



# Water Quality Management in Kenya

## Simplified Water Quality Regulations, 2024

### Did you know.....

Water Quality Regulations prohibits everyone from any action that directly or indirectly cause water pollution.

### Objective of the Regulations.

To safeguard sources of water by preventing and abating pollution. It ensures that the effluent discharged to the environment conforms to the prescribed standards

### Application

The Regulation applies to:

- a) Sewerage service providers
- b) Industrial undertakings; manufacturing, processing and chemical
- c) Intensive chemical agriculture including flower farms
- d) Oil and Gas
- e) Hotel, Camps and Lodges
- f) Institutions, commercial and residential
- g) Agro based processing industries
- h) Abattoirs/slaughterhouses

### General prohibitions

Every person is prohibited from any act which directly or indirectly causes, or may cause, immediate or subsequent water pollution, regardless of whether the water resource was already polluted before the regulations.

No person shall throw or cause to flow into or near a water resource any liquid, solid, or gaseous substance, or deposit any such substance in or near it that causes pollution.

### Prohibitions Related to Specific Activities

the regulations bans and restricts certain activities without proper authorization. they include;

- 1. No person shall discharge any effluent from sewage treatment works, industry, or other point sources into the aquatic environment without a valid effluent discharge license issued by the Authority (NEMA).
- 2. No person shall discharge or apply any poison, toxic, noxious or obstructing matter, radioactive waste or other pollutants into the aquatic environment unless the discharge complies with the established standards
- 3. No person shall abstract groundwater or carry out any activity near lakes, rivers, streams, springs, and wells that is likely to have any adverse impact on the quantity and quality of the water without an Environmental Impact Assessment (EIA) license.
- 4. No person shall cultivate or undertake any development activity within a minimum of six meters and a maximum of thirty meters from the highest ever recorded flood level on either side of a river or stream, as determined by the NEMA.
- 5. No person shall be permitted to use wastewater for irrigation purposes unless such water meets the quality standards set out in

the Regulations.

## Licensing Procedure

The application is done online on the NEMA licensing portal accessible at <https://licensing.nema.go.ke>. Users to the licensing portal are required to register using their KRA PINs and have their credentials approved by the NEMA ICT administrators.

Upon submission of an application, an invoice is raised for payment of the applicable fees. The invoice has a link to the e-citizen payment system for payment through MPESA among other online options.

A payment receipt is then generated (upon successful payment) and emailed to the applicant.

The submitted application is then made available for license processing (by NEMA).

The applicant can track progress of the review of the application and can tell when the license is issued.

A complete application takes a maximum of one working week for a license to be ready.

An electronic license is emailed to the client's email address used during registration.

## Applicable Licence fees

Application Fees – 10,000

## Offences

Any person, who discharges or applies any poison, toxic, noxious or obstructing matter, radioactive waste or other pollutants or permits any person to dump or discharge such matter into the aquatic environment in contravention of water pollution control standards commits an offence and shall be liable, on conviction,

## Penalties

Any person who contravenes against any provision of this Act or of regulations which no other penalty is specifically provided is liable, upon conviction, to imprisonment for a term of not less than one year but not more than four years, or to a fine of not less than two million shillings but not more than four million shillings, or to both such fine and imprisonment, or to both such fine and imprisonment.

## Frequently Asked Questions

**Question:** How much should I pay for acquiring an EDL license?  
**Answer:** Application fees for all facilities is 10,000 and listed facilities license fees will range between Kshs 11,000- 550,000 depending on sector, design capacity of the treatment plant, number of persons in an institution, and bed capacity.

**Question:** From which NEMA office can I collect my license?  
**Answer:** The process is done online and once it's complete, an electronic license will be sent to your email.

**Question:** What are the requirements for applying for an EDL?  
**Answer:** Audit and EIA, certificate of incorporation/business registration and effluent analysis report.

**Question:** Which are the Licensing procedure?  
**Answer:** Refer to the link:

**Question:** Are there recommended treatment plants or approved treatment technologies by NEMA No. However, any technology or treatment plant installed must meet the standards for Effluent Discharge into the environment.

**Question:** License effluent analysis  
**Answer:** Link for the labs

**Question:** What are the general Obligations of Regulated Entities?  
**Answer:** The general obligations: ensure that you have pretreated your sewage effluent to an acceptable standards before discharge to the environment or to the sewer line. Acquire the EDL License and ensure you meet the prescribed conditions in the license.

**Question:** If my facility is connected to sewer network do I have to apply for a discharge license?  
**Answer:** No.

**Question:** If my waste water is collected by a NEMA licensed exhauster, do I need to apply for an EDL?  
**Answer:** No.

**Question:** For how long is an EDL valid?  
**Answer:** It is valid for one calendar year (January – December).