



ENVIRONMENTAL MANAGEMENT AND COORDINATION (MANAGEMENT OF TOXIC AND HAZARDOUS CHEMICALS AND MATERIALS) REGULATIONS, 2024



FREQUENTLY ASKED QUESTIONS (FAQs)

1. How do you differentiate hazardous and non-hazardous chemicals materials?

Answer: Hazardous chemicals cause cancer, are corrosive to the skin, flammable, lethal, they affect unborn child, they persist in the environment, and they kill fish and they affect human health. Non-hazardous do not cause harm to the environment and human health.

2. Which chemicals are not covered in this regulations?

Answer: Pesticides, Fertilizers, pharmaceuticals, radioactive materials, and explosives.

3. Which chemical shall I need a Prior Informed Consent (PIC) for me to import chemicals into Kenya?

Answer: PIC is applicable to chemicals which are restricted and where consent of the receiving country is required

4. Is there a difference in licensing cost between a small scale and a large scale chemical and material handler? (Manufacturer, importer, distributor)

Answer: No.

5. Does the regulation categorize the chemicals in terms of volumes?

Answer: No.

6. What documents do I need as part of the application of chemicals and materials by NEMA?

Answer: Material Safety Data Sheets, a Risk Management Plan and Emergency Response Plan.

7. What is the difference between a license and permits?

Answer: A License is annually renewed and permit can be a one-off or issued per consignment.

8. Assuming am a person who manufacture, imports or export these chemicals do I have to apply for all the licenses?

Answer: A regulated entity who manufacture and import will apply for one license to manufacture, import, export, distribute and store the toxic and hazardous materials and chemicals.

9. Are storage facilities for chemicals and hazardous materials regulated?

Answer: Yes, due to the hazardous nature of the materials.

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