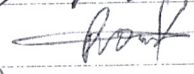
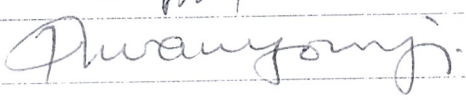

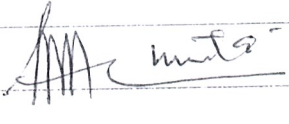
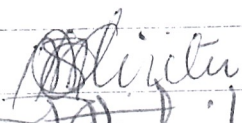
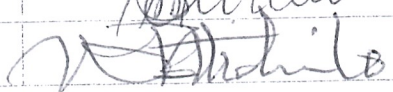
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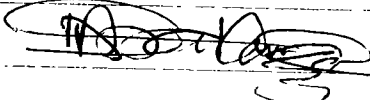
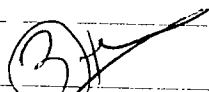
Hon. Amina Abdalla, CBS, MP
Chairperson, Departmental Committee on Environment and Natural Resources

ANNEXES I. ADOPTION LIST

DEPARTMENTAL COMMITTEE ON ENVIRONMENT AND NATURAL RESOURCES NATIONAL ASSEMBLY

ADOPTION LIST OF THE REPORT ON THE PETITION ON CLOSURE AND RELOCATION OF NGONG DUMPSITE.

	NAME	SIGNATURE
1	Hon. Abdalla, Amina, MP, CBS-CHAIRPERSON	
2	Hon. Alexander Kosgey, MP Vice Chairperson	
3	Hon. Dukicha, Hassan Abdi, MP	
4	Hon. Emanikor, Joyce Akai, MP	
5	Hon. Ganya, Francis Chachu, MP	
6	Hon. Geni, Charles Mongare, MP	
7	Hon. Gure, Shukra Hussein, MP	
8	Hon. Ole Kenta, Richard Moitalel, MP	
9	Hon. Mohamed, Diriye Abdullahi, MP	
10	Hon. Murungi, Kathuri, MP	
11	Hon. Ogalo, George Oner, MP	
12	Hon. Sunjeev Kour Birdi, MP	
13	Hon. Tonui, Ronald Kiprotich, MP	
14	Hon. Dr. Wanyonyi, Reginalda N, MP	
15	Hon. Farah, Abdulaziz Ali, MP	
16	Hon. Dr. Barua, Ejidius Njogu, MP	
17	Hon. Irea, Gideon Mwiti, MP	
18	Hon. Muluvi, Marcus Mutua, MP	
19	Hon. Wandayi James Opiyo, MP	
20	Hon. Ndiritu, Samuel Mathenge, MP	
21	Hon. Ottichilo, Wilber Khasilwa, MP	

22	Hon. Rop, Jackson Kipkorir, MP	
23	Hon. Abdinoor, Mohammed Ali, MP	
24	Hon. Ng'ang'a, Alice Wambui, MP	
25	Hon. Peter Kinyua, MP	
26	Hon. Richard Makenga, MP	
27	Hon. Jude Njomo, MP	
28	Hon. Joyce Lay, M P	
29.	Hon. Zuleikha Hassan, M P	

**ANNEXES II. MINUTES OF COMMITTEE
DELIBERATIONS**



MINUTES OF THE 29TH SITTING OF THE DEPARTMENTAL COMMITTEE ON ENVIRONMENT AND NATURAL RESOURCES, HELD ON THURSDAY 25TH MAY, 2017 AT 10.00 AM IN CPA ROOM, PARLIAMENT BUILDINGS.

PRESENT

1. Hon. Abdalla Amina, M.P. – **Chairperson**
2. Hon. Alexander Kosgey, M.P. – Vice Chairperson
3. Hon. Dukicha Hassan Abdi, M.P.
4. Hon. Emanikor Joyce, M.P.
5. Hon. Ganya Francis Chachu, M.P.
6. Hon. Geni Charles Mong'are, M.P.
7. Hon. Ole Kenta Richard Moitalel, M.P.
8. Hon. Kathuri Murungi, M.P.
9. Hon. Sunjeev Kaur Birdi, M.P.
10. Hon. Tonui Ronald Kiprotich, M.P.
11. Hon. Dr. Wanyonyi Reginalda N. M.P.
12. Hon. Farah, Abdulaziz Ali, M.P.
13. Hon. Dr. Barua Ejidius Njogu, M.P.
14. Hon. Muluvi Marcus Mutua, M.P.
15. Hon. Ndiritu Samuel Mathenge, M.P.
16. Hon. Dr. Ottichillo K. Wilber, M.P.
17. Hon. Richard Makenga, M.P.
18. Hon. Zulekha Hassan, M.P.

APOLOGIES

1. Hon. Abdinoor Mohammed Ali, M.P.
2. Hon. Wandayi James Opiyo, M.P.
3. Hon. Rop Jackson Kipkorir, M.P.
4. Hon. Jude Njomo, M.P.
5. Hon. Joyce Lay, M.P.
6. Hon. Peter Kinyua, M.P.
7. Hon. Gure Shukran Hussein, M.P.
8. Hon. Ogalo George Oner, M.P.
9. Hon. Ng'ang'a Alice Wambui, M.P.
10. Hon. Irea Gideon Mwiti, M.P.
11. Hon. Mohamed Diriye Abdullahi, M.P.

FRIEND OF THE COMMITTEE

Hon. Kenneth Okoth, M.P

IN-ATTENDANCE – SECRETARIAT NATIONAL ASSEMBLY

- | | |
|---------------------------|-----------------------|
| 1. Mr. Hassan A. Arale | - Clerk Assistant III |
| 2. Mr. Ahmed Hassan Odhwa | - Senior researcher |
| 3. Mr. James Muguna | - Researcher III |
| 4. Ms. Lynette Otieno | - Legal Counsel |

MIN.NO. DC/ENR/101/2017: PRELIMINARIES

The meeting was called to order at 10.30 am after which prayers were said. The Chair then welcomed the members to the meeting.

MIN.NO.DC/ENR/102/2017: CONFIRMATION OF MINUTES

- (i) The Minutes of the 24TH Sitting were confirmed as a true record of the proceedings after being proposed by Hon. Moitalel Ole Kenta, M.P and seconded by Hon. Dr. Wanyonyi Reginalda , M.P.
- (ii) The Minutes of the 25TH Sitting were confirmed as a true record of the proceedings after being proposed by Hon. Moitalel Ole Kenta, M.P and seconded by Hon. Kathuri Murungi, M.P.
- (iii) The Minutes of the 26TH Sitting were confirmed as a true record of the proceedings after being proposed by Hon. Ganya Francis Chachu, M.P., and seconded by Hon. Ndiritu Samuel Mathenge, M.P.
- (iv) The Minutes of the 27TH Sitting were confirmed as a true record of the proceedings after being proposed by Hon. Dr. Ottichillo K. Wilber, M.P. and seconded by Hon. Kathuri Murungi, M.P.
- (v) The Minutes of the 28TH Sitting were confirmed as a true record of the proceedings after being proposed by Hon. Ganya Francis Chachu, M.P. and seconded by Hon. Ndiritu Samuel Mathenge, M.P.

MIN.NO.DC/ENR/103/2017: ADOPTION OF THE REPORT ON THE PETITION ON THE BAN , ON THE USE , MANUFACTURE AND IMPORTATION OF PLASTIC BAGS:

The Members considered and confirmed the report as the true reflection of the Committee's deliberation after it was proposed and seconded by Hon. Dr. Ganya Francis Chachu, M.P and Hon. Ole Kenta Moitalel, M.P respectively.

MIN.NO.DC/ENR/104/2017: ADOPTION OF THE REPORT ON THE CLOSURE AND RELOCATION OF NGONG DUMPSITE:

The Members considered and confirmed the report as the true reflection of the Committee's deliberation after it was proposed and seconded by Hon. Dr. Wilber Ottichilo, M.P and Hon. Ole Kenta Moitalel, M.P respectively.

MIN.NO.DC/ENR/105/2017: ADJOURNMENT

There being no other business the meeting was adjourned at 12.35am.

SIGNED.....

**Hon. Amina Abdalla, CBS, M.P
(Chairperson)**

DATE.....

MINUTES OF THE 18TH SITTING OF THE DEPARTMENTAL COMMITTEE ON ENVIRONMENT AND NATURAL RESOURCES, HELD ON THURSDAY 23RD MARCH, 2017 AT 10.00 AM IN CPA ROOM, PARLIAMENT BUILDINGS

PRESENT

1. Hon. Ganya Francis Chachu, M.P. - **Chairing**
2. Hon. Ole Kenta Richard Moitalel, M.P.
3. Hon. Mohamed Diriye Abdullahi, M.P.
4. Hon. Tonui Ronald Kiprotich, M.P.
5. Hon. Farah, Abdulaziz Ali, M.P.
6. Hon. Dr. Barua Ejidius Njogu, M.P.
7. Hon. Muluvi Marcus Mutua, M.P.
8. Hon. Dr. Ottichillo K. Wilber, M.P.
9. Hon. Rop Jackson Kipkorir, M.P.
10. Hon. Jude Njomo, M.P.

APOLOGIES

1. Hon. Abdalla Amina, M.P. – **Chairperson**
2. Hon. Alexander Kosgey, M.P. – Vice Chairperson
3. Hon. Sunjeev Kaur Birdi, M.P.
4. Hon. Dr. Wanyonyi Reginalda N. M.P.
5. Hon. Abdinoor Mohammed Ali, M.P.
6. Hon. Joyce Lay, M.P.
7. Hon. Wandayi James Opiyo, M.P.
8. Hon. Geni Charles Mong'are, M.P.
9. Hon. Kathuri Murungi, M.P.
10. Hon. Peter Kinyua, M.P.
11. Hon. Richard Makenga, M.P.
12. Hon. Gure Shukran Hussein, M.P.
13. Hon. Ogalo George Oner, M.P.
14. Hon. Ng'ang'a Alice Wambui, M.P.
15. Hon. Dukicha Hassan Abdi, M.P.
16. Hon. Zulekha Hassan, M.P.
17. Hon. Emanikor Joyce, M.P.
18. Hon. Irea Gideon Mwiti, M.P.
19. Hon. Ndiritu Samuel Mathenge, M.P.

IN-ATTENDANCE

FRIEND OF THE COMMITTEE

1. Hon. Joseph Manje, M.P.

SECRETARIAT

- | | |
|------------------------|-----------------------|
| 1. Mr. Hassan A. Arale | - Clerk Assistant III |
| 2. Mr. Ronald Walala | - Legal Counsel |

MIN.NO. DC/ENR/066/2017: PRELIMINARIES

The meeting was called to order at 10.30 am after which prayers were said. The Chair then welcomed the members to the meeting.

MIN.NO. DC/ENR/067/2017: PRESENTATION BY HON. JOSEPH MANJE, M.P ON THE PUBLIC PETITION ON CLOSURE AND RELOCATION OF NGONG DUMPSITE:

The Hon. Member presented a public petition by the residents of Kajiado North Constituency regarding the closure and relocation of Ngong Dumpsite and drew the attention of the House to the following, that:

- I. The constitution of Kenya recognizes the right to clean and healthy environment as a fundamental right;
- II. Aware that the Ngong dumpsite poses a health risk to the resident of Ngong town due to dumping without set regulations;
- III. Dumping in Ngong dumpsite was established without putting in place an effective and efficient management structure;
- IV. The authorities in charge of garbage collection and disposal has neglected their role.
- V. Further to being a health risk, the dumpsite has become a hub of thugs and other criminals posing security threats to the residents of Ngong town and its environs;
- VI. Efforts to resolve the matter with the relevant bodies/agencies has been futile;

Therefore the petitioners prayed that the national assembly, through the Departmental Committee on Environment and Natural Resources;

- I. Intervenes and recommends the closure and relocation of the dumpsite and
- II. Makes any other or direction that it deems fit in the circumstances of the petition.

In addition the Honourable member said the dumpsite is next to urban areas which is adjacent to the Cathedral church and a major primary school and is becoming a major dumping site with garbage coming from as far as Nairobi and Kiambu Counties.

COMMITTEE'S OBSERVATIONS:

The Committee observed that,

- A. There is need to carry out a fact finding visit to the site;
- B. The Member of Parliament needs to work with area ward representative to pursue the matter with the County government since waste management is a devolved function;
- C. Finally the committee can only make recommendations but it is the county government to implement the recommendations.

COMMITTEE'S RESOLUTIONS

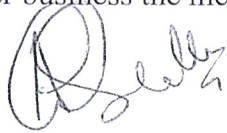
After a lengthy deliberation the committee resolved as follows; that,

- a) The Committee shall visit the site assess the situation on a date agreed upon to all other stakeholders including the County government of Kajiado and the Ministry of Environment and Natural resources.
- b) The people of Kajiado should be given clean and safe environment as enshrined in the Kenya Constitution, 2010;
- c) The National Policy on Refuse and Waste Management should be put in place.

MIN.NO.DC/ENR/068/2017:

ADJOURNMENT

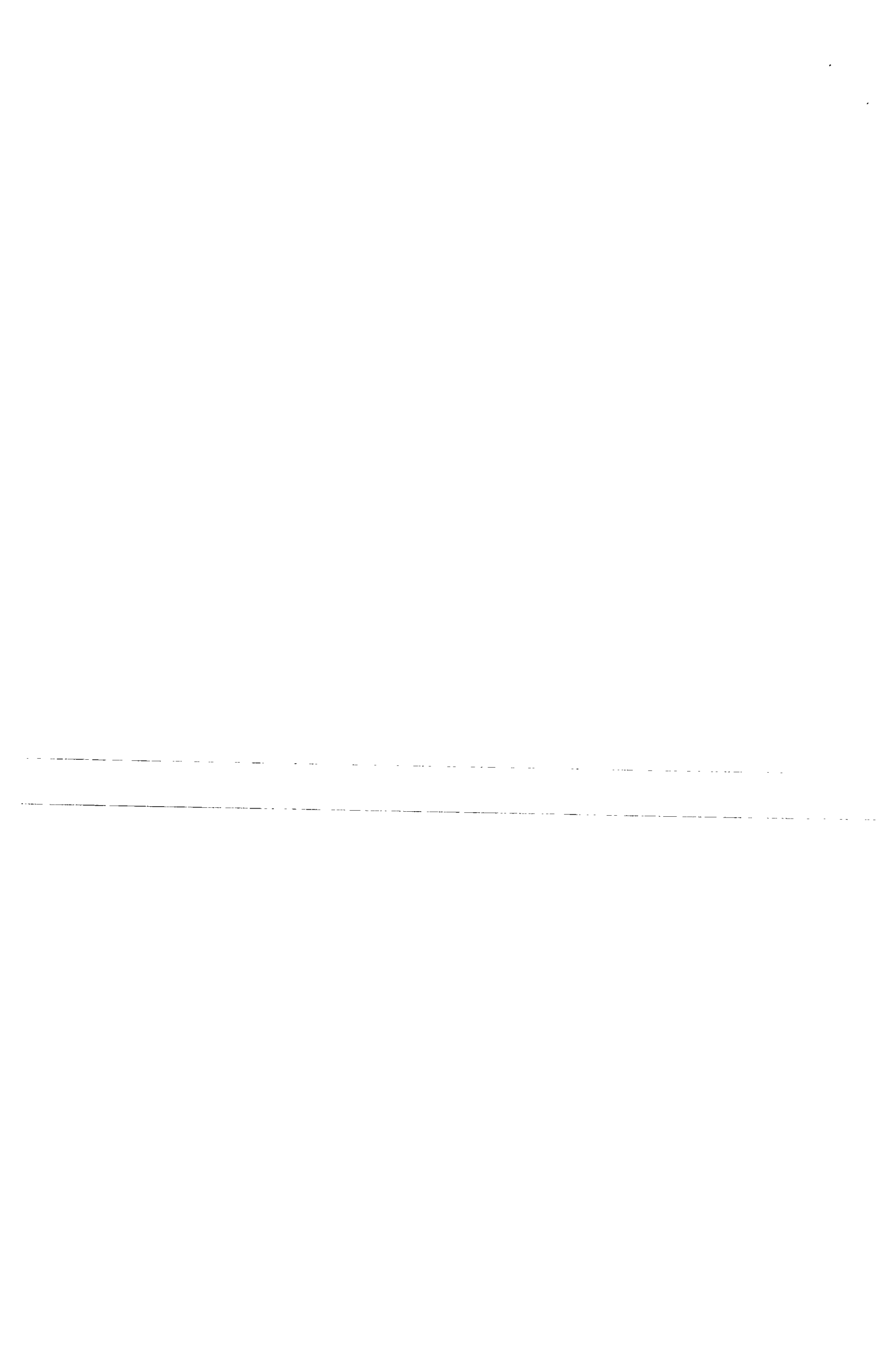
There being no other business the meeting was adjourned at 12.05pm.



SIGNED.....

Hon. Amina Abdalla, CBS, M.P
(Chairperson)

DATE..... 4/4/2017



**ANNEXES III. PETITION BY THE RESIDENTS OF
KAJIADO NORTH CONSTITUENCY ON THE
CLOSURE AND RELOCATION OF KAJIADO
DUMPSITE**



747

THE NATIONAL ASSEMBLY
RECEIVED
26 OCT 2016
DIRECTOR COMMITTEE SERVICES
Time:.....

Directorate of Legislative
and Procedural Services

MEMO

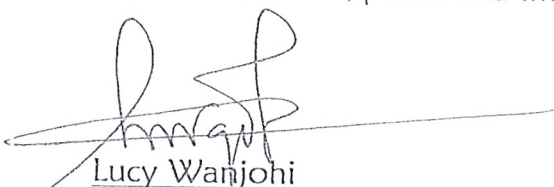
TO : DIRECTOR, COMMITTEE SERVICES
FROM : PRINCIPAL CLERK ASSISTANT
DATE : 25TH OCTOBER, 2016
SUBJECT : PUBLIC PETITIONS

The above-mentioned matter refers.

On Tuesday, 24th October, 2016, the following Petitions were presented in the House: -

1. Petition on violation of labour laws and tax evasion by Bidco Africa Limited, presented by Hon. Jude Njomo, MP; *DC - LABOUR*
2. Petition on gazettelement of Bomet East Constituency as a hardship area, presented by Hon. Bernard Bett, MP; and *DC - EDUCATION*
3. Petition on closure and relocation of Ngong Dumpsite presented by Hon. Joseph Manje, MP. *DC - ENVIRONMENT*

Enclosed herewith, please find the Petitions for your action.

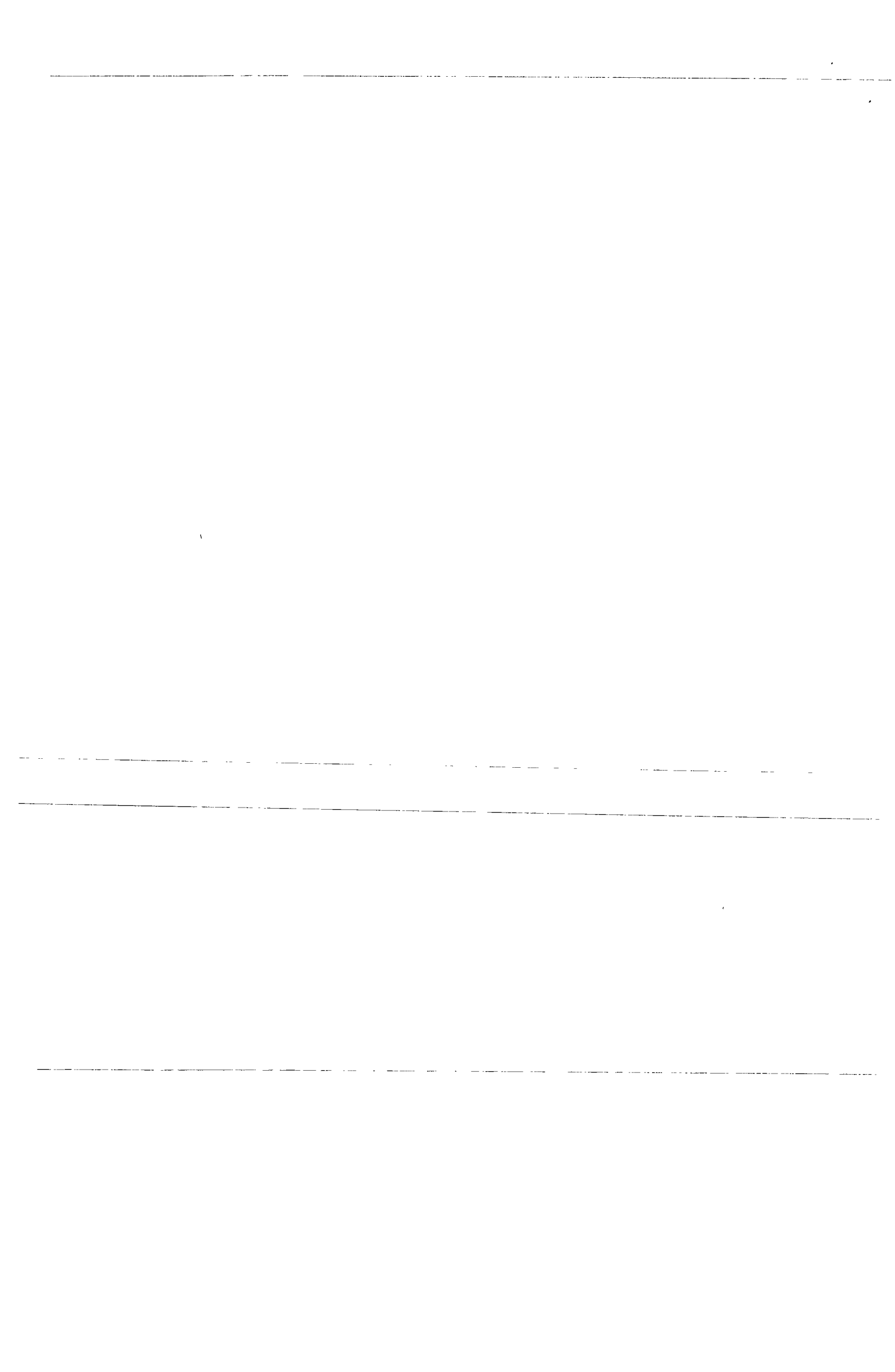

Lucy Wanjohi

Encl.

Copy to: Clerk of the National Assembly
Director, Legislative and Procedural Services
Chair DC, Labour and Social Welfare
Chair DC, Education, Research and Technology
Chair DC, Environment and Research Services

*1. KEAH
2. CHEBET
3. ERICK

pls deep
FA
26/10*





THE NATIONAL ASSEMBLY

ELEVENTH PARLIAMENT
(FOURTH SESSION)

PUBLIC PETITION

BY THE RESIDENTS OF KAJIADO NORTH CONSTITUENCY REGARDING
CLOSURE AND RELOCATION OF NGONG DUMPSITE

I, the UNDERSIGNED, on behalf of the residents of Kajiado North Constituency in Kajiado County,

DRAW the attention of the House to the following:-

1. THAT, the Constitution of Kenya recognizes the right to clean and healthy environment as a fundamental right;
2. THAT, aware that the Ngong dumpsite poses a health risk to the residents of Ngong town due to dumping without set regulations;
3. THAT, dumping in Ngong dumpsite was established without putting in place an effective and efficient management structure;
4. THAT, the authorities in charge of garbage collection and disposal has neglected their role;
5. THAT, further to being a health risk, the dumpsite has become a hub of thugs and other criminals posing security threats to the residents of Ngong town and its environs;
6. THAT, efforts to resolve the matter with the relevant bodies/agencies has been futile;
7. THAT, the issues in respect of which this Petition is made are not pending before any Court of Law, Constitutional or statutory body.

Approved
SNA
25/10/16

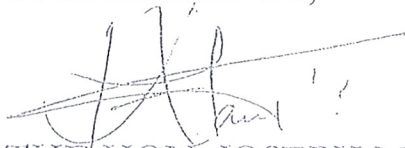
BY THE RESIDENTS OF KAJIADO NORTH CONSTITUENCY REGARDING
CLOSURE AND RELOCATION OF NGONG DUMPSITE

THEREFORE your humble petitioners pray that the National Assembly, through the Departmental Committee on Environment and Natural Resource;

- (i) Intervenes and recommends the closure and relocation of the dumpsite; and
- (ii) makes any other order or direction that it deems fit in the circumstances of the Petition.

And your PETITIONERS will ever pray.

PRESENTED BY,



THE HON. JOSEPH MANJE, MP
MEMBER FOR KAJIADO NORTH
CONSTITUENCY

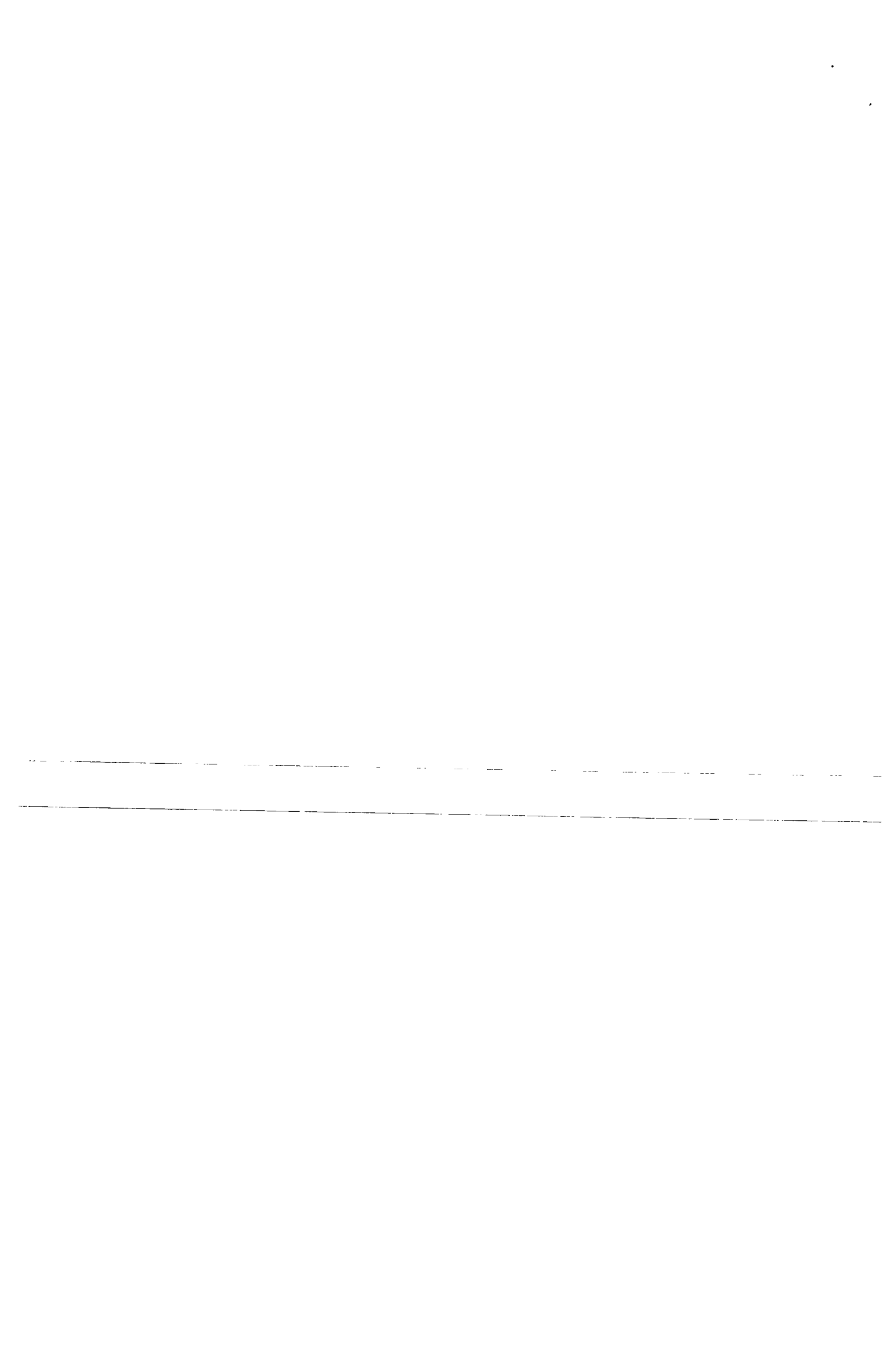
DATE: 21-10-2016

BY THE RESIDENTS OF KAJIADO NORTH CONSTITUENCY FOR CLOSURE AND
RELOCATION OF NGONG DUMPSITE

NO	NAME	ID NUMBER	CONTACT	SIGNATURE
1.	JOHN NJEHIA	6117717	0725793008	
2.	HAMISI RAMADHANI	3430334	0722868462	
3.	MARY N MOLINA	1824162	0720488158	MM
4.	Joseph Gitau	11384362	0726600730	
5.	Julius SOYAWICA	0994942	072273611	
6.	Geoffrey MUTHUNGU	6855220	0721243217	
7.	BEDAN LEROO	22407114	0721772048	
8.	ANTONY MBIRIA	29401983	0725915824	
9.	JOYCE NJOKI KIHARA	27356209	0720-134571	
10.	ALVIN JOSEPH KIMANI	28071077	0718-591667	
11.	SAMUEL KENENE	10542853	0721622434	
12.	HERON KIMANI	31093332	0722329433	
13.	DAVIDE LO' PARCALBI	24394313	0707473246	
14.	CATHERINE WAMUKU	25980198	0726002960	
15.	Paul Kimani	25665689	0716246657	
16.	Titus Mutua	24014168	0720100385	
17.	Samuel Cullucci	21162678	0721692860	
18.	Bonzon Dujanda	22370200	0721295573	
19.	James Nyirge	24220008	0722891966	
20.	WILSON MURUNIA	05318868	070591825	
21.	SIMON KENIA	22504166	0705867077	
22.	ALBERT RUTHU GITHU	27576428	0728921544	
23.	GEORGE NDIRANGU	24703304	0775816208	
24.	MBAABU JULIUS	27468525	0717564268	
25.	BERNARD ASIAGU	24605544	0715015450	
26.	Harphrey David Kangi	29208485	0711581431	
27.	MASHIVI MWANGI	29293316	0724393024	
28.	JOHN KIPKEMOI	12410071	0721611936	
29.	Muthini Ken JR	31519028	0725-962605	
30.	ELLSHA SARULLI L	28248578	0728720335	
	DAVID WANJAU	11127104	0737925944	

DIRECTOR COMMITTEES

ANNEXES IV. SUBMISSIONS BY THE PUBLIC



EMBULBUL OLOOLUA ENVIRONMENT PROTECTION AND WASTE MANAGEMENT

P.O BOX 97-00502

TEL: 0728329560

KAREN

EMAIL: bulbulenvironment@gmail.com

18-5-2017

TO

THE KENYA NATIONAL ASSEMBLY

P.O BOX 41842

NAIROBI

KENYA

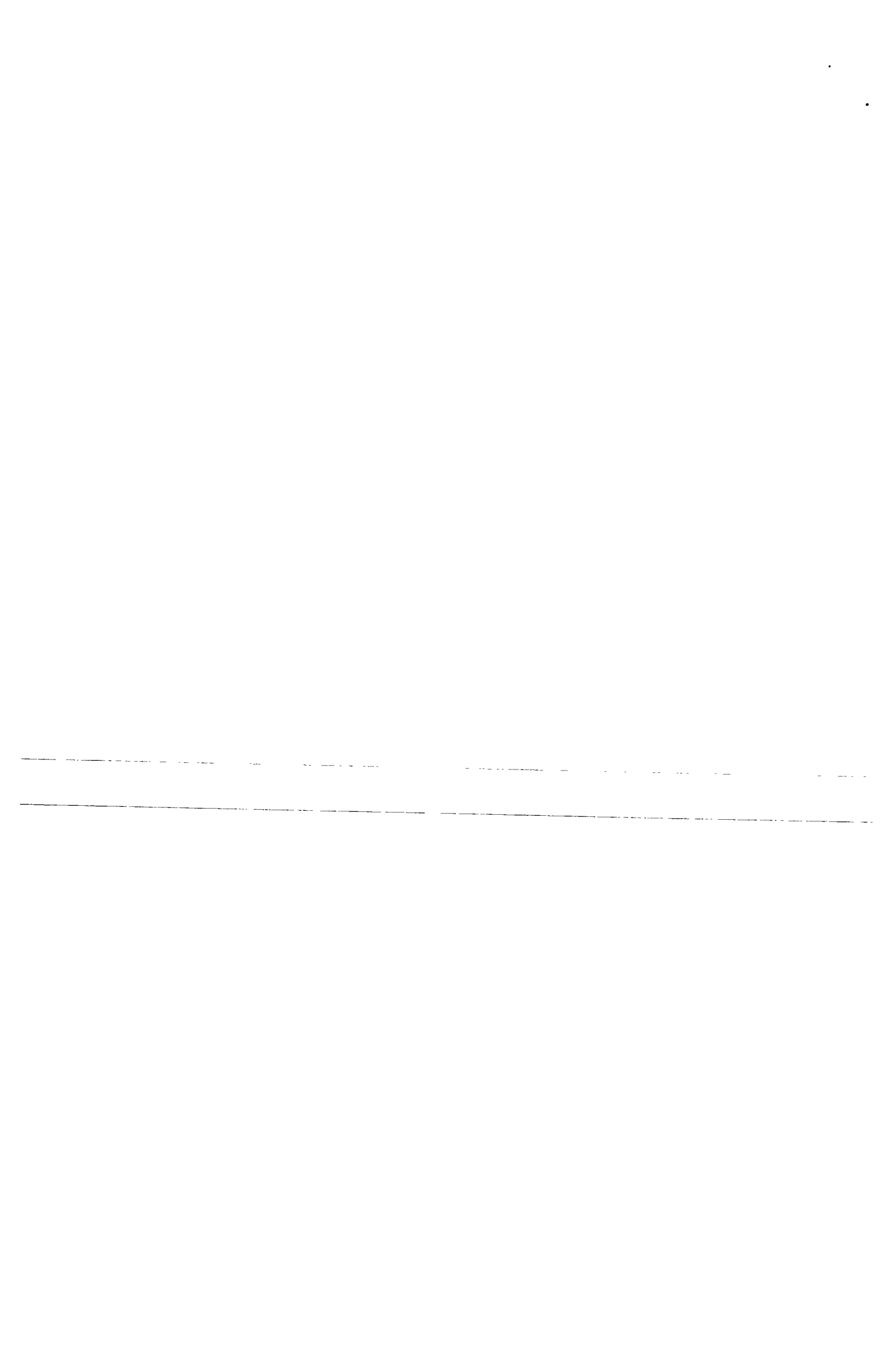
RE: NGONG DUMPING SITE

We are a registered community organization group working in environment and solid waste management informal sector and are authorized by the county government of Kajiado through the department of environment to mobilize, to create awareness, to sensitize, educate and to provide simple and effective ideas to the communities in dealing and establishing a sustainable environment protection and decentralized waste management system.

This is to bring your kind attention that in the last few years, Kajiado North constituency has greatly developed and the population has tremendously increased and so has garbage production increased too. Rongai, Kiserian, Ngong, Matasia, Embulbul townships and other smaller trading centers produce hundreds' of tons of garbage each day which most of it ends up at the Ngong dumping site. Garbage from parts of Nairobi, Dagoretti, Karen and Kiambu County is brought to this site as well.

Each day the "illegal" dumpsite is growing bigger and bigger and a solution must be found before a major health catastrophe happens in Ngong. The garbage site is not only illegal but is right at the middle of highly populated area with schools, churches, township and residential areas and you can imagine the effects to the population around, the environment and the animals.

Burning garbage produces highly toxic chemicals that affects our health and can lead to blood pressure, heart problems, central nerve system and common typhoid, diarrhea and cholera, respiratory infections and malaria. Experts say that consumption of water polluted by lead, mercury and other volatized heavy metal that are produced by garbage affects our brains, kidneys and liver and affects the fetus. A stream now turned into a sewer stream runs from the dumping site to merge with 'enchoremune' stream from vet farm to form river Kadisi which farmers' downstream use to grow vegetables. These two streams are highly polluted and the water contaminated and not fit for human/vegetation and animal consumptions.



Cases of air highly polluted by green gases are reported each day. The most vulnerable are elderly people and children living in the neighborhoods of the dumping site.

Inevitable consequences of the practice of solid waste disposal in dumping sites are gas and leachate generation due primarily to microbial decomposition, climatic conditions, refuse characteristics and landfilling operations. The migration of gas and leachate away from the landfill boundaries and their release into the surrounding environment present serious environmental concerns at both existing and new facilities. Besides potential health hazards, these concerns include, and are not limited to, fires and explosions, vegetation damage, unpleasant odors, ground water pollution, air pollution and global warming.

We wish to recommend that the Ngong dumping site continue operating on and only until the national and county governments establishes a proper landfill and recycling facility in a safer location where it shall not affect the environment, humans and animals.

We also wish to request the Kenya national assembly to support the establishment of '**A Community Led Sustainable Solid Waste Management System**' that shall, *re-cover, re-use, re-cycle, reduce and re-divert* most of the waste from landfills. The best way to manage waste is by producing less. Waste should not be wasted but should be seen as a resource. This will create employment and wealth to women and youth groups who will engage in the 'community led sustainable solid waste management initiative' the government must empower these groups through capacity building for efficiency and sustainability.

The county and national government through the NG-CDF must provide funds for public awareness, sensitization and education campaigns and support active informal and formal groups dealing waste at grassroots level. The government must promote behaviour change through civic education and introduce waste management lessons and studies in primary and secondary schools.

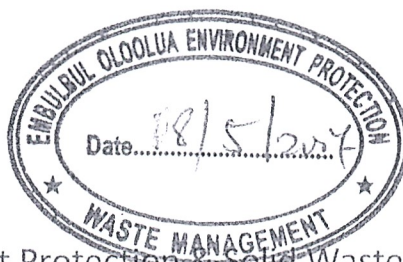
Laws, rules and regulations must be made to make it compulsory to segregate and separate waste at source.

We must aim for Zero-waste dumping.

We are sure that you will see urgency in this request and will implement best possible measures.

Christopher Muriithi

Project Director



Embulbul- Ooloolua Environment Protection & Solid Waste Management

THE PARLIAMENTARY COMMITTEE ON ENVIRONMENT MEETING AT THE NGONG DUMPING SITE

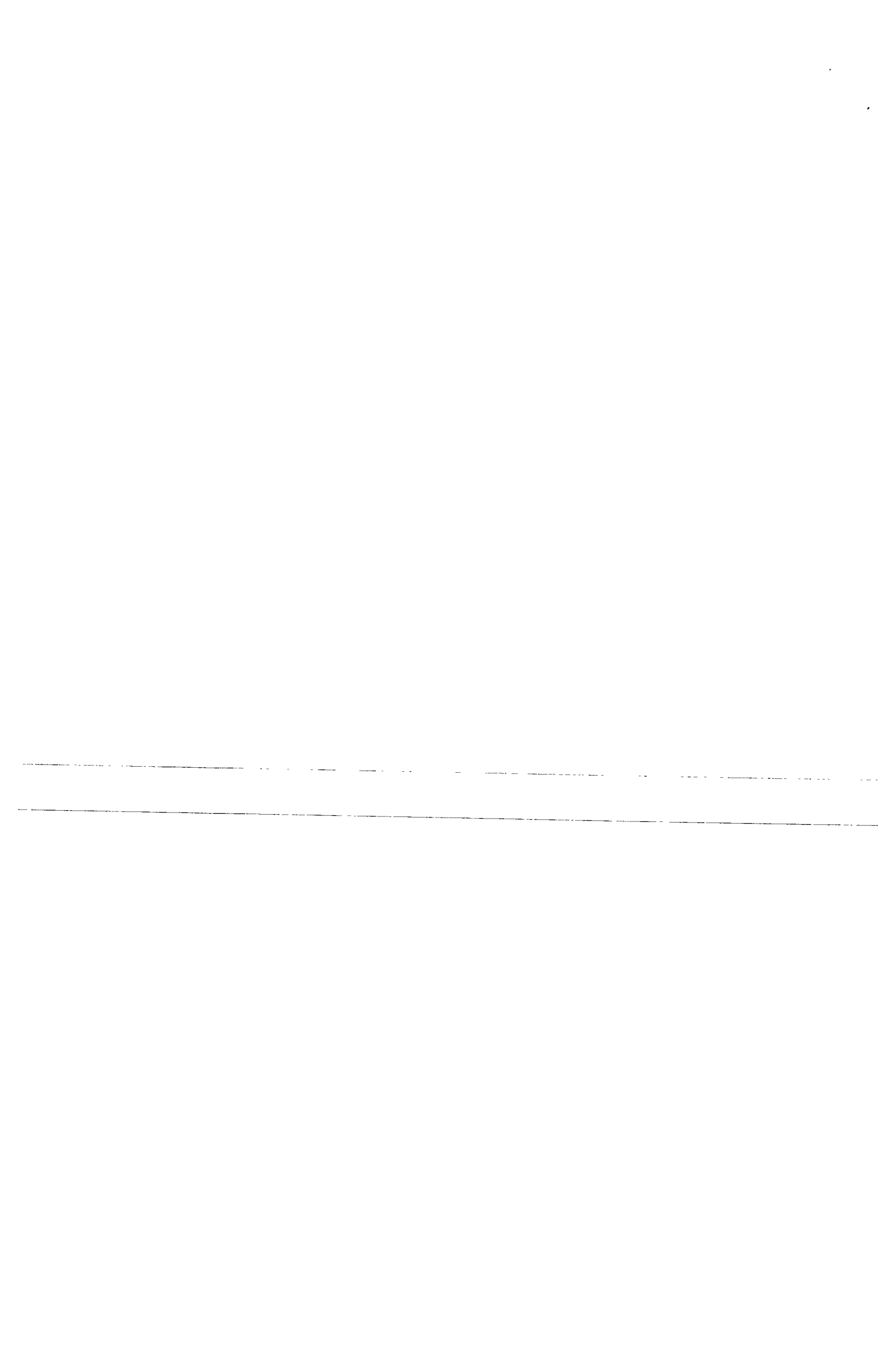
Hon Joseph Manje, Mp Kajiado North constituency. The chair and all the members of the parliamentary committee on Environment. Member of the county assemblies of Kajiado North present. Members of the Board of management, Ngong Township Primary School, County Officials, Kajiado Country ladies and gentlemen, Good Morning?

Today, I stand before you a broken, disappointed, sick and desperate man from Ngong ward, Kajiado North Constituency of Kajiado County. I'm broken by the number of times I've been beat by the situation at hand, disappointed by the slow pace at which this vital issue is taking long to be solved. Sick from the toxic effects and negative environmental impact this dumping site has and continue to cause on my children, my friends children, friends and family and Ngong's people in general. I'm desperate for a long lasting solution and implementation of the same solutions to bring forth hope, good learning atmosphere for our children, and good trading environment for their parents and a better health status for the general public.

It's been 6 years since my friends (Sophie Katampoi, Louise Baya, Samuel Wachira, Martin Ndichu, Alexander Lang'at, Joseph Njeru, Mr Naimasia) and I started a journey to relocate this dumpsite, which started a noble idea to fill up on abandoned quarry that used to be a death trap for our children, but has since become a monster tormenting the health and lives of the general public at large. Some people may argue that the dumping site provides a source of livelihood for many which is true. But I pose the question ... what's the economic sense in having it if it employs 300 but negatively affects tens of thousands?

What sense does it make for one to earn 300/= in a day and spend 3000/= in hospital in a week? What's the sense in 500 people earning a living from the dumping site while about 50,000 people contract airborne/waterborne and other skin diseases, forcing them to spend so much for treatment and reduce their general economic productivity?

What about the children of Ngong township primary school who sometimes abscond school and go to the dumpsite in search of a quick buck oblivious of the dangers and at the expense of their education?



What about the worshippers at the St. Joseph's Cathedral who are forced to contend with the foul smell and eye sore as they attend mass every Sunday?

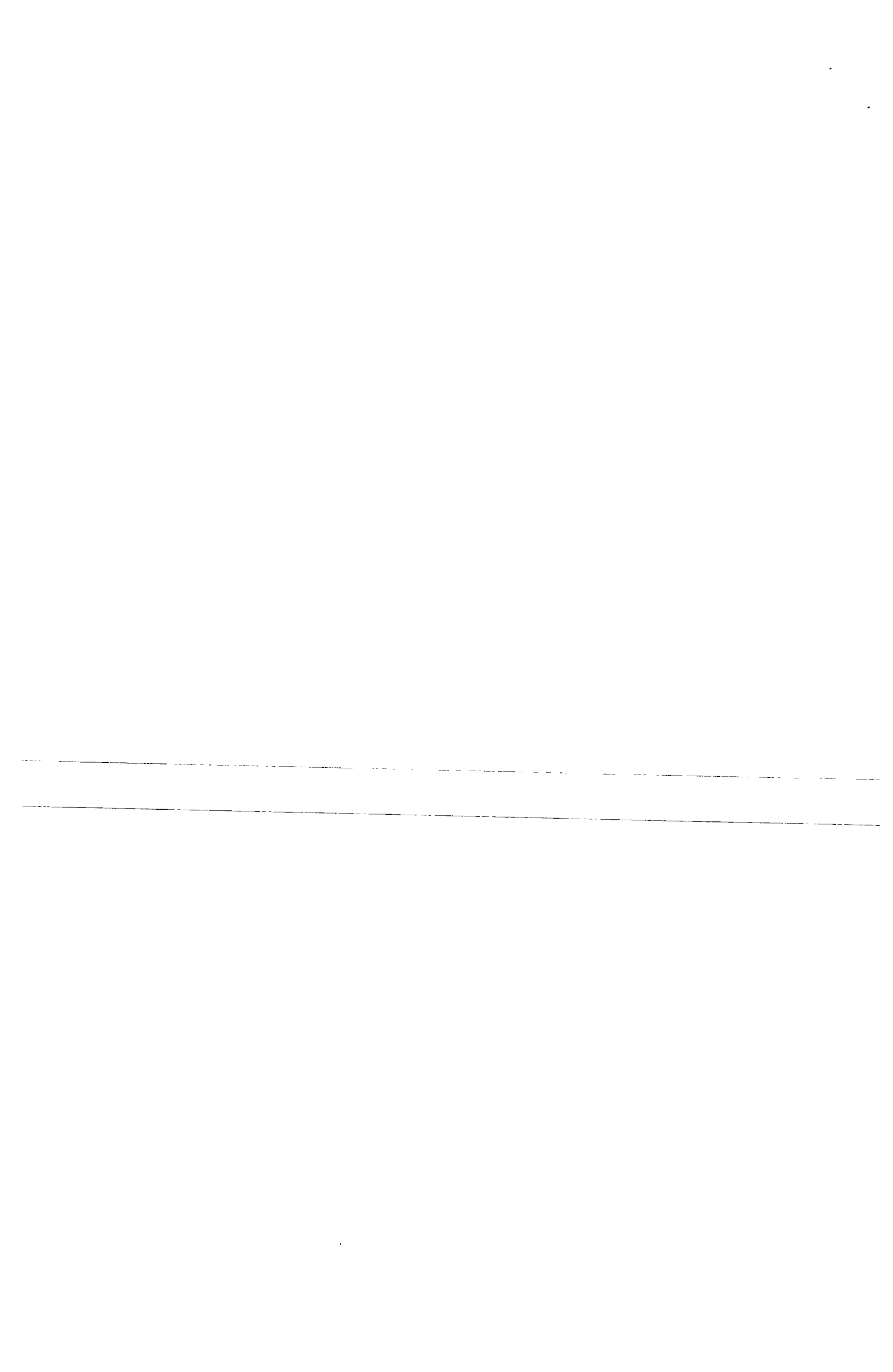
What about the students who will soon be joining the New Ngong Technical Training Institute? Or sportsmen and women who will be practicing at the new National Standard Stadium under construction? What about the sport fans and what about the general ecosystem in Ngong ward and Kajiado County in general?

This time round, lets reclaim Ngong, I need to see our children playing football where the dumping site is, like we used to do during my childhood. Let's put aside our politics, ignorance, carelessness, the carefree attitude and greed, and realize this dumping site is slowly killing us and killing our economic productivity as well as the general ecosystem in Ngong Ward and Kajiado North Constituency at large, let's do the wise, noble and sensible thing and move the dumping site elsewhere.

Shadrack Okenyu



Member of township B.O.M



MEMORANDUM OF UNDERSTANDING

BETWEEN

COUNTY GOVERNMENT OF KAJIADO

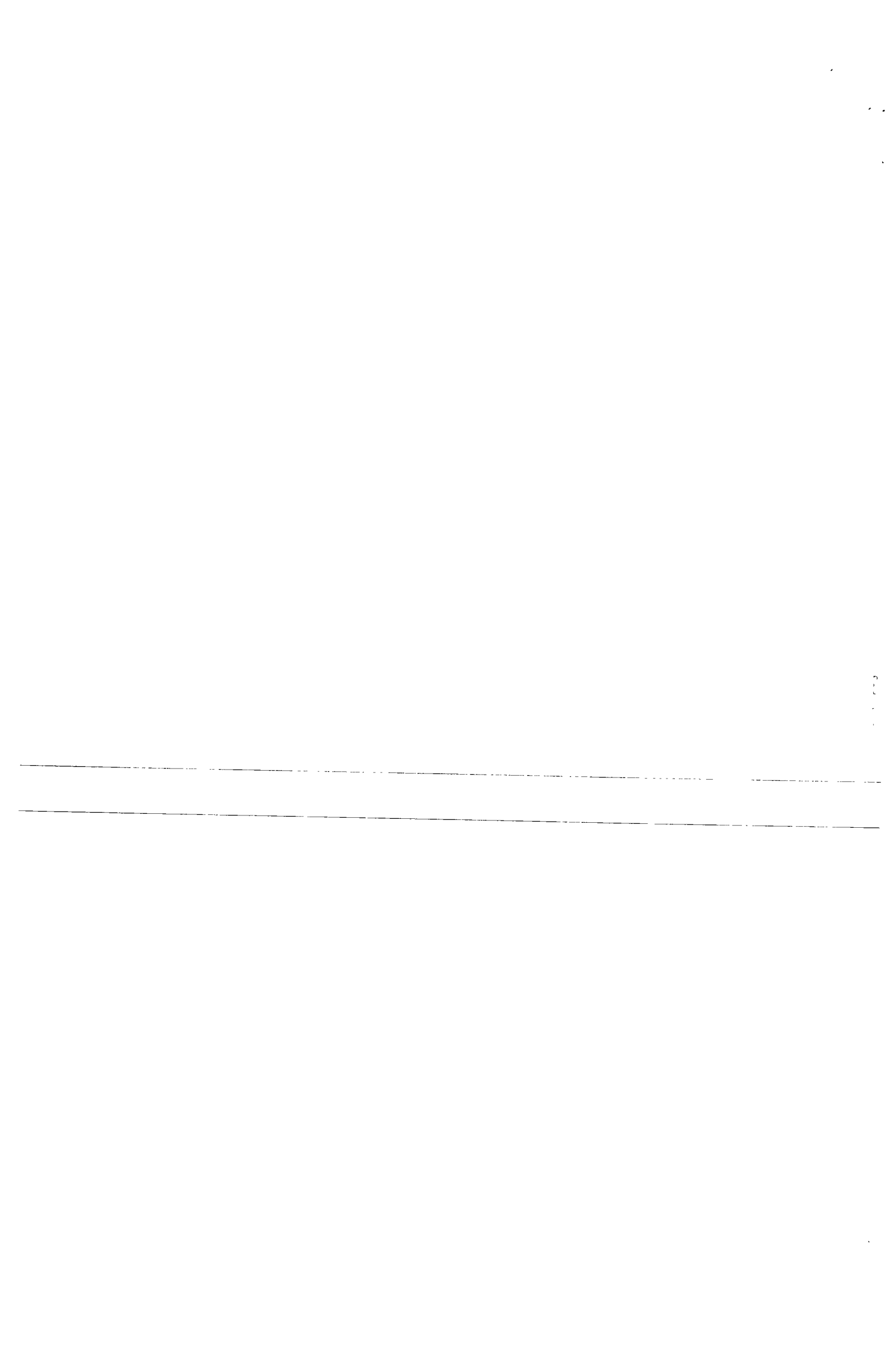
AND

ASTICOM K LTD

REGARDING

**COLLABORATION ON THE CLEARING AND
REMEDICATION OF EXISTING LANDFILLS AND
ESTABLISHING A WASTE TO ENERGY PLANT**

Drawn and filed by: Martin W. Matasi
1/5 Carey Avenue
Armidale, NSW 2350 Australia
*Solicitor, Supreme Court of New South Wales
(Australia).*



KAJIADO ENVIROMENTAL MANAGEMENT LIMITED

19/05/2017

TO THE CHAIRMAN
PARLIAMENTARY ENVIRONMENT
COMMITTEE

MEMBER OF PARLIAMENT
KAJIADO NORTH CONSITUENCY
HON. JOSEPH MANJEE

Dear Sir,

RE: NGONG RESIDENTS REQUEST FOR A GABBAGE SITE SOLUTION

I wish to request honorable members of parliament to assist in offering the above mentioned request, a garbage management site solution in Ngong Town.

I hereby attach photocopies of earlier meetings over the same issue for your attention and conviction that the dumpsite issue has been an outcry of Ngong residents and visitors that a solution be found.

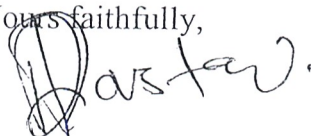
On 8th September 2005 the District Officer constituted a meeting, on *18th December 2006*; County Council of Olkejuado pursuant to residents out cry of the conditions they were living on due to the dumpsite suggested among other things the upgrading of the slum.

On *24/09/2007* the Ministry of Health technical report and the environment agency body wish to partnership in solving the problem.

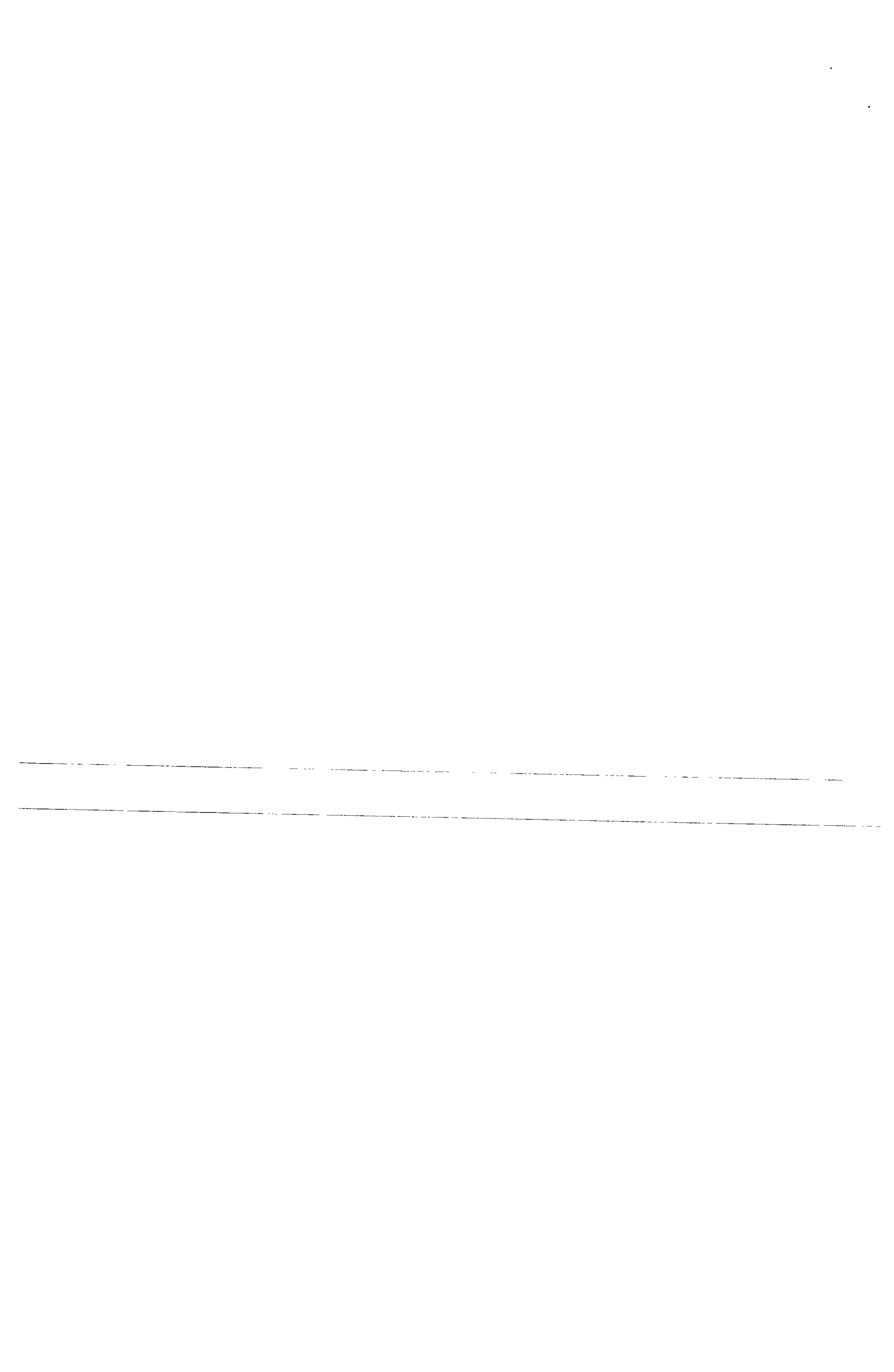
On *25th September 2007* a letter from county council of Olkejuado refers authority to recycle and compost solid waste.

Also on *26th September 2007* Ngong Hills Environment action group wrote on the same issue.

Yours faithfully,



Richard Parsitau
Chairman
Kajiado Environment Management



OFFICE OF THE PRESIDENT

Telegrams: "ADISCOM" Ngong

Telephone: 045 - 41094/5

When replying please quote

Ref. No. OCC.5/2 VOL.5,2 VOL.VII/29

and date



DISTRICT OFFICER

P.O. BOX 78,

NGONGE

8th September 2005

The Ag. Chief -- Ngong Location

The Ass. Chief -- Ngong Township Sub Location

Cllr. L. Senteu -- Ngong Ward

Public Health Officer -- Ngong

Administrative Asst. I/c -- OCC

Officer In Charge -- Social Services

REMEMBERING

This is to invite you to attend a technical planning committee meeting in respect of Mathare area (Slums) in Ngong Township on Wednesday 14th September, 2005 in my Office at 9.00 a.m.

Please attend without fail and be punctual.

S. G. GATOBU

DISTRICT OFFICER

NGONG DIVISION

DISTRICT OFFICER
NGONG DIVISION

COUNTY COUNCIL OF OLKEJUADO

TEL: KAJIADO - 21212/3/21646
FAX: 21265
E-MAIL: olkjdcc@afrcanline.co.ke
When replying please quote



P. O. BOX 11
KAJIADO
Date 18th December, 2006

REF.OCC/LND/16/BCR/10/VOL.1/10

The District Commissioner,
P.O. BOX 1,
KAJIADO.

The District Surveyor,
P.O. BOX 71,
KAJIADO

The District Works Officer,
KAJIADO

The District Road Engineer,
KAJIADO.

The District Public Health Officer,
KAJIADO.

RE: SLUM UPGRADING PROGRAMME MATHARE SLUMS-NGONG TOWN

Enclose herewith please find a self explanatory letter address to the Director of Physical planning requesting for assistastant to plan the above slum.

We write to seek your comments and advise on the proposal.

By a copy of this letter the council requests the district officer Ngong Division to provide security during the picking and planning of Mathare slum.

Yours faithfully,


M.O.SEMERA
FOR: CLERK TO COUNCIL.

CC. District Officer
NGONG DIVION

Admistrative Assistant,
Ngong Division

Area Councilor.

THE COUNTY COUNCIL OF OLKEJUADO

TEL: KAJIADO - 21212/3/21646
FAX:21265
E-MAIL: olkjcc@afrcanonline.co.ke
When replying please quote



P. O. BOX 11
KAJIADO.

Our Ref. OCC/NGONG/TOWN/VOL.IV/58.

1st December 2006.

The Director
Physical Planning Department
P.O. Box 45025
NAIROBI.


Dear Sir,

RE: SLUM UPGRADING PROGRAMME MATHARE SLUMS – NGONG TOWN:

We wish to formalize the settlement of slum dwellers on a 20 acre piece of land in Ngong town. This is in line with government policy of upgrading slum settlements with a view to providing decent shelter for the poor and vulnerable in our society. However, the process requires prior planning to provide for public amenities and roads of access among other provisions.

The purpose of writing to you, therefore, is to request your department to assist the Council execute this noble programmed by preparing the necessary and immediate planning of this area to enable us proceed with the settlement process.

Yours faithfully,


F. S. TAMENO
AG. CLERK TO COUNCIL.

cc.

District Physical Planner
P.O. Box 26
KAJIADO.

Two horizontal lines, possibly representing a signature or a separator.

Two horizontal lines, possibly representing a signature or a separator.

MINISTRY OF HEALTH

PUBLIC HEALTH OFFICE
P.O.BOX 99
NGONG HILLS
October 30, 2007

THE PERMANENT SECRETARY
AFYA HOUSE
CATHEDRAL ROAD
P.O.BOX 30016
NAIROBI.

THRO
THE CPHO
AFYA HOUSE
CATHEDRAL RD

THRO
THE DPHO
P.O.BOX 172
KAJIADO

Dear sir,

RE : GENERAL CHALLENGES OF NGONG TOWN AND ITS ENVIRONS ON LIQUID AND SOLID WASTES MANAGEMENT

Sir, the increased population growth and the rate of development of infrastructures, building constructions and other services have led to over stretched resources that are available for use in wastes management in this cosmopolitan town, Ngong.

This has led to growth of slums and informal settlements around the dumpsite area (mathare) with inadequate water, poor sanitation, crude waste disposal and other services. Assorted liquid and solid wastes and their leachates find their way into river courses polluting the body of water and land.

Public health has played a major role to educate and raise awareness to the public and set regulatory mechanisms that will ensure better wastes management in this growing town

This includes organizing stakeholders meetings composing of the sitting MP, the DO as our chairman, public health staff, the chiefs, deputy clerk to council, physical planner, council surveyor, public works, environment committee, which was deliberating on solutions to the common cause of setting pollution control laws I served 160 statutory notices to the business community to provide septic tanks within their plot premises. County council as an authority has not provided a system to treat liquid wastes since the elnino rains that silted the lagoons that were in place before.

The meeting held to deliberate on issues arising from the 9th August 2007 meeting with the feed back on the possible progress by the county council was held on 6th September 2007. The meeting took place but a clash of opinion produced a stalemate. Political affiliations compromised possible options of compelling the county council to provide workable treatment systems.

A notice was also served to the clerk to county council hence closing the dumpsite that now has been improved, pending resolutions and government procurements to move to the new veterinary dump site soon.



Due to unlimited finances by the county council, vehicles and personnel, ngong only collect about 40% of the generated solid wastes and almost 100 % of liquid wastes discharged to the river kangawa.

Despite the major role that lies with the county council in ensuring better services and especially waste management, they been known to fail miserably and mostly because of overwhelming population and other factors mentioned above.

Where they have failed elsewhere in the country, the private sector has taken over. In collaboration with other partners, county council is known to use key capital investments especially in infrastructure to influence pattern and timing of urban development.

Inadequate sewerage networks owned by the council, lack of treatment method of liquid wastes and lack of incentives to adopt recycling technologies to private sector are some of the reasons for poor waste management in Ngong.

There are firms or individuals who collect the garbage from households or companies and charge a monthly fee. They provide polythene bags where the garbage is put until collection days.

Public Health Act has been employed through verbal and non verbal notices with slight results. There is also poor enforcement by the provincial administration, if any. The efforts to abate and prevent nuisances will never die until the public health goals are achieved to the latest.

Disposal operations are poorly supervised by the county council due to inadequate resources. The method of collecting wastes is too dangerous as the disposal sites are open to the public and animals i.e. the site has not been fenced, creating significant public health problems.

POSSIBLE SOLUTIONS

- (a) There are therefore efforts to improve the standards of hygiene through awareness at community level and information systems so that they can impact on waste management practices. Education and awareness creation at household / business levels are ongoing.
- (b) There is need to empower NGONG HILLS ENVIRONMENT ACTION GROUP which has been acknowledged by a funding EU agency, Community Development Trust Fund, at Josem House, 2nd floor, Bunyala/ Masaba Rd, P.O.Box 62199-00200, NAIROBI.
- © Enforcement of Public Health Act Cap 242 laws of Kenya without political affiliations

CONCLUSION

Sir, more efforts to support waste management project, will be a major contribution in waste management programmes in this upcoming town. These campaigns are therefore both short term and long term. Information dissemination to the public is a duty, which all partners in waste management should undertake.

This will be followed by capacity building, need identification, and training of major stakeholders who include local government and CDTF. This generally will create a better place than before for livelihood and better health of the entire community.

Please find the attached correspondences and proposals.

Yours sincerely,

LEVI MATERE CHISAINA

PHO I/C NGONG DIVISION

Cc.

.CEF – Community Environment Facility -Manager

.NEAG-Ngong Hills Environment Action Group- Chairman



Proposals for Waste Management Activities in Ngong and surrounding Towns.

The Issues

1. Ngong Town has a dump site provided by the Local Authority.
2. The dump site is not managed at all. Waste is dumped there and left for scavengers to pick over.
3. The waste site is an old quarry that is flooded from time to time with waste water from an old sewerage system.
4. The site is uncontrolled, malodorous, and a risk to human health. Vegetables, such as maize, are grown in the vicinity and these will be feeding off the waste water.
5. The site is near to a local Church and those attending the Church are affected by the smell from the site

Proposed Solution

There is an active community group within Ngong that wish to establish and manage a waste transfer station. Research has shown that waste generated in Kenya is made up of 69.9% bio-degradable waste, and the remaining 31.1% of almost equal amounts of metal, plastic, wood, paper and cardboard. All of these wastes have a value or are capable of being recycled into a product that has a value.

The proposal is that the Local Authority should provide a secure site where the residents of Ngong could take their waste, or waste collected by the community group could be taken. The waste could then be sorted, and in the case of metal, plastic, wood, paper and cardboard, bulked up and sold on to recyclers. Part of the bio degradable waste would be composted on site and the resulting compost sold on, part would be placed in digesters to provide bio-gas (methane) that would be used as a communal energy source for the residents of the town.

The income raised from the sale of the segregated wastes would then be used to pay a small wage to those involved in the collection, sorting and composting activities.

All waste streams have a value. Dumping of waste is throwing money away. As an example plastic is currently worth Ksh 5/= per kilo. A small sum on its own, but when bulked up it can provide a good income stream provided that sufficient waste is generated within Ngong.

Ideally there should be a co-operative venture set up between all those towns in the vicinity of Ngong, with a collection point in each town for segregated waste, segregated at source by the producers, with provision to transport to a central bulking up station.

Next Steps

Following meetings with all interested parties, including the Clerk of the Olkejuado County Council (OCC), it was agreed that the Community Group from Ngong Town and GTZ, a German Technical Co-operative based within the Ministry of Water & Irrigation, should submit their written proposals to the County Council by 9th April 2007.

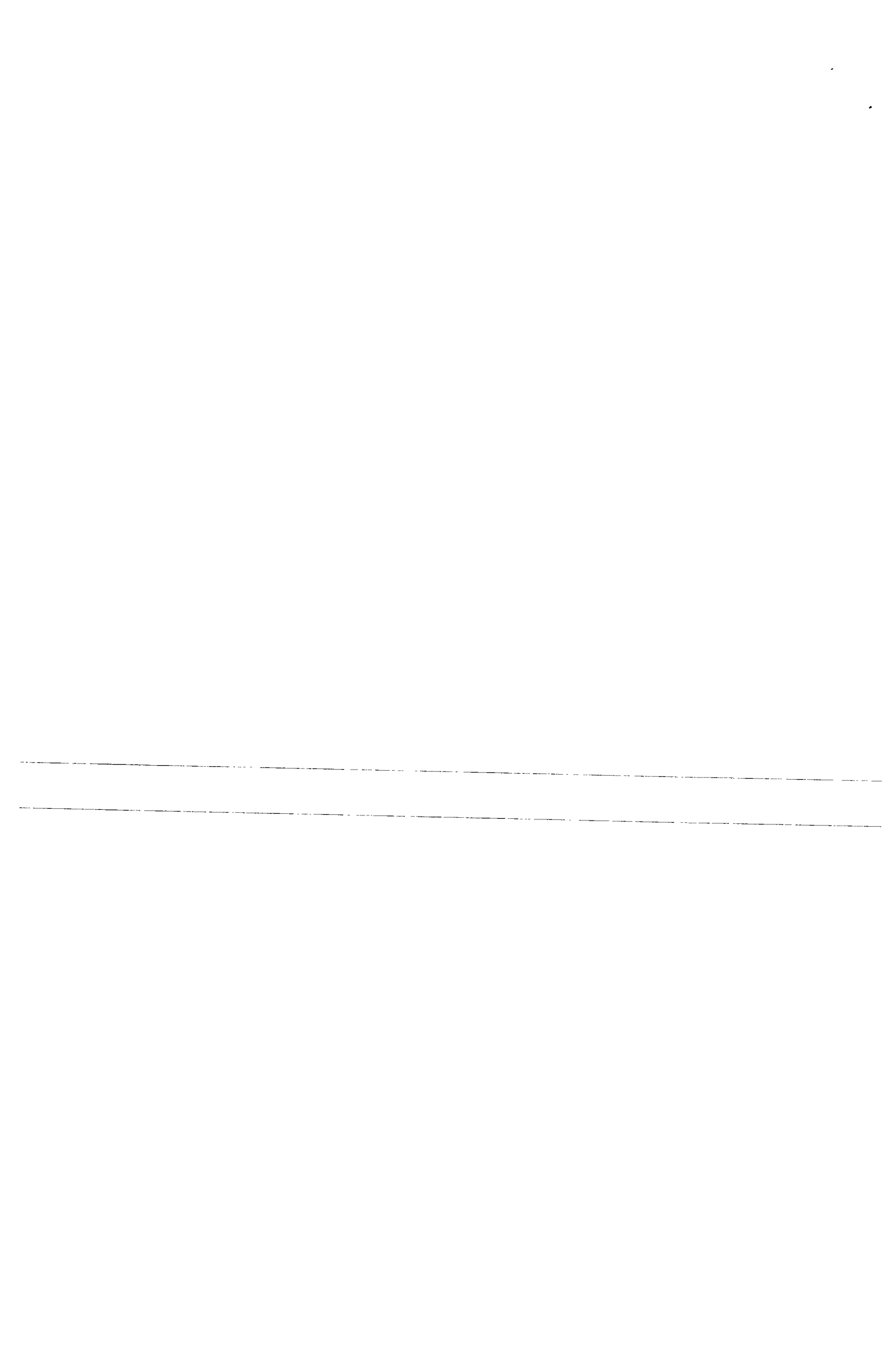
The proposals by the Ngong Town Community Group (NTCG) are as follows:-

1. OCC should provide NTCG with a suitable and secure piece of land upon which they can carry out waste recycling activities (a waste transfer station).

2. The land should be a minimum of 60 feet by 90 feet.
3. OCC should fence the site with a minimum of 300 feet of fencing including lockable gates.
4. NTCG would provide manpower to operate the site and –
 - Collect waste from dwellings within the area of Ngong.
 - Transport collected wastes to the secure waste transfer station.
 - Receive waste from the collection service and from others who were able to deliver their wastes to the station.
 - Sort and segregate waste streams within the secure site into seven waste streams, namely -
 - i. Glass
 - ii. Metal
 - iii. Paper
 - iv. Plastics
 - v. Cardboard
 - vi. Timber
 - vii. Bio-degradable
 - viii. Other
5. NTGC would provide manpower to bulk up the segregated wastes and transport the individual wastes to recyclers.
6. NTCG would look to GTZ to provide advice and methodology on the production of bio-gas.
7. NTCG would require –
 - Personal protective equipment for those involved in the collection, sorting and transportation of the wastes. Boots, gloves, face masks and eye protectors would be the minimum requirement.
 - Transport to effect the collection of waste and removal to the recycling facility. A motor lorry with a sheeting system would be suitable for this purpose.
 - An area with an impermeable surface within the waste transfer station on which they could carry out composting.
8. NTCG would be required to submit an Environmental Impact Assessment to the National Environment Management Authority (NEMA) and obtain a waste management and transportation licence from NEMA in order for these activities to be licensed.
9. NTCG would provide manpower to assist in the construction of the site.
10. NTCG would be entitled to use income derived from the sale of the segregated waste streams in order to finance the operation following the initial setting up of the operation.
11. NTCG would provide a periodic report to OCC on their operational activities including the amounts of waste collected and recycled. NTCG would also publish an annual balance sheet.

An estimate of setting up these activities needs to be produced. NTCG will provide an estimate of the setting up costs and look to identify a donor source once the OCC have agreed to these proposals.

Attached is a sketch of a possible layout of a waste transfer station.



- Adequate equipment and tools to be provided on the site.
- A sign board should be fixed conspicuously.
- A working office with sanitary facilities for the workers to be provided.
- Fire extinguishing equipment to be provided.
- First aid Kit to be provided.

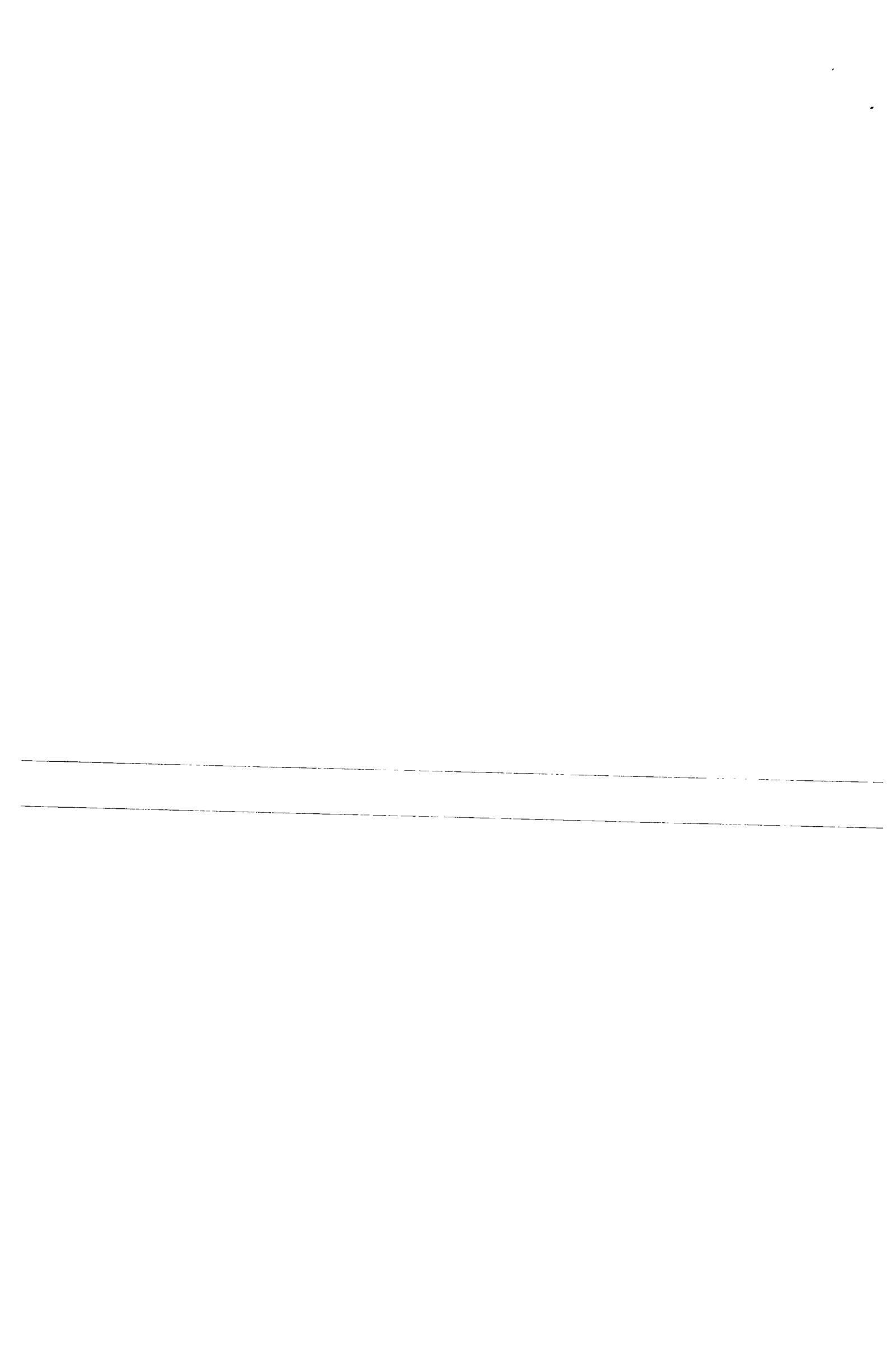
- Controlled tipping to be practised i.e. wastes to be deposited in layers and covered with soil.
- Land scapping and tree planting around the site to be carried out.

CONCLUSION

There should be a site inspection visit by the technical committee i.e. the public Health department, Physical planning, County council and NEMA office before any works commence.

Complied by:

**District Public Health Officer,
Kajiado.**





NGONG HILLS ENVIRONMENT ACTION GROUP

PO Box 24801 – 00502 Ngong Hills Tel: +254 45 40074 Fax: +254 45 40225

E-mail n_neag@yahoo.com

10 April 2007

The Town Clerk
Olkejuado Council
P O Box
Kajaido

Dear Sir

RE: - REQUEST FOR ALLOTMENT OF A SOLID WASTE DUMPSITE

Ngong Hills Environmental Action Group (NEAG) is a community based organization (CBO) working in Ngong Division to promote, maintain and improve the environment of the division.

The group was founded due to the realization that Ngong division is experiencing a population increase in geometric proportions due to immigration of persons into the township from diverse areas in Kenya. This has led to the deterioration and destruction of the environment in various ways, ranging from increase in solid waste, pollution of the surface water and streams, among others.

The Group's objective is therefore to work with the local authority and the people of Ngong to educate the residents and mitigate against these practices which affect the wonderful Ngong environment. NEAG is registered with the Ministry of Culture, Sports and Social Services as a CBO under certificate number KJD/CD02/031821.

In order to address the immediate environmental concern in the division, NEAG has embarked on a thorough resources mobilization exercise to assess funds, to assist the group to manage the ever increasing domestic solid waste, and which is currently being dumped haphazardly within the residential areas and town centre. In this regard a donor has been identified and is willing to assist the group to set up a solid waste management site.

It is because of this that NEAG hereby requests your office to allot a piece of land to the Group for the success of this noble project.

It is envisaged that the project will be of a pilot nature and the success of it will lead to the duplication of similar projects in other mushrooming towns in the Country.

Ngong Hills Environmental Action Group.

Chairman – Richard Parsitau 0722 791635 Vice Chairman – John Kimani 0733 639869

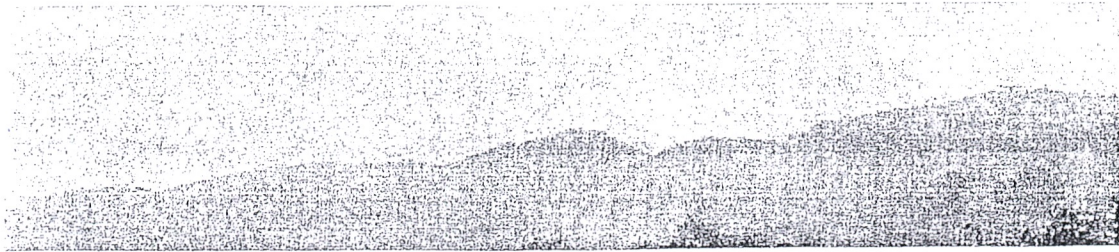
Secretary - Chrispina Wangari 0724 664295 Treasurer - Paul Lumet 0721 869122

Vice Treasurer – Peris Kangethe 0725 525254

Members

Prof. Reuben Indiaty 0721 771162 Edward Asena 0721 548162

K Ruchiami 0721 243710 Col (Rtd.) Daniel Saoyo 0722 781 647



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This project is expected to be of benefit to the community through provision of a clean and healthy environment and knowledge sharing on domestic waste management, and also to the local authority, since it will provide the much needed resources and manpower to clean the town and save the council enormous resources which would have otherwise been used to clean the division.

The project will also be of benefit to the environment by resuscitating the freshness of the air, water and land. Ultimately the project is expected to add an aesthetic value to Ngong, Ongata Rongai and Keserian towns through beautification activities, which will go hand in hand with the environmental cleaning.

Attached please find a copy of our registration certificate for your perusal.

We look forward to a positive response from you and to a better working relationship with your council.

Yours faithfully

Richard Parsitau
Chairman
Ngong Hills Environment Action Group (NEAG)

Ngong Hills Environmental Action Group.

Chairman – Richard Parsitau 0722 791635 Vice Chairman – John Kimani 0733 639869

Secretary - Chrispina Wangari 0724 664295 Treasurer - Paul Lunet 0721 869122

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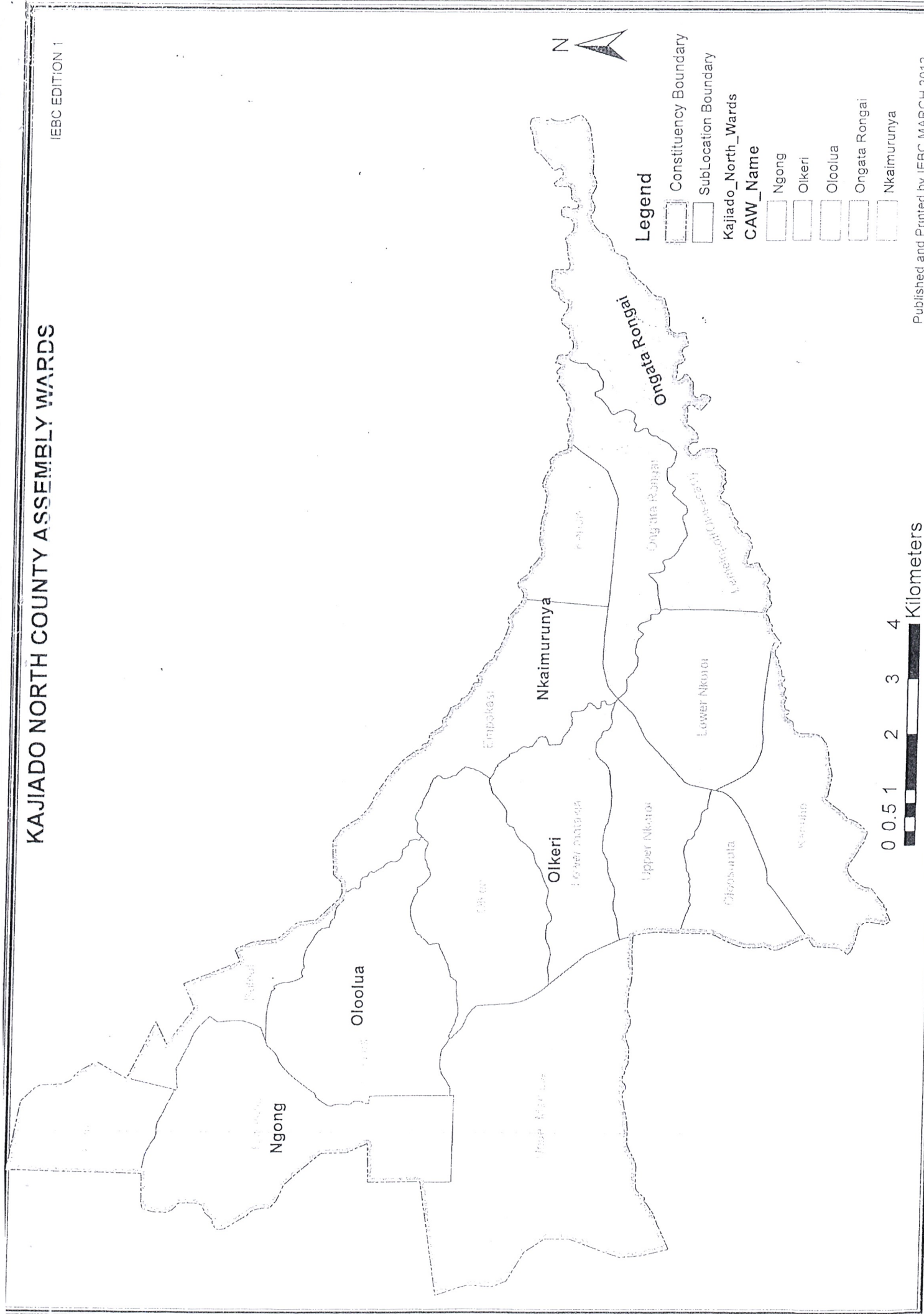
Members

Prof. Reuben Indiatsy 0721 771162 Edward Asena 0721 548162

K Ruchiami 0721 243710 Col (Rtd.) Daniel Saoyo 0722 781 647

KAJIADO NORTH COUNTY ASSEMBLY WARDS

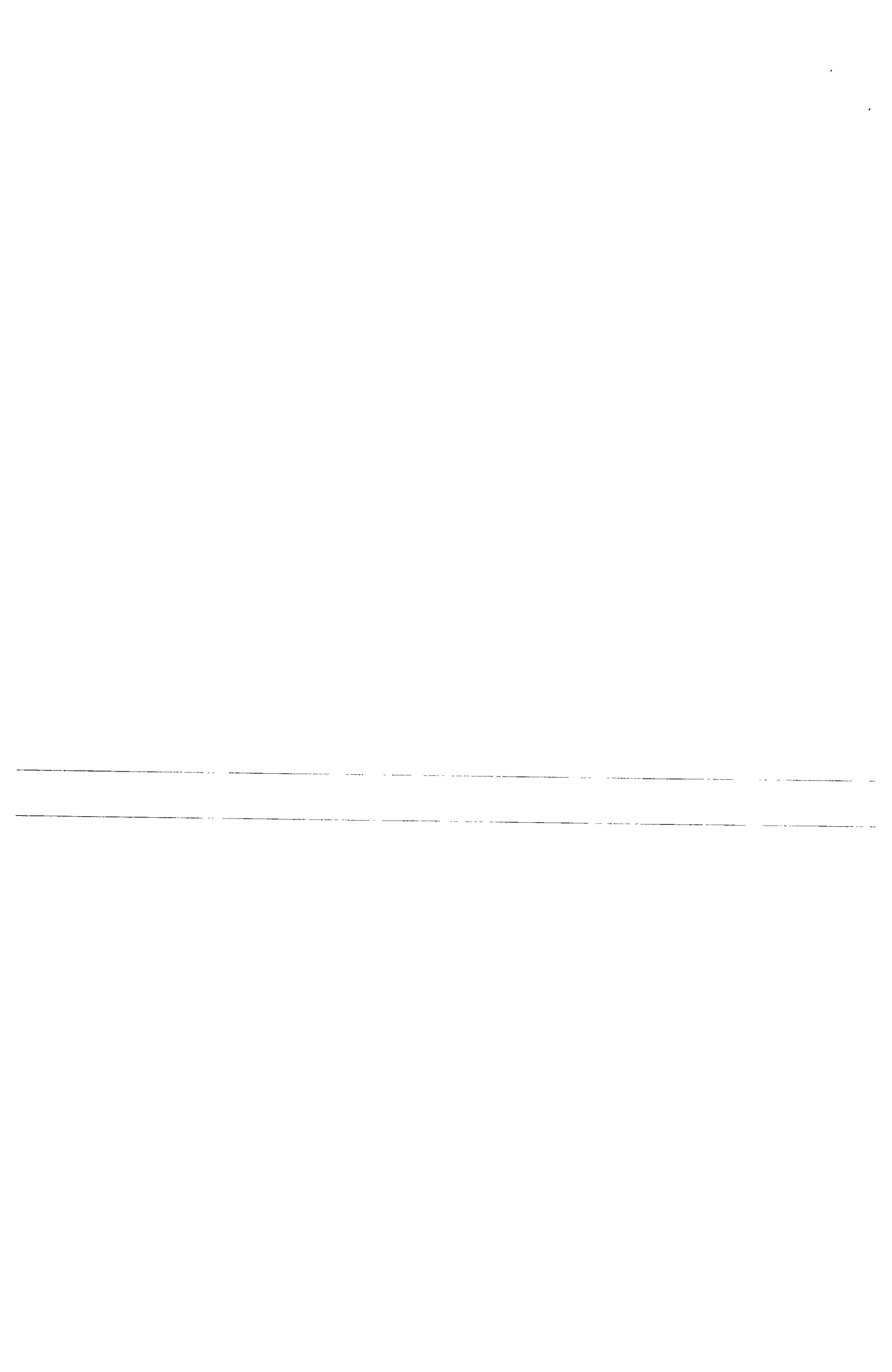
IEBC EDITION 1



Legend

- Constituency Boundary
- SubLocation Boundary
- Kajiado_North_Wards
- CAW_Name**
- Ngong
- Olkeri
- Oloolua
- Ongata Rongai
- Nkaimurunya





MINUTES OF A MEETING HELD ON 13TH JULY 2016 AT THE KAJIADO COUNTY'S MINISTRY OF LANDS AND ENVIRONMENT BETWEEN ASTICOM (K) LTD, THE MINISTRY AND THE NEMA.

PRESENT

1. Hon. Ali Letura, Minister, Lands and Environment, Kajiado County
2. Dr. Leah Tsuma, CEO, ASTICOM (K) LTD.
3. Jackson Ole Matanta, Chief Officer, Environment, Kajiado County
4. Mr. Wafula, Director, NEMA, Kajiado County
5. Mr. John Kanini, Environment Officer, Kajiado County
6. Mr. Stephen Ochieng', Operations and Logistics Manager, ASTICOM
7. Mrs. Suzanne Ambetsa, HR&PR Manager, ASTICOM

The meeting was called to order by Mr. Matanta by highlighting the Agenda which was:

- Permits
- Timelines
- Report of the survey
- Requests to Kajiado County's Office
- Ironing out of financial Issues.

MIN1/07/MLE/KC016: WORK PERMITS AND TIMELINES.

The following permits are required for the company to legally operate in Kajiado and in any other part of the country as such.

1. Contracts: Permit to access waste
2. NEMA Permit
3. Approval to construct our recycling facility (Waste to Energy Plant) according to the Waste and Disposal Act.

Dr. Tsuma explained that ASTICOM had none of the permits these required permits. She mentioned that without the permits, it was almost impossible to access the dumpsites to collect samples of the waste as had been the case

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when the survey team was in the field and could not access all the waste required for sampling.

Mr. Matanta pointed out that ASTICOM (K) LTD needed to do a prototype of the contract with their requirements so that the county government could add in their requirements and then a cover/concession letter was to be issued by the Governor himself. He expressed a challenge of contacting the county's legal officer and requested that ASTICOM can have their lawyer draft the contract at a fee, a suggestion which the county turned down because of claims of financial constraints.

The work permits it was noted that were the documents that were delaying the progress of the works. The set timelines were going to be interfered with if the proper documentation is not done in time.

It was decided that the county was to engage their legal expert but ASTICOM was to write a letter explaining the requests they would like included in the contract for the county's deliberations and then the contract could be ready within two weeks from the date of the meeting.

MIN2/07/MLE/KCo16: REPORT ON SURVEYS

The NEMA Director, Mr. Wafula pointed out that there was always resistance at the dumpsites whenever there seemed to be interference with normal operations. He asked if the survey captured all the waste. Dr. Tsuma noted that the survey team on the ground could not access all the waste and therefore sampling was not done on all the waste because of the resistance and also the fact that the team was not allowed access to waste that was brought in using private trucks.

Mr. Kanini wondered why the team was not allowed access to the waste in private trucks.

The sampling was done for one day in Kitengela and for 2 days at the Ngong' dumpsite. Dr. Tsuma explained what it meant for the team not to access all the waste at the dumpsites. The team did not do a conclusive and complete survey since they could not access the waste and so cannot ascertain the extent of the health hazards in the waste and also to see if

there was dangerous waste or medical waste. The permit would go a long way in ensuring that all the waste is accessed. The dumpsites shall be cleaned, decommissioned and converted into temporary transfer stations.

MIN3/07/MLE/KCo16: REQUESTS TO THE COUNTY

It was also noted that the company needed to get structured documents from the county. Dr. Tsuma also pointed out that the county was supposed to issue the permits according to the signed MOU between ASTICOM and the Kajiado County.

ASTICOM was given a leeway to state what they required to be included in the working permits which is also the working document. Dr. Tsuma highlighted the following as what must be included in the document:

- The county should commit itself into doing the Environmental Impact Assessment for the decommissioning of the Kitengela and Ngong' dumpsites to enable to NEMA to issue permit.
- ASTICOM should be given full access to the waste in Kitengela and Ngong' dumpsites to enable its team collect samples required for our comprehensive survey.
- The county of Kajiado should be responsible for the logistics of the waste i.e. the collection and supervision of the county and contracted waste collectors and that all the waste collected should be exclusively delivered to our transfer stations.
- The duration of our operation in Kajiado should be not less than 25 years to enable us recover our investment.
- The county should be willing to allow waste from other counties to be received and processed at our plant.

The Kajiado team agreed that they would take it on and draft the new agreement. It was agreed that even with the agreement; the MOU cannot be revoked as the agreement was only addressing contentious issues within the MOU. Dr. Tsuma noted that ASTICOM's supporters and financiers needed the document in order to release the fund for operation.

Mr. Wafula pointed out that the EIA will detect the type of waste in the dumpsites and recommend the disposal procedure of the waste. He said that a budget needed to be set aside for the EIA. Mr. Matanta tried to search a quick solution for the EIA since the systems were closed after the close of the previous year's financial year. He said they will try and procure an expert who can assist in fast-tracking the process. This will help ASTICOM in the release of their funding and also getting the comfort letters from the Energy Regulating Commission. NEMA reminded the meeting that when applying for the NEMA permits, approvals needed to be attached to the application.

MIN4/07/MLE/KCo16: IRONING OUT FINANCIAL ISSUES.

All of the bills needed to be explained. Private garbage collectors pay a fee to the county government meaning the county makes an income from the dumpsite. All the discussion we have had needed to be briefed to the governor. The meeting was informed that ASTICOM had already done the costing of the clean-up and that ASTICOM had already carried it out.

This is what needs to be done at the Ngong' site:

- Waste water treatment
- Upgrading of the access roads with the NYS
- The collectors to be charged a fee
- Highlight

The Minister pointed out that the approvals for the plans needed to be charged. According to the MOU, the county is supposed to give all the permits for free without charging as part of our partnership and agreement with them. The minister said that we would meet later to discuss about cost sharing or a waiver

A justification for air tickets payment had to be done. The 1st survey in April was not completed and each party had a role to play. The two teams also had to sit together again after the surveys. The county team stated that they had already paid the accommodation charges at La Mada Hotel, though the paperwork was not submitted to us neither was it even shown.

Accommodation expenses at Serena Hotel are supposed to be re-inbursed to ASTICOM (K) LTD. The accommodation was for the first day before the guests were moved to LA MADA hotel.

Transport misunderstandings were also cleared. The fuel costs had been under calculated and several other modifications were made as follows:

A SUMMARY OF EXPENSES INCURRED DURING SITE VISITS

NO.	DESCRIPTION	USD	KSHS.
A1.	FIBERIGHT CONSULTING (6,500 POUNDS) Fiberight's rates for doing the survey for the county	9,544.00	975,000.00
2.	ASTICOM CONSULTING Our rates for doing the survey for the county	3,158.00	322,075.00
3.	ACCOMMODATION Serena Hotel(The first trip)		50,000.00
4.	AIR TRAVEL FOR SYMBION TEAM (18 TH - 21 ST APRIL 2016)		10,000.00
5.	TRANSPORT AND LOGISTICS (Truck Hire & Fuel)	N/A	243,000.00
6.	MISCELLANEOUS	N/A	170,648.00
7.	TOTAL		1,770,723.00
	LESS AMOUNT PAID BY COUNTY		(855,000.00)
	DEFICIT		915,723.00

Kindly note that transportation is broken down as follows:

TRUCK HIREVEHICLE	NO. OF DAYS	AMOUNT
TRUCK 1(Double Cabin crew cab) @ 12,500/= pd	N/A	75,000.00
TRUCK 2 (Double Cabin crew cab) (@ 12,500/= pd	N/A	75,000.00
11 SEATER VAN @5,000/=pd	5	25,000.00
FUEL for 2 trucks @4,000/=pd	6	48,000.00
FUEL for 1 van @4000/=pd	5	20,000.00

TOTAL	243,000.00
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In total, the county is to reimburse ASTICOM a total sum of **Kshs.915,723.00.**

ASTICOM requested the county to reimburse the said amounts immediately but they said the systems had closed until the end of August. ASTICOM made a request that at least some amount should be paid in order for the operations to continue on the ground.

~~[Signature]~~
Hon. Paul
Suss
H/Genl. Ward,
19/5/2007

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