



**Kisumu County Sessional Paper No.....of 2020**

**on  
County Solid Waste Management Policy**

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# ***Kisumu County Solid Waste Management Policy***

## **Table of Contents**

<b>Chapter 1 Background and Situational Analysis</b> .....	<b>4</b>
1.1. Introduction.....	4
1.2. Policy development process.....	4
1.3. Geographic location and size .....	5
1.4. Administrative structure.....	5
1.5. Social and economic context .....	8
1.5.1. Social context.....	8
1.5.2. Economic context.....	10
1.5.3. Urbanization .....	11
1.6. Solid waste management conceptual framework.....	11
1.6.1. Waste streams and sources.....	11
1.6.2. Functional elements of a solid waste management system .....	13
1.6.3. Integrated Solid Waste Management (ISWM).....	14
1.7. Policy and legislative framework on solid waste management .....	15
1.7.1. Constitution of Kenya .....	16
1.7.2. The Environmental Management and Co-ordination Act (Cap 387) .....	16
1.7.3. National Environment Policy, 2013 .....	16
1.7.4. Integrated Coastal Zone Management (ICZM) Policy .....	17
1.7.5. Kenya Vision 2030.....	17
1.7.6. The National Solid Waste Management Strategy, 2015 .....	17
1.7.7. Global Policy Related to Solid Waste Management .....	17
1.7.8. Other policies and laws with implications on county solid waste management policies and laws .....	18
1.8. County context on solid waste management.....	19
1.9. Policy rationale .....	20
<b>Chapter 2 Policy Framework</b> .....	<b>21</b>
2.1. Introduction.....	21
2.2. Policy Goal.....	21
2.3. Policy mission.....	21
2.4. Policy objectives .....	21
2.5. Policy principles.....	22
2.6. Policy measures .....	22
2.6.1. Solid waste generation .....	23
2.6.2. Solid waste handling and separation, storage and processing at source .....	24
2.6.3. Solid waste collection.....	25
2.6.4. Solid waste transfer and transportation .....	27
2.6.5. Solid waste separation, processing and transformation.....	28
2.6.6. Solid waste disposal .....	30
2.6.7. Solid waste management financing.....	31
2.6.8. Solid waste management and informal sector .....	32
2.6.9. Solid waste management and land use planning.....	33

## ***Kisumu County Solid Waste Management Policy***

2.6.10.	Planning, Partnerships and Participation .....	34
2.6.11.	Information, Education and Communication .....	35
2.6.12.	Research and development.....	36
<b>Chapter 3 Policy Implementation, Monitoring and Evaluation.....</b>		<b>38</b>
<b>3.1.</b>	<b>Introduction.....</b>	<b>38</b>
<b>3.2.</b>	<b>Policy Implementation .....</b>	<b>38</b>
3.2.1.	Institutional framework .....	38
3.2.2.	Planning and Performance Management.....	41
3.2.3.	Legal and Administrative Reforms .....	42
3.2.4.	Collaboration with National Government .....	42
3.2.5.	Staff Capacity Development .....	42
<b>3.3.</b>	<b>Policy Monitoring and Evaluation .....</b>	<b>42</b>
3.3.1.	Design of indicators .....	42
3.3.2.	Monitoring and evaluation framework and system.....	42

# ***Kisumu County Solid Waste Management Policy***

## **Chapter 1**

### **Background and Situational Analysis**

#### **1.1. Introduction**

Solid waste management remains one of the development challenges globally, nationally and at the county level. Solid waste is inevitable due to ordinary human activities such as industrial production, consumption at household level, construction and commercial processes among others. However, managing solid waste has health, environmental, social and economic implications. Consequently, public interventions in solid waste management coupled with engagement with private actors are required in order to achieve optimal results.

This policy provides for the guiding framework for solid waste management in the county. The policy shall guide the county solid waste management actors providing effective, efficient and sustainable services while utilizing solid waste as an economic resource.

#### **1.2. Policy development process**

This policy was developed through a consultative process. The key policy actors in solid waste management in the county were engaged during the preparation process. Specifically national and county departments involved in solid waste management, which included National Environment Management Authority (NEMA), county departments in charge of public health, public works and trade were consulted. In addition, private actors in solid waste management such as solid waste collectors and transporters, resident associations, waste sorters and recyclers participated in the process.

Kisumu County is one of the 47 counties through the devolved system of governance by the Constitution of Kenya 2010 and is delineated as County number 42. The population of the county is estimated at 1,224,531 persons as at the start of the plan period 2018. This a projection at the growth rate of 2.7% from 968909 in 2009 National Population Census.

The county has a diverse background comprising of urban and rural set-ups as well as rich ethnic, racial, and cultural diversity with the Luo being the dominant community. The county's strategic position serves as a gateway for Kenya into the rest of the African Great Lakes region. It is located on the shores of Lake Victoria and serves as the main commercial and transport hub for the Western part of Kenya and the East African region. The county hosts the third largest city in Kenya, Kisumu city, which serves as the County's headquarters. There are five major urban centers; Ahero, Katito, Muhoroni, Chemelil, and Maseno. Other emerging fast-growing centers include Awasi, Pap- Onditi, Holo, Kombewa, and Sondu.

The major economic activities of the residents are trade, farming, and fishing.

# ***Kisumu County Solid Waste Management Policy***

## **1.3. Geographic position and size**

Kisumu County lies between longitudes 33°20'E and 35° 20'E and latitude 0°20' South and 0° 50'South. The County is bordered by Homa Bay County to the South, Nandi County to the North West, Siaya County to the West and surrounded by the second largest freshwater lake in the World; Lake Victoria. Kisumu County covers approximately 567 km<sup>2</sup> on water and 2086 km<sup>2</sup> land area, representing 0.36% of the total land area of Kenya's 580,367km<sup>2</sup>.

## **1.4. Physiographic and natural conditions**

The county's topography is undulating and characterized by Kano- Plains which is a flat stretch lying on the floor of the Rift valley, the Nyabondo Plateau and the over- hanging huge granite rocks at Riat hills, Maseno and Seme areas. Due to flash flooding, the Kano-Plains have rich alluvial soils, which favor agricultural production in horticulture and rice. Granites on the other hand, find their use essentially in the building and road construction industry.

The county is endowed with the second largest freshwater lake in the world; L. Victoria with two major rivers; Nyando and Sondu- Miriu and seven permanent rivers, Awach-Kano, Oroba/ Ombeyi, Kibos, Awach- Seme, Kisian, and Mugruk, in its catchment. These resources provide a big potential for development of blue economy. Impala sanctuary, Ndere Island, the legendary Luanda Magere and Kit- Mikayi sites are among the unique topographical features.

### **Ecological Conditions**

Kano-Plains is predominantly black cotton soil, which is poorly drained and unstable though suitable for rice, horticulture and sugarcane production. Lake sediments, commonly sand and clay soils dominate Seme and the lower parts of Nyakach Sub-counties while Kisumu West Sub-county and upper Nyakach are predominantly red- loamy soils suitable for agricultural production. The lakeshores are generally swampy and offer fertile ground for horticulture and fish breeding. The lowlands comprise of swamp grasses some of which are seasonal while the eastern Kano plains have scattered Acacia trees. The rising hills in Nyakach, Muhoroni, Kajulu and Maseno have scattered shrubs, various species of indigenous trees and newly introduced exotic trees. Many farmers have on farm forestry with scattered Agroforestry trees.

## Kisumu County Solid Waste Management Policy



### Climatic Conditions

The climate of the county is generally warm with minimal monthly variation in temperatures between 23°C and 33°C throughout the year. The rainfall is determined by a modified equatorial climate characterized by long rains (March to May) and short rains (September to November).

The average annual rainfall varies from 1000 mm- 1800 mm during the long rains and 450-

## ***Kisumu County Solid Waste Management Policy***

600 mm during the short rains. The altitude in the County varies from 1,144 meters above the sea level on the plains to 1,525 meters above sea level in the Maseno and Lower Nyakach areas. This greatly influences temperatures and rainfall in the County.

### **(a) Rainfall**

January is entirely a dry month. The peak generally falls between March and May, with a secondary peak in September to November. Despite the challenges experienced in land preparation as black cotton soils are difficult to work on manually during dry and heavy rain seasons, the available rainfall is adequate and evenly distributed for small-scale food crop production and cash crop growing.

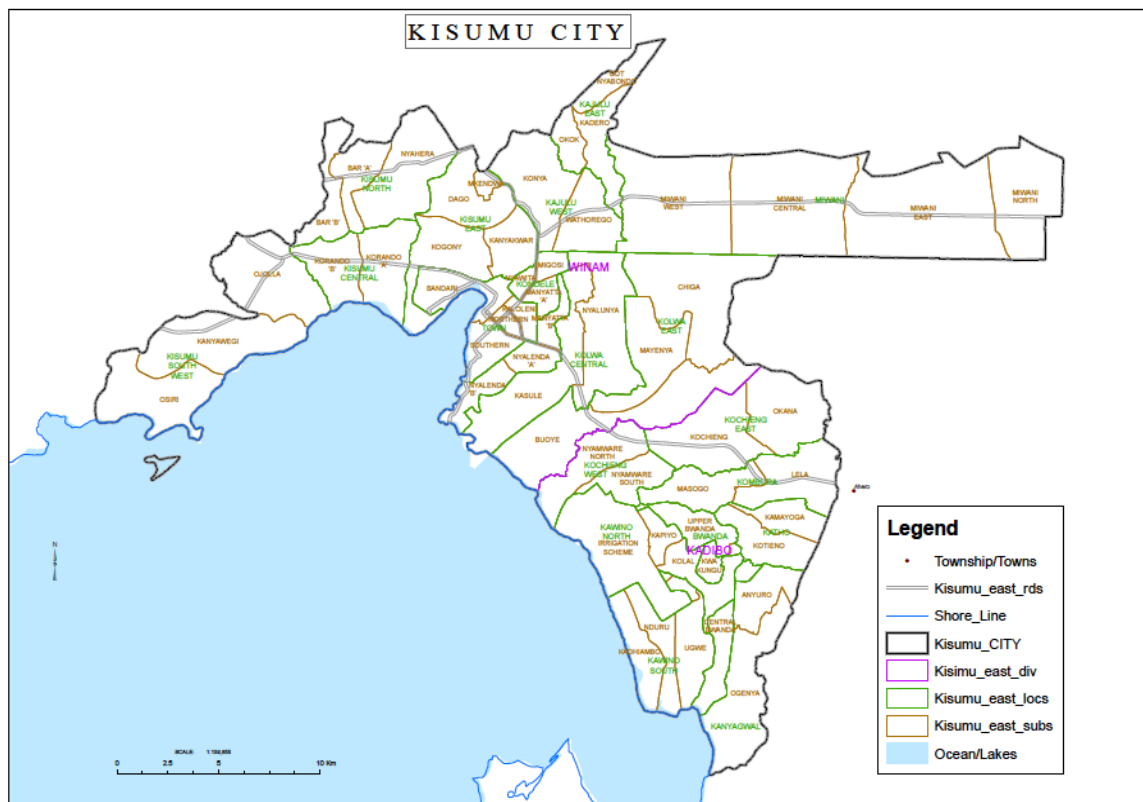
### **(b) Temperature**

The annual maximum temperature ranges between 25°C and 33 °C and the annual minimum temperatures ranges between 16°C and 18°C.

## **1.5. Administrative structure and political units**

Kisumu County has seven Sub-Counties/Constituencies namely:

Kisumu East, Kisumu West, Kisumu central, Nyando, Seme, Nyakach and Muhoroni. The county also has thirty- five wards covering the locations and sub-locations.



# Kisumu County Solid Waste Management Policy

## 1.6. Social and economic context

### 1.6.1. Social context

#### a) Poverty index

The county population that lives in poverty is estimated to be 47.8% of the county population.

#### b) Human Development Index

The Human Development Index (HDI) is a summary measure of average achievements in key dimensions of human development, a long and healthy life (life expectancy at birth), knowledge (expected years of schooling) and a decent standard of living (Gross National Index Per Capita). The HDI of less than 0.550 signifies a low human development, 0.550 – 0.699 signifies medium human development, 0.700 – 0.799 for high human development and 0.800 or greater for very high human development.

The County has a Human Development Index of 0.52 This implies extent to which the county population meets the 3 criteria of HDI a long and healthy life, knowledge and a decent standard of living. From the HDI categorization, the county has a low human development.

#### c) Education

In terms of education in Kisumu County, 19% of the residents with no formal education, 20% of those with a primary education and 32% of those with a secondary level of education or above are working for pay (KNBS 2018). The level of education has implications to the level of uptake of the solid waste management policy measures such as information, adoption of modern solid waste management practices and investment in solid waste management.

#### d) Population, Size and Composition

The population of the county according to the 2019 Kenya National Population and Housing Census is 1,155,574 persons with 560,942 (48.5%) males and 594,609 (51.5 %) females.

Table: Population density of Kisumu County per Sub-County

CONSTITUENCY			County Assembly Ward		
Name	Area	Population	Name	Population (Approx)	Ward Description
Kisumu East	135.9	150,124	Kajulu	40,876	Got Nyabondo, Kadero-K, Okok, Konya and Wathorego Sub-Locations
			Kolwa East	21,288	Buoye, Chiga and Mayenya Sub-Locations
			Manyatta B	27,952	Manyatta B Sub-Location
			Nyalenda A	28,269	Nyalenda A Sub Location
			Kolwa Central	31,739	Nyalunya and Kasule Sub-Locations
Kisumu West	212.9	131,246	South West Kisumu	22,126	Ojolla, Osiri and Kanyawegi Sub-Locations of Kisumu County
			Central	38,128	Kogony, Korando 'A' and Korando 'B'



## Kisumu County Solid Waste Management Policy

CONSTITUENCY			County Assembly Ward		
Name	Area	Population	Name	Population (Approx)	Ward Description
			Kisumu		Sub-Locations
			Kisumu North	24,890	Dago, Mkendwa, Bar'a', Bar 'b' and Nyahera Sub-Locations
			West Kisumu	22,147	Newa, Upper Kadongo, Lower Kadongo, South Kapuonja and North Kapuonja Sub-Locations
			North West Kisumu	23,955	West Karateng, East Karateng, Sunga and Marera Sub-Locations
Kisumu Central	32.7	168,892	Railways	34,924	Kanyakwar, Bandari and Nyawita Sub-Locations
			Migosi	19,826	Migosi Sub-Locations
			Shauri Moyo/ Kaloleni	14,806	Kaloleni Sub-Locations
			Market/ Milimani	18,902	Northern and Southern Sub-Locations
			Kondele	48,004	Manyatta A Sub-Location
			Nyalenda B	32,430	Nyalenda B SubLocation
Seme	190.2	98,805	West Seme	28,456	WestReru, EastReru, WestNgere, East Ngere, Ang'oga, Alwala, Kadinga West, East Kadinga, North Alungo and South Alungo Sub-Locations
			Central Seme	23,213	West Kanyadwera, EastKanyadwera, Upper Kombewa, East Othany, West Othany and Lower Kombewa Sub-Locations
			East Seme	21,688	West Kolunje, Eastkolunje, Kaila, Kitmikayi and Koker/Kajulu Sub-Locations
			North Seme	25,448	East Katieno, Kadero, West Katieno, North Kowe, South Kowe, North Rata and South Rata Sub-Locations
Nyando	413.2	141,037	East Kano/Wawidhi	17,334	Magina, Nyakongo, Katolo, Achego and Ayweyo Sub-Locations
			Awasi/Onjiko	26,071	Kobong'o, BorderI, Ayucha, Kakmie, Border II, and Wang'ang'a Sub-Locations
			Ahero	36,306	KakolaAhero, Tura, South Kochogo, KakolaOmbaka, Kochogo Central, and Kochogo North Sub-Locations
			Kabonyo/Kanyagwal	25,065	Kabonyo Irrigation Scheme, Kapiyo, UpperBwanda, KwaKungu, Central Bwanda, Kolal, Anyuro, Ogenya, Ugwe, Nduru, and Kadhiambo Sub-Locations of Kisumu County
			Kobura	36,261	Kotieno, Kamayoga, Lela, Masogo, Nyamware North, Nyamware South, Rabuor (Kochieng') and Okana Sub-Locations
Nyakach	667.3	145,764	South West Nyakach	17,322	Kajimbo, Ramogi, Gariand West Kadiang'a Sub-Locations
			North Nyakach	33,507	Rarieda, Lisana, Kasaye, Jimo Middle, GemRae and Gem Nam, Agoro East, JimoEast, Awach, Agoro West and Kandaria Sub-Locations
			Central Nyakach	25,282	Moro, KabodhoEast, Olwalo, JimoWest, KabodhoNorthandKabodho West Sub-Locations
			West Nyakach	26,403	UpperKadiang'a, Anding'o Opanga, WestKoguta, Nyong'ongaand LowerKadiang'a Sub-Locations
			South East	30,527	East Koguta, EastKadiang'aandRamogi Sub-Locations

## **Kisumu County Solid Waste Management Policy**

CONSTITUENCY			County Assembly Ward		
Name	Area	Population	Name	Population (Approx)	Ward Description
Muhoroni	357.3	133,041	Nyakach		
			Miwani	19,426	East Kabar, West Kabar and Central Kabar, Miwani North, Miwani East, Miwani Central and Miwani West Sub-Locations
			Ombeyi	26,307	Obumba, Kang'o, Ramula, Kore and Ahero Irrigation Scheme Sub-Locations
			Masogo/Nyang'oma	32,496	Wang'aya I, Wang'aya II, Kamswa North, Kamswa South, Sidho I and Sidho East II Sub-Locations
			Chemelil	26,378	Upper Tamu, Lower Tamu, Kibigori, Chemelil, Nyangore, West Songhor, East Songhor and God Abuoro Sub-Locations
			Muhoroni Koru	41,157	Muhoroni Town, Tonde, Orego, Owaga, Koru, Nyando, Ochoria, Fort- Ternan and Homa Line Sub-Locations
<b>TOTAL</b>	<b>2,009.5</b>	<b>968,909</b>			

### **1.6.2. Economic context**

The main forms of economic activities (industrial and trade) in the county are tourism, fishing, manufacturing and processing, transport and farming (including horticulture, rice and sugar production). The economic activities that have high generation of solid waste in the county are tourism and hospitality, manufacturing and processing and fishing. Most of economic activities that generate most of the solid waste are located in Kisumu city and its environs. The table below summarizes the number of economic activities and the number of entities

	<b>Economic activity</b>	<b>Number of entities</b>
	Medium, Small and Micro Enterprises (MSMEs)	402,000
	Active Cooperatives	281
	Financial institutions <ul style="list-style-type: none"> <li>▪ Banks</li> <li>▪ Insurance</li> <li>▪ Other financial institutions</li> </ul>	19 18 17
	Major Hotels	15
	Sugar factories	4

## ***Kisumu County Solid Waste Management Policy***

### **1.6.3. Urbanization**

The major towns and urban areas in the county are listed below–

Table 1: Adopted from Commission on Revenue County Fact Sheet 2011

Town/Urban Area		Estimated population
1.	Kisumu	388,311
2.	Awasi	93,369
3.	Ahero	50,730
4.	Muhoroni	34,457
5.	Chemilil	7,888
6.	Maseno	5,103

The county population that lives in urban areas is estimated to be 630,000. The rising urbanization in the county results in increase in the quantities of solid waste produced. This has resulted in increase in demand for solid waste management services. Consequently, the county has to strategically plan for the development of sustainable solid waste management.

### **1.7. Solid waste management conceptual framework**

Solid waste emanates as a result of human activities. The term “waste” in common terms implies something that has no value and that should be discarded. The Basel Convention on the Control of Transboundary Movement of Hazardous Wastes and their Disposal defines “wastes” as *‘substances or objects which are disposed of or are intended to be disposed of or are required to be disposed of by the provisions of the national law’*. Management of solid waste is a public issue that has health, environment, economic and social effects at household, local, national and international level. The level of waste generation is directly related to population size, human behavior such as production (including production processes) and consumption patterns and management, recovery or utilization of waste products at the point of production or intermediate level. Waste generated at one point may be raw materials for another production process.

#### **1.7.1. Waste streams and sources**

Solid waste management is based on identifiable waste streams from the various identifiable sources. Waste is ordinarily classified according to the waste streams for purposes of effective management. A waste source may produce different waste streams e.g. a household may produce food and kitchen waste, agricultural waste, papers and e-waste. There are different methods of collecting, recovering, processing, treating and disposing the various waste streams. The common waste streams are outlined in table 1–

# ***Kisumu County Solid Waste Management Policy***

**Table 2: Waste Streams**

Waste Streams	
<ul style="list-style-type: none"> <li>▪ Food, kitchen and garden waste</li> <li>▪ Automotive waste (oil, tyres, end of life vehicles (or vehicle parts)</li> <li>▪ Paper and cardboard</li> <li>▪ Agricultural waste</li> <li>▪ Textiles</li> <li>▪ Mining waste</li> <li>▪ Electrical and electronic waste (e-waste)</li> <li>▪ Plastic waste</li> </ul>	<ul style="list-style-type: none"> <li>▪ Ferrous metals (iron and steel)</li> <li>▪ Non-ferrous metals (aluminum, copper, lead)</li> <li>▪ Construction and demolition waste</li> <li>▪ Special health care waste</li> <li>▪ Sewage sludge</li> <li>▪ Batteries</li> <li>▪ Expired chemicals and pharmaceuticals</li> </ul>

The most common waste sources are outlined in table 2 below–

**Table 3: Waste Sources**

Waste Sources	
<ul style="list-style-type: none"> <li>▪ Households</li> <li>▪ Offices</li> <li>▪ Cafes and restaurants, hotels, food stalls</li> <li>▪ Schools, universities, laboratories</li> <li>▪ Retail operations (e.g. shops, supermarkets, warehouses)</li> <li>▪ Markets</li> <li>▪ Public facilities (sports grounds, street sweeping and cleaning)</li> <li>▪ Hospitals and other health care facilities</li> <li>▪ Mines and mineral processing facilities</li> <li>▪ Agriculture and food processing facilities</li> </ul>	<ul style="list-style-type: none"> <li>▪ Fishing and fish processing facilities</li> <li>▪ Forestry operations</li> <li>▪ Building sites</li> <li>▪ Manufacturing facilities</li> <li>▪ Water treatment and sewage treatment facilities</li> <li>▪ Land transport facilities (e.g. truck depots, bus and train stations and terminals)</li> <li>▪ Car yards and car repair shops</li> <li>▪ Ships and aircraft (airports, ports, marinas)</li> </ul>

Whereas there are different waste streams, waste is normally divided into hazardous and non-hazardous waste. The manner of managing the two types of waste is very different due to the potential health risks and hazards. Waste may in addition be classified broadly as municipal solid waste or industrial waste and post-consumer waste.

One of the key concepts in solid waste management is municipal solid waste. Municipal solid waste is regarded as waste generated by households and waste of similar nature generated by commercial and industrial premises, institutions such as schools, hospitals and other facilities inhabited by people, construction and demolition of buildings, and from public spaces such as streets, markets, slaughter houses, public toilets, bus stops, parks and gardens.

## ***Kisumu County Solid Waste Management Policy***

### **1.7.2. Functional elements of a solid waste management system**

Functional elements of a solid waste management system describe the value chain in the core functions of a solid waste management system. Regulatory and management system for solid waste management is mainly based on the functional elements. Table 4 below describes the functional elements of a solid waste management system–

**Table 4: Functional Elements of a Solid Waste Management System (or waste elements system)**

<b>Functional element</b>	<b>Description</b>
Waste generation	Encompasses activities in which materials are identified as no longer being of value and are either thrown away or gathered together for disposal
Waste handling and separation, storage and processing at source	Involves activities associated with managing wastes until they are placed in storage containers for collection. Handling also entails the movement of loaded containers to the point of collection. Separation of waste components at source facilitates effective handling and storage of waste, particularly for recycling and reuse purposes.
Collection	Includes gathering of solid wastes and recyclable materials and the transport of these materials, after collection, to the location where the collection vehicle is emptied, such as materials-processing facility, a transfer station, or a landfill
Transfer and transport	Involves two steps (a) transfer of wastes from the smaller collection vehicle to the larger transport equipment (b) subsequent transport of wastes, usually over long distances to a processing or disposal site. Transfer normally takes place at a transfer station
Separation, processing and transformation of solid waste	Entails separation of waste and recovery or processing of waste materials, which had been separated at source. This takes place at materials recovery facilities, transfer stations, combustion facilities and disposal sites. Transformation processes are used to reduce the volume and weight requiring disposal and to recover conversion products and energy. Combustion (to produce energy) and composting are some of the most common transformation processes.
Disposal	Disposal by landfill or land spreading is the ultimate destination of solid waste whether its waste collected and transported from source or from transformation facilities (e.g. residues of composting or combustion). The best practice is to dispose waste through sanitary landfill which prevents public health hazards and nuisances

Source: Kieth and Tchobanoglous (2002), *Handbook of Solid Waste Management*, McGraw-Hill, USA.

# Kisumu County Solid Waste Management Policy

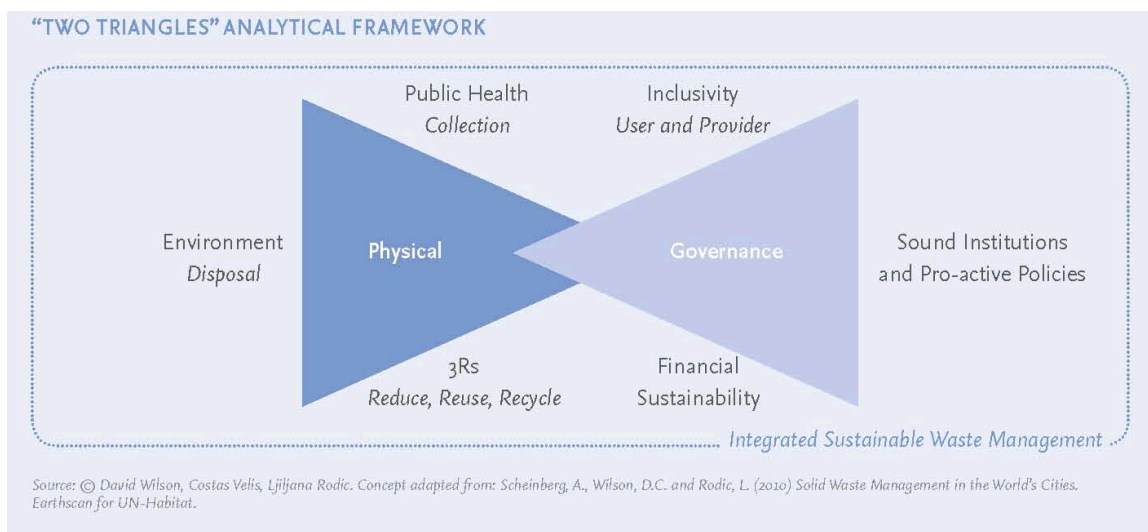
## 1.7.3. Integrated Solid Waste Management (ISWM)

The modern approach to effective and sustainable waste management is what has come to be commonly referred to as the Integrated Solid Waste Management (ISWM). This integrated approach has been advanced by United Nations Environment Programme (UNEP) and the UN-Habitat. The approach may be viewed from different analytical frameworks. The UNEP and UN-Habitat have developed 2 complementary analytical frameworks on ISWM. The analytical frameworks are the “two-triangles” ISWM analytical framework advanced by UN-Habitat and the Waste Management Hierarchy advanced by UNEP.

### a) “Two-triangles” ISWM analytical framework

The “Two triangles” analytical framework categorizes solid waste management system into two pillars (triangles) i.e. the physical elements and governance features. The figure 1 below outlines the “Two-triangles” analytical framework.

**Figure 1: “Two triangles” Analytical Framework**



The first triangle comprises the three key physical elements of the ISWM system, which are—

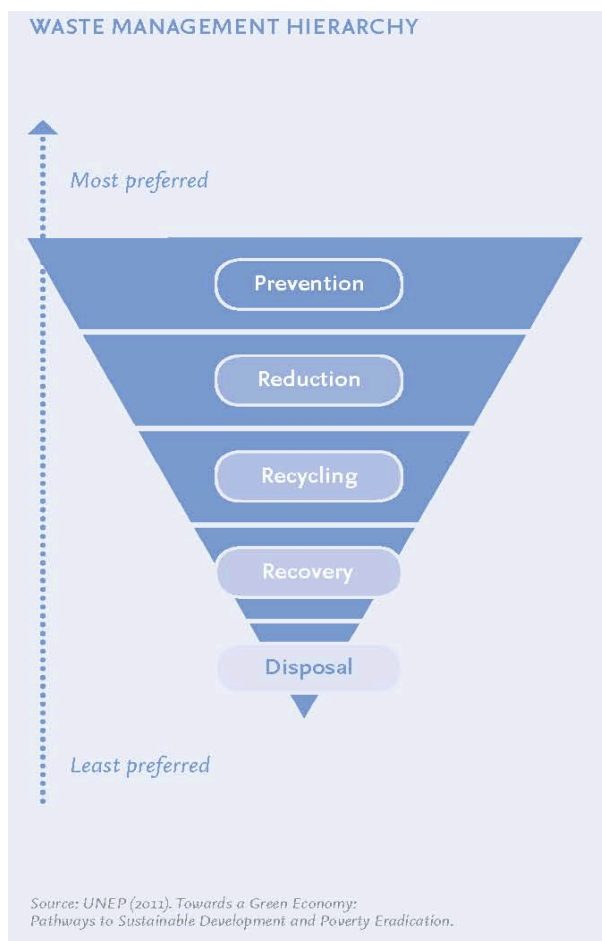
- i) **public health** which entails maintaining healthy conditions in cities and urban areas through a good waste collection service
- ii) **environment** which entails protection of environment throughout the waste chain, especially during treatment and disposal
- iii) **resource management** which may be described as ‘closing the loop’ since it entails returning both materials and nutrients to beneficial use, through preventing waste and striving for high rates of organics recovery, reuse and recycling.

## Kisumu County Solid Waste Management Policy

The second triangle comprises of the governance features of the ISWM system, which supports sustenance of the first triangle. The governance features entail a system that–

- i) is **inclusive**, providing transparent spaces for stakeholders to contribute as users, providers and enablers
- ii) is **financially sustainable**, which implies cost-effective and affordable waste management system
- iii) rest on a base of **sound institutions and pro-active policies**

Figure 2: Waste Management Hierarchy



### b) Waste Management Hierarchy ISWM analytical framework

The waste management hierarchy indicates an order of preference for action to reduce and manage waste. The waste hierarchy is presented as an inverted pyramid with the most preferred action being prevention of waste generation followed by reduction of waste generation (e.g. through re-use), followed by recycling (including composting or anaerobic digestion), followed by material recovery and waste-energy processes such as combustion and pyrolysis and the final action being disposal either in landfills or through incineration without energy recovery for waste that was not prevented, diverted or recovered.

The ISWM system forms a good foundation for solid waste management policy framework and strategy development.

### 1.8. Policy and legislative framework on solid waste management

The policy and legislative framework for county solid waste management consist of the constitution of Kenya and various statutes, sessional papers and sectoral plans among others. This part highlights the laws and policies that relate to solid waste management at county level.

## ***Kisumu County Solid Waste Management Policy***

### **1.8.1. Constitution of Kenya**

Article 10 entrenches sustainable development as one of the national values. Solid waste management is one of the key drivers of sustainable development.

Article 43 guarantees the right to highest attainable standard of health, reasonable standards of sanitation and clean and safe water. Solid waste is a major contributor to prevalence of risk factors to communicable and noncommunicable diseases and conditions. Consequently, effective, efficient and sustainable management of solid waste especially in urban areas has will drastically reduce incidences of communicable or noncommunicable diseases and conditions and related health care burden as well as reduce associated public nuisance of unmanaged solid waste.

Article 69 of the Constitution provides for encouragement of public participation in the management, protection and conservation of the environment; establishment of systems of environmental impact assessment, environmental audit and monitoring of the environment; elimination of processes and activities that are likely to endanger the environment.

Section 2 (g) of the Fourth Schedule assigns to the county government the function of refuse removal, refuse dumps and solid waste disposal.

### **1.8.2. The Environmental Management and Co-ordination Act (Cap 387)**

The Environmental Management and Co-ordination Act, Cap 387 including subsidiary legislation is the main national statute that governs environment protection, conservation and management, which includes solid waste management. In regard to solid waste management, the Act provides among others for–

- a) development of county environment action plans which provide for environment management systems
- b) the standards of waste including issues such as handling, storage, transportation, segregation and destruction of any waste
- c) prohibition of handling dangerous waste
- d) classification and management of hazardous and toxic waste

The Environmental Management and Coordination (Waste Management) Regulations, 2006, and Environmental (Prevention of Pollution in Coastal Zone and Other Segments of the Environment) Regulations, 2003 seek to implement the statutory requirements on solid waste management.

### **1.8.3. National Environment Policy, 2013**

The policy provides for governance framework for environment management. In regard to solid waste management, the policy recognizes inefficient production processes, low durability of goods and unsustainable consumption and production patterns lead to



## ***Kisumu County Solid Waste Management Policy***

excessive waste generation. In order to address these challenges, the policy provides for development of an integrated national waste management strategy, promotion of use of economic incentives to manage waste and promotion of establishment of facilities and incentives for cleaner production waste recovery, recycling and re-use.

### **1.8.4. Integrated Coastal Zone Management (ICZM) Policy**

In regard to solid waste management, the Integrated Coastal Zone Management (ICZM) Policy, Sessional Paper No. 14 of 2014 provides for pollution control and waste management practices. The policy seeks to improve the management of municipal solid waste through empowerment of county governments to effectively manage urban waste, promotion of public private partnership in waste management, strengthening of county governments to enforce laws for regulating municipal waste and enforcement of Environmental Management and Coordination (Waste Management) Regulations, 2006.

### **1.8.5. Kenya Vision 2030**

The Kenya Vision 2030 lays the foundation for social and economic development in Kenya. In regard to solid waste management, Kenya Vision 2030 provides for development of solid waste management systems in at least 5 municipalities, and in the proposed economic zones, regulation on use of plastic bags, development and enforcement of mechanisms targeting pollution and solid waste management regulations, strengthening of institutional capacities of multi-sectoral planning and strengthening linkages between institutions of planning and environment management, development of national waste management system and use of market-based environment instruments for providing incentives or disincentives in solid waste management and establishment of initiative to clean the Nairobi River as well as rivers and water fronts in Kisumu, Mombasa and Nakuru.

### **1.8.6. The National Solid Waste Management Strategy, 2015**

The National Solid Waste Management Strategy, 2015 is anchored on the Kenya Vision 2030. It lays the foundation for strategic management of solid waste in Kenya. The strategy provides for among others for–

- a) definitions and classification of solid waste
- b) the national context and status on solid waste management
- c) the common waste management practices in Kenya
- d) the challenges facing solid waste management in Kenya
- e) integrated solid waste management
- f) the waste management cycle and ideal approaches applicable to Kenya

The national strategy sets the foundation for development and adoption of county solid waste management policies and strategies.

### **1.8.7. Global Policy Related to Solid Waste Management**

The global policy related to solid waste management is mainly contained in the United Nations conventions and policies that provide for framework for solid waste management

## ***Kisumu County Solid Waste Management Policy***

and which have implications on county solid waste management policies and laws. They include–

- a) United Nations Convention on Climate Change. Article 4 on commitments provides for promotion and cooperation in development, application and diffusion including transfer of technologies, practices and processes that control, reduce or prevent anthropogenic emissions of greenhouse gases in sector such as waste management sectors
- b) The Kyoto Protocol to the United Nations Convention on Climate Change. Article 1 (viii) provides for States’ obligation to limitation or and reduction of methane emissions through recovery and use of waste management. The Protocol obligates States to formulate and implement solid waste management programmes that are intended to mitigate climate change
- c) The Basel convention on the Control of Transboundary Movement of Hazardous Wastes and their Disposals. However, the control of international movement of hazardous waste is a mandate of national government
- d) The Rio Declaration on Environment and Development (Agenda 21-Global Programme of Action on Sustainable Development). Chapter 7 provides for sustainable human settlements which includes provision of basic services such as waste collection, Chapter 20 provides for managing hazardous wastes and Chapter 22 provides for managing solid wastes and sewage which encourages waste minimization and increase reuse and recycling

In addition, the United Nations’ Sustainable Development Goals (SDGs) establishes a global framework and commitment for sustainable development. Specifically, key SDGs that have direct implications on solid waste management and which shall be integrated in the county model policy shall include –

- a) Goal 3: Ensure healthy lives and promote wellbeing for all at all ages
- b) Goal 6: Ensure availability and sustainable management of water and sanitation for all
- c) Goal 9: Build resilient infrastructure, promote inclusive and sustainable industrialization and foster innovation
- d) Goal 11: Make cities and human settlements inclusive, safe, resilient and sustainable
- e) Goal 12: Ensure sustainable consumption and production patterns

### **1.8.8. Other policies and laws with implications on county solid waste management policies and laws**

There are other national policies and laws that have implications on county solid waste management (or the process and institutional frameworks for county policies and laws). These include–

- a) **County Governments Act, No. 17 of 2012**, which provides for the governance and management system and process in the county including development planning, decentralization, citizen participation and policy development among others

## ***Kisumu County Solid Waste Management Policy***

- b) **Public Finance Management Act, Cap 412 C**, which provides for financial planning and management at the national and county levels including linkage of development planning, budgeting and public expenditure
- c) **Urban Areas and Cities Act, Cap 275**, which provides for integrated development planning in urban areas. The Act provides for development of urban integrated development plans for urban areas and cities which includes planning for solid waste management
- d) **Physical Planning Act, No. 6 of 1996**, which provides for physical planning and development control in Kenya, which is mainly a county function. Integrated Solid Waste Management System requires functioning and effective spatial planning, zoning and land laws.
- e) **Legal Notice No. 137 on Transfer of Functions to County Governments, 2013**, which provides for unbundling of county functions stipulated under Part 2 of the Fourth Schedule to the Constitution

### **1.9. County context on solid waste management**

Solid waste management remains a major challenge to the county. The most common forms of solid waste generated in the county is the organic waste which is estimated to be two thirds of all waste generated. Organic waste is mainly generated at household level and agricultural produce/food markets, hotels and restaurants. The county generates approximately **5,720 tons** of solid waste per day out of which about 25% is collected for open disposal at Kachok dumpsite. Inorganic waste such as e-waste, plastics, construction waste and junk are also produced but in low quantities. Public and private health facilities generate biomedical waste. In addition, industries and factories located in the county generate industrial waste.

Solid waste generated in the rural parts of the county is disposed within the households mainly through disposal in pits or open burning. Most of biodegradable waste such as agricultural or human food waste is reused as food for farm animals or its composted to produce manure for agricultural production. Non-biodegradable waste such as containers are reused for other household uses such as storage. Urban areas in the county generate most of the municipal and industrial waste in substantial quantities due to high population density.

Most of the solid waste generated in urban areas is disposed in open grounds including dumping areas such as Kachok dumpsite. Most solid waste is disposed in the same form as it was generated without being recycled or reused or recovered. Open disposal of solid waste has continuously posed negative environmental health impact through leachate and direct flow into water sources. In addition, the disposal methods in the county have been a contributor to public nuisance. There is limited investment in solid waste recycling and recovery systems in the county.

## ***Kisumu County Solid Waste Management Policy***

Collection and transportation of solid waste generated at household, commercial and industrial level in the county is mainly undertaken by private sector. The county government provides solid waste collection and transportation services from the public areas. The county government has put in place light waste collection bins and waste collection containers in strategic places in urban areas. This however is below the desired optimal level. The county government manages the Kachok dumpsite which is an open ground dumpsite. The dumpsite was improved through clearing most of the waste but it is poorly management and does not meet the prescribed environment health standards. The county government has made budgetary allocation for solid waste collection but the allocations have been low below the desired financial investment for solid waste management.

### **1.10. Policy rationale**

The county government seeks to establish an effective, efficient and sustainable solid waste management in order to facilitate realization of its development goals. This solid waste management policy will be instrumental in advancing county social and economic development. This policy is therefore developed in order to –

- a) provide for a policy mechanism for implementing county functions related to solid waste management as assigned under the Constitution of Kenya
- b) provide for adoption of Integrated Solid Waste Management system and processes in the county
- c) facilitate adoption and compliance with relevant international and national standards for solid waste management in the county
- d) facilitate the realization of Kenya Vision 2030 as it relates to solid waste management

## **Chapter 2**

### **Policy Framework**

#### **2.1. Introduction**

In order to comprehensively address solid waste management, a framework setting the policy direction to be pursued by the county government and other stakeholders is essential. This chapter describes the policy framework consisting of the core policy measures to be pursued. In addition, the chapter lay out the policy vision, mission and guising principles.

#### **2.2. Policy Goal**

To have a sustainable, effective and integrated solid waste management system that safeguards environmental and public health and integrates with economic development

#### **2.3. Policy mission**

To minimize waste generation and promote sustainable re-use, collection and transfer, recovery and recycling and disposal of waste materials, to protect environmental public health and facilitate circular economy in waste management

#### **2.4. Policy objectives**

The policy shall pursue the following objectives–

- (a) Delivering a waste management system that is effective, equitable, responsive and sustainable under the prevailing conditions
- (b) Provision of public services (e.g. waste collection, transport, treatment and disposal) suited to the needs of and affordable for local users
- (c) Protection of public and occupational health and the environment
- (d) Contributing to sustainable use of natural resources, e.g. through materials recovery and recycling, soil improvement, energy generation
- (e) Contributing to economic development, circular economy including through fostering resource efficient production and developing waste recovery and recycling operations
- (f) Providing employment and enterprise development opportunities
- (g) Deploying technologies appropriate to prevailing conditions
- (h) Building the capacities of those forming part of the waste management system

## ***Kisumu County Solid Waste Management Policy***

- (i) Encouraging and inviting research and development into technologies and governance approaches for sustainable resource and waste management
- (j) Enhancing awareness and knowledge on solid waste management
- (k) Promoting and enhancing community and residents' participation in waste management

### **2.5. Policy principles**

The following shall be the guiding principles for the solid waste management policy–

- a) ***Proximity principle*** which implies that waste should be managed close to where it is generated
- b) ***Self-sufficiency principle*** which implies that where applicable, each urban area or zone should manage its own waste
- c) ***Polluter pays principle*** whereby those who generate waste should bear the cost of managing the waste to minimize risk to human health and the environment
- d) ***Producer extended responsibility***, which implies obligating producers of products to have extended responsibility to collect and manage the waste materials
- e) ***Precautionary principle*** whereby appropriate policy measures may be taken in order to safeguard human health and environment. Even if scientific evidence is not conclusive it would be essential to adopt precautionary approach
- f) ***Sustainable development*** which is development that meets the needs of the present without compromising the ability of future generations to meet their own needs
- g) ***Inter-generational equity*** which implies that waste should not be managed in a way that bequeaths legacy problems to subsequent generations
- h) ***Intra-generational equity*** which implies that waste management resources and services should be equitably accessible to all citizens or residents in the same generation. All interested parties should have equitable possibilities to provide services and equitable burden-sharing in terms of waste management facilities (environmental justice)

### **2.6. Policy measures**

The county shall adopt an integrated approach to solid waste management as described in chapter 1 as well as the principles of solid waste management that form the foundation of this policy. The policy measures shall be based on a combination and integration of the functional elements in solid waste management, solid waste management hierarchy and the two-triangle framework both of which form the integrated solid waste management system. This part shall prescribe the policy measures that the government shall pursue. The policy measures shall be in the form of policy statements, which prescribe the appropriate policy

## ***Kisumu County Solid Waste Management Policy***

instruments in solid waste management. In addition, the policy measures are based on the constitutional functional assignment of county governments as well as constitutional provisions.

### **2.6.1. Solid waste generation**

#### **Context**

Generation of waste depends on product demands, production processes, consumption demands, behaviour and patterns among others. Waste generation has implications on resources used for production of products, which result in varying levels of waste generation. Waste generation exists throughout the product lifecycle.

Most waste generated in the county consists of municipal waste, which emanates from consumption of processed products at household, commercial and industrial levels. Some processes or activities such as industrial ones contribute to high waste generation. Whereas, the county government has no legal mandate to regulate production processes, which would reduce amount of waste generated, it has a duty to promote appropriate production processes, change in consumption behavior and patterns. The aim is to prevent generation of waste where possible through appropriate means.

#### **Policy measures**

In order to promote and facilitate prevention of solid waste generation through sustainable waste generation processes, the county department responsible for solid waste management shall –

- a) Promote prevention of waste generation among product users through awareness creation on behavior change, consumer choices and consumption practices to reduce excessive consumption or use and waste of diverse products
- b) Collaborate and coordinate with national government and other stakeholders in adopting measures for promoting resource conservation and management to prevent or avoid excessive utilization of resources which lead to excess generation of solid waste
- c) Establish partnership and collaboration with manufacturers wholesalers and retailers in adopting appropriate measures and strategies for preventing waste generation
- d) Engage with national government to adopt appropriate measures for preventing waste in the product value chain and life-cycle such as product and packaging design, manufacture, distribution and product use
- e) Promote in collaboration with national government and relevant stakeholders the adoption of modern technology in product manufacture so as to reduce excessive generation of solid waste

## ***Kisumu County Solid Waste Management Policy***

- f) In collaboration with other relevant public and private stakeholders, promote reuse of products or materials e.g. containers or packaging materials in order to reduce generation of waste
- g) The department responsible for solid waste management shall establish an inventory for all the waste streams, update any data which shall be disaggregated according to the respective sources and characteristics

### **2.6.2. Solid waste handling and separation, storage and processing at source**

#### **Context**

Waste handling and storage before collection and transport determines the effectiveness of the rest of solid waste management system. Waste handling and storage at point of generation requires adoption of public and environmental health standards. In order to facilitate reduction, recycling and recovery of solid waste, waste separation or segregation at source is essential. Currently, the county experiences poor solid waste handling, storage and separation at the sources. This is mostly common in the urban areas due to high population density and low awareness of sustainable waste handling, separation and storage processes. Other challenges faced by the county include storage of organic and inorganic waste in the same containers, open storage of waste or disposal of waste in outdoor open places directly from the source/point of generation or storage of waste in open spaces within premises which is a threat to public and environment health.

#### **Policy measures**

In order to ensure effective and appropriate solid waste handling, storage and separation, the following policy measures shall be adopted–

- a) The department responsible for solid waste management shall in collaboration with relevant stakeholders carryout awareness creation and capacity development to waste generators on handling, storage and processing of solid waste at source
- b) Solid waste shall be segregated or separated at source or point of generation into dry (recyclables) and wet waste (food waste and organic matter) which shall be further segregated and stored under each of the two categories into different forms of waste in accordance with the standards and stored in appropriate receptacles in accordance with the prescribed guidelines and standards
- c) The department responsible for solid waste management shall in collaboration and coordination with national government, generators of solid waste and relevant stakeholders develop and adopt strategies, measures and standards to promote and facilitate segregation of solid waste at source or point of generation
- d) In accordance with the building code and development control laws and policies, owners or occupiers of residential, commercial or industrial premises shall install appropriate containers and spaces for waste handling and storage within the premises for purposes of ease of collection and which meet public and environment health standards for purposes of ease of collection



## ***Kisumu County Solid Waste Management Policy***

- e) Solid waste generated from any premises or source shall be separated and stored within the premises before being collected and transported for recovery and final disposal.
- f) The department responsible for solid waste management shall ensure adoption of appropriate measures and processes for waste segregation at the point of generation
- g) Disposal of waste in open grounds or in non designated collection points by a waste generator shall be prohibited

### **2.6.3. Solid waste collection**

#### **Context**

Waste collection is the collection of waste from the point of generation or production (residential, industrial, commercial or institutional) to the point of treatment, recovery or disposal. Waste collection methods are determined by the location of waste generation (i.e. public places, residential, commercial, industrial or commercial). Uncollected waste leads to public and environmental health hazards such as diseases and health conditions, public nuisance, and blockage of drainage system, seepage of waste into water and soil among others.

The waste collection process is required to be efficient and carried out through appropriate means. Waste collection services in the county especially for urban areas are provided by the private sector. However, waste collection services for public areas are carried out through municipal services provided by the county government. Solid waste in the county is characterized with disposal of waste in open areas before collection (open dumping) and inefficient and inadequate waste collection services in both public and private places. Some localities in urban areas where there lacks organized waste collection services experience environmental and health challenges associated with open disposal of waste. Other challenges include inadequate waste collection points and containers or bins as appropriate and low funding of waste collection services.

#### **Policy measures**

In order to address challenges associated with waste collection, the following policy measures shall be adopted–

- a) The department responsible for solid waste management shall in collaboration with other relevant public and private actors establish an efficient, responsive and coordinated countywide solid waste collection services system which shall among others include stakeholder consultation, mobilization and participation, compliance with public and environment health standards and collection of solid waste from public and private places and maintenance of clean public streets and places
- b) The department responsible for solid waste management shall in consultation with National Environment Management Authority and other relevant stakeholders designate, gazette and develop waste collection points in each ward according to the solid waste management spatial map

## ***Kisumu County Solid Waste Management Policy***

- c) The department responsible for solid waste management shall in consultation with respective local residents representing residential, commercial, institutional and industrial areas, place or install appropriate waste collection containers, receptacles and bins in strategic public places for purpose of collection of solid waste
- d) All public and private institutions such as schools or health facilities shall place or install appropriate waste collection containers, receptacles and bins in strategic places within the facilities for purpose of collection of solid waste which shall conform to the prescribed standards
- e) Solid waste collection services provided by public or private actors shall comply with the prescribed standards and operating procedures
- f) All waste shall be collected in the segregated form in accordance with the standards
- g) Solid waste collection services from households, commercial, institutional or industrial premises shall be carried out by private sector service providers in accordance with prescribed standards and guidelines unless in areas where there are no established private sector service providers for solid waste collection
- h) The department responsible for solid waste management shall establish a system for collecting solid waste in informal settlements which do not have access to private sector provision of waste collection services
- i) A solid waste generator shall deposit any waste generated to the appropriate waste collection point located within the geographical locality of the waste generator and in the appropriate waste segregation or separation collection receptacles
- j) There shall be established a system of registration of solid waste collectors including waste pickers for the purposes on coordinating solid waste collection, facilitating stakeholder capacity development and ensuring compliance with prescribed guidelines and standards
- k) The department responsible for solid waste management shall in consultation and collaboration with National Environment Management Authority and other relevant stakeholder designate, gazette and develop waste transfer stations according to the solid waste management spatial map and prescribed standards. The department may establish or facilitate establishment of specialized transfer stations for specific types of solid waste
- l) The department responsible for solid waste management shall promote and facilitate establishment of intermediary community based waste sorting centres which shall be integrated with the county solid waste management system
- m) The department responsible for solid waste management shall in collaboration with the department responsible for public health maintain waste collection points in conformity with prescribed public and environment health standards
- n) The department responsible for solid waste management shall in collaboration with the department (s) responsible for women, youth, persons with disabilities or other vulnerable groups and county treasury develop initiatives for the groups to participate in co-management of waste collection points and waste collection services for purposes of promoting economic empowerment of the groups

## ***Kisumu County Solid Waste Management Policy***

- o) The county government shall initiate and develop public private partnership programmes for sustainable solid waste collection services
- p) In accordance with Access to Government Procurement Opportunities Policy, the county government shall provide preferential treatment to youth, women and persons with disabilities in accessing thirty percent of county government contracts for solid waste collection services
- q) In procuring services for provision of solid waste collection services, the county government shall consider a supplier's integration of service delivery with youth, women and persons with disabilities empowerment

### **2.6.4. Solid waste transfer and transportation**

#### **Context**

Waste transfer and transportation is directly related to waste collection. Waste is generally collected for the purposes of transfer or transportation to the next point of waste management system. Solid waste in the county is normally transported from collection points directly to the final disposal sites or landfills. This has meant that there has been limited intermediate waste processing such as recovery, recycling and composting. The common mode of waste transportation is through trucks or hard carts for transfer of waste from households or premises to waste collection points. Most of the trucks are open which leads to waste dropping off during transportation.

#### **Policy measures**

In order to address challenges associated with solid waste transfer, the following policy measures shall be adopted–

- a) Save for biomedical and hazardous waste, all solid waste shall be transferred or transported to solid waste transfer stations or to a materials recover facilities for sorting and separation or processing after which waste shall be transported to the appropriate landfill for final disposal as appropriate. However, Construction and demolition waste may be transported to specific areas approved by the county department responsible for solid waste management in accordance with the standards
- b) All solid waste transporters shall be registered and issued with permit by the county government as may be prescribed
- c) Solid waste transportation services including plant and equipment shall conform to the prescribed standards
- d) All waste shall be transported in the segregated form in accordance with the standards
- e) The department responsible for solid waste management shall in collaboration with other public and private stakeholders establish market linkages between waste transporters and women, youth, persons with disabilities or other vulnerable groups involved in co-management of waste collection and for purposes of economic empowerment of the groups and effective service delivery

## ***Kisumu County Solid Waste Management Policy***

- f) In accordance with Access to Government Procurement Policy, the county government shall provide preferential treatment to youth, women and persons with disabilities in accessing thirty percent of county government contracts for transfer and transportation of solid waste
- g) In granting contracts for provision of solid waste transfer and transportation services, the county government shall consider a supplier's integration of service delivery with youth, women and persons with disabilities empowerment
- h) Solid waste transfer and transportation services from households, commercial, institutional or industrial premises shall be carried out by private sector service providers or community-based organizations accordance with prescribed standards and guidelines
- i) The department responsible for solid waste management shall establish a system for transfer and transportation solid waste in informal settlements which do not have access to private sector provision of waste collection services
- j) The department responsible for solid waste in collaboration with the departments responsible for physical planning and transport and National Environment Management Authority and in consultation with solid waste transportation service providers, designate specific routes and time schedule to be followed in transfer and transportation of solid waste

### **2.6.5. Solid waste separation, processing and transformation**

#### **Context**

Sustainable management of solid waste leads to processing and transformation of waste into economic value. As a result very minimal waste is actually disposed in the final landfill. Waste separation entails separating waste according to potential use such as recycling or recovery. Waste is separated into for example organics and recyclables (which are further separated into for example e-waste, plastics, metals, papers and junks such as wood among others). Waste processing and transformation entails material recovery processes such as composting, combustion and recycling of materials to make useful products.

The county lacks a structured system of separation, processing and transformation of solid waste into useful materials that may be utilized for other purposes. Most of the waste generated, which comes from urban areas, is disposed through open dumping in dumpsites. The county lacks a coordinated system for separation of waste and recycling. However, there are few to initiatives for collection of recyclable materials especially metal and plastics.

## ***Kisumu County Solid Waste Management Policy***

### **Policy measures**

In order to address the problem of poor waste separation, processing and transformation, the following policy measures shall be adopted–

- a) The department responsible for solid waste management shall in collaboration with other relevant stakeholders mobilize local communities and neighbourhoods to promote and facilitate collection and separation of recyclable solid waste and composting
- b) The department responsible for solid waste management shall in collaboration with other relevant stakeholders mobilize individuals, local communities, industries and neighbourhoods to promote and facilitate donation or sale of used products that may be reused by other users
- c) The department responsible for solid waste management shall in collaboration with national government and other relevant stakeholders establish a system for facilitating and promoting solid waste separation, processing and transformation (material recovery and recycling which shall among others include facilitation of enterprises involved in waste processing and transformation to access solid waste placed in transfer stations, technology acquisition, technical assistance and capacity development.
- d) The county government shall set aside such land as may be appropriate, in a single or multiple lots for purposes of materials recovery and processing
- e) The department in collaboration and coordination with relevant county department and keys stakeholders shall organize trade fairs for promoting market linkages, exposure of stakeholders engaged in waste recover or transformation to other national and international stakeholders
- f) Final waste separation shall be undertaken at the transfer stations. Other waste processing and transformation processes may take place at a transfer station
- g) The county government shall adopt appropriate economic incentives to promote private sector participation in solid waste separation, processing and transformation such as reduced fees, charges and levies for enterprises involved in waste processing and transformation
- h) The county government shall in collaboration and coordination with national government and relevant stakeholders promote investment in solid waste processing and transformation and establishment of wholesale and retail outlets for sale of recycled products or recovered materials
- i) The county government shall in accordance with the Public Procurement and Disposal Act prioritize and undertake to purchase appropriate products produced from processed and transformed solid waste in order to promote market development in solid waste management
- j) The department responsible for solid waste management shall in collaboration with national government entities and relevant stakeholders develop and adopt guidelines, standards and operating procedures for separation, processing and

## ***Kisumu County Solid Waste Management Policy***

transformation applicable to each solid waste stream in accordance with the established standards and best practices. All waste generators shall comply with the established guidelines

- k) Where there is no capacity to recycle any waste stream or type of waste, the county government shall promote and facilitate market linkages between local and external investors for purposes of supply chain management
- l) The department responsible for solid waste management shall, in collaboration with relevant stakeholders establish technology and innovation hubs for development of solid waste management technology

### **2.6.6. Solid waste disposal**

#### **Context**

Solid waste disposal is the final stage in the process of discarding solid waste. Any material that cannot be recycled or recovered is disposed mainly in the landfills or through incineration especially for biomedical waste. A sustainable solid waste management system is where only irrecoverable materials of solid waste are finally disposed.

However, most of the solid waste generated in the county is disposed through dumping in the landfills which or open grounds in public places. This, as noted earlier poses a threat to public and environmental health. The landfills in the county are poorly sited especially in relation to residential areas and do not meet the appropriate standards. The county has no sanitary landfill hence the waste disposed in the open grounds has direct negative impact on the environment and water resources. The ultimate goal is to have zero waste to landfills.

#### **Policy measures**

In order to address challenges associated to waste disposal, the following policy measures shall be adopted–

- a) All waste designated for disposal shall be disposed in accordance with the national policy and standards
- b) Biomedical waste, hazardous and e-waste shall be disposed in accordance with the national policy and standards
- c) The department responsible for solid waste management shall in collaboration with the department responsible for physical planning, National Environment Management Authority, residents in the potential areas for siting landfills and other relevant stakeholders designate, gazette and develop controlled sanitary landfills in accordance with the solid waste spatial plan and the county spatial plan
- d) All the open public places where solid waste is dumped shall be cleared and placed under the respective intended public use
- e) Open burning of solid waste shall be prohibited
- f) The department responsible for solid waste management shall ensure and facilitate solid waste treatment before final disposal

## ***Kisumu County Solid Waste Management Policy***

- g) The department responsible for solid waste management shall develop a system and standard operating procedures for management of sanitary landfills
- h) For purposes of disposing biomedical waste, the department responsible for health in collaboration with the department responsible for solid waste management and relevant county and national government agencies shall adopt appropriate modern technology and processes for disposal of biomedical waste and shall ensure that private health facilities dispose biomedical waste in accordance with national policy and standards
- i) The county government shall implement and where applicable, enforce national law and policy that prohibits disposal of solid waste into rivers and water resources
- j) Where the national government has established a landfill, the county government shall utilize the landfill for purposes of disposing the solid waste designated for disposal in the landfill.
- k) The county government may collaborate with other counties in establishing sanitary landfills

### **2.6.7. Solid waste management financing**

#### **Context**

Provision of sustainable solid waste management services requires substantial funding. It requires coordinated financial investment from public, private and voluntary sectors. Some of the solid waste management processes such as processing, transformation, treatment and disposal are capital intensive. Consequently, for the county to achieve intended objectives for solid waste management, there is need for adoption of diverse funding models and instruments. In addition, cost sharing through user fees and charges are effective mechanisms for sustainable solid waste management. Currently, there is low funding for solid waste management in the county. There is low private sector investment in solid waste management. In addition, public funding in the sector is below the levels required for financing the municipal solid waste management services.

#### **Policy measures**

In order to address the policy challenges in financing solid waste management, the following policy measures shall be adopted–

- a) There shall be levied appropriate user fees and charges for solid waste management. The fees and charges shall be levied in accordance with the tariff policy stipulated under the County Governments Act.
- b) The collection of the fees and charges shall be integrated with the county business permits and charges for utility services
- c) The county government shall provide incentives to the private sector and other non-state actors for promoting solid waste management which may include reduced

## ***Kisumu County Solid Waste Management Policy***

fees, levies and charges for enterprises engaged in the two processes or establishing award schemes for recognizing actor in solid waste management

- d) The county government shall in consultation with national government adopt public-private partnership model of financing various processes in solid waste management. Such partnership shall be based on efficiency, cost effectiveness and sustainability of the model in provision of solid waste management services
- e) The county government shall facilitate its county officers and key stakeholders to acquire technical skills and develop competencies for public private partnerships management especially in initiation, development, negotiation, award and management of public private partnerships in solid waste management
- f) The county government shall subsidize solid waste management services to low income areas and informal settlements in accordance with the County Governments Act
- g) The county government shall allocate at least 5 percent of revenue collected by the county to solid waste management and implementation of this policy. To this effect, the county government may, as may be deemed appropriate establish a solid waste management fund into which the funds may be paid
- h) The county government shall mobilize resources in the form of grants and donations from development partners for financing solid waste management processes

### **2.6.8. Solid waste management and informal sector**

#### **Context**

Informal sector is a key player in solid waste management. Most informal actors in solid waste management include waste pickers, community-based organizations, self-help groups, small and micro enterprises and individual actors such as waste pickers and sorters among others. They play a significant role in the whole solid waste management value chain. However, their work exposes them to numerous health conditions and diseases especially respiratory ones. In addition, whereas they generate some income from their activities, the incomes are very low. Due to limited access to capital, most of their work is undertaken manually. The county government recognizes the valuable role the informal sector plays in solid waste management and the strategic need to facilitate their role so as to promote employment creation.

#### **Policy measures**

In order to promote participation of informal sector in solid waste management, the following policy measures shall be adopted in addition to measures described above –

- a) The county government shall facilitate the informal groups or individuals involved in solid waste management value chain to access affordable capital for solid waste management enterprise development



## ***Kisumu County Solid Waste Management Policy***

- b) The department responsible for solid waste management shall initiate capacity development programs for informal sector engaged in solid waste management as well as facilitate and support the sector to adopt health requirements
- c) The department responsible for solid waste management shall in collaboration with other relevant stakeholders facilitate and promote market linkage between the informal sector and investors in solid waste management
- d) The county government shall where appropriate develop service agency agreements with the informal sector in the provision of solid waste management services

### **2.6.9. Solid waste management and land use planning**

#### **Context**

The quantities of various of waste streams generated depends on the population density of waste generators in a given locality. Different zones produce different types of waste and in various quantities. The location of waste collection points, application of waste collection, transfer and transportation services are based on spatial planning in a given locality. Further, the siting of waste disposal areas is based on physical characteristics of the locality such as soil structure, terrain, population density and impact of the locality to other physical resources such as water resources. Consequently, land use planning has a significant role to play in ensuring sustainable solid waste management. The county government has no solid waste management spatial plan to, which guides various interventions in solid waste management services.

#### **Policy measures**

In order to ensure that there is sustainable solid waste management, it will be essential to have appropriate and effective zoning for solid waste management. In this regard–

- 1) The department responsible for spatial planning in collaboration with the department responsible for solid waste management and other relevant stakeholders, shall–
  - a) carry out solid waste management survey using Geographical Information System (GIS), which shall consider –
    - (i) land use: topography, drainage and soil
    - (ii) infrastructure (transport, communications, health, education, water and energy)
    - (iii) Economic base of the area (urban informal economic base)
    - (iv) human settlements (density and land use)
    - (v) institutions such as schools and other government institutions, industries and commercial enterprises and non –state organizations

## ***Kisumu County Solid Waste Management Policy***

- b) develop the county solid waste management spatial plan which shall include details for each sub-county and ward as the core decentralized spatial units
  - c) designate the location of the collection points, transfer stations, composting sites, waste recovery facility and landfills in accordance with the solid waste management spatial plan
  - d) regulate solid waste management in accordance with the solid waste management spatial plan
- 2) The department responsible for solid waste management shall in collaboration with departments responsible for spatial planning and county administration map the county into solid waste management zones for purposes of ensuring efficiency in service delivery and coordination of stakeholder participation in solid waste management
- 3) The county government shall ensure that the county spatial plan designates zoning and setting up of industries that are integrated in terms of use of waste generated in some industries which is utilized as raw materials in other industries

### **2.6.10. Planning, Partnerships, Participation and Inter-governmental Relations**

#### **Context**

Solid waste management is complex due to multiplicity of social, economic and environmental determinant factors and stakeholders. There is no single policy measure or stakeholder that can manage solid waste effectively. There is need for inclusivity of diverse stakeholders in solid waste management processes. Users and providers of solid waste management services must partner and collaborate in order to deal with all aspects of solid waste management. All the stakeholders should be involved in identifying policy options and implementing programmes related to solid waste management. The county government has a weak stakeholder management process in regard to solid waste management. Users and non-state providers of solid waste management services are usually excluded from active participation in the management process.

#### **Policy measures**

In order to ensure inclusion and participation of users and providers of solid waste management services, the following policy measures shall be adopted–

- a) The department responsible for solid waste management shall in collaboration with relevant stakeholders prepare a county solid waste management plan which shall provide a framework for implementing this policy, national policy and any law enacted for purposes of implementing this policy.
- b) The department responsible for solid waste management shall in collaboration with relevant stakeholders –

## ***Kisumu County Solid Waste Management Policy***

- (i) initiate programmes for mobilizing and creating awareness among residents, local communities and neighbourhoods to participate in sustainable solid waste management
  - (ii) establish mechanisms to receive and handle complaints related to solid waste management service delivery from the respective localities
  - (iii) facilitate community or area-based forums for users and providers of solid waste management services to deliberate on emerging issues in solid waste management to as to enhance efficiency in service delivery
  - (iv) promote and facilitate stakeholder-led initiatives on solid waste management, which shall include community-based networks of groups, individuals and organizations involved in solid waste management
- c) The department responsible for solid waste management shall consult, inform and coordinate with relevant stakeholders on any matters related to service delivery on solid waste management
- d) The county government shall liaise, consult, collaborate and coordinate with the national government and neighbouring counties on matters related to solid waste management

### **2.6.11. Information, Education and Communication**

#### **Context**

Solid waste management depends on a combination of regulatory, service delivery and information-based tools. Whereas regulatory tools are instrumental command and control instruments in behaviour in matters such as generation, handling and disposal of solid waste, they cannot be fully effective unless they are complemented by behaviour change by users and providers of solid waste management services. Sustainable solid waste management depends on value- based approach by individuals and entities. Strategic communication and messaging on solid waste management is instrumental in shaping public opinion and support. The county government lacks effective information, education and communication system and processes. There is low awareness on sustainable solid waste management in the county.

#### **Policy measures**

In order to increase awareness and change behaviour on solid waste management, the following policy measures shall be adopted–

- a) The department responsible for solid waste management shall in collaboration with relevant stakeholders develop and implement information, education and communication system and strategies targeting diverse users and providers of solid

## ***Kisumu County Solid Waste Management Policy***

waste management services and shall ensure that such information is available to all stakeholders and county residents

- b) The department responsible for education and department responsible for solid waste management shall in collaboration with national government ministry responsible for education and relevant stakeholders develop information, education and communication materials and initiate dissemination, education and awareness creation programmes targeting children and youth on solid waste management
- c) The department responsible for solid waste management shall in collaboration with the department responsible for information technology develop technology-based communication strategies on solid waste management
- d) The department responsible for solid waste management shall in collaboration with the department responsible for information technology and relevant stakeholders establish a solid waste information management system

### **2.6.12. Research and development**

#### **Context**

Solid waste generation is dynamic and changes as society develops. The form of waste streams changes as production processes change and new products and packaging emerge. Consequently, there is need for continuous innovation in intervention measures and strategies in solid waste management. In addition, there is need for evidence-based decision making on solid waste management. There are minimal research efforts undertaken by the county government in regard to solid waste management.

#### **Policy measures**

In order to address the policy gaps in research and development, the following policy measures shall be adopted—

- a) The department responsible for solid waste management shall facilitate a capacity development programme for personnel in research and development
- b) The department responsible for solid waste management shall establish a research unit to coordinate, promote and undertake research and development related to environment management and governance
- c) The department for solid waste management shall undertake and collaborate with other relevant research institutions and institutes of higher learning in carrying out research and development in solid waste management
- d) The department responsible for solid waste management shall in collaboration with relevant stakeholders disseminate research findings
- e) The department responsible for solid waste management shall establish a research data management system

## ***Kisumu County Solid Waste Management Policy***

- f) The county executive committee shall ensure that evidence generated through research informs decisions related to solid management

## **Chapter 3**

### **Policy Implementation, Monitoring and Evaluation**

#### **3.1. Introduction**

This chapter outlines the mechanisms for implementing, monitoring and evaluating the policy. For intended policy outcomes to be achieved, there is need for effective policy implementation, monitoring and evaluation. This will require strong institutional development, inclusion of stakeholders in governance, legal and administrative reforms and integration with the county performance management system.

#### **3.2. Policy Implementation**

##### **3.2.1. Institutional framework**

In order to ensure effective and efficient solid waste management, the following institutions shall be established–

##### **1) County solid waste management Committee**

There shall be established the County Solid Waste Management Committee which shall consist of–

- (a) the county executive committee member responsible for solid waste management who shall be the chairperson;
- (b) the chief officer responsible for solid waste management who shall be the secretary;
- (c) the director in charge of solid waste matters;
- (d) all sub-county administrators;
- (e) the director in charge of public health matters in the county;
- (f) the director in charge of trade matters in the county;
- (g) the director in charge of public works in the county;
- (h) one person representing the National Environment Management Authority;
- (i) one person representing the Water Resources Authority;
- (j) one person representing the county environment committee established under the Environment Management and Coordination Act;
- (k) one person representing community-based organizations or non-governmental organizations engaged in solid waste management in the county;
- (l) one person representing generators of industrial waste;

## ***Kisumu County Solid Waste Management Policy***

- (m) one person representing entities engaged in solid waste recycling, composting or material recovery in the county;
- (n) two persons representing residents or neighbourhood associations;
- (o) one person representing private waste collectors and transporters; and
- (p) one professional qualified and experienced in matters related to environment and solid waste management

The Committee may co-opt not more than three persons who are experienced in matters related to solid waste management. The persons described under (h), (i), (j) shall be appointed by the county executive member responsible for solid waste management from amongst persons nominated by the respective organizations

The committee shall be responsible for –

- (a) coordinating public and private sector engagement in solid waste management in the county;
- (b) providing platform for public-private dialogue, consultation and collaboration and participation in solid waste management in the county;
- (c) facilitating mobilization of county residents on solid waste management in the county;
- (d) ensuring harmonization of public and private sector plans and programs on solid waste management in the county;
- (e) receiving and considering reports from sub-county committees and advising the county executive committee on appropriate policies, strategies and plans to be adopted in the county on solid waste management;
- (f) monitoring and evaluating the implementation of county solid waste management policies, strategies, plans and programs in the county; and
- (g) adjudicating in disputes emanating from solid waste management processes in the county

The Committee shall hold meetings on a quarterly basis and shall regulate its own procedure. The term of office for persons who are not public officers shall be 3 years renewable for one and final term of 3 years.

### **2) Sub-county solid waste management committee**

There shall be established a Sub-county Solid Waste Management Committee for each sub-county which shall consist of–

- (a) the Sub-county administrator who shall be the chairperson;

## ***Kisumu County Solid Waste Management Policy***

- (b) the officer in charge of environment in the sub-county who shall be the secretary;
- (c) the National Government officer in charge of the Sub-county;
- (d) the officer in charge of public health matters in the sub-county;
- (e) the officer in charge of trade in the sub-county;
- (f) the officer in charge of public works in the sub-county;
- (g) one person nominated and appointed to represent community- based organizations or non-governmental organizations engaged in solid waste management in the sub-county;
- (h) two persons representing resident or neighbourhood associations in the sub-county;
- (i) one person representing entities engaged in solid waste recycling, composting or material recovery in the sub-county;
- (j) one person representing waste pickers in the sub-county;
- (k) one community elder in the subcounty appointed by the county executive committee member responsible for waste management in consultation with local community leadership structures;
- (l) one person representing private enterprises providing waste collection and transportation services in the sub-county; and
- (m) one professional qualified and experienced in matters related to environment and solid waste management.

The Committee may co-opt not more than three persons who are experienced in matters related to solid waste management. The persons described under paragraph (h), (i), (j) shall be appointed by the county executive member responsible for solid waste management from amongst persons nominated by the respective organizations.

The committee shall be responsible for –

- (a) coordinating public and private sector provision of in solid waste management services in the sub-county;
- (b) providing a platform for public-private dialogue, consultation, collaboration and participation in solid waste management in the sub-county;
- (c) facilitating mobilization of county residents on solid waste management in the sub-county;
- (d) ensuring harmonization of public and private sector strategies and programs on solid waste management in the sub-county;



## ***Kisumu County Solid Waste Management Policy***

- (e) monitoring the implementation of this policy and other solid waste management policies, strategies, plans and programs at the sub-county level;
- (f) monitoring the quality and adequacy of provision and delivery of solid waste management services in the sub-county;
- (g) organizing and facilitating sub-county forums on solid waste management;
- (h) advising the county committee on appropriate legislative and policy measures or public services to be adopted in ensuring effective implementation of this policy and any legislation developed for implementation of this policy

The Subcounty Committee shall hold meetings on a quarterly basis and shall regulate its own procedure. The term of office for persons who are not public officers shall be 3 years renewable for one and final term of 3 years.

A town committee established under the Urban Areas and Cities Act may, with the approval of the county executive committee member establish a town solid waste management committee, where it is expedient for service delivery to establish such committee in addition of the existing sub-county solid waste management committee. The membership of a town committee shall be similar to the subcounty committee, with necessary modifications.

### **3.2.2. Planning and Performance Management**

Implementation of the policy shall be undertaken through development of environment sectoral plan (or sectoral plan dealing with solid waste management). In accordance with the County Governments Act, the environment sectoral plan shall be part of the County Integrated Development Plan (CIDP 2018-2022). The county Medium Term Expenditure Framework (MTEF) and the County Fiscal Strategy Paper shall adequately cover the strategies and programmes provided under the environment sectoral plan. The sectoral plan shall be implemented annually through the annual development plan

Implementation of this policy shall be integrated with the county performance management system through the sectoral plan. The annual performance contracting and targets for respective departments responsible for implementation of this policy shall be aligned to activities and programmes in the environment sectoral plan so as to ensure complementarity and inter-sectoral approach in implementing this policy. Data related to policy implementation shall be collected on a continuous basis in order to inform decision making by the county executive and other sector stakeholders.

## ***Kisumu County Solid Waste Management Policy***

### **3.2.3. Legal and Administrative Reforms**

In addition to programmes and projects to be designed under the environment sectoral plan (or sectoral plan dealing with solid waste management), appropriate legal reforms related to solid waste management shall be undertaken. There shall be prepared for enactment or adoption laws, guidelines, standards and frameworks. Key among them shall be enactment of County Solid Waste Management Bill.

### **3.2.4. Collaboration with National Government**

As stipulated under Article 6 and 189 of the Constitution, the county government shall institute measures to cooperate, collaborate, consult and partner with the national government in implementing this policy as well as implementing national policies, laws and standards related to solid waste management. In this regard, the department responsible for solid waste management shall initiate intergovernmental collaboration mechanisms with the national government ministry of environment and other agencies responsible for matters related to environment.

### **3.2.5. Staff Capacity Development**

The department responsible for solid waste management shall in collaboration with the department responsible for human resource management and the County Public Service Board resource the department as well as other county departments responsible for implementing this policy, with highly qualified professional staff in line with respective policy measures. In addition, the department responsible for solid waste management and department responsible for human resource management shall develop and facilitate continuous professional and capacity development for all relevant officers in various departments responsible for implementing this policy.

## **3.3. Policy Monitoring and Evaluation**

### **3.3.1. Design of indicators**

In order to ensure effective implementation of this policy, there shall be a continuous monitoring of the results of programmes and activities undertaken to implement this policy. The department responsible for solid waste management shall in collaboration with national and county stakeholders design the core outcome indicators to be adopted in measuring the results.

### **3.3.2. Monitoring and evaluation framework and system**

This policy shall be evaluated in accordance with overall county monitoring and evaluation framework, standards and system. The following requirements shall apply in regard to policy monitoring and evaluation–

- (a) The department responsible for solid waste management shall designate staff to be responsible for coordinating monitoring and evaluation of implementation of this policy.

## ***Kisumu County Solid Waste Management Policy***

- (b) In each period of 3 months, the department responsible for solid waste management shall prepare a report on the progress made in implementing the policy, which shall be submitted to county executive committee for consideration and decision-making.
- (c) There shall be annual policy review, which shall involve all solid waste management stakeholders. The review shall provide feedback on successes, progress and challenges related to policy implementation and whether policy outcome have been met in each year. The policy review report shall be submitted to county executive committee for consideration and decision-making
- (d) The policy shall be evaluated at the end of each period of 5 years to assess the extent to which policy outcomes have been realized including policy impact
- (e) The department responsible for solid waste management shall disseminate policy evaluation reports to county solid waste management stakeholders.