

**SECTIONS 55 AND 96-THE WASTE MANAGEMENT
(LICENSING OF TRANSPORTERS OF WASTES AND
WASTE DISPOSAL SITES) REGULATIONS**
Regulations by the Minister

*Statutory
Instrument
71 of 1993
134 of
1996*

1. These Regulations may be cited as the Waste Management (Licensing of Transporters of Wastes and Waste Disposal Sites) Regulations.

Title

2. In these Regulations unless the context otherwise requires-

Interpretation

"disposal site" means the land or water area on which waste disposal facilities are physically located;

"Inspectorate" means the Environmental Inspectorate established under section *eighty-one* of the Act; and

"wastes" subject to regulation 3, includes hazardous wastes and shall have the meanings assigned to them in the Act.

3. These Regulations shall not apply to-

Application

(a) domestic waste from residential household of forty-five kilograms weight or less per week; and

(b) the transportation of construction and demolition debris to licensed disposal sites.

4. (1) A person intending to transport wastes or operate a waste disposal site or plant shall apply for a licence to the Inspectorate in Forms WM1 and WM2 of the First Schedule respectively and shall be accompanied by the appropriate fee set out in the Second Schedule.

Application for licence to transport wastes or operate waste disposal plant

(2) A person who transports wastes or owns or operates a waste disposal site or plant before the commencement of these Regulations shall apply for a licence within thirty days from the commencement of these Regulations.

5. (1) The Inspectorate shall issue a licence to transport wastes in form WM3 of the First Schedule if-

Licence to transport wastes

(a) satisfied that the applicant has adequate and appropriate facilities and equipment to transport wastes without causing significant damage to the environment;

(b) satisfied with collection schedule of wastes of the applicant; and

(c) the Inspectorate had published its intention to issue the licence by notice in the *Gazette*, twenty-eight days before the issue of the licence.

(2) A licence to transport wastes shall be subject to the following conditions:

(a) The collection and transportation of wastes shall be conducted in a manner that would not cause scattering of the waste.

(b) The vehicles, pipelines and equipment for the transportation of waste shall be in such a state as not to cause the scattering of or the flowing out of the wastes or the emitting of bad smells from the wastes.

(c) The vehicles for the transportation of wastes shall follow the approved schedule routes from the point of collection to the disposal site or plant.

(d) The personnel involved in the collection and transportation of wastes shall be provided with-

- (i) adequate protective and safety clothing;
- (ii) adequate appropriate equipment or facilities for loading wastes;
and
- (iii) safe and secure sitting facilities in the vehicles for transporting wastes.

(e) The personnel involved in the collection and transportation of wastes shall undergo an annual medical check up.

(f) Any other condition which the Inspectorate shall consider relevant for the transportation of wastes.

(3) A licence to transport wastes shall be valid for thirty-six months and may be renewed for a like period:

Provided that the Inspectorate may limit the validity of the licence for any period less than thirty-six months but not less than six months, when necessary.

(4) An Inspector may at any reasonable time stop and inspect any vehicle used for the transportation of wastes.

6. (1) The Inspectorate shall issue a licence in Form WM4 of the First Schedule to own or operate a waste disposal site or plant if-

Licence to own
or operate a
waste disposal

site or plant

(a) approval has been obtained from the town and country planning authority on the location of the waste disposal site or plant;

(b) satisfied that the owner or operator of the waste disposal site or plant has the ability and the appropriate facilities to manage the waste disposal site or plant without causing significant damage to the environment; taking into account the summary of the environmental impact statement submitted by the owner or operator; and

(c) notice has been given by the *Gazette* on the proposed waste disposal site or plant, twenty-eight days before the issue of the licence.

(2) A licence to own or operate a waste disposal site or plant shall be subject to the following conditions:

(a) the waste disposal site or plant shall be enclosed and secure from scavenging;

(b) the waste disposal site or plant shall have hazard and safety signs displayed at appropriate places indicating the disposal site or plant;

(c) the waste disposal site or plant shall be operated in a way which would-

(i) avoid polluting surface and underground water;

(ii) avoid the emitting of bad smells from the site or plant to levels beyond that approved by the Inspectorate;

(iii) prevent the breeding of rats, mosquitoes or other vermin at the site or plant;

(d) the wastes at the disposal site or plant shall be compacted to a thickness of approximately three metres or less for each layer of waste and each layer shall be covered with thirty centimetres of soil;

(e) means of ventilation shall be provided at the disposal site or plant to remove bio-gas generated from the disposal site or plant;

(f) the personnel working at the waste disposal site or plant shall be provided with-

- (i) adequate protective and safety clothing;
- (ii) adequate water and appropriate equipment or facilities for the operations of the disposal site or plant;
- (iii) first aid facilities and training;

- (g) the personnel working at the waste disposal site or plant shall undergo an annual medical check up;

- (h) human waste or sewage shall be disposed of at a waste disposal site or plant after sewage treatment;

- (i) measures to control and prevent scattering of papers or other light waste materials shall be installed at the waste disposal site or plant; and

- (j) any other conditions which the Inspectorate shall consider relevant for the operation of the waste disposal site or plant.

(3) A licence to own or operate a waste disposal site or plant shall be valid for thirty-six months and may be renewed for a like period:

Provided that the Inspectorate may limit the validity of the licence for any period less than thirty-six months, but not less than six months when necessary.

(4) An Inspector may at any time, enter and inspect any waste disposal site or plant.

(5) Any person who-

- (a) operates or owns a waste management disposal site without a licence; or
 - (b) discharges waste onto a site or plant which is unlicensed;
- shall be guilty of an offence.

7. (1) The holder of a licence under these Regulations shall-

Duty to keep

records

(a) keep a record of the licensed activities; and

(b) submit the record referred to in paragraph (a) to the Inspectorate every six months from the commencement of the licensed activities.

(2) The Inspectorate may order the holder of a licence under these Regulations to install, at the expense of the holder of the licence, metering devices and to take samples and analyse them as the Inspectorate may direct.

8. The Inspectorate shall maintain a licences register of holders of licences to transport wastes or operate wastes disposal sites or plants.

Register of
licences

9. (1) If the Inspectorate has reasonable cause to believe that a person is contravening any of the provisions of these Regulations or a condition of the licence is or is likely to be contravened, the Inspectorate shall serve an enforcement notice on that person.

Enforcement
notice

(2) An enforcement notice shall-

(a) state the belief regarding the contravention or the likely contravention of the provisions of these Regulations or a condition of the licence and specify the matters constituting the contravention or making it likely that the contravention will arise, as the case may be;

(b) specify the steps that have to be taken to remedy the contravention or avoid the contravention, as the case may be; and

(c) specify the time limit within which the steps described under paragraph (b) have to be taken.

10. Any person who contravenes any of the provisions of these Regulations or a condition of a licence after an enforcement notice has been issued under regulation 9-

Offences and
penalties

(a) shall have the licence revoked; and

(b) shall be guilty of an offence and shall be liable upon conviction

to a fine or conviction as set out in section *ninety-one* of the Act.

FIRST SCHEDULE

PRESCRIBED FORMS

(Regulations 4, 5 and 6)

REPUBLIC OF ZAMBIA

ENVIRONMENTAL COUNCIL

Form WM1

The Waste Management (Licensing of Transporters of Wastes and Waste Disposal Sites) Regulations

APPLICATION TO TRANSPORT WASTES

(Regulation 4)

(To be completed in Triplicate)

To: The Chief Inspector (Pollution Control)

Environmental Council

P.O. Box 35131

Lusaka

Name and address of applicant

Number and type of vehicles to transport waste

Facilities and equipment available on vehicles to transport wastes

Type of waste to be transported

Quantity of wastes per vehicle to be transported

Licensed sites/plant to which wastes are to be transported

Collection schedule

Collection frequency

Any other information

.....
Date
Designation/title.....

.....
Signature

FOR OFFICIAL USE ONLY

Application received Fee paid.....
.....

.....
Chief Inspector (Pollution Control)
Environmental Council Inspectorate

Form WM2
REPUBLIC OF ZAMBIA

Environmental Council

The Waste Management (Licensing of Transporters of Wastes and Waste Disposal Sites) Regulations

(To be completed in triplicate)

APPLICATION TO OWN/OPERATE WASTE DISPOSAL SITE/PLANT

(Regulation 4)

To: The Chief Inspector (Pollution Control)
Environmental Council
P.O. Box 35131
Lusaka

Name and address of applicant

Location of site/plant

Approval of Town and Country Planning Authority

Type of wastes to be disposed of at site/plant

Quantity being disposed of/per annum tonne/Kg

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

(a) Land fill

(b) Compost

(c) Incinerator

(d) Other-specify

Estimated life span of plant/site

Proposed hectarage/area of site/plant (include site plan and design)

Summary of environmental impact statement

Any other information

.....
Date
Designation/title.....

.....
Signature

FOR OFFICIAL USE ONLY

Application received Fee paid.....

.....

.....
for Chief Inspector (Pollution Control)
Environmental Council Inspectorate

Form WM3

REPUBLIC OF ZAMBIA

Envirnmental Council

Waste Management (Licensing of Transporters of Wastes and Waste Disposal sites) Regulations

LICENCE TO TRANSPORT WASTES

(Regulation 5)

Licence No.

Name

Address

You are hereby licensed to transport wastes to

from

Number and type of vehicles licensed

Type of wastes to be transported

This licence is valid from 19.....

to.....19.....

Approval of Town and Country Planning Authority

Type of wastes to be disposed of at site/plant

Quantity being disposed of/per annum tonne/Kg

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

(a) Land fill

(b) Compost

(c) Incinerator

(d) Other-specify

Estimated life span of plant/site

This licence is granted subject to the following conditions:

.....
Date

.....
Chief Inspector (Pollution Control)
Environmental Council Inspectorate

Form WM4

REPUBLIC OF ZAMBIA

Environmental Council

Waste Management (Licensing of Transporters of Wastes and Waste Disposal Site) Regulations

LICENCE TO OWN/OPERATE WASTE DISPOSAL SITE/PLANT

(Regulation 6)

Licence No.

Name

Address

You are hereby licensed to own/operate a waste disposal site/plant at Plot No.

Area.

Town

or the following types of wastes

this licence is granted valid from 19.....

to 19.....

The licence is subject to the following conditions

.....
Date

.....
Chief Inspector (Pollution Control)
Environmental Council Inspectorate

SECOND SCHEDULE

(Regulation 4)

<i>1. Disposal Site Licence</i>	<i>Fee units</i>
<i>(a)</i> city and municipal councils and industries	555.5
<i>(b)</i> district councils and medical institutions	277.7
<i>2. Transporters of Waste Licence</i>	
<i>(i)</i> city and municipal councils and industries and commercial operators	277.7
<i>(ii)</i> district councils and medical institutions	166.6

(As amended by S.I. No. 134 of 1996)