

s Supplement to the Republic of Zambia Government

Gazette dated the 7th May 1993

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**GOVERNMENT OF ZAMBIA**

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**STATUTORY INSTRUMENT NO 71 OF 1993**

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**The Environmental Protection and Pollution Control Act**

**(Act No 12 of 1990)**

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**The Waste Management (Licensing of Transporters of  
Wastes and Waste Disposal Sites) Regulations, 1993**

IN EXERCISE of the powers contained in sections *fifty-five* and *ninety-six* of the Environmental Protection and Pollution Control Act 1990, and in consultation with the Council the following Regulations are hereby made: Title

1. These Regulations may be cited as the Waste Management (licencing of Transporters of Wastes and Waste Disposal Sites) Regulations, 1993.

Interpretation

2. In these Regulations unless the context otherwise requires:-

**"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 meaning assigned to them in the Act.

3. These Regulations shall not apply to -
- (a) domestic waste from residential household of forty-five kilograms weight or less per week; and

Application

- (b) the transportation of construction and demolition debris to licenced 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 has 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) 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 -

- (a) approval has been obtained from the town and country planning authority on the location of the waste disposal site or plant: Licence to own or
- (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 operate a waste disposal site or plant
- (c) notice has been given by the *Gazette* on the proposed waste disposal site or plant, twenty-eighty 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 wastes 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 gio-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 being installed at the waste disposal site or plant
  - (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 a 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, 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;

(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 -

(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.

Duty to  
keep  
records

(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 or is likely to contravene any of the provisions of these Regulations or a condition of the licence, the Inspectorate shall serve an enforcement notice on that person.

(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; Enforcement  
notice
- (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:-

Offence 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, 1993**

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 wastes.....

.....  
.....

Facilities and equipment available on vehicles to transport wastes.....

.....  
.....

Type of waste to be transported.....

.....  
.....

Quantity of wastes per vehicle to be transported.....

.....  
.....  
.....

Quantity of wastes to be disposed of tonnes/kg per annum and source.....

.....  
.....

License sites/plant to which wastes are to be transported.....

.....  
.....  
.....

Collection schedule.....

.....  
.....

Collection frequency.....

.....  
.....

Any other information.....

.....  
.....

Date

.....

Signature

Designation/title.....

FOR OFFICIAL USE ONLY

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

.....

.....

*Chief Inspector (Pollution Control)*

*Environmental Council*

*Inspectorate*

**SECOND SCHEDULE**

**PRESCRIBED FORMS**

*(Regulations 4,5 and 6 )*

**REPUBLIC OF ZAMBIA**

**Environmental Council**

**Form WM2**

**The Waste Management (licensing of Transporters of Wastes and  
Waste Disposal Sites) Regulations, 1993**

APPLICATION TO OWN/OPERATE WASTES DISPOSAL SITE/PLANT

(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.....  
.....  
.....

Location of Site/plant.....

.....

.....

Approval of Town and Country Planning Authority.....

.....

.....

Type of waste 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.....

.....  
.....

Proposes hectarage/area of site/plant (include site plant and design).....

.....  
.....

Summery of environmental impact statement.....

.....  
.....

Any other information.....

.....  
.....

.....

Date

.....

Signature

Designation/title.....

FOR OFFICIAL USE ONLY

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

.....

*Chief Inspector (Pollution Control)*

*Environmental Council*

*Inspectorate*

**REPUBLIC OF ZAMBIA**

**Environmental Council**

**The Waste Management (Licencing of Transporters of Wastes and Wastes  
Disposal Sites) Regulations, 1993**

**LICENCE TO TRANSPORT WASTES**

*(Regulations 5)*

Licensee No.....

Name.....

Address.....

You are hereby licensed to transport wastes to.....

.....

.....

Type of waste to be disposed of at site/plant.....

.....

.....

from.....

.....  
Number and type of vehicles licensed.....

.....  
Type of wastes to be transported.....

.....  
.....  
.....

This Licence is valid from.....19.....  
to.....19.....

This licence is granted subject to the following conditions.....  
.....  
.....  
.....  
.....

.....  
Date

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

**REPUBLIC OF ZAMBIA**

**Environmental Council**

**The Waste Management (Licencing of Transporters of Wastes and Wastes  
Disposal Sites) Regulations, 1993**

**LICENCE TO OWN/OPERATE WASTES 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.....

For the following type of wastes.....

.....  
.....

This licence is valid from.....19.....

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

The licence is subject to the following conditions.....

.....  
.....  
.....  
.....

Date .....

*Chief Inspector (Pollution Control)*

*Environmental Council*

*Inspectorate*

*(Regulation 4)*

**PRESCRIBED FEES**

Application for licensed to transport wastes K20,000

Application for licence to own/operate wastes disposal site/plant K50,000

**LUSAKA**

**DR. C KALIMA**

**21ST APRIL, 1993**

**MINISTER OF ENVIRONMENT**

**[MENR. 64/9/5]**

**AND NATURAL RESOURCES**