



THE UNITED REPUBLIC OF TANZANIA

THE VICE PRESIDENT'S OFFICE

**ENVIRONMENTAL MANAGEMENT ACT IMPLEMENTATION
SUPPORT PROGRAMME**

**THE REVISED DRAFT ENVIRONMENTAL
MANAGEMENT (SOLID WASTE
MANAGEMENT) REGULATIONS, 20098**

BY

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THE ENVIRONMENTAL (SOLID WASTE MANAGEMENT) REGULATIONS, 2009~~8~~

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THE ENVIRONMENTAL (SOLID WASTE MANAGEMENT) REGULATIONS, 2009~~8~~

PART I

PRELIMINARY PROVISIONS

Short title 1. These Regulations may be cited as the Environmental (Solid Waste Management) Regulations, 2009~~8~~

Application 2. These Regulations shall apply to all matters pertaining to solid waste management.

Interpretation 3. In these Regulations, unless the context otherwise requires-

Act No. “Act” means the Environment Management Act, 2004;

20 of 2004

“Approved receptacle” means:

- (a) Containers or bins, plastic container of a type, size and design approved or provided by the Council or local government authorities with jurisdiction over the area;
- (b) a metal or plastic container or a multi-wall paper or heavy grade plastic bag manufactured for the purpose of holding waste approved or provided by the Council or local government authorities with jurisdiction over the area;

“Business Waste” means any scrap or waste material resulting from the carrying on of any business, trade, market, manufacturing, servicing or processing activity, or other related undertaking

“commercial waste” means waste from premises used wholly or mainly for the purpose of a trade or business or for purpose of sport, recreation, education or entertainment but does include the household, agricultural or industrial waste

“Council” means the National Environmental Management Council (NEMC) established under the Act;

“household waste” means waste produced within the curtilage of a building or self-contained part of a building used for the purposes of living accommodations including but not limited to ~~old~~-ashes, sweepings, dust, food scraps or waste food, food containers, food wrappers, or any other solid waste arising or resulting from domestic housekeeping operations;

“licensed waste collector” means a person or company which has a licence ~~from the local government authorities~~ to collect, transport or dispose of waste;

“recycling” means the subjection of waste to any process or treatment to make it reusable;

“recyclable items” means ~~glass and glass products, paper, rags and textiles, metal cans, metals, plastic products and such other materials, as may from time to time added by the Council;~~

“solid waste” shall have the meaning ascribed to it in the Act;

“transfer stations” ~~with respect to~~ means solid waste management, means areas of land set aside for collecting for solid waste generated from various sources before the final disposal ~~stations; before final disposal;~~

“waste storage receptacles” means the types of receptacles which the ~~Council~~ ~~or~~ local government authorities may recommend for waste storage. ~~These include standard metal dustbin, approved plastic standard dustbin, approved plastic bags, approved papers bags, standard litter bins, standard containers or skips; and any other recommended receptacles ideal for the locality;~~

Principles

4. Manufactures or any person exercising jurisdiction under this Act shall, in relation to any decision, order, exercise of any power or performance of any function, be guided by the following principles of environment and sustainable development relevant to

waste disposal and management -

- (a) The precautionary principle;
- (b) polluter pays principle; and
- (c) the producer extended responsibility.

Cleaner production principles

5. Any person who owns or controls a facility or premises which generates waste shall minimize the waste generated by adopting the following cleaner production principles -

- (a) improvement of production process through conserving raw materials and energy by -
 - (i) eliminating the use of toxic raw materials within such times as may be prescribed by the Minister; and
 - (ii) reducing toxic emissions and wastes to a level prescribed in the applicable national environmental quality standards.
- (b) Monitoring the product cycle from beginning to end by-
 - (i) identifying and eliminating potential negative impacts of the product; and
 - (ii) enabling the recovery and re-use of the product where possible; and
 - (iii) reclamation and recycling.

Duty to safeguard the environment from adverse effects of solid waste

6.- Every person living in Tanzania shall have a stake and a duty to safeguard the environment from the adverse effects of solid wastes and to inform the relevant authority on any activity and phenomenon resulting from solid waste that is likely to adversely affect the public health environment and environment.

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PART II
ADMINISTRATION AND INSTITUTIONAL ARRANGEMENTS

Duties of local government authorities in relation to solid waste

~~disposal~~management
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7.-(1) For the purposes of ensuring minimization of the solid waste in their respective areas of jurisdiction, local government authorities shall ensure compliance and enforcement of these regulations in their respective jurisdictions.

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(2).-Any person designated or appointed as City Environment Management Officer, or Municipal Environment Management Officer, or District Environment Management Officer, Town Environment Management Officer, or Township Environment Management Officer, or *Kitongoji* Environment Management Officer, or Ward Environment Management Officer, or *Mtaa* Environment Management Officer, Village Environment Management Officer shall-

- (a)- ensure the enforcement of these regulations in ~~their~~-his respective areas to which he belongs;
- (b)- advise the environment management committee to which he belongs on matters pertaining to solid waste management;
- (c)- promote ideal solid waste management in the area to ~~which~~ he belongs;
- (d)- gather from ~~their~~-his respective areas any information on solid wastes;
- (e)- prepare periodic reports on the state of solid wastes in their respective areas;
- (f)- monitor and report to the Council the preparation, review and approval of Eenvironmental Impact Assessments made under the Act and the Environmental Impact Assessment and Audit Regulations, 2005;

GN No. 349 of
2005

(g)- report to the Director of Environment and the Director General on the implementation of these Regulations annually.

(3)- Standing Committees established under the local government laws with responsibility over the environment shall in relation to their respective areas-

(a)- be responsible for the proper management of solid wastes;

(b)- carry out directives on solid wastes given to them by the Minister or Council

Power of the Minister to issue orders

8 (1).-Without prejudice to his powers under the Act, the Minister-

(a)- shall be overall responsible for matters relating to solid waste management and for that purpose articulate policy guidelines necessary for the management of solid wastes;

(b)- may issue general guidelines on solid waste management to the sector Ministries, Government Departments and local government authorities for purposes of giving effect to these regulations.

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(2)- Where the Minister gives any directive pursuant to this regulation, that directive shall be given effect to as required.

PART III LICENCES AND PERMIT

Permits to operate solid waste disposal sites

9.-(1) Any person wishes to deal in solid waste as collector, transporter, depositor or manager of transfer station shall apply to local government authority for a permit

(2) Local government authorities may, in their relation to their areas

~~of jurisdiction and on application, issue permits for- shall with respect to their areas of jurisdiction issue-~~

- ~~(a)- solid waste collection~~ioner~~; permit, or~~
- ~~(b)- solid waste transport~~ationer~~; permit, or~~
- ~~(c)-solid waste ~~disepos~~sitor; permit, or~~
- ~~(d)- solid waste~~r~~ transfer station, ~~permit,~~~~

~~to individuals or companies permitted to collect, or transport or transfer or finally deposit solid wastes in designated areas.~~

~~(3) – An individual or company may apply for permits referred to in sub regulation (1) as a single permit or collective permits;~~

~~(42)- An Applications for a ~~licenee~~-~~permit~~ pursuant to sub regulation (1) shall accompanied by –~~

~~(a)include evidence of payment of prescribed application fee;~~

~~(b) proof of the; means and facilities available to the applicant to undertake the tasks; and~~

~~(c); description of the ~~the~~ activities to be undertaken.~~

~~, and provide any information that the local government authority may require to enable the processing of the application.~~

~~(3) Any person or company who collects, transports or disposes waste without a licence from the local government authority commits an offence under these regulations.~~

(44)- Local government authorities shall in addition to any thing provided for under this Regulation, require applicants to keep records of waste types collected and weighbridge receipts including tonnage of solid wastes.

~~Permit to Vehicle for~~
transport of solid
waste

~~10. Vehicles for purposes of transportation of solid waste shall ~~10-~~~~

~~(1) No one shall transport solid waste without prior Permit issued by the local government authority~~

~~(a)-have a prescribed cover to prevent exposure of the contents~~

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except during loading and unloading;

(b)- be watertight in construction and preferably metal to prevent leakage and facilitate thorough cleaning;

(c)- be self-tipping mechanism to ensure fast tipping;

(d)- have a loading height of the range from 1.4m to 1.6m in the case of manual loading vehicles.

~~(2) Permits issued under these regulations shall respectively indicate the mode for collection, transportation, transfer and depositing of solid waste.~~

~~(3) Vehieles trucks for purposes of transportation of solid waste shall-~~

~~(a) have a prescribed cover to prevent exposure of the contents except during loading and unloading;~~

~~(b) be watertight in construction and preferably metal to prevent leakage and facilitate thorough cleaning;~~

~~(c) be self tipping mechanism to ensure fast tipping;~~

~~(d) have a loading height of the range from 1.4m to 1.6m in the case of manual loading vehicles.~~

Permit to dispose solid waste

~~11-(1) No one shall dispose of any solid waste without a permit issued by the local government authority for that purpose;~~

~~(2) All wastes shall be finally disposed of at areas designated for that purpose by the local government authority~~

Licence to own or operate solid waste disposal site

~~12-(1)- Local government authorities shall with respect of to their areas of jurisdiction issue licence to individuals and or companies qualified for Permits to operate solid waste disposal sites.~~

~~(2)- Every holder of Aa licence for operating a solid waste disposal~~

site shall be valid for two years and may be renewed under sub regulation (1) shall apply for a renewable 12 months' Permit to operate a solid waste disposal site.

(3)- Local government authorities may attach any further terms and conditions on Permits-license granted under sub regulation (12).

(4). Solid waste shall be finally disposed of at areas designated for that purpose by the local government authority

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PART IV

SOLID WASTE MANAGEMENT ~~AND DISPOSAL~~

Duty of local government to minimise solid waste at source

13.-Local government authorities shall ensure that every occupier of premises, business, industry or any activity generating solid waste minimizes the waste at its source by ensuring that:

(a)-different types or kinds of solid waste are separated ~~right~~ at the source ~~of the waste;~~ and

(b)-different types or kinds of solid waste are collected into waste storage receptacles of specified standards, types, sizes, shapes, colours, easy to carry or move of waste containers, comply with and other specifications as the case may be; ~~and~~

~~(c)-“Waste storage receptacles” shall for purposes of these regulations mean the types of receptacles which the Council or local government authorities may recommend for waste storage. These include standard metal dustbin, approved plastic standard dustbin, approved plastic bags, approved papers bags, standard litter bins, standard containers or skips; and any other recommended receptacles ideal for the locality.~~

Duty to segregate waste

14.-Each local government authority shall with respect to solid wastes generated in its own area of jurisdiction-

(a) designate specific areas where segregated solid wastes is removed from point of generation of waste to areas designated by the local government authority as solid waste transfer stations; and

(b) prescribe measures to prevent the mixing up of solid wastes emanating from point of generation with wastes for the time being placed at solid waste transfer stations.

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Obligation to
Use of
approved
receptacles

15.- ~~(1) The Every~~ occupier of any premises shall be obliged to use approved receptacles by Council or local government authority; ~~commits an offence where for every type or kinds of solid waste he fails to~~

(2) without prejudice to sub-regulation (1), approved receptacles shall include standard metal dustbin, plastic standard dustbin, plastic bags, papers bags, standard litter bins, standard containers or skips and any other recommended receptacles ideal for the locality.

(3) The occupier who fails to-

- (a) keep and use approved receptacles ~~such receptacle or receptacles as may be approved by the Council or local government authority~~ for holding waste prior to disposal;
- (b) ensure that reusable receptacle is kept clean and maintained in good repair; or
- (c) ensure that each waste receptacle is used in a way which protects the contents from spillage, rain, storm water, birds, flies or other pests and vermin.

commits an offence.

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Duty to respect
waste collection
times

16.- ~~(1) Every An~~ occupier of premises shall-

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- (a) comply with the such days and approximate times for collection of waste ~~as shall be specified from time to time~~ by any the local government authority having jurisdiction over the premises;
- (b) ensure ~~that any uncollected waste that waste is~~ not collected ~~during as the days and times for collection~~ prescribed under ~~subsection paragraph~~ (a) does not remain in the public

Prohibitions of
certain solid
wastes into
receptacles

place;

- (c) ensure that an approved receptacle complies with the maximum weight limitations prescribed by the local government authority;
- (d) ensure sufficient approved receptacles ~~for waste and recyclable material~~ are provided to serve all of the occupants of that ~~property~~ premises;
- (e) ensure that no undue accumulation of waste is permitted to remain in or about that ~~building~~ premises; and
- (f) not permit ~~or suffer~~ any accumulation of waste ~~in or about that property to be or become~~ unsightly, offensive, a nuisance or injurious to health.

(2)- Every occupier who ~~infringes~~ ~~contravenes~~ the provisions of sub regulation (1) commits an offence.

17. ~~(1) No Any~~ person ~~shall commits an offence who~~ deposits ~~into any dustbin, or litter bin, or receptacle;~~

- (a) ~~any~~ hazardous substance including asbestos or asbestos-containing material, explosives, fireworks, firearms, batteries, hot ashes, flammable liquid, highly flammable materials, infectious material, pressurised containers (other than a pressurised container commonly used for containing domestic products such as fly spray, hair spray and similar materials), or radio-active material;
- (b) corrosive ~~nature~~, carcinogenic ~~nature~~; flammable ~~nature~~; persistent ~~nature~~; toxic ~~nature~~; explosive ~~nature~~; radioactive ~~nature~~ materials;
- (c) ~~any~~ liquid, acid, paint, printers ink, oil, oil sludge, asphalt emulsion, viscous fluid or similar product which if spilt in a public place may cause damage or injury or result in pollution of the environment;

- (d) ~~any~~ medical needles, syringes or other skin piercing devices; ~~and~~
- (e) ~~any~~ broken glass, fluorescent light tubes, broken crockery, ~~china~~ or other sharp articles unless they are wrapped to prevent injury to any member of the public or any persons engaged in collection or disposal work; ~~and~~
- (f) electrical and electronic waste.

unless the receptacle has been approved in accordance with the Environmental Management (Hazardous Waste Control) Regulations, 2009.:

~~(2) Management and disposing of wastes enumerated in sub-regulation (1) shall be governed by respective regulations to be made by the Minister.~~

Solid waste from institutions

148.- ~~Every~~ ~~S~~schools, offices, hospitals, police ~~barracks~~, army barracks, ~~prisons~~, religious buildings, camps, and other institutions that may ~~be~~ designated by local government authorities, shall-

- (a) strategically place waste storage receptacles at all points where people working or living in the institutions congregate;
- (b) set aside for storage and collection solid wastes sorted according to categories prescribed by local government authority ~~with jurisdiction over the area~~;
- (c) at the beginning of each year before 31st day of January send to their respective local government authorities information and data on the rate, types, composition of solid waste generated, collection methods, treatment or disposal method employed, ~~within its area of jurisdiction.~~

Contract out work of segregation of solid wastes

19.- ~~The~~ ~~L~~local government authorities may with respect to their areas of jurisdiction contract out to licenced and qualified solid waste collection contractors such as Community Based Organisations,

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private companies, and Non Governmental Organisations to assist in separation of solid waste at source, and operation of solid waste transfer stations.

Designation
areas as waste
transfer stations

~~20-(1)-~~ Each local government authority shall ~~with respect to its own area of jurisdiction~~ designate solid waste ~~collection centres-transfer stations which is capable to where temporary storage of separated types or categories of solid waste will be done for such a minimum reasonable period under conditions which :-~~

(a) ~~will~~ prevent ~~release of waste~~~~their release~~ to the environment until appropriate recovery, recycling, treatment or disposal facilities are provided; ~~and~~

(b) ~~guarantees~~ adequate storage space and appropriate solid waste receptacles or containers ~~strategically placed at all solid waste generating points.~~

~~(2)- Every person who violates the usage of any designated solid waste transfer stations commits an offence.~~

Conditions for
solid waste
transfer stations

~~21-(1)-~~ Where appropriate, each local government authority shall designate adequate areas to be used as a solid waste transfer station, away from residential areas taking into account social and environmental impact assessment.

(2)- Where solid waste transfer station is designated, ~~under Sub Regulation (1),~~ waste shall be removed regularly to avoid any nuisance which may result into public and environmental objections or affect health.

(3)- Every solid waste transfer station shall be on an elevated platform at least ~~five~~5 metres high, with apertures through which waste is directly discharged in bulk transporters beneath, and in addition-

- (a)- the elevated platform shall be large enough to store waste discharged from collection vehicles before being pushed through the apertures by bulldozer or mechanical shovel; and
- (b)- be fenced to prevent entrance of unauthorized persons, animals and also prevent scattering of the waste by wind.

Undertaking periodic study of generation of solid waste

22-(1) ~~Each local government authority shall every~~ shall in ~~year~~ every year ~~with respect to urban and rural settlements~~ send to the Council information and data on the rate, types, composition of solid waste generated, collection methods, treatment or disposal method employed within its area of jurisdiction.

(2)-The Council may upon perusal of any information and data on the rate, types, composition of solid waste generated, collection methods, treatment or disposal method employed ~~pro~~ offers any advice to the local government authority concerned.

Designation of solid waste routes, collection points, waste disposal areas

23-(1) ~~Every-Each~~ local government authority shall designate routes, collection points and may, ~~set~~ ~~aside~~ areas or premises for ~~the~~ storage, reuse, recycling, recovery or disposal of waste.;

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(2) ~~Once-Where the routes, collection points and areas or premises an area or premise has~~ been designated as such, ~~it shall be an offence by any person for puposes under sub section (1), any~~ who, without ~~prior~~ permission of the relevant local government authority.;

- (a) loiter~~s~~ or tamper~~s~~ with wastes deposited therein; ~~deposit, or~~
- (b) disturbs or removes any article, material or waste therein;
- ~~(c) transports wastes other than~~ violates any designate routes;
- ~~(e)~~ (d) deposits wastes in places other than wastes collection

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points.
~~commits an offence.~~

Land set aside for
waste disposal

~~24-~~ (1) Each local government authority shall set aside adequate land for waste disposal and determine disposal methods suitable for their respective areas of jurisdiction;

~~;~~ (2) Selection of land and ~~provided~~ methods ~~selected as~~ suitable for disposal of solid waste shall comply with an Environmental Impact Assessment and other the recommended environmental health requirements, ~~and an Environmental Impact Assessment.~~

Integrated solid
waste
management
recovery — with
recycling

25-(1). ~~The L~~ocal government authorities shall ~~with respect of their~~ respective areas commission studies and prescribe best ways ~~to of~~ employ recovery and recycling of wastes as ~~integral~~ part of integrated solid waste management.

(2) In order to enhance integrated proper solid waste management, ~~within their areas of jurisdiction,~~ local government authorities shall -

(a) ~~shall ensure that generators and collectors~~ sort out at their source of generation paper and paper box, various categories of plastics, aluminium, metal scrap, glass waste, pure organic waste, battery materials, and any other materials that may be from time to time be designated by the local governments;

(b) ~~shall ensure that generators and collectors~~ recover heavy metals from waste electrical and electronic equipment, such as computers, phones in order to reduce contamination of the environment with toxic substances;

(c) ~~may~~ require local generators and collectors of any specified recyclable waste to be liable for recycling or taking back their waste materials to the manufacturers; and

(d) register ~~and licence contractors collectors who are allowed to~~ collect, transport, and issue permits to persons and companies who

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are allowed to recover, recycle waste, or take back recyclable waste.

Designation and
management of
waste
composting sites

~~26-~~ (1) The Local government authorities shall ensure that:-

- (a) solid waste composting sites are designated in areas and carried out in a manner that does not cause nuisance to the communities and surrounding environment;
- (b) organic all-solid wastes from markets are shall not to be mixed with inorganic wastes;
- (c) A every person who sells products at the market and every suppliers of vegetable and food products, establishes or -uses composting facilities approved by local government authority, with jurisdiction over areas on which the market is situate; and

(2) An owner or operator of a composting facility shall manage the facility in accordance with the guidelines or directives issued by the local government authority or the Council

~~(d)~~ (3) “composting” for the purposes of these regulations shall mean a form of recycling where organic waste is transformed into useful products, and includes controlled biological decomposition of organic solid waste under aerobic conditions.

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Management of
sSolid waste in
market places

~~27-(1)~~ Local government authorities shall with respect to each market under their respective jurisdictions:-

- (a) designate places where organic waste, plastics, glass, metals and other the type of solid waste are to be separately stored to await collection;
- (b) prescribe appropriate packaging materials for transporting raw foods in bulk and to reduce refuse to the minimum;
- (c) require each market stall keeper to keep and maintain a recommended storage receptacle for refuse;
- (d) require each market stall keeper to empty at fee into a designated solid waste bay or container; and
- (e) promote awareness on the use of stalls, solid bays and packaging materials.

~~(2) Any person who violates any of the provisions under this regulation commits an offence.~~

Solid waste processing and treatment

~~28. The L~~ocal government authorities may prescribe ~~for their respective areas of jurisdictions~~ appropriate processes and treatment methods ~~involving the changing of physical, chemical or biological characteristics of waste so as to~~ to reduce or minimize ~~its~~ adverse effects of solid waste to human health and the environment.

PART V

LAND-FILL ~~WASTE DISPOSAL~~ SITES

Sanitary landfill as waste disposal method

~~29. The L~~ocal government authorities shall ~~with respect to their areas of jurisdiction~~

(a)- select or approve designs of sanitary landfill sites based on the information from local geological, ~~and~~ hydro-geological and social economic investigations;

(b)-develop respective waste disposal plans and final restoration in a way that adhere to prevent occurrence of environmental and health hazards;

(c)- design site ~~preparation~~ and land filling operations in a way that minimizes surface water runoff and rainwater percolation into the waste;

(d)- ensure that for each cell and the topsoil cover ~~is~~ are compacted to reduce infiltration of water and harbouring of vermin or insects.

Stakeholders in Management of sanitary land-fill

~~30. The L~~ocal government authorities shall with respect to sanitary landfill areas ~~in their areas of jurisdictions~~,

- (a) involve interested stakeholders when selecting appropriate sites which meet the prescribed minimum environmental quality standards, technical and public health requirements;
- (b) designate and provide for appropriate methods of disposing of solid wastes on land without creating nuisances or hazards to public health or safety and environment;
- (c) ensure that all landfills are well designed, operated, and maintained to minimize infiltration, groundwater and air pollution, ~~gas migration~~ or any other hazard; and
- (d) ensure landfills have a double liner at the bottom using materials that will be ~~by Order be~~ prescribed by Order issued by the Minister.

Prohibition of burning at landfills prohibited

~~31. -Any-A person shall not who burns or causes to be burnt any solid waste at any landfill or any other dump disposal site, or landfill commits an offence.~~

Staff and facilities and staff at sanitary landfill disposal sites

~~32-(1)-Staff at aing requirement for a sanitary landfill as a waste disposal site shall include:-~~

- (a) landfill manager based at the site;
- (b) Environmental Health Officer
- (c) manual labourers, security guards, operators for equipment and supervisors;

~~(d) (2) The Council or local government may prescribe any other facilities that may be prescribed by the National Environmental Management Council or local government authority concerned that are required for the proper operations of a sanitary landfill disposal site.~~

~~(2) Any person who contravenes sub regulation (1) commits an~~

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~~offence.~~

General guidance on sound management of ~~various types of~~ solid wastes

~~33-~~For the purpose of ensuring environmentally sound management ~~of various types of~~ solid wastes, local government authorities shall be guided by solid waste treatment and final disposal methods prescribed under ~~the~~ First Schedule.

~~Pollution prevention~~

~~34-It shall be an offence for any person to pollute or permit any other person to pollute by solid waste in violation of any provision under these regulations.~~

PART VI

~~SOLID~~ PLASTIC WASTE MANAGEMENT

~~Duty to segregate or sorting of~~ plastic wastes

~~35-(1)-Every A~~ person shall, ~~before placing any solid wastes into receptacles~~ ensure that ~~every~~ plastic materials ~~is are~~ separated from non-plastic materials and ~~sorted deposited separately~~ into receptacles ~~as~~ prescribed by local government ~~authority for disposal of plastic waste;~~

(2)- Duty to segregate plastic waste provided for under these regulations shall apply to ~~segregation of the plastic wastes before their final disposal collection, transportation and final disposal.~~

~~(3)-Any person who contravenes this regulation commits an offence.~~

Contracting out handling of plastic wastes

~~36-(1)- L~~Local government authorities may commission plastic waste contractors with the responsibility to handle plastic wastes

over areas specified by the local government

~~(2)-Before any beginning the tasks under sub-regulation (1),~~

Local government authorities shall ensure that contractors-

(a)- have adequate and appropriate working equipment and tools, training and adequate provision of personal ~~of~~-protective gears to waste handlers,

(b) have the capacity to carry out segregation of plastic waste including and other recyclable wastes.

~~(3)-Any person who contravenes any of the requirements provided for under sub-regulation (2) commits an offence.~~

Duty to handle plastic wastes safely

~~37.-~~ Local government authorities shall ensure that-

(a) plastic waste materials ~~of all kinds~~ are handled safely so as to minimize risks to human health and the environment;

(b) ~~A every who person who~~ handles plastic waste ~~subject of disposal are shall be~~ supplied with appropriate protective gears, trained in safe handling, and equipped with waste handling equipment.

Indoor sStorage of plastic wastes ~~before recycling or disposal~~

~~38-(1)-PAH~~ plastic wastes ~~s~~ destined for recycling where stored indoors shall:

(a) be stored in shredded or in baled form

(b) be stored on clean concrete floors ~~if stored indoors,~~
~~if a fire was to occur~~

~~(2)(2) Sprinkler fire prevention system shall be provided in such facilities to prevent large fires and ease fire fighting.inform fire fighting department in advance of any storage of plastic waste, and the storage shall be easily accessed by fire fighting vehicles and the storages.~~

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Outdoor storage of plastic wastes

~~(3) Any person who contravenes this regulation commits an offence. Inform fire fighting department in advance of any storage of plastic wastes in a recycling facility.~~

~~(4) Plastic waste storage facilities shall be situated in areas easily accessed by fire fighting vehicles.~~

39-(1) Every occupier of a building or any premise shall with respect of recyclables plastic wastes that are stored outdoors ensure that they:

- (a) are protected from contamination by any dirt materials or chemicals;
- (b) are secured against ~~entry~~ and fire fighting equipment shall be readily available.

~~(e)(2) Inform fire fighting department in advance of any storage of plastic wastes in a recycling facility. Inform fire fighting department in advance of any outdoor storage of plastic waste, and the storage shall be easily accessed by fire fighting vehicles.~~

~~(3) plastic waste storage facilities shall be situated in areas easily accessed by fire fighting vehicles.~~

~~(2) Any person who contravenes sub-regulation (1) commits an offence.~~

Study on treatment and disposal of plastic wastes

~~40-(1) The Tanzania Bureau of Standards Council may from time to time carry out studies and recommend to local government authorities on possible ways for treatment and disposal of plastic wastes to change the physical, chemical, or biological character of a waste to make it less of an environmental threat.~~

~~(2) Studies undertaken under sub-regulation (1) may include best treatments that can neutralize the plastic waste; or recovery of energy or material resources from plastic waste; or rendering the~~

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~~waste less hazardous; or make the waste safer to transport, store, or dispose.~~

~~(23)~~ The Council may ~~from any study made under this regulation,~~ give any directive to local government authorities with respect to treatment and disposal of plastic wastes.

Combustion or incineration of plastic wastes

~~41-(1)~~ Where combustion or incineration of plastic wastes is used to destroy hazardous organic constituents and reduce the volume of waste, the residues from incineration operations which contain toxic or hazardous materials shall be considered hazardous and shall be disposed of ~~only~~ in appropriate landfill or disposal sites.

~~(2) Any person who contravenes sub-regulation (1) commits an offence.~~

Duty of importers and manufacturers of plastic

~~42-(1)~~-All importers and manufacturers shall ensure that:

(a) ~~ensure that~~ their ~~plastic~~ products are designed to be environmentally friendly, ~~(recyclable, reusable and biodegradable);~~ and

(b) ~~ensure~~ what is imported or manufactured, sold, bought or used does not include of plastic bags of under 30 microns (or 0.03 mm) thickness; and all plastic sachets used for water, juice or milk packaging regardless of their thickness.

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~~(2) Any person who contravenes sub-regulation (1) commits an offence.~~

Infrastructure for
Classification of
plastic ~~solid~~ wastes

~~43-(1)~~-Local government authorities shall put in place necessary plastic waste management infrastructure ~~such as classifications of plastics, for~~ segregation of various classifications of plastics at,

transfer stations, collection centers, ~~drop-off bins~~ and final disposal of plastic wastes.

~~(2) Any person who contravenes sub-regulation (1) commits an offence.~~

PART VII

MANAGEMENT OF LITTER

Prohibition of litter

~~44-Every~~ It shall be an offence for any person to litter in contravention of the Act and these regulations. ~~person commits an offence if he contravenes the provisions of the Act relating to litter.~~

Control of litter in public places

45-(1) Every owner of a premises fronting or adjoining any street, side street or any public place ~~as defined under the Act~~ shall with respect to the land or premises under that person's control or management-

- (a) at all times provide and maintain in place where litter is likely to be deposited, such number of litter receptacles of suitable construction and design for the temporary deposit or litter as may reasonably be necessary to keep that place free from litter;
- (b) take all reasonable steps to prevent such litter being carried to or escaping onto the public place where litter generated on or attributable to any particular premises is likely to be carried from or to otherwise escape from those premises onto a public place;
- (c) maintain such number of litter receptacles of suitable construction or design where it is shown that excessive litter is attributable to or emanated from his premises; and
- (d) Every person to whom this regulation applies shall also make appropriate provision for emptying the contents of litter receptacles provided within the public places under

that person's control or management, and for the removal and disposal of those contents promptly, efficiently and at regular intervals.

(2) "Public place" for purposes of prohibition of litter includes:-
the following:-

- (i) every-any road, street, private street, footpath, access way, storm water drain, service lane, court, mall, thorough fate, wharf, pier or jetty and airport to which the public generally has access, whether with or without payment of any fee, and includes any national park or reserve;
- (ii) any park, garden or other place of public recreation to which the public has access, whether with or without payment of any fee;
- (iii) any beach or foreshore, or the bank of any river or stream, or the margin of any lake, to which the public traditionally has access, whether with or without payment of fee
- (iv) any waters to which the public traditionally has access, whether with or without payment of any fee, for bathing or other recreational purposes;
- (v) any airport, bus station, city, municipal or town bus stops;
- (vi) any general land vested in or controlled by the President being land that is not occupied pursuant to any lease, licence, or other authority by any private person;
- (vii) any other place whether public or private in the open air to which the public has access,

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whether with or without payment of any fee;
and
 (iii)(viii) any other place designated by the Council
or local government authority
 (i) any beach or foreshore, or the bank of any river
or stream, or the margin of any lake, to which the
public traditionally has access, whether with or
without payment of fee;
 (ii) any waters to which the public traditionally has
access, whether with or without payment of any
fee, for bathing or other recreational purposes;
 (iii) every wharf, pier or jetty to which the public has access;
 (iv) any airport, bus station, city, municipal or town bus stops;
 (v) any general land vested in or controlled by the president being
land that is not occupied pursuant to any lease, licence, or other
authority by any private person;
 (vi) any other place whether public or private in
the open air to which the public has access,
whether with or without payment of any fee; and
 (vii) any other place designated by the Council or
local government authority.

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Domestic wastes
 prohibited in public
 litter bins

46-Any person who-
 (a) deposits household-commercial waste, garden waste or
 business waste in a litter bin provided in a public place for
 the use of the public frequenting that area commits an
offence; or
 (b) throws any litter in storm-water drains; or
 (c) fails to collect litter found between his premises and the
 middle of any street facing his premises
 Commits an offence

Penalty on litter

47-(1)-Every A person convicted of any offence under this Part

~~on litter~~ shall on conviction be liable, in case of an individual, to a fine not less than two hundred thousand shillings and in the case of a body corporate to a fine not less than five million shillings.

(2) ~~Where any person is convicted of an offence against regulations on litter~~ Without prejudice to sub-regulations (1), the court ~~shall~~ may in addition to imposing a penalty,

(a) order the offender, under the supervision ~~and to the satisfaction of a person nominated by the court~~ of the local government authority or the Council, to clear up and remove the deposited litter ~~within at~~ such place and period ~~and to such place~~ as may be specified in the order., ~~and on the making of any such order, the court shall further order that if the offender fails to comply with the order he is liable in addition to any other penalty imposed, to a fine not exceeding five hundred thousand shillings.~~

(b3) ~~Where the court convicts a person of an offence against this Part on litter, the court may, if it thinks fit, in addition to imposing of penalty,~~ order the offender to pay ~~by way of~~ compensation to the public authority having control over management of the public place or as the case may be, the occupier of the private land where the offence was committed, such sum as it considers reasonable to cover the cost of the removal of the litter, and the amount so awarded shall be deemed to be a judgment debt due to the authority or occupier from the offender, and may be enforced in any manner in which a judgment or order of the court for the payment of a civil debt may be enforced.

PART VIII COMPLIANCE AND ENFORCEMENT

Powers of the Council
in respect of local
government authorities

48-(1)-Subject to sub regulation (2), the Council may, after giving reasonable notice of its intention so to do, direct any local government authority to perform, within such time and in such manner as it shall specify, any of the duties imposed upon the local government by these regulations in relation to enforcement and compliance and if such local government authority fails to comply with the direction, the Council may itself perform or cause to be performed the duties in question, and the expense incurred by it in so doing shall be a civil debt recoverable by the Council from that local government authority.

(2)-The Council shall seek and obtain written authorization of the Minister before exercising power under this regulation.

General powers of
environmental
inspectors

49-(1)-. Environmental Inspectors may, with or without a warrant, at any reasonable time and with any necessary assistance-

- (a) enter into or upon any facility, building, vehicle, aircraft, vessel, land, waters or other place;
- (b) stop any vehicle or vessel that he reasonably believe as being operated in contravention of these regulations;
- (c) take samples;
- (d) take photographs and videos for purposes of prosecutions or exacting any penalty
- (e) require the production of any document, record relevant for enforcement of these regulations; and
- (f) exercise the powers conferred on them by the Act to enforce these regulations.

Powers of
environmental
inspectors to serve
Emergency Protection
Orders

50-(1)-Where an Environmental Inspector or a local government authority or an officer of the Council has reasonable grounds to believe that, a person is or will be conducting an activity, or is or will be in possession or control of substances or anything that

may result in violation of ~~any the~~ provisions of these regulations, he may serve a prevention order on that person.

(2)-Any person on whom a prevention order is served shall comply with the requirements of the order by the date or dates specified in the order and if no date is specified, that person shall comply with the order immediately.

(3)-Any person who contravenes a prevention order commits an offence and shall on conviction, be liable to a fine of not less than five hundred thousand shillings or to imprisonment for a term not exceeding one year and where that person fails to comply with a requirement specified in the prevention order within the time specified, that person shall be liable to a further fine not exceeding one hundred thousand shillings for every day or part of a day after the date specified in the order during which the offence is continued.

Solid waste
compliance orders

51-(1) Where an Environmental Inspector or relevant local government authority has reasonable grounds to believe that any condition of a licence or permit issued under these regulations has been breached, he may serve a compliance order requiring that person to remedy the breach within a reasonable period stipulated in the order, failure of which the local government authority may ~~seek cancellation~~ or ~~revocation of~~ the licence or permit.

(2) Permits or Licences issued under these regulations to a person served with a compliance order stands cancelled or revoked seven days after the deadline set for compliance.

(3) In addition to revocation or cancellation of Licence or Permit under sub regulation (2), local government

authority may take any further action it deems appropriate.

~~Public prosecutors 52- Local government authorities shall propose to the Minister names of suitably qualified employees of local government authorities to be recommended to the Director of Public Prosecutions for appointment as public prosecutors for purposes of these regulations.~~

~~Environmental Impact Assessment and Environmental Management Plans for certain activities 523-(1)-Conducting of Environmental Impact Assessments)and preparation of Environmental Management Plans shall be required conducted before establishment of-~~

- (a) solid waste disposal sites, land fill sites for solid wastes of various categories;
- (b) areas to be used as a solid waste transfer stations;
- (c) indoor storage for plastic wastes before recycling or disposal;
- (d) outdoor ~~indoor~~ storage for plastic wastes before recycling or disposal; and
- (e) any other activity which the Council or local government ~~may with jurisdiction over an area~~ prescribe ~~from time to time~~.

~~(2)-Any person, being a proponent or a developer of a project or undertaking referred to in sub regulation (1), to which Environmental Impact Assessment is required to be undertaken, shall undertake or cause to be undertaken, at his own cost, an Environmental Impact Study.~~

- (3)-Environmental Impact Assessment for purposes of these Regulations shall be carried out prior to the commencement or financing of any such undertaking.

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- (4)-Environmental Impact Assessment under this regulation shall be carried out in accordance with the Act and the Environmental Impact Assessment and Audit Regulations.

~~-(5)-Any person who contravenes sub-regulations (1), (2), (3) and (4) commits an offence.~~

~~-(6)- Environmental management plan shall for purposes of this regulation mean all details of project activities, impacts, mitigation measures, time schedule, costs, responsibilities and commitments proposed to minimize environmental impacts of activities, including monitoring and environmental audits during implementation and decommissioning phases of a project.~~

Permits do not do away with need for environmental impact assessment certificate

534(1)-A permit or licence for the carrying out of any project or undertaking in accordance with these regulations shall not entitle the proponent or developer to undertake or to cause to be undertaken projects subject to Environmental Impact Assessment without environmental impact assessment certificate issued under the Act or any regulations made there under.

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~~(2)- Any person who contravenes sub-regulation (1) commits an offence.~~

Environmental audits for existing undertakings

545(1)-All existing-

- (a) solid waste disposal sites, land fill sites for solid wastes of various categories, solid waste recovery and recycling facilities~~transfer stations~~;
- (b) areas to be used as a solid waste transfer stations;
- (c) indoor storage areas set aside for plastic wastes before recycling or disposal;
- (d) outdoor ~~indoor~~-storage for plastic wastes collected before recycling or disposal;
- (e) activity which the Council or local government with

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jurisdiction over an area prescribe from time to time,
shall within six months of coming into operation of these regulations, carry out ~~e~~Environmental ~~a~~Audit in accordance with ~~regulations prescribed by the Minister for that purpose with the Environmental Impact Assessment and Audit Regulations, 2005.~~

~~(2) Any person who contravenes sub-regulation (1) commits an offence.~~

Annual reports on environmental management of sites to Director-General

~~556~~(1)-Local government authorities shall keep records and submit annual reports to the ~~Director of Environment and Director General of the~~ Director General of the Council ~~environmental management regarding of~~

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- (a) solid waste disposal sites, land fill sites for solid wastes of various categories, solid waste transfer stations;
- (b) areas to be used as a solid waste transfer stations;
- (c) indoor storage areas set aside for plastic wastes before recycling or disposal;
- (d) outdoor ~~indoor~~-storage for plastic wastes collected before recycling or disposal;
- (e) copies of all permits and licences issued under these regulations; and
- (f) activity which the Council or local government ~~with jurisdiction over an area~~ prescribe ~~from time to time.~~

Strategic Environmental Assessment ~~to big land fill sites designated by the Minister~~

~~567~~(1) The Minister may where need arises, prescribe the size of disposal sites and landfill sites for solid wastes of various categories whose designation shall be subjected to Strategic Environmental Assessment ~~to be followed by Environmental Impact Assessment for specific waste management activities or projects.~~

GN 153 of 2008 (2) Strategic ~~e~~Environmental ~~a~~Assessment under this regulation shall be carried out in accordance with the Act and the Strategic Environmental Assessment Regulations, 2008

General offences and penalties **578**-Any person who contravenes ~~any the provisions under of~~ these Regulations for which no other specific penalty is provided, commits an offence and is liable on conviction to a fine of not less than five hundred thousand shillings but not exceeding fifty million shillings or to imprisonment for a term of not less than two years but not exceeding seven years or to both.

~~Power to Forfeiture~~forfeit **589**.-The Court convicting any person under these regulations may also issue orders for forfeiture, cancellations or impose community service orders in accordance with the Act.

Civil liability **596**0-A conviction for an offence committed under these regulations shall not exonerate any person or body corporate from any civil proceedings which may be instituted under these regulations.

Additional penalties **604**-In addition to any punishment which may be imposed, courts may in addition ~~direct order that~~ the person convicted to pay full cost of collection, transportation, disposal or clean up of the environment.

PART IX
GENERAL PROVISIONS

Reporting procedures **612** – (1) A ~~holder of a permit or a~~ person licensed to carry out any activity under these regulations shall submit annual reports on the conduct of the licenced ~~or permitted~~ activity to the ~~local government authorities. Director General of the Council.~~
(2) Subject to the provisions of sub regulation (1), the

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local government authorities shall upon receiving the reports submit the same to the Council.

~~(2) Where special reporting procedures are made the condition of a licence granted under these Regulations, those procedures shall take precedence over the submission of annual reports under sub regulation (1).~~

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Duty to keep records

~~623.~~ (1) The holder of a licence or permit issued under these Regulations shall-

- (a) keep ~~a~~ records of the licensed activity and all transactions related to it; and
- (b) submit the record referred to in paragraph (a) to the local government authorities ~~Director General of the Council~~ every six months from the commencement of the licenced activity

(2) Subject to the provisions of sub regulation (1), the local government authorities shall upon receiving the reports submit the same to the Council

FeesGN 154 of 2008

~~634.~~ ~~The Fees for applications for licences and permits, under these Regulations shall be as prescribed by the Minister in the Environmental Management (Fees and Charges) Regulations, 2008 shall be paid for the various applications and licences under these Regulations.~~

Appeals to the Minister.

~~645.~~ A person aggrieved by any decision made under these Regulations may, within thirty days of the decision, appeal to the Minister.

Appeal to the Tribunal.

~~656.~~ A person who is aggrieved by the decision of the Minister may within thirty days following that decision appeal to the Environmental Appeals Tribunal, ~~in such manner as may be prescribed by the Tribunal.~~

Operation of Regulations	667. These Regulations shall, without prejudice, operate in addition to any other Regulations or standards made under any law.
Guidelines	678. The Minister may from time to time issue guidelines or orders to facilitate effective implementation of these Regulations.
Amendment of Schedules	689. The Minister may amend Schedules to these Regulations.

FIRST SCHEDULE

Type of Waste	Treatment/Recycling method	Final Disposal Method
Domestic or Institutional waste (Organic)		Sanitary landfill or landfill
Institutional Waste (paper)	Recycling	-
Market waste (Vegetable)	Composting	-
Clinical waste (Mercury containing waste)	High Temperature incineration Collection for recovery overseas	Ash special landfill
All sources of plastic waste	Recycling	
Pesticides waste and used containers	High Temperature incineration	Ash sanitary landfill
	Decontamination waste water – industrial waste water treatment	Sludge – sanitary landfill
Pharmaceutical waste	High Temperature incineration	Ash – landfill/sanitary landfill
Industrial waste (chemical)	High Temperature incineration	Ash – sanitary landfill/landfill
Industrial waste (plastic)	Recycling	
Industrial waste (Organic) fishing, brewery molt	Recycling to produce animal feed	
Industrial waste (heavy metals such as waste battery)	Recovery of heavy metals neutralization of acids, recycling of plastics	
Waste oil fossil fuel	Produce lube oil. use as source of energy in boilers or kilns	Incineration
Waste oil (transformer oil)	Decontamination	Incineration
Waste EEE	- Recovery of metal parts - Crushing of thermostat material for use as filler material in construction activities such as road construction	
Agricultural waste oil cake	Recycling – animal feed production	
Agricultural waste husks	Reuse as energy source in boilers	
Ship waste	Recovery of useful parts	Ship waste is hazardous waste. Any recovery/recycling should follow acceptable procedures which ensure environmentally sound management of waste.

SECOND SCHEDULE

(To be completed in Triplicate)

FORM I

FORM LGA/SWM/I

APPLICATION/RENEWAL FOR A LICENCE FOR TRANSPORTATION OF WASTE

(Regulation)

I hereby apply for a license to transport waste, of which particulars are given below:

Name and address of applicant.....
.....

TIN Number.....

Registration number and type of vehicle to transport waste.....
.....

Quantity of waste per vehicle to be transported.....
.....

Licensed sites/plant to which waste is to be transported.....
.....

Collection schedule.....
.....

Any other information.....
.....

Attach Recommendation document(s) from the relevant lead agency.

Is Application for: Initial licence Renewal

Previous License Number.....

Date:..... Signature:.....

Designation/Title:.....

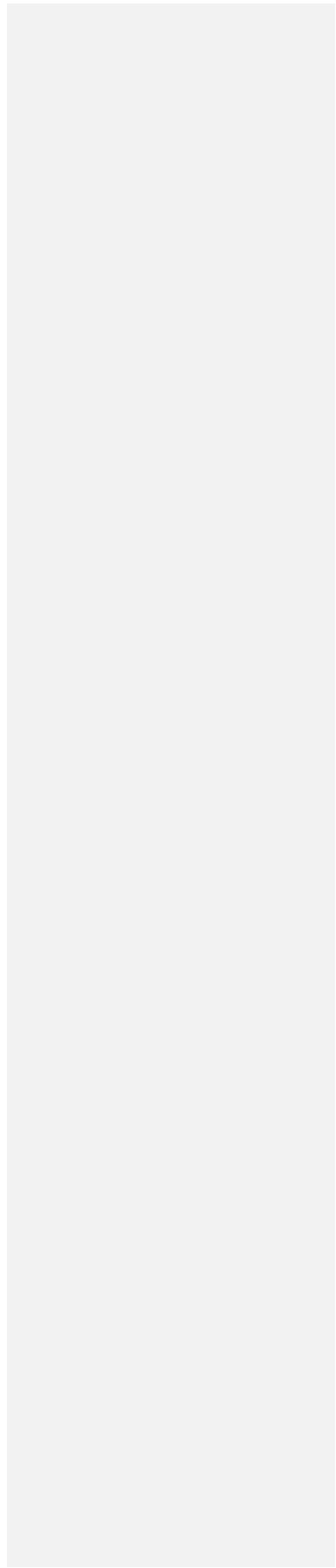
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Application received by.....on.....20.....

Fee paid Tshs.....(in words).....

District/Municipal Development Director
..... District/Municipal Council

|



FORM II
LGA/SWM/2
LICENCE TO TRANSPORT WASTE
(Regulation 7)

Licence No. TR/HW.....

Name.....

Address:

.....
.....

You are hereby licenced to transport waste to:

.....
(ward/district)

From

(ward/district)

Type and registration number of vehicles licensed

.....

This licence is valid from 20.....

To.....20.....

This licence is granted subject to the following conditions:

.....

Date: Signature:.....

.....

District/Municipal Development Director
..... District/Municipal Council

FORM SW/WM/3

FORM III

(To be completed in Five Copies)

TRACKING DOCUMENT

(Regulation 8)

<u>A</u> <u>Transporter</u>	<u>Serial No.</u> <u>Registered Name of</u> <u>Transporter.....</u> <u>Usual Municipality/District of</u> <u>operation.....</u> <u>License number</u> <u>Issuing Authority</u>
<u>CONSIGNMENT NOTE FOR THE CARRIAGE AND DISPOSAL OF SOLID WASTE</u>	
<u>B</u> <u>Description of the waste</u>	<u>Area collected</u> <u>Type of Waste</u> <u>Description and physical nature of waste</u> <u>.....</u> <u>Quantity/Size of</u> <u>waste.....</u> <u>Number of Containers</u>
<u>C</u> <u>Disposer's Certificate</u>	<u>I certify that I have received the waste as</u> <u>described in A and B above.</u> <u>The waste was delivered in vehicle</u> _____ (Registration No.) <u>at _____ (time) on</u> _____ (date and the carrier <u>gave his/her name as</u> _____ on behalf of _____ <u>The waste shall be disposed off as per disposal</u> <u>licence issued by the Local Government.</u> <u>Signed: _____</u>

	<p>Name: _____</p> <p>Position: _____</p> <p>Date: _____</p> <p>On behalf of: _____</p>
--	---

FORM /WM/4

FORM IV

(To be completed in Triplicate)

APPLICATION/RENEWAL FOR A LICENCE TO OWN/OPERATE A WASTE TREATMENT OF DISPOSAL SITE

(Regulation)

I hereby apply for a licence to own/operate a waste treatment plant/disposal site, of which particulars are given below:-

Name and address of applicant

TIN Number

Ward and district of plant/site

Approval of Town/Country Planning Authority

Types of waste to be disposed of at plant/site

Quantity being disposed of/per annum (tones/kg).....

Type of facilities/treatment to be carried on at plant/site:

- (a) Land fill
- (b) Compost
- (c) Incinerator

Other (specify)

Estimated life span of plant/site (include plan or designs).....

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Executive summary of environmental impact statement (please attach)

Is Application for: Initial license Renewal

Previous Licence Number

E.I.A. Certificate Number

Any other information

.....

.....

.....

Date: Signature:

Designation/Title:

FOR OFFICIAL USE ONLY

Application received byon.....,20.....

Fee paid TShs.....(in words)

.....

.....

District/Municipal Development Director

..... District/Municipal Council

FORM V

**LICENCE TO OWN/OPERATE WASTE TREATMENT
PLANT/DISPOSAL SITE
(Regulation)**

Licence No. WD/HW.....

Name

Address

You are hereby licensed to own/operate a treatment plant/waste disposal site:

.....

(Plot No., ward, district, region)

This licence is valid from 20.....to.....20.....

This licence is subject to the following conditions:

.....

.....

Date: Signature:

.....

District/Municipal Development Director

..... *District/Municipal Council*

Dar es Salaam,
....., 2008

BATILDA S. BURIAN M.P.
Minister of State, Vice President's Office
(Environment)