

ANNEX-3

Minutes of Meeting

on

**The Preparatory Survey for
Integrated Solid Waste Management
in Nairobi City in the Republic of Kenya**

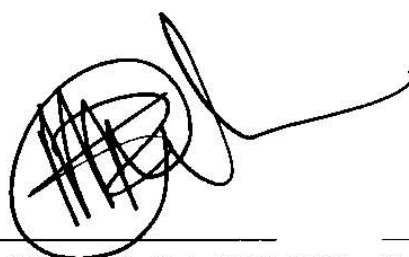
11 May 2010

MINUTES OF MEETING
ON
THE PREPARATORY SURVEY
FOR
INTEGRATED SOLID WASTE MANAGEMENT IN NAIROBI CITY
IN
THE REPUBLIC OF KENYA

NAIROBI, 11th May, 2010



Mr. Masaaki Kato
Chief Representative
Kenya Office
Japan International
Cooperation Agency (JICA)



Mr. Philip M. A. Kisia, MBS, FKIM
Town Clerk
City Council of Nairobi



Mr. Musyimi F. K., CBS, HSC
Acting Permanent Secretary
Office of the Deputy Prime Minister and
Ministry of Local Government

The minutes of meeting have been prepared to confirm the points agreed upon between the authorities concerned of the Government of the Republic of Kenya and Japan International Cooperation Agency, in order to change the Scope of Work of the Preparatory Survey for Integrated Solid Waste Management in Nairobi City in the Republic of Kenya (hereinafter referred to as "the Survey") agreed on 6th August 2009.

1. Original of Scope of Work in Terms of Survey Area

Both sides confirmed the survey area in the original Scope of Work agreed on 6th August 2009 as "The Survey will cover the whole area of Nairobi City as shown in the attached Annex 1."

2. New Scope of Work in Terms of Survey Area

Both sides agreed that the survey area in the original Scope of Work agreed on 6th August 2009 was changed to "The Survey will cover the whole area of Nairobi City as shown in the attached Annex 2 which includes six (6) landfill candidate sites outside of Nairobi City."

3. Reason of the Necessity of Defining the New Scope of Work

Both sides confirmed the reason of the necessity of defining the new Scope of Work as follows:

3-1. Necessity to consider two options regarding construction of final disposal sites

We should consider two options in terms of construction of final disposal sites as follows in order to attain high feasibility of Master Plan.

Option1: Landfill site at Ruai

Option2: Landfill sites at Ruai and the other candidate site

3-2. Necessity to consider the possibility of candidate sites outside Nairobi City

As a result of the screening in the course of the Survey so far, it is obviously realized that there are no suitable landfill sites in Nairobi City except Ruai. Therefore, it is required to consider the other alternative sites outside of Nairobi City additionally in order to secure technical viability.

4. Detailed Survey Items under the New Scope of Work

Both sides confirmed that the following detailed survey items should be added after screening the candidate sites showing Annex 2 under the new Scope of Work:

4-1. Site Reconnaissance

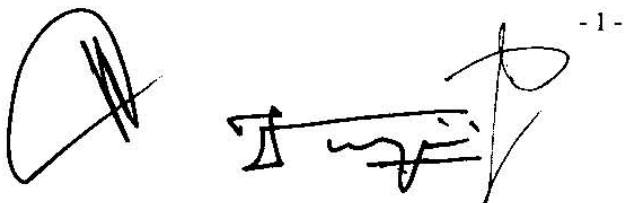
The site reconnaissance will be carried out to examine natural and social environmental conditions of the site.

4-2. Site Screening

The candidate sites will be screened in terms of the following criteria:

- Authenticity regarding reserve areas or national parks
- Jurisdiction of military authorities
- Status of land tenure or land ownership
- Volume of candidate site as final disposal
- Geological and hydrological situation
- Historical land use and future land use plan

- 1 -



- Accessibility to existing transportation and future transportation plan

4-3. Initial Environmental Examination

The Initial Environmental Examination for the candidate sites after the above screening will be carried out in accordance with JICA guidelines for environmental and social considerations.

4-4. Project Cost Estimation

Project cost will be estimated in consideration of the additional candidate sites after screening for the purpose of master plan formulation.

4-5. Evaluation of Technical Alternatives

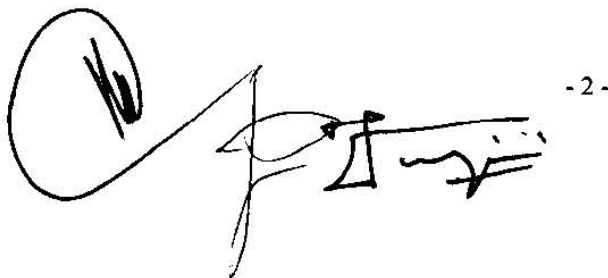
Technical alternatives including the additional candidate sites will be evaluated and compared in terms of technical, financial, environmental and socioeconomic points of view.

END

Annex 1: Location of the Original Survey Area

Annex 2: Location of the New Survey Area

- 2 -

A handwritten signature in black ink, consisting of stylized, overlapping loops and strokes. To the left of the signature is a large, hand-drawn circle containing a few vertical lines.

Annex 1

Map of the Survey area

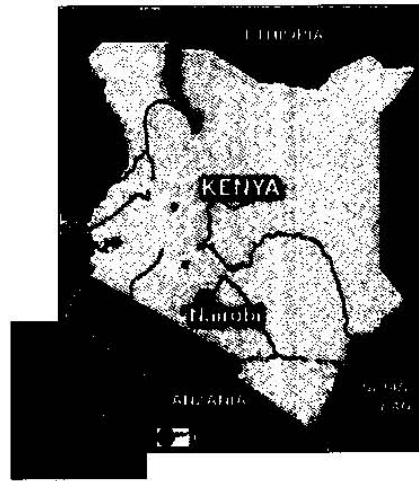
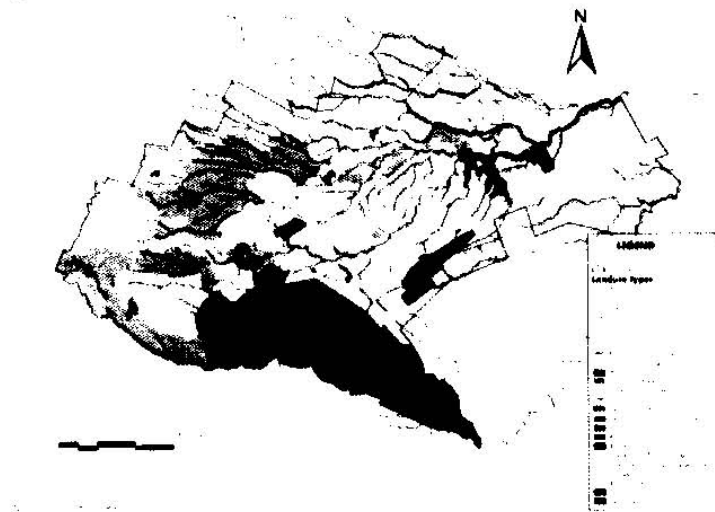
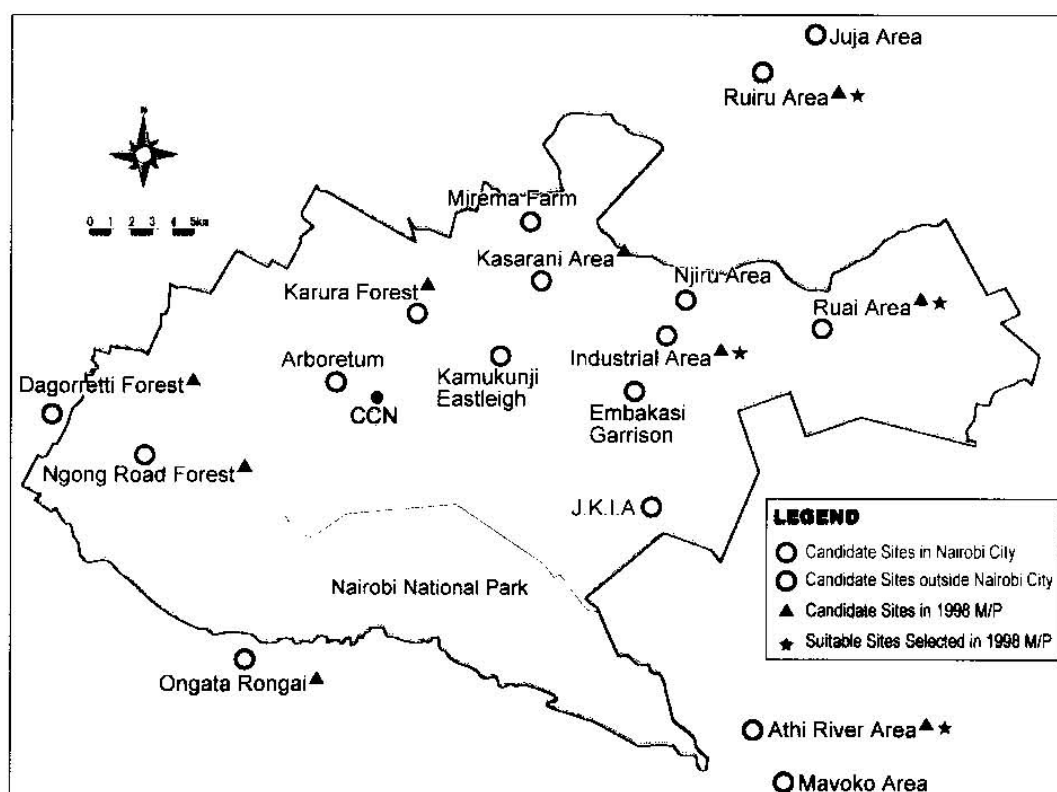


Figure 3.1: Land use map of Nairobi



Location of the Original Survey Area




Location of the New Survey Area

ANNEX-4

Minutes of Meeting
on
The Draft Final Report
for
The Preparatory Study for
Integrated Solid Waste Management
in Nairobi City in the Republic of Kenya
23 July 2010


MINUTES OF MEETING
ON
THE DRAFT FINAL REPORT
FOR
THE PREPARATORY SURVEY FOR
INTEGRATED SOLID WASTE MANAGEMENT
IN
NAIROBI CITY
IN
THE REPUBLIC OF KENYA

Nairobi
23 July 2010


Mr. Victor Ogutu
Assistant Director
Urban Development Department
Office of the Deputy Prime Minister and
The Ministry of Local Government

(Witness)


Mr. Issac Muraya
Assistant Director
Department of Environment
City Council of Nairobi


Mr. Masakazu Maeda
Team Leader
JICA Survey Team


Mr. John Ngugi
Senior Programme Officer
JICA Kenya Office

1. INTRODUCTION

In accordance with Scope of Work for the Preparatory Survey for Integrated Solid Waste Management in Nairobi City in the Republic of Kenya (hereinafter referred to as “the Survey”) agreed upon between the Office of the Deputy Prime Minister and Ministry of Local Government and Japan International Cooperation Agency (hereinafter referred to as “JICA”) on 6 August, 2009, JICA dispatched a Preparatory Survey Team to Nairobi. The JICA Survey Team, headed by Mr. Masakazu Maeda, and composed of members from CTI Engineering International Co., Ltd. and NJS Consultants Co., Ltd., has carried out the Survey in Nairobi and Japan since November 2009.

The JICA Survey Team has prepared a Draft Final Report that presents all the results of the Survey and analysis conducted during the Survey.

The JICA Survey Team submitted twenty (20) copies of the Draft Final Report to the Department of Environment, the City Council of Nairobi on 13 July 2010. The meeting on the Draft Final Report was held on the 23 July 2010 at the conference room of Cianda House, Ministry of Local Government. The participants are listed in Annex-I.

The meeting was chaired by Mr. Victor Ogutu, Assistant Director of Urban Development Department, the Office of the Deputy Prime Minister and the Ministry of Local Government, who welcomed the members of the Steering Committee and the JICA Survey Team and all the other participants. A brief self-introduction was conducted at first.

2. APOLOGIES

Eng. Christine Ogut, Eng. Gordon, Mr. Barreh (CCN), Mr. Miriti (MoNMD), Mr. Malwa (NEMA), Eng. Mangiti (MoWI), and Eng. Kamau (MoF).

3. MATTERS ARISING FROM THE MINUTES OF THE FOURTH STEERING COMMITTEE MEETING ON 11TH OF JUNE 2010

Mr. Ogutu of the Office of the Deputy Prime Minister and the Ministry of Local Government explained the discussion items on the minutes of the fourth Steering Committee Meeting held on 11th of June 2010 (see Annex-II). Corrections and confirmation were made as the following points

- i. “AGENDA”; Correction was made as follows:

Original

1. Confirmation of steering committee members.

Correction

1. Confirmation of steering committee meeting.

- ii. “Min 1”; Correction was made as follows:

Original

Confirmation of steering committee members.

Correction

Confirmation of steering committee meeting.

iii. "Min 1"; Correction was made as follows:

Original

.... seconded by Nyam

Correction

..... seconded by Nyambok

iv. "Min 3"; Correction was made as follows:

Original

SEA progress has made

Correction

SEA progress has been made

v. "Min 3", SEA (Strategic Environmental Assessment)

It was confirmed that NEMA trained CCN officers and MOU was made between CCN and NEMA. SEA will be completed after finalisation of MOU.

vi. "Min 3"; Correction was made as follows:

Original

Invite KCA

Correction

Invite KCAA

vii. "Min 3", KENGEN

It was confirmed that KENGEN has commenced a feasibility study of waste to energy and progress of the study should be given to the steering committee members.

viii. "Min 4", Dandora

It was confirmed that Ruai is to be used as a final disposal site and CCN ensures that Dandora is available for use as a material recovery facility (MRF) as recommended in the Draft Final Report.

ix. "Min 4", 4R (Reduce, Reuse, Recycle and Recover)

Mr. Maeda explained that "recover" of 4R can be included in "reuse" and "recycle". Therefore, 4R should change into 3R and it was agreed this change as mentioned below.

Original

4R & Intermediate

Correction

3R & Intermediate

x. "Min 4"; Dar-es-Salaam Study

It was confirmed that a case study of Dar-es-Salaam should be included in the Final Report.

- xi. "Min 4"; Correction was made as follows:

Original

Zoning will be effected implementing PPP scheme.

Correction

Zoning will be effected by implementing PPP scheme.

- xii. "Min 4"; Correction was made as follows:

Original

Franchising system and administration reforms.

Correction

Franchising system and administrative reforms.

4. BRIEFING ON THE CONTENTS OF THE DRAFT FINAL REPORT

The Draft Final Reports have been distributed to the Kenyan side and the JICA Survey Team would like to have comments on the reports. The major points of the discussions on the Draft Final Report are summarised below while the contents of the reports were accepted in principle.

- i Kayole site

It was confirmed that Kayole site is illegal dumpsite and should not be used any more.

- ii. Comments in the Seminar

It was agreed that all comments in the Seminar held on 14th of July 2010 should be incorporated into the Final Report.

- iii. Medical Waste

Mr. Longolomoi of the Ministry of Public Health and Sanitation (MoPHS) mentioned that the technical working group of medical waste is being facilitated by the MoPHS, and centralised disposal of the medical waste is considered. It was confirmed, however, that the JICA Survey did not formulate the master plan of medical waste management because that it was not in their scope of work.

- iv. Reports to be Open to the Public

It was confirmed that the Kenyan side agreed to make the reports open to the public in order to achieve maximum use of the Survey results.

- v. Comments on the Draft Final Report

It was agreed that Mr. Muraya of the City Council of Nairobi will receive comments on the Draft Final Report from the other members and send the comments to Mr. Ogutu, Chairperson of the Steering Committee, and Mr. Maeda of the JICA Survey Team by 31 July 2010 after compilation of all comments by the other related agencies.

5. PREPARATORY ACTION FOR THE IMPLEMENTATION OF THE MASTER PLAN

Mr. Maeda explained the preparatory actions for implementation of the master plan (see Annex-3), and the following issues were discussed and confirmed.

i. Commitment by the Kenyan Government

It was confirmed that JICA headquarters felt that a strong commitment by the Government of Kenya on establishment of Solid Waste Management Public Cooperation (SWMPC) was required for the next stage of implementation at least.

Mr. Muraya mentioned that the Department of Environment has reported officially the progress and outputs of the Survey results including the establishment of SWMPC so far and the Council has already approved the Survey.

It was agreed that commitment by CCN should be made first and the Minister of Local Government would be endorsed it accordingly.

ii. Priority 1: Setting Up Preparatory Unit for SWMPC in the Department of Environment

It was agreed that all actions under the Priority 1 should be carried out.

iii. Priority 2: Preparation of Construction of New Sanitary Landfill Site and Closure of Dandora Dumpsite

Ms. Wamai of the Ministry of Environment and Mineral Resources reported that the budget of the implementation of these two EIAs was already secured under the Nairobi River Basin Rehabilitation Programme.

It was confirmed that CCN should initiate the preparation of the implementation in consultation of the Ministry of Environment and Mineral Resources and NEMA. It was also confirmed that the TOR of EIAs was included in the Section G of Data Book in the Draft Final Report, and Mr. Maeda would send the soft copy of the TOR to CCN, the Ministry of Environment and Mineral Resources and the Chairperson of the Steering Committee.

iv. Priority 3: Preparation for Creation of SWM Special Account

It was agreed that PA-3-1 should be deleted because that this action was duplicated in the Priority 1.

It was agreed that PA-3-4 and PA-3-5 should be deleted because that there was no need to transfer the current SWM budget to the Special account and legalisation of the SWM special account.

v. Priority 4: Preparation for Drafting the By-law for the Establishment of SWMPC

It was agreed that the Office of the Deputy Prime Minister and the Ministry of Local Government should carry out this action.

It was agreed that "drafting the By-law" should be replaced to "drafting the Act".

It was agreed that "reviewing Water Act 2002" should be replaced to "reviewing EMCA 1999".



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vi. Priority 5: Preparation for Introducing the Step-wise Franchise System

It was agreed that all actions under the Priority 1 should be carried out.

vii. Guidance the Preparatory Actions

It was agreed that the Office of the Deputy Prime Minister and the Ministry of Local Government should guide and coordinate with other related members to implement the Preparatory Actions.

It was agreed that periodic meetings should be held to check the progress of the implementation of the Preparatory Actions among the related members and JICA Kenya Office.

It was confirmed that the high level of meeting with attendance of the Permanent Secretary in the related ministries was also required for coordination of the implementation of the program.

6. A.O.B.

Mr. Ngugi of JICA Kenya Office mentioned that the Seminar on 14th of July was successfully done with many stakeholders.

ANNEX-I

LIST OF PARTICIPANTS

Steering Committee

Victor Ogutu	Urban Development Department (UDD), Office of the Deputy Prime Minister and the Ministry of Local Government
Isaac Muraya	Department of Environment (DoE), City Council of Nairobi (CCN)
Daniel Ngari	Department of Social Services, CCN
Caroline Wamai	Ministry of Environment and Mineral Resources
Ibrahim Longolomoi	Ministry of Public Health and Sanitation
Eng. T.N. Gitahi	Ministry of Energy

JICA Survey Team

Mr. Masakazu Maeda	Team Leader, Solid Waste Management Planner
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JICA Kenya Office

Mr. John Ngugi	Senior Programme Officer
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ANNEX-II

STEERING COMMITTEE MEETING HELD AT CIANDA HOUSE ON 11TH JUNE 2010 AT CIANDA HOUSE

Attendance list:

S/No	Name	Organisation	Telephone	Physical Address
1.	Victor Ogutu	ODPM & MLG	0722-191057	Cianda House
2.	Silas Nyambok	ODPM & MLG	0724-553123	Cianda House
3.	Maeda, Masakazu	JICA Survey Team	0717766268	City Hall Annex
4.	Sebastian Jara	JICA survey team	0719-191057	City Hall Annex
5.	Kimimmi Tachnama	JICA Survey Team		City Hall Annex
6.	Takehiko Ogawa	JICA Survey Team		City Hall Annex
7.	Masaharu Takasugi	Jica Survey Team	0719-388830	City Hall Annex
8.	Sampei Nakanishi	JICA Survey Team		City Hall Annex
9.	Gordon Okello	CCN	07249338830	City Hall
10.	Eng. Christine Ogut	CCN	0720941496	City Hall
11.	Isaac Muraya	CCN	0722-840121	City Hall
12.	Leah Oyake	CCN		City Hall

AGENDA

1. Confirmation of steering committee members
2. Apologies
3. Matters Arising
4. Progress of the Survey

Minute	Discussion	Actor
Min 1	Confirmation of steering committee members ⇒ Confirmation of previous meeting proposed by Leah and seconded by Nyam	
Min 2	Apologies <input type="checkbox"/> Eng. S. K. Kamau - Ministry of Finance <input type="checkbox"/> Anne Marie Kinyanjui - UNEP	
Min 3	Matters Arising ⇒ SEA progress has made and CCN and NEMA is developing an MOU. ⇒ Invite KCAA for next Steering Committee ⇒ KENGEN to undertake feasibility on waste to energy. Consultants on site. ⇒ Census report was not availed. ⇒ All solid waste management proposals to await the outcome of JICA survey.	
Min. 4	Progress of the Survey Technical alternatives for waste collection and transport plan of the master plan	

	<ul style="list-style-type: none"> <input type="checkbox"/> Candidate sites outside Nairobi include Ruai, Mavoko and Juja. <input type="checkbox"/> Nine different cases presented. <input type="checkbox"/> Planning policy of collection and transportation gave different roles to SWM actors including CCN and franchisees. <input type="checkbox"/> Estimates on number of collection and transportation vehicles will be based on new zones. The city will be divided into nine zones. <input type="checkbox"/> Selecting optimum technical alternative to be cost-effective. <p>Comments Arising from Presentation</p> <ul style="list-style-type: none"> <input type="checkbox"/> Not to use new SWM terms which are not universally adopted e.g. use flats instead of rows of houses. <p>Final Disposal Plan</p> <ul style="list-style-type: none"> <input type="checkbox"/> Dandora dumping site will be used until 2017. <input type="checkbox"/> Out of the 46 ha, only 2 ha belong to CCN in terms of ownership. <input type="checkbox"/> There is need to acquire the entire dumping area as a public facility. <input type="checkbox"/> The decommissioning of Dandora expected to cost 1.3 billion. <input type="checkbox"/> The Chief Valuer to be invited to next Steering Committee to clarify issues in relation to ownership of Dandora. <input type="checkbox"/> Seventeen candidate sites for final disposal presented. <input type="checkbox"/> Only three sites namely Ruai, Mavoko and Juja and any can be chosen depending on the chosen mode of transportation and collection. <input type="checkbox"/> A list of illegal dumping areas and cleaning up cost implications were presented. <input type="checkbox"/> A total of 12,400 metric tonnes in various parts of the city are illegal dumped. <p>Comments Arising from Presentation</p> <ul style="list-style-type: none"> <input type="checkbox"/> A conceptual post closure plan at Dandora should be made in the master plan. <p>4R & Intermediate Treatment Plan</p> <ul style="list-style-type: none"> <input type="checkbox"/> Method of treatment and calorific value was presented giving comparison of the Japan case. <input type="checkbox"/> Nairobi waste calorific value is too low due to high moisture, and ash content. <input type="checkbox"/> Four alternatives for intermediate treatment were given. <input type="checkbox"/> Composting is proposed as most suitable intermediary treatment alternative <input type="checkbox"/> Waste reduction, recovery, reuse and recycling (4R) plan was presented. <p>Outline of Public-Private Partnership (PPP) Scheme</p> <ul style="list-style-type: none"> <input type="checkbox"/> Private sector involvement is proposed as one of the realistic and optimum option. <input type="checkbox"/> Zoning will be effected implementing PPP scheme. <input type="checkbox"/> A solid waste management company to be established. 	
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	<ul style="list-style-type: none"> <input type="checkbox"/> Franchising system should be in tandem with proposed legal and administration reforms. <input type="checkbox"/> JICA team to compare the Dar-Es-Salaam solid waste management system. <input type="checkbox"/> Far reaching reforms needed so as to create waste management company. <p>Financial Analysis in the Master Plan</p> <ul style="list-style-type: none"> <input type="checkbox"/> Based on basic conditions like waste charge levels at household, waste charge level of business establishment, collection rate of wastes etc. <input type="checkbox"/> There should be improved waste charge system. <input type="checkbox"/> The collection rate for charges appears contradictory. The team was requested to review. <input type="checkbox"/> The study should look into the applicability of implementation keenly. 	
A.O.B	<p>Team members requested that:-</p> <ul style="list-style-type: none"> ☞ Workshop for CCN officers and Councillors to be held on 9th July 2010. ☞ Seminar for inviting Minister of MOLG, Ambassador of Japan, Mayor and Town Clerk to be held on 14th July 2010. ☞ Draft final report to be submitted on 12th July 2010. ☞ Need for costing all aspects of ISWMP including infrastructural development. ☞ Apologies for CCN team for being late. ☞ JICA representative invited for NTT retreat. ☞ Also need for a representation from MOLG. 	






ANNEX-III

**Preparatory Actions for Implementation of the Master Plan
by Middle of 2011 to be Completed
by the Department of Environment**

**Priority 1: Setting up Preparatory Unit (PU) for SWM Public Corporation (SWMPC) in the
Department of Environment (DoE): S-4-1**

- + SWMPC should be established by the beginning of 2015 for starting the operation from the beginning of 2016. One-year preparation period will be required for the tendering process by SWMPC after its establishment. The Preparatory Unit for SWMPC should be urgently established inside the DoE.
- + The detailed concept for the organisational structure for the Preparatory Unit is recommended in the Section B of the Supporting Report of the JICA Master Plan Final Report.
- + The preparatory unit will be the target of the proposed Comprehensive Capacity Development Programme (CCDP).
- + To initiate the CCDP, the following actions are required to be carried out:
 - ▶ PA-1-1: Selection of 3 Unit Managers and 13 Sub-Unit Chiefs in accordance with the JICA Master Plan Final Report
 - ▶ PA-1-2: Selection of Staff of Each Unit
 - ▶ PA-1-3: Setting up the office (The Office for the JICA Survey Team is recommend to be utilised for the office of the Preparatory Unit.)
 - ▶ PA-1-4: Official Declaration of Setting-up the Preparatory Unit
 - ▶ PA-1-5: Formulation of the Detailed Job Description of Staff of the Preparatory Unit in accordance with the Recommendations by the JICA Master Plan Final Report
 - ▶ PA-1-6: Preparation of Provision of Incentives for Additional Tasks for the Selected Unit Managers, Chiefs and Staff
 - ▶ PA-1-7: Application of the Budget of the Preparatory Unit for the Financial Year 2012

**Priority 2: Preparation of Construction of New Sanitary Landfill Site and Closure of Dandora
Dumpsite: S-3-2 & S-3-4**

- + To construct a new landfill site and close the Dandora in time, the following actions are required to be carried out:
 - ▶ PA-2-1: Preparation of Implementation of Environmental Impact Assessment (EIA) for Constructing the New Sanitary Landfill Site at Ruai

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[Signature]

- ▶ **PA-2-2:** Preparation of Implementation of Environmental Impact Assessment (EIA) for Decommissioning the Dandora Dumpsite

Priority 3: Preparation for Creation of SWM Special Account: S-4-4, S-5-6 & S-6-1

- + To create the Special Account for SWM, the following actions are required to be carried out:
 - ▶ **PA-3-1:** Formation of Task Force for Cost Accounting for SWM
 - ▶ **PA-3-2:** Requesting MoLG to Create Special Account for SWM
 - ▶ **PA-3-3:** Listing up Revenue Items and Expenditure Items
 - ▶ **PA-3-4:** Preparation of Transferring the Current SWM Budget to Special Account for SWM
 - ▶ **PA-3-5:** Preparation of Legalisation for the SWM Special Account

Priority 4: Preparation for Drafting the By-law for the Establishment of SWMPC: S-5-4

- + To smoothly draft the By-law for the Establishment of SWMPC, the following preparatory works should be initiated:
 - ▶ **PA-4-1:** Reviewing Water Act 2002
 - ▶ **PA-4-2:** Conducting Prior Consultation with MoLG
 - ▶ **PA-4-3:** Listing up Major Sections and Clauses for the Preparation of Drafting the By-law for the Establishment of SWMPC

Priority 5: Preparation for Introducing the Step-wise Franchise System: S-7-1

- + To prepare the Zoning for Franchise System, the following actions are required to be carried out:
 - ▶ **PA-5-1:** Drafting Boundaries of Franchise Zones by Using Zoning Map based on the Recommendation by the JICA Master Plan Final Report
 - ▶ **PA-5-2:** Rough Estimate of Population of Franchise Zones (If the latest Census data is available, the population of the Zones should be updated based on the new data.)

