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LAWS OF KENYA

THE ENVIRONMENTAL MANAGEMENT AND COORDINATION (WATER QUALITY) REGULATIONS

NO. 177 OF 2024

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Environmental Management and Co-ordination Act

The Environmental Management and Coordination (Water Quality) Regulations

Legal Notice 177 of 2024

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The Environmental Management and Coordination (Water Quality) Regulations (Legal Notice 177 of 2024)

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ENVIRONMENTAL MANAGEMENT AND CO-ORDINATION ACT

THE ENVIRONMENTAL MANAGEMENT AND COORDINATION (WATER QUALITY) REGULATIONS

LEGAL NOTICE 177 OF 2024

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1. Citation

These Regulations may be cited as the Environmental Management and Co-ordination (Water Quality) Regulations, 2024.

2. Interpretation

In these Regulations, unless the context otherwise requires—

"Buffer Zone" means distinct or established areas that separate potentially competing users and that serve to lessen the danger of potential conflicts;

"Designated Representative" means any person authorized by the Authority to act on its behalf;

"Ground water" means the water of underground streams, channels, artesian basins, reservoirs, lakes and other bodies of water in the ground, and includes water in interstices below the water table;

"Natural water body" means any river, stream, spring, lake, swamp, pond, estuary, reservoirs, coastal or other water source in a natural water course;

"pH" means the negative base 10 logarithm of the hydrogen ion concentration;

"Point Sources" means any discernible, confined and discrete conveyance, including but not limited to any pipe, ditch, channel, conduit, tunnel, well, discrete fissure, container, rolling stock, concentrated animal feeding operation or vessel or other floating craft from which pollutants are or may be discharged;

"Resource Quality" in relation to a water resource, means the quality of all the aspects of a water resource including—

(a) the character and condition of the in-stream and riparian habitat;

(b) the characteristics, condition and distribution of the aquatic biota;

(c) the physical, chemical and biological characteristics of the water;

(d) the quantity, pattern, timing, water level and assurance of in-stream flow; and

(e) the water quality stipulated for the reserves.

3. Application

These Regulations shall apply to—

(a) drinking water;

(b) water used for industrial purposes;

(c) water used for agricultural purposes;

(d) water used for recreational purposes,

(e) water used for fisheries and wildlife; and

(f) water used for any other purposes.

Part II – PROTECTION OF SOURCES OF WATER

4. Prevention of water pollution

(1) Every person shall refrain from any act which directly or indirectly causes, or may cause immediate or subsequent water pollution, and it shall be immaterial whether or not the water resource was polluted before the enactment of the Act.

(2) 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 the water course, as to cause pollution.

5. Standards for sources of domestic water

All sources of water for domestic uses shall comply with the standards set out in First Schedule of these Regulations.

6. Protection of lakes, rivers, streams, springs, wells and other water sources.

No person shall—

(a) discharge any effluent from sewage treatment works, industry or other point source into the aquatic environment without a valid effluent discharge license issued in accordance with the Act;

(b) abstract ground water or carry out any activity near any lakes, rivers, streams, springs or wells that is likely to have an adverse impact on the quantity and quality of the water without an Environmental Impact Assessment license issued in accordance with the Act; or

(c) cultivate or undertake any development activity within a minimum of six metres and a maximum of thirty metres from the highest ever recorded flood level, on either side of a river or stream, and as may be determined by the Authority.

7. Restrictions and other measures on use of water sources

The Authority, in consultation with the relevant lead agency, may impose restrictions and other measures on the use of sources of water for domestic use in order to prevent and control the degradation of those sources.

8. Compliance with water quality standards

Each operator and supplier of treated water, containerised water and each water vendor shall comply with the relevant quality standards in force as promulgated by the relevant lead agencies.

9. Water quality monitoring

The Authority, in consultation with the relevant lead agency, shall collect and maintain water quality monitoring records for sources of domestic water at least twice every calendar year and such records shall be in the form set out in the Second Schedule.

Part III – WATER FOR INDUSTRIAL USE AND EFFLUENT DISCHARGE

10. Water for industrial use and compliance with industrial standards.

(1) No person shall use water for trade or an industrial undertaking unless that person complies with the standards prescribed by the relevant lead agency in regard to that particular activity.

(2) The Authority, in consultation with the relevant lead agencies, shall take measures to ensure compliance with the standards contemplated under subregulation (1) by the user of water for trade or an industrial undertaking.

11. Discharge into the environment

No person shall discharge or apply any poison, toxic, noxious or obstructing matter, radioactive waste or other pollutant or permit any person to dump or discharge such matter into the environment unless such discharge, poison, toxic, noxious or obstructing matter, radioactive waste or pollutant complies with the standards set out in the Third Schedule.

12. Compliance

(1) Each county government, or person operating a sewage system, or owner or operator of any trade or industrial undertaking issued with an effluent discharge licence under the Act shall comply with the standards set out in Third Schedule.

(2) Each county government, or person operating a sewage system, or owner or operator of any trade or industrial undertaking shall be guided by the monitoring guide for discharge into the environment set out in the Fourth Schedule.

13. Discharge into public sewers

Each owner or operator of a trade or industrial undertaking issued with a licence by a county government or sewerage service provider to discharge effluent into any existing sewerage system shall comply with the standards set out in the Fifth Schedule.

14. Discharge monitoring

(1) Each person who generates and discharges effluent into the environment under a licence issued under the Act shall—

(a) carry out effluent discharge quality and quantity monitoring in accordance with methods and procedures of sampling and analysis prescribed by the Authority; and

(b) submit records of effluent discharge quality and quantity monitoring to the Authority at least once in every six months or as the Authority may prescribe.

(2) The effluent discharge quality and quantity monitoring record shall be in the form set out in Sixth Schedule.

15. Review of records

The Authority shall review the monitoring records in order—

(a) to verify compliance with these Regulations; and

(b) to determine the fees payable in the subsequent year where the scale set out in the Eleventh Schedule is applicable:

Provided that where (b) is applicable, the Authority may inspect the premises and carry out its own analysis in accordance with section 117(3) of the Act.

16. Application for effluent discharge licence

(1) An application for an effluent discharge licence shall—

(a) be in Form A as set out in the Seventh Schedule; and

(b) accompanied by the fee set out in the Eleventh Schedule.

(2) The decision of the Authority together with the reasons thereof shall be communicated to the applicant within thirty working days from the date of submission of the application under subregulation (1).

(3) Where the Authority approves an application for the grant of an effluent discharge licence, it shall issue an effluent discharge licence within twenty-one days.

17. Effluent discharge licence

An effluent discharge licence shall be in Form B as set out in the Seventh Schedule.

18. Validity

An effluent discharge licence shall be valid for such period of time as the Authority may determine.

19. Register of licences

The Authority shall maintain a register of effluent discharge licences.

20. Licence not transferable

An effluent discharge licence issued under the Act shall not be transferable.

Part IV – WATER FOR AGRICULTURAL USE

21. Use of waste water for irrigation

No person shall use wastewater for irrigation purposes unless the water meets the quality guidelines set out in the Eighth Schedule.

22. Abstraction from a water body under environmental management plan

Where the Cabinet Secretary, in exercise of the powers conferred under section 42(3) of the Act has issued an order for the management of a natural water body, no person shall abstract water from such body for irrigation unless the water meets the standards set out in the Ninth Schedule.

23. Creation of buffer zone for irrigation scheme

An owner or operator of an irrigation scheme shall create a buffer zone of at least fifty meters in width between the irrigation scheme and the natural water body into which such irrigation scheme discharges its waters.

24. Transitional provision

Each owner or operator of an existing irrigation scheme shall, within ninety days upon the coming into force of these Regulations, take necessary steps to comply with these Regulations.

25. Compliance with irrigation water standards

The Authority, in consultation with the relevant lead agency, shall take measures to ensure compliance with these Regulations by the owner or operator of an existing irrigation scheme.

Part V – WATER FOR OTHER USES

26. Water pollution

No person shall discharge or apply any poison, toxic, noxious or obstructing matter, radioactive wastes, or other pollutants or permit any person to dump or discharge any such matter into water meant for fisheries, wildlife, recreational purposes or any other uses unless such discharge, poison, toxic, noxious or obstructing matter, radioactive waste or pollutant complies with the standards set out in the Third Schedule.

27. Recreational uses

No person shall use or allow to be used any natural water body for recreational purposes unless the water body meets the quality standards for recreational use set out in Tenth Schedule.

Part VI – MISCELLANEOUS PROVISIONS

28. Offences

Any person, who upon the coming into force of these Regulations, 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 established under this Part commits an offence and shall be liable, on conviction, the penalty prescribed under section 144 of the Act.

FIRST SCHEDULE [r. 5]

QUALITY STANDARDS FOR SOURCES OF DOMESTIC WATER

Parameter	Guide Value (max allowable)
pH	6.5 – 8.5
Suspended solids	30 (mg/L)
Nitrate-NO_3	10 (mg/L)
Nitrite –NO_2	3 (mg/L)
Total Dissolved Solids	1200 (mg/L)

Total coliforms	Nil/100 ml
Fluoride	1.5 (mg/L)
Phenols	Nil (mg/L)
Arsenic	0.01 (mg/L)
Cadmium	0.01 (mg/L)
Lead	0.05 (mg/L)
Selenium	0.01 (mg/L)
Copper	0.05 (mg/L)
Zinc	1.5 (mg/L)
Alkyl benzyl sulphonates	0.5 (mg/L)
Permanganate value (PV)	1.0 (mg/L)

Nil means less than limit of detection using prescribed sampling and analytical methods and equipment as determined by the Authority.

SECOND SCHEDULE [r. 9]

WATER QUALITY MONITORING FOR SOURCES OF DOMESTIC WATER

Name of Water Source .....

Sample No .....

Description of sample (untreated) .....

Date and time sample received in lab .....

Date and time sample was examined .....

Parameter		RESULTS

	Observed value		Guide value (max allowable)
pH			6.5 -8.5
Suspended solids			30 (mg/L)
Nitrate-NO_3			10 (mg/L)
Ammonia –NH_3			0.5 (mg/L)
Nitrite –NO_2			3 (mg/L)
Total Dissolved Solids			1200 (mg/L)
Total coliforms			Nil/100 ml
Fluoride			1.5 (mg/L)
Phenols			Nil (mg/L)
Arsenic			0.01 (mg/L)
Cadmium			0.01 (mg/L)
Lead			0.05 (mg/L)
Selenium			0.01 (mg/L)
Copper			0.05 (mg/L)
Zinc			1.5 (mg/L)
Alkyl benzyl sulphonates			0.5 (mg/L)
Permanganate value			1.0 (mg/L)

And any other parameters as may be prescribed by the Authority.

Remarks

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THIRD SCHEDULE [rr. 11, 12(1, 26]

STANDARDS FOR EFFLUENT DISCHARGE INTO THE ENVIRONMENT

Parameter	Max Allowable Limits
1,1,1-trichloroethane (mg/l)	3
1,1,2-trichloethane (mg/l)	0.06
1,1-dichloroethylene	0.2
1,2-dichloroethane	0.04
1,3-dichloropropene (mg/l)	0.02
Alkyl Mercury compounds	Nd
Ammonia, ammonium compounds, NO_3 compounds and NO_2 compounds	100
(Sum total of ammonia-N times 4 plus nitrate-N and Nitrite-N) (mg/l)	
Arsenic (mg/l)	0.02
Arsenic and its compounds (mg/l)	0.1
Benzene (mg/l)	0.1
Biochemical Oxygen Demand (BOD 5days at 20 ^{o}C) (mg/l)	30
Boron (mg/l)	1.0
Boron and its compounds – non marine (mg/l)	10
Boron and its compounds –marine (mg/l)	30

Cadmium (mg/l)	0.01
Cadmium and its compounds (mg/l)	0.1
Carbon tetrachloride	0.02
Chemical Oxygen Demand (COD (mg/l)	50
Chromium VI (mg/l)	0.05
Chloride (mg/l)	250
Chlorine free residue	0.10
Chromium total	2
cis –1,2- dichloro ethylene	0.4
Copper (mg/l)	1.0
Dichloromethane (mg/l)	0.2
Dissolved iron (mg/l)	10
Dissolved Manganese(mg/l)	10
E.coli (Counts / 100 ml)	Nil
Fluoride (mg/l)	1.5
Fluoride and its compounds (marine and non-marine) (mg/l)	8
Lead (mg/l)	0.01
Lead and its compounds (mg/l)	0.1
n-Hexane extracts (animal and vegetable fats) (mg/l)	30
n-Hexane extracts (mineral oil) (mg/l)	5
Oil and grease	Nil

Organo-Phosphorus compounds (parathion, methyl parathion, methyl demeton and Ethyl parantrophenyl	1.0
phenylphosphorothroate, EPN only) (mg/l)	
Polychlorinated biphenyls, PCBs (mg/l)	0.003
pH (Hydrogen ion activity----marine)	5.0-9.0
pH (Hydrogen ion activity--non marine)	6.5-8.5
Phenols (mg/l)	0.001
Selenium (mg/l)	0.01
Selenium and its compounds (mg/l)	0.1
Hexavalent Chromium VI compounds (mg/l)	0.5
Sulphide (mg/l)	0.1
Simazine (mg/l)	0.03
Total Suspended Solids, (mg/l)	30
Tetrachloroethylene (mg/l)	0.1
Thiobencarb (mg/l)	0.1
Temperature (in degrees celious) based on ambient temperature	± 3
Thiram (mg/l)	0.06
Total coliforms (counts/100 ml)	30
Total Cyanide (mg/l)	Nd
Total Nickel (mg/l)	0.3
Total Dissolved solids (mg/l)	1200
Colour in Hazen Units (H.U)	15

Detergents (mg/l)	Nil
Total mercury (mg/l)	0.005
Trichloroethylene (mg/l)	0.3
Zinc (mg/l)	0.5
Total Phosphorus (mg/l)	2
Total Nitrogen (mg/l)	2

And any other parameters as may be prescribed by the Authority from time-to-time Remarks

Standard values are daily/weekly/monthly average discharge values. Not detectable (nd) means that the pollution status is below the detectable level by the measurement methods established by the Authority.

FOURTH SCHEDULE [r. 12(2)]

MONITORING GUIDE FOR DISCHARGE INTO THE ENVIRONMENT

DISCHARGING FACILITY	Oil and Gas	Fuel dispensing stations	Dairy Products	Grain Mills	Canned Fruits and Vegetables	Canned and Preserved Sea Foods	Sugar Processing	Textiles	Cement	Feedlots	Electroplating	Organic Chemicals	Inorganic Chemicals	Plastics and Synthetics	Soap and Detergents	Fertilizer Manufacturing	Petroleum Refining	Iron and Steel Manufacturing	Non Ferrous	Phosphate Manufacturing	Steam Electric Power Generating
Water quality parameters																					
Biochemical Oxygen Demand, BOD	x	x	x	x	x	x	x	x	X	x		x	X	x	x	x	x				
Total Suspended Solids	x	X	x		x	x	x	x	x		x	x	X	x	x	x	x	X	X	x	x
pH	x	X	x	x	x	x	x	x	x	x	x	x	X	x	x	x	x	X	X	x	x
Faecal Coliforms	x		x	x	x	x	x	x	x	x	x	x	X	x	x	x	x	X	X	x	x
Oil and Grease	x	X	x	x	x	x	x	x	x	x	x	x	X	x	x	x	x	X	x	x	x
Temperature	x	X	x	x	x	x	x	x	x	x		X	X	x	x		x	X	x	x	x
Chemical Oxygen Demand, COD	x	X					x	x	x	x											
Colour/Dye/Pigment	x		x	x	x	x	x	x	x	x	x	X	x	x	x	x	x	X	x	x	x
Elemental Phosphorus																				x	
Total Phosphorus							x				x					x				x	x
Ammonia (as N)													x			x	x	X	X		
Organic Nitrogen as N							x									x					
Nitrate							x									x		x			
Flow	x		x	x	x	x	x	x	x	x	x	X	x	x	x	x	x	x	X	x	x
Phenols								x				X		x			x	x			
Sulphide	x	x						x									x	x			
Total Chromium								x			x		x				x				
Chromium VI											x		x				x				x

Chrome																				
Copper											x		x	x						x
Nickel											x		x							
Zinc											x		x	x				x			x
Total Cyanide											x		x								
Fluorine											x		x	x					X	x	
Free Available Chlorine																					
Residual Chlorine	x																				x
Cadmium											x		x					x			
Lead											x		x					x	X		
Iron											x										
Tin											x		x								x
Silver											x										
Gold											x										
Iridium											x										
Palladium											x										
Rhodium											x										
Ruthenium											x										
Mercury (total)													x								
Total Organic Carbon													x					x			
Aluminium													x					x			
Arsenic													x					x		x	
Selenium													x								
Barium																					
Manganese																		x			
Tannin																					
Settleable Solids																					
Surfactants																					

DISCHARGING FACILITY	Fero Alloy manufacturing	Leather tanning and finishing	Glass	Extractives	Asbestos manufacturing	Rubber processing	Timber products	Pulp, Paper and paperboard	Builders paper and paper board mills	Meat products	Paving and roofing materials	Intensive chemical agriculture farm	Edible vegetable oils and fats	Hotels, Restaurants and Game Lodges
Water quality parameters														
BOD		x	x	X		x	x	x	x	X	x	X	x	x
TSS	x	x	x	X	x	x	x	x	x	X	x	X		x
pH	x	x	x	X	x	x	x	x	x	X	x	X	x	x
Faecal Coliforms	x	x	x	X	x	x	x	x	x	X	x	x	x	x
Oil and Grease	x	x	x	X	x	x	x	x	x	X	x	X	x	x
Temperature	x	x	x		x	x	x	x	x	X	x		x	x
COD		X	x	X	x	x					x	X	x	
Colour/Dye/Pigment	x	x	x	X	x	x	x	x	x	X	x	x	x	x
Elemental Phosphorus								x				x		
Total Phosphorus			x	X								x		x
Ammonia (as N)	x		x	X						x		x		x
Organic Nitrogen as N												x		x
Nitrate				X										
Flow	x	x	x		x	x	x	x	x	x	x	x	x	x
Phenols	x		x				x							
Sulphide		x		X										
Total Chromium	x	x				x					X			
Chromium VI	x										X			
Copper														
Nickel														
Zinc						x					X			
Total Cyanide	x			X										
Fluorine			x			x								
Free Available Chlorine								x	x					
Residual Chlorine														
Cadmium														
Lead											X			
Iron			x											
Tin														
Silver														
Gold														

Iridium														
Palladium														
Rhodium														
Ruthenium														
Mercury (total)				X										
Total Organic Carbon														
Aluminium														
Arsenic														
Selenium														
Barium														
Manganese	x													
Tannin		x												
Settleable Solids									x					
Surfactants												x	x	

FOURTH SCHEDULE (Cont'd)

MONITORING GUIDE FOR DISCHARGE INTO THE ENVIRONMENT

DISCHARGING FACILITY	Bakeries and wheat confectioneries	Breweries (malt) Soft drinks and carbonated waters	Sugar confectionery	Tobacco processing	Distilling and blending of spirits	Motor vehicle assembly	Paints, varnishes and lacquers	Batteries manufacture	Cosmetics	Printing, publishing andallied industry	Domestic sewage system	Pharmaceutical industries	Tea/Coffee Industries	Slaughter Houses	Combined sewage (Domestic + and Industrial effluent)
Water quality parameters															
BOD	x	x X	x	X	x	x	x			x		x	x	x	x
TSS	x	x X	x				x	x				x	x	x	x
pH	x	x X	x	X	x	x	x	x	x	x		x	x	x	x
Faecal Coliforms/Ecoli.	x	x X	x	X	x	x	x	x	x	x		x	x	x	x
Oil and Grease	x	X x	x	X	x	x	x	x	x	x		x		x	x
Temperature	x	x X	x	X	x	x	x	x	x	x				x	
COD	X	x X	x		x	x	x	x	x	x		x	x	x	x
Colour/Dye/Pigment	x	x X	x	X	x	x	x	x	x	x		x	x	x	x
Elemental Phosphorus															
Total Phosphorus			x											x	x
Ammonia (as N)							x							x	x
Organic Nitrogen as N			x										x	x	x
Nitrate															x
Flow	x	x X	x	X	x	x	x	x	x	x		x	x	x	x
Phenols															x

Sulphide/Sulphur			x							x				x
Total Chromium							x							x
Chromium VI														x
Chrome														x
Copper													x	x
Nickel												x		x
Zinc							x	x				x	x	x
Zinc A														
Total Cyanide														x
Fluorine														x
Free Available Chlorine								x		x				x
Cadmium												x		x
Lead						x	x	x		x		x		x
Iron						x	x	x		x				x
Tin														x
Silver														x
Gold						x				x				x
Iridium														x
Palladium														x
Rhodium														x
Ruthenium														x
Mercury						x			x	x				x
Total Organic Carbon, TOC														
Aluminium														x
Arsenic														x
Selenium														x
Barium														x
Manganese														x
Tannin														x
Oil									x					X
Settleable Solids						x				x				
Surfactants							x					x		X

X Means parameters to be monitored

And any other parameters and/or discharging facilities as may be prescribed by the Authority from time to time.

FIFTH SCHEDULE [r. 13]

STANDARDS FOR EFFLUENT DISCHARGE INTO PUBLIC SEWERS

PARAMETER	Maximum levels permissible
Suspended solids (mg/L)	250

Total dissolved solids (mg/L)	2000
Temperature ^{0}C	20-35
pH	6-9
Oil and Grease (mg/L)-	5
Ammonia Nitrogen (mg/L)	20
Substances with an obnoxious smell	Shall not be discharged into the Sewers
Biological Oxygen Demand BOD5 days at 20 ^{o}C (mg/L)	500
Chemical Oxygen Demand COD (mg/L)	1000
Arsenic (mg/L)	0.02
Mercury (mg/L)	0.05
Lead (mg/L)	1.0
Cadmium (mg/L)	0.5
Chromium VI (mg/L)	0.05
Chromium (Total) (mg/L)	2.0
Copper (mg/L)	1.0
Zinc (mg/L)	5.0
Selenium (mg/L)	0.2
Nickel (mg/L)	3.0
Nitrates (mg/L)	20
Phosphates (mg/L)	30

Cyanide Total (mg/L)	2
Sulphide (mg/L)	2
Phenols (mg/L)	10
Detergents (mg/L)	15
Colour	Less than 40 Hazen units
Alkyl Mercury	Not Detectable (nd)
Free and saline Ammonia as N (mg/L)	4.0
Calcium Carbide	Nil
Chloroform	Nil
Inflammable solvents	Nil
Radioactive residues	Nil
Degreasing solvents of mono-di-trichloroethylene type	Nil

And any other parameter as the Authority and the sewerage service provider may prescribe.

SIXTH SCHEDULE [r. 14(2)]

MONITORING FOR DISCHARGE OF TREATED EFFLUENT INTO THE ENVIRONMENT

Name of organization .....

Name of facility .....

Nature of activities .....

Sample No .....

Description of sample .....

Date and time sample received in lab .....

Date and time sample was examined .....

Parameter		RESULTS		
Sample upstream	Sample at discharge point	Sample downstream	Guide value	Remark
pH			6.5-8.5	
Biological Oxygen Demand (5 days at 20 °C)			30 (mg/L) max	
Chemical Oxygen Demand			50 (mg/L) max	
Suspended solids			30 (mg/L) max	
Ammonia $-NH_4$ + Nitrate-$N0_3$ + Nitrite $-N0_2$			100 (mg/L) max	
Total Dissolved Solids			1200 (mg/L) max	
E.Coli			Nil/100 ml	

*Based on sampling analysis monitoring frequency. (daily/weekly/monthly/quarterly)

Others

1 .....

2 .....

3 .....

4 .....

As guided by the Fourth Schedule or as may be directed by the Authority

SEVENTH SCHEDULE [r. 16(1), 17, 19]

FORMS

FORM A:

APPLICATION FOR EFFLUENT DISCHARGE INTO THE ENVIRONMENT

Part A – DETAILS OF APPLICANT

A 1. Name of applicant: .....

A 2. Personal Identification Number .....

A 3. Postal Address: .....

.....

A 4. Name of contact person: .....

.....

.....

A 5. Telephone No. .....

A 6. E-mail .....

A 7. Previous Licence Number .....

PART B - DETAILS OF DISCHARGING FACILITY

B 1. EIA License Number/ Environmental Audit reference number .....

B 2. Location of discharging facility (County, subcounty, location, sub-location, GPS coordinates):.....

B 3. Activity of discharging facility (e.g. coffee factory, sewage plant, tea factory)

.....

B 4. Nature and composition of effluent:.....

B 5. Does the facility have effluent treatment plant (Yes or No)?

.....

B 6. Maximum quantity of effluent which is proposed to be discharged on any one day (in M^3 /day)

B 7. The highest rate at which it proposes to discharge the effluent (in M^3/hr.)

.....

B 8. Source of processing water to the facility .....

B 9. Does the facility have access to a Laboratory for monitoring the quality of discharged effluent?

(Yes or No) .....

B 10. Description of the activities of the facility .....

.....

.....

B 11. Point of discharge (description including GPS coordinates):

.....

1.1.1 PART C: DECLARATION BY APPLICANT

I hereby certify that the information given above is correct and true to the best of my knowledge:
.....

Signature of the Applicant.....

Full Names in Block letters.....

Position

On behalf of: .....

(Firm name and seal)

Date: .....

PART D: FOR OFFICIAL USE

Approved/Not Approved……

COMMENTS ……

……

……

Official Signature……

Date ……

Important Notes: Please submit the following: (a) Online application form (b) relevant attachments and (c) Prescribed fee.

FORM B:

THE ENVIRONMENTAL MANAGEMENT AND CO-ORDINATION ACT

EFFLUENT DISCHARGE LICENCE

Application Reference No. ……

Licence No. ……

FOR OFFICIAL USE

This is to certify that the application for discharge to the Environment received from ..... (name of applicant) of .....(address) to the National Environment Management Authority in accordance with Water Quality Regulations for..... (facility) located at ..... (locality and County) to discharge effluent to ..... has been evaluated and a licence is hereby issued for discharge, subject to the attached conditions.

Dated this ..... day of ..... 20.....

Signature: .....

(Official Stamp)

Director General

National Environment Management Authority

Conditions of Licence

1. This Licence is valid for a period of ..... from the date hereof
2. Frequency of Monitoring (Daily/Weekly/Monthly/Quarterly/Biannually) .....
3. .....
4. .....

EIGHTH SCHEDULE [r. 21]

Microbiological quality guidelines for waste water use in irrigation

Reuse conditions	Exposed group	Intestinal	Coliforms (MPN/100 ml)
		nematodes	
		(MPN/L)*	

Unrestricted irrigation (crops	Workers, consumers,		<1000**
likely to be eaten uncooked,	Public	<1	
sports fields, public parks)			
Restricted irrigation (cereal	Workers	<1	No recommended standard
crops, industrial crops, fodder			
crops, pasture and trees***			

* Ascaris lumbricoides, Trichuris trichiura and human hookworms.

** A more stringent guideline (<200 coliform group of bacteria per 100 ml) is appropriate for public lawns, such as hotel lawns, with which the public may come into direct contact.

*** In the case of fruit trees, irrigation should cease two weeks before fruit is picked and fruit should be picked off the ground. overhead irrigation should not be used.

NINTH SCHEDULE [r. 22]

STANDARDS FOR IRRIGATION WATER

Parameter	Permissible Level	
pH		6.5-8.5
Aluminium	5	(mg/L)
Arsenic	0.1	(mg/L)
Boron	0.1	(mg/L)
Cadmium	0.5	(mg/L)

Chloride	0.01	(mg/L)
Chromium	1.5	(mg/L)
Cobalt	0.1	(mg/L)
Copper	0.05	(mg/L)
E.coli	Nil/100 ml	
Fluoride	1.0	(mg/L)
Iron	1	(mg/L)
Lead	5	(mg/L)
Selenium	0.19	(mg/L)
Sodium Absorption Ratio (SAR)	6	(mg/L)
Total Dissolved Solids	1200	(mg/L)
Zinc	2	(mg/L)

And any other parameters as may be prescribed by the Authority from time to time

TENTH SCHEDULE [r. 27]

QUALITY STANDARDS FOR WATER FOR RECREATIONAL USE

PARAMETER	MAXIMUM PERMISSIBLE LEVEL
Arsenic (mg/l)	0.05
Fecal coliform (Counts/100 ml)	Nil
Total coliform (Counts/100 ml)	500
Cadmium	0.01
Chromium	0.1

Colour (True Colour Units)	100
Light Penetration (meters)	1.2
Mercury (mg/L)	0.001
Odour (Threshold Odour Number, TON)	16
Oil and Grease (mg/L)	5
pH	6 – 9
Radiation, Total (Bq/L)	0.37
Surfactant, MBAs (mg/L)	2
Temperature (^{0}C)	30
Turbidity (NTU)	50

And any other parameters as may be prescribed by the Authority from time to time

ELEVENTH SCHEDULE [rr. 15(b), 16(1)(b)]

FEES

		Fee (Ksh)
The fees chargeable under these Regulations shall be as specified hereafter:		
1. Application for discharge of effluent into the environment		
	a) Sewerage service providers	10,000
	b) Discharging facility in Schedule 4 other than (a) above	10,000
	c) Any other institution	10,000
2. Annual License fee for discharge of effluent into the environment		
a)	Sewerage service providers sector—	

	Category (I) ⩾ - 80,000 M DWF Design Capacity	550,000
	Category (II) ⩾ 60,000<80,000m^3 DWF Design Capacity	440,000
	Category (III ⩾ 40,000<60,000m^3 DWF Design Capacity	330,000
	Category (IV) ⩾ 20,000<40,000m^3 DWF Design Capacity	220,000
	Category (V) 20,000m^3 DWF Design capacity	110,000
Discharging facility in Schedule 4 other than (a) above - and for-		110,000
(i)	*Petroleum sector*	
	Category (I) Depots, pump stations and refineries	110,000
	Category (II) Service station (Filling station + Vehicle service + carwash)	82,500
	Category (III) Service station (Filling station +Vehicle service)	55,000
	Category (IV) Filling station ⩾ 50M^3 (Tank Storage)	33,000
	Category (V) Filling Station <50M^3 (Tank storage)	27,500
	Hotels, Camps and lodges sector	27,500
(ii)	Category (I) ⩽ 25 persons bed capacity	
	Category (II) >25 ⩽ 50 persons bed capacity	33,000
	Category (III)>50 ⩽ 75 persons bed capacity	55,000
	Category (IV) >75 ⩽ 100 Persons bed capacity	82,500
	Category (V) >100 Persons bed capacity	110,000
(iii)	*Agro-based Processing Industries*	
	Category (i) ⩾ 2,000 M^3 DWF Design capacity	110,000

	Category (i) ⩾ 1500 <2,000 M^3 DWF Design capacity	82,500
	Category (i) ⩾ 1000 <1500 M^3 DWF Design capacity	55,000
	Category (i) ⩾ 1,000 M^3 DWF Design capacity	33,000
(iv)	*Abbartoirs/slaughterhouses*	
	Category (i) ⩾ 40 animals per day	110,000
	Category (ii) ⩾ 20 < 40 animals per day*	82,500
	Category (iii) ⩾ 6 < 20 animals per day	55,000
	Category (iv) <6 animals per day	22,000
(v)	*Chemical-based Processing Industries*	
	Category (i) ⩾ 2,000 m^3 DWF Design Capacity	110,000
	Category (ii) ⩾ 1500<2,000 m^3 DWF Design Capacity	82,500
	Category (iii) ⩾ 1000<1500 m^3 DWF Design Capacity	55,000
	Category (iv) <1,000 m^3 DWF Design Capacity	33,000
(vi)	*Intensive Chemical Agriculture*	
	Category (i) ⩾ 40 HA Acreage	110,000
	Category (ii) ⩾ 30 <40 HA Acreage	82,500
	Category (iii) ⩾ 20<30 HA Acreage	55,000
	Category (iv) ⩾ 10 <20 HA Acreage	33,000
	Category (v) < 10 HA Acreage	22,000
(vii)	*Institutions*	

	with populations ⩾ 1000 persons	110,000
	with populations ⩾ 500⩽ 999	55,000
	with populations ⩾ 100 ⩽ 499	33,000
	with populations ⩾ 50 ⩽ 99	22,000
(viii)	*Medical facilities*	
	with bed capacity ⩾ 1000	110,000
	with bed capacity ⩾ 500⩽ 999	55,000
	with bed capacity ⩾ 100 ⩽ 499	33,000
	with bed capacity ⩾ 50 ⩽ 99	22,000
(ix)	*Commercial premises*	
	Category (i) ⩾ 2,000 m^3 DWF Design Capacity	110,000
	Category (ii) ⩾ 1500<2,000 m^3 DWF Design Capacity	82,500
	Category (iii) ⩾ 1000<1500 m^3 DWF Design Capacity	55,000
	Category (iv) <1,000 m^3 DWF Design Capacity	33,000
(x)	*residential premises*	
	with > 100 housing units	22,000
	with ⩾ 50 ⩽ 100 housing units	11,000
xi)	Car wash facilities	25,000
xii)	Other facilities/institutions	25,000
3. Inspection of records/effluent register		500