



Waste Management in Kenya

Simplified Waste Management
Regulations, 2024





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Preface



Poor solid waste management continues to pose significant challenges to environmental quality, public health, and the overall aesthetic value of our surroundings. Inadequate systems for waste collection, segregation, and disposal have resulted in widespread littering, illegal dumping, and the indiscriminate mixing of domestic, medical, and hazardous waste. These practices have not only degraded the environment but also strained existing waste management infrastructure.

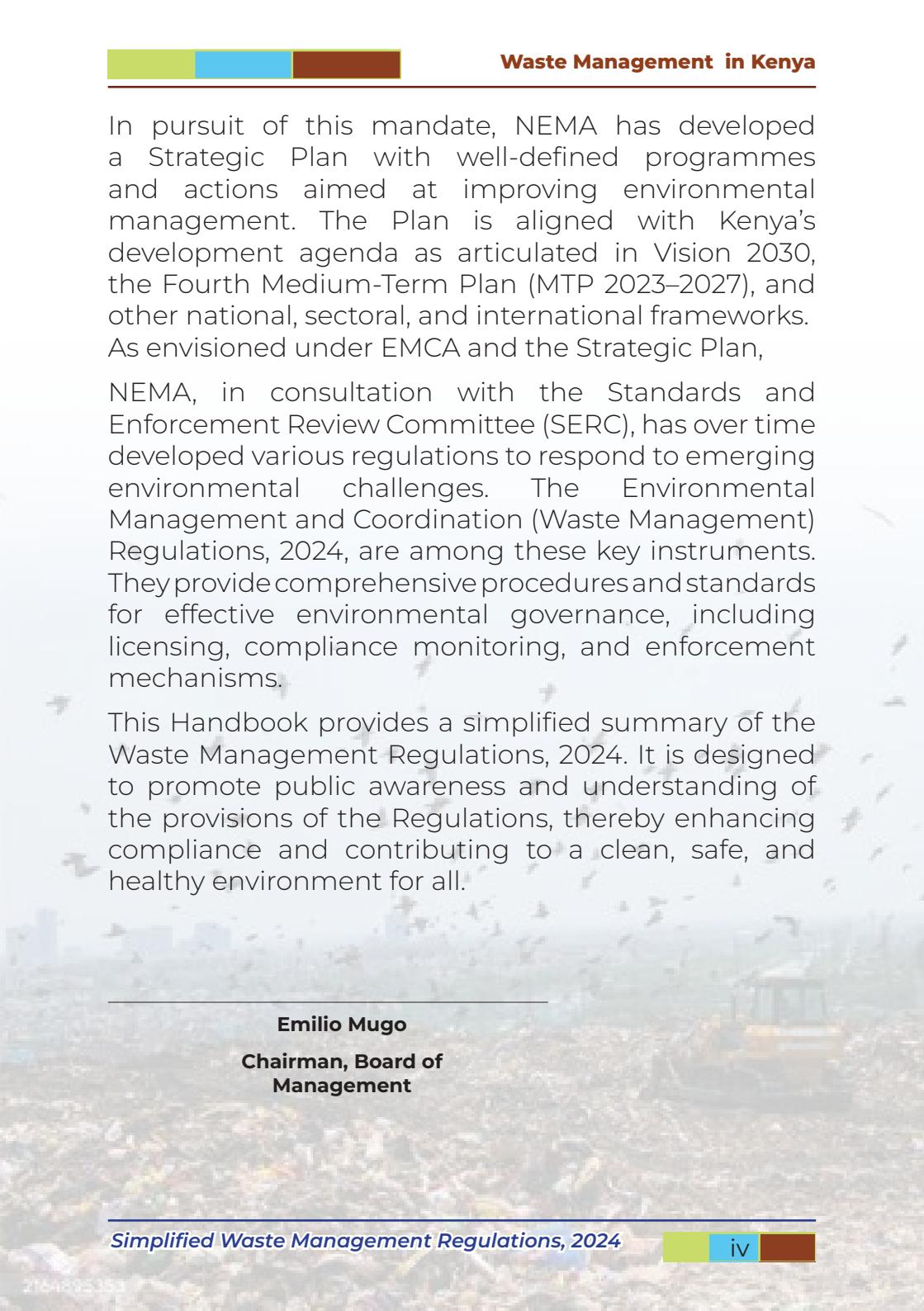
The Waste Management Regulations seek to address and reverse the impacts of poor solid waste management by establishing clear mechanisms for proper waste handling. They promote cleaner production technologies, segregation of waste at source, and the adoption of recycling and reuse practices as key strategies toward achieving sustainable waste management in Kenya.

The National Environment Management Authority (NEMA) is the principal government agency responsible for coordinating all matters relating to the environment. Established under the Environmental Management and Coordination Act (EMCA), 1999, NEMA is mandated to ensure that every individual enjoys the right to a clean and healthy environment while also fulfilling the duty to safeguard and enhance it.

In pursuit of this mandate, NEMA has developed a Strategic Plan with well-defined programmes and actions aimed at improving environmental management. The Plan is aligned with Kenya's development agenda as articulated in Vision 2030, the Fourth Medium-Term Plan (MTP 2023–2027), and other national, sectoral, and international frameworks. As envisioned under EMCA and the Strategic Plan,

NEMA, in consultation with the Standards and Enforcement Review Committee (SERC), has over time developed various regulations to respond to emerging environmental challenges. The Environmental Management and Coordination (Waste Management) Regulations, 2024, are among these key instruments. They provide comprehensive procedures and standards for effective environmental governance, including licensing, compliance monitoring, and enforcement mechanisms.

This Handbook provides a simplified summary of the Waste Management Regulations, 2024. It is designed to promote public awareness and understanding of the provisions of the Regulations, thereby enhancing compliance and contributing to a clean, safe, and healthy environment for all.



Emilio Mugo
**Chairman, Board of
Management**

Acknowledgement



The National Environment Management Authority (NEMA) sincerely acknowledges the financial and technical support of the World Bank through the Africa Environmental Health and Pollution Management Programme, which made the development and production of this Waste Management Regulations, 2024 Information Handbook possible.

This Handbook is intended to enhance understanding of the Regulations among stakeholders and the general public, thereby promoting compliance and encouraging sustainable waste management practices.

NEMA also appreciates the invaluable contributions of all individuals and institutions who participated in the review, simplification, and production of this Information Handbook. Their commitment and collaboration were instrumental in bringing this work to fruition.

Mamo B. Mamo, PhD, EBS

Director General

Introduction

As population increases and rates of production and consumption increase, the estimated volumes of waste generated from households, industries, agricultural services, construction, health care facilities is projected to triple by 2030. Kenya generates an estimated 22,000 tonsofwaste per day calculated by assuming an average of per capita waste generation of 0.5 kilograms. It is estimated that 40% of the waste is generated in urban areas. Given that urbanization is increasing by 10%, by 2030, the Kenya urban population will be generating an estimate of about 5.5million tonnes of waste every year. Past inventories estimate that 60% to70% of waste generated is organic, 20% plastic, 10% paper, 1% medical waste and 2% metal. Inefficient production processes, low durability of goods, unsustainable consumption and production patterns lead to excessive generation of waste.



Solid waste management remains a major challenge in Kenya. This has contributed to environmental pollution resulting in reduced environmental quality, risks to human health, and loss of natural aesthetic value as well as strained existing waste management infrastructure. Lack of proper waste management systems has led to littering and illegal dumping. In addition, lack of waste segregation at source has lead to mixed waste including domestic, medical as well as hazardous waste. The accumulation of solid waste has been occasioned by inefficient waste collection, transportation and disposal systems as well as changing consumption patterns. The situation has been compounded by lack of segregation of solid waste at source.

The Waste Management regulations seek to stop and reverse environmental pollution resulting from solid waste by providing mechanisms for managing solid waste. Such mechanisms include promotion of cleaner production technologies, segregation at source, recycling and reuse.



Policy, Legal and Institutional Framework

The Kenya vision 2030 recognizes that efficient and sustainable waste management systems are required as the country develops into a newly industrialized state by 2030.

The Constitution of Kenya recognizes the right of all Kenyans to have a clean and healthy environment and bestores with this right the responsibility to safeguard and enhance the environment.

Environmental Management and Coordination Act establishes the National Environment Management Authority to supervise and coordinate all matters relating to the environment including waste management.

The Government has developed and enacted national waste management policy and legislation, including the National Sustainable Waste Management Policy, 2021, Environmental Management and Coordination Act CAP 387, Environmental Management and Coordination (Waste Management) Regulations, 2024, Sustainable Waste Management Act CAP 387C and the Environmental Management and Coordination (Extended Producer Responsibility) Regulations, 2024 for coordinated action. This regulatory framework is meant to address hazardous waste, electronic waste, industrial waste, agricultural chemicals and medical waste.

The Constitution of Kenya devolved waste management as a function of County governments. Specifically, Part 2 of the Fourth Schedule to the Constitution devolves the functions of refuse removal, refuse dumps and

solid waste disposal.

Objectives of the Regulation

The objectives of the Regulation is to;

- Promote sustainable waste management;
- Improve the health of all Kenyans by ensuring a clean and healthy environment;
- Reduce air, land, fresh water and marine pollution;
- Create an enabling environment for employment in the green economy in waste management, recycling and recovery;
- Establish an environmentally sound infrastructure and system for sustainable waste management;
- Promote circular economy practices for green growth;
- Mainstream resource efficiency principles in sustainable consumption and production practices; and
- Inculcate responsible public behavior on waste and environment.



Scope of the Regulation

The Regulation applies to all categories of waste except radioactive waste. The scope covers waste generation, segregation, transportation, handling, storage, and disposal. The waste types covered by the Regulation include:

- Municipal waste (garbage, sewage)
- Various hazardous industrial waste
- Biomedical waste
- E-waste
- Recyclable organic waste
- Waste paper
- Waste plastics
- Waste tyres
- Waste oil
- Waste cooking oil
- Asbestos waste
- Scrap metal
- Waste Automotive batteries
- Pharmaceutical waste
- Used cooking oil

Exemption from Licensing

Transportation of non-hazardous waste such as bagasse, sugar filter cake, molasses and demolition waste is exempted from licensing if it is intended for re-use without further processing.

Waste Management Obligations

1. Waste Generation

The Regulation prohibits waste generators from disposing any waste on a public highway, street, road, recreational area or in any public place except in a designated waste receptacle.

Any person whose activities generate waste has a duty to collect, segregate and transfer such waste to a person licensed by NEMA to transport and dispose off waste.

2. Waste Segregation

Waste segregation begins from separating hazardous waste from non-hazardous waste. The waste is separated further into organic and non-organic waste. It is then disposed off into color-coded receptacles such as bags, bins, containers in the appropriate waste disposal sites.



2.1 Importance of segregating waste

1. Waste segregation enables availability of recyclable waste in the waste value chain.
2. Ensures hazardous waste is safely isolated and taken for sound management.
3. Makes organic waste available for composting.
4. Minimizes waste being taken to the landfills thereby extending landfill life-span.
5. Lowers waste management costs.
6. Facilitates recycling and resource recovery.
7. Reduces environmental pollution from waste disposal.
8. Create green jobs for income

2.2 Who should segregate waste

Generators of waste shall have the responsibility to segregate their waste. They include but not limited to;

- a) Households
- b) Educational institutions
- c) Businesses and workplaces
- d) Healthcare facilities
- e) Municipal (markets, bus-parks, streets) and Government bodies
- f) Waste management companies
- g) Community groups and NGOs
- h) Industrial and commercial entities
- i) Transportation vessels (buses, trains, ships, boats, airplanes etc.).

Waste should preferably be segregated immediately it is generated (at the point of generation). All generated solid waste shall be segregated into organic, recyclable and other general waste categories. The segregated waste shall be placed in the appropriate colour-coded bin/ bag.

Waste generated outdoors shall be placed in colour coded bins/ receptacles provided by the respective County governments.

Segregated waste already placed in bins/ bags shall be collected by waste transporters licensed by NEMA and taken to licensed Material Recovery Facilities (MRFs), Buy-back centers or licensed recycling, composting, incinerators and other treatment facilities.

The waste generator may also take segregated waste to a nearby Waste Buy-Back center licensed by NEMA.

Generators are encouraged to practice home/ backyard composting of organic (wet) waste. Institutions with waste treatment facilities such as licensed incinerators can also safely dispose off their waste on site.

3. Waste Transportation

Waste transporters should handle waste in a manner that does not contaminate or pollute the environment.

Transportation of waste should safeguard against scattering, escaping and/or flowing out of the waste from the vehicle, as well as noxious smell.

The transporting vehicle must indicate the type of waste being transported. The vehicle should be covered and properly labeled. The transporter should have tracking note at all times during transportation. The tracking note must have details of transporter, type of waste, quantities and sources. Transporter to dispose waste at designated sites licensed by NEMA.

Transportation of segregated waste shall be collected and transported preferably on scheduled days by NEMA licensed transportation vehicles to ensure that

they are not mixed again.

The waste can also be collected by compartmentalized vehicles that prevent mixing of the segregated waste.

Waste transporters shall not collect waste which has not been segregated.



4. Waste Disposal

All waste should be disposed at designated disposal sites. Under the Regulation, disposal sites are required to operate in environmentally sound manner to ensure proper and modern management of solid waste. Waste within the disposal sites shall be treated in accordance with all the relevant legislations to ensure that such waste does not present any imminent and substantial danger to public health, the environment and natural resources. Owners/operators of waste disposal sites require a licence issued by the NEMA



5. Waste Storage, Processing, Treatment & Disposal Facilities

These facilities include incineration plants, waste recycling plants, transfer stations/storage yards, Material Recovery Facilities (MRFs), landfills, deep burying sites, composting sites/plants, biological decomposition sites, microwaves/autoclaves, etc.

- Owners/operators of waste treatment sites must have a license issued by NEMA.
- Existing sites are required to undertake Annual Environmental Audits.
- Operators of such sites must keep accurate records of the quantities and types of waste handled at the sites and report periodically to NEMA.
- NEMA Environmental Inspectors will undertake routine inspections and monitoring to ensure compliance with the conditions of the licenses.



6. Exporters/Importers of Hazardous Waste

Importation of hazardous waste into Kenya is prohibited. Exporters of hazardous waste must have a valid permit to export waste from NEMA. To obtain the permit, one is required to;

- Submit a written purchase contract with the importer;
- Duly filled notification and movement forms;
- Proof of final disposal site being licensed by the respective regulator;
- A valid prior informed consent document (as appropriate) from the destination country; and

- Proof of an insurance policy.

Common wastes being exported include: non-ferrous scrap metal, e-waste fractions, scrap tyres, plastic waste, zinc oxide/slag, carbon black, mild steel from pyrolysis processes etc.

7. Handlers of Bio-medical Waste

Every generator of biomedical waste shall at the point of generation and at all stages thereafter segregate the waste in line with the Guidelines issued by the WHO and MoH.

All biomedical waste shall be securely packaged in biohazard containers which shall be labeled with the symbols set out in the regulations as well as in the Guidelines issued by the WHO and MoH.

All vehicles transporting biomedical waste shall be appropriately labeled and shall be licensed by NEMA.



8. Handling of Hazardous Waste

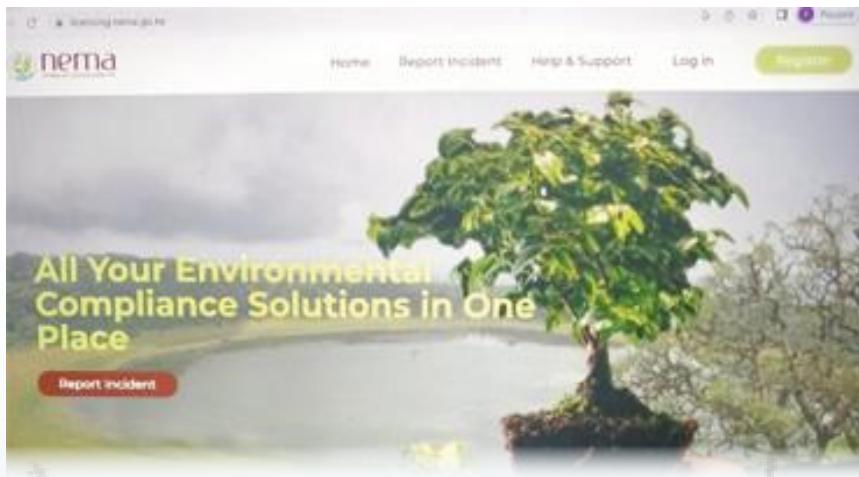
Each generator of hazardous waste shall ensure that every container or package for storing such waste is labelled in legible characters, written in English and Kiswahili. Hand over hazardous waste to NEMA licensed handler.



General Prohibitions

- No person shall dispose of any waste on a public highway, street, road, and recreational area or in any public place except in a designated waste receptacle.
- No person shall transport waste without a valid license issued by NEMA
- No person shall operate a waste storage, processing, treatment and disposal facility without a valid license issued by NEMA.
- No person shall import hazardous waste into Kenya.
- No person shall export hazardous waste from Kenya without a valid permit to export waste.

Licensing Procedure



Transport Licensing

1. A license to transport waste is issued for individual vehicles.
2. The application is done online on the NEMA licensing portal accessible at <https://licensing.nema.go.ke>.
3. New users to the licensing portal are required to register using their KRA PINs and have their credentials approved by the NEMA ICT administrators.

The requirements for a complete application include:

- a) An application and license fee (Ksh 5,000+10,000). The application fee is not paid at renewal.
- b) Photos of the vehicle (front, back side duly labeled with the type of waste being transported).
- c) Proof of roadworthiness (valid NTSA Inspection).
- d) Valid motor vehicle insurance.
- e) Proof of vehicle ownership (logbook + lease

agreement).

- f) Sample Tracking Note (on applicant's letterhead) on the NEMA prescribed format (template provided on the licensing portal).
- g) ID copy/ Business Registration certificate/ Company Registration certificate.
- h) An indication of the waste disposal/treatment facility duly licensed by NEMA/designated by the County Government.
- i) A written agreement with the disposal site operator.

5. Upon submission of an application, an invoice is raised for payment of the applicable fees.
6. The invoice has a link to the e-citizen payment system for payment through MPESA among other online options.
7. A payment receipt is then generated (upon successful payment) and emailed to the applicant.
8. The submitted application is then made available for license processing.
9. The applicant can track progress of the review of the application and can tell when the license is issued.
10. A complete application is processed within 10 working days.
11. An electronic license is emailed to the client's email address used during registration.
12. A license to transport waste is valid for 12 months from the date of issue.

Waste Treatment Plant/ Disposal Site Licensing

1. A license to own/operate a waste treatment plant/disposal site is issued for each facility/site.
2. The application is done online on the NEMA licensing portal accessible at <https://licensing.nema.go.ke>.
3. New users to the licensing portal are required to register using their KRA PINs and have their credentials approved by the NEMA ICT administrators.

The requirements to attach for a complete application include:

For initial applications:

- a) An EIA license for the facility.
- b) ID copy/ Business Registration certificate/ Company Registration certificate,

For renewals:

- a) A valid acknowledgement of submission of an annual Environmental Self Audit report to NEMA.
- b) A valid Emission license for all eligible facilities (listed in the Air Quality Regulations). These include steel mills, incineration plants, cement plants, industrial furnaces, pyrolysis plants etc.).
- c) A copy of the previous license.

4. Upon submission of an application, an invoice is raised for payment of the applicable fees.
5. The invoice has a link to the e-citizen payment system for payment through MPESA among other online options.
6. A payment receipt is then generated (upon successful payment) and emailed to the

applicant.

7. The submitted application is then made available for license processing (by NEMA).
8. The applicant can track progress of the review of the application and can tell when the license is issued.
9. A complete application takes a maximum of one working week for a license to be ready.
10. An electronic license is emailed to the client's email address used during registration.
11. A license to own/operate a waste treatment plant/disposal site is valid for 12 months.

Applicable Licence Fees

Application Fees	
Type of License	Fees
Licence to transport waste	5,000
Licence to own/operate a waste treatment and disposal site	5,000
Permit to export waste	5,000
Licence Processing Fees	
Licence to transport waste	10,000
Licence to own/operate a waste storage and processing plant/facilities	80,000
Licence to own/operate a waste treatment and disposal site (incineration and landfill)	100,000
Permit to export waste	50,000

Offences

EMCA CAP 387 identifies various environmental offences and states that any person who contravenes any part of the regulations commits an offence. These offences include;

- Dumping of waste in non-designated sites
- Operating waste transportation vehicle without a license
- Owning /operating waste disposal sites without a valid license
- Importing hazardous waste in the country
- Exporting waste without a permit

Environmental Compliance Monitoring

Environmental Inspectors of the Authority will undertake regular monitoring of waste regulated sectors to ensure compliance with the regulations.

In the event of violation of conditions in the license, NEMA shall revoke the license regardless of its validity. Following such revocation, they shall cease to operate until the licensing conditions are fulfilled.



Penalties

A person who contravenes a provision of this shall, on conviction, be liable to imprisonment for a term not less than 1 year but not more than 4 years or to a fine of not less than two million shillings and not more than four million shillings or both such a fine and imprisonment.

Failure to segregate waste

Pursuant to the provisions of the Sustainable Waste Management Act, 2022):

A person who does not segregate waste in accordance with the regulations commits an offence and shall, on conviction, be liable to a fine not exceeding twenty thousand shillings or imprisonment for a term not exceeding six months or both

A waste service provider who fails to handle or manage waste in accordance with regulations commits an offence and shall, on conviction, be liable to a fine not exceeding fifty thousand shilling or imprisonment for a term of six months or both.





For More Information, Contact

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