

**Original**



THE REPUBLIC OF UGANDA



17482

**THE NATIONAL ENVIRONMENT MANAGEMENT AUTHORITY (NEMA)**

**The National Environment Act, No.5 of 2019**

**The National Environment (Environmental And Social Assessment) Regulations No. 143 of 2020**

**Certificate of Approval of Environmental and Social Impact Assessment**

**Certificate No. NEMA/EIA/ 17482**

*This is to certify that the Project Brief/Environmental and Social Impact Assessment received from*

**M/s: MINISTRY OF WATER AND ENVIRONMENT**

**of P.O BOX 20026, KAMPALA-UGANDA.**

submitted to the National Environment Management Authority (NEMA) in accordance with the National Environment Act, No. 5 of 2019 regarding:

**THE PROPOSED KIGUMBA FAECAL SLUDGE MANAGEMENT FACILITY**

*(Title of Project)*

briefly described as **THE KIGUMBA FAECAL SLUDGE MANAGEMENT FACILITY**

*(Nature, Purpose)*

Declared Investment cost **UGX699,681,858**

located at **IN KIHURA LCI, WARD C, KIGUMBA TOWN COUNCIL,**

**KIRYANDONGO DISTRICT**

*(District/Sub-county/City/Town/Ward)*

**has been reviewed and was found to:**

**\*\* have significant environmental impacts and the following appropriate mitigation measures and made a condition precedent for approval and implementation:**

*(The relevant conditions are attached in the subsequent pages)*

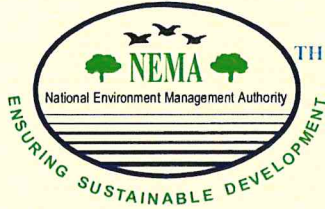
Dated at **KAMPALA**

on **21 JULY 2023**

Signed

**EXECUTIVE DIRECTOR (NEMA)**





## NATIONAL ENVIRONMENT MANAGEMENT AUTHORITY (NEMA)

### CONDITIONS OF APPROVAL FOR THE ENVIRONMENTAL AND SOCIAL IMPACT STATEMENT FOR THE KIGUMBA FAECAL SLUDGE MANAGEMENT FACILITY LOCATED IN KIHURA LCI, WARD C, KIGUMBA TOWN COUNCIL, KIRYANDONGO DISTRICT AT GPS COORDINATES: 36N 391415mE 200744mN, 391412mE 200808mN, 391373mE 200873mN, 391367mE 200906mN, 391469mE 200980mN, 391573mE 200791mN

- 1.0** This Certificate is issued in accordance with the requirements of the National Environment Act, No.5 of 2019, the Physical Planning Act, 2020 and the National Environment (Environmental and Social Assessment) Regulations, S.I No. 143/2020, and any other applicable laws.
- 2.0** In addition to implementing the mitigation measures outlined in the Environmental and Social Impact Statement, this **Certificate of Approval** is granted on condition that that the Developer, **M/s Ministry of Water and Environment** complies with approval conditions stated below.
- 3.0** **ADMINISTRATIVE CONDITIONS OF CERTIFICATE**
  - (i) Issuance of this Certificate of Approval is based on the content of/information contained in the Environmental and Social Impact Statement (ESIS) submitted by **M/s Ministry of Water and Environment**. The Ministry of Water and Environment shall be held responsible for any omissions, falsified information or any other anomalies that are contrary to the provisions of the relevant laws governing the proposed project.
  - (ii) This Certificate of Approval is **VALID for an initial period of 5 YEARS** the period which covers both the construction and operational phases of the project. This certificate may be revised upon request or when site conditions change.
  - (iii) The project **must commence within the first 24 months** (from the date of approval) of the validity period, failure of which this Certificate shall be varied, cancelled, or otherwise dealt with by this Authority.
  - (iv) **The Executive Director shall be notified, and consent sought** for any transfer of ownership, variation/alteration of the project design or components, or surrender of this Certificate of Approval.



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### 4.0 SPECIFIC CONDITIONS OF APPROVAL

#### 4.1 Approvals, Licenses and Permits:

- (i) The entire land (project area) to accommodate the Faecal Sludge Management facility must be legally obtained in accordance with the Land Act, Cap. 227, and other applicable laws.
- (ii) Obtain the licence from this Authority for storage of hazardous waste, and the Licence to own and operation the Treatment Plant in accordance with the National Environment (Waste Management waste) Regulations S.1 No 49/ 2020.
- (iii) Obtain any other necessary permits and approvals from this Authority, the Department of Occupational Safety and Health (Ministry of Gender, Labour, and Social Development), the Directorate of Water Resources Management (Ministry of Water and Environment) the Kiryandongo District Local Government, and any other relevant Authorities, before commencement of the proposed project activities.
- (iv) This approval is for only the establishment of the Faecal Sludge Management facility and supporting facilities documented in the ESIS. Any other expansion or redevelopments relating to this project will require separate environmental assessments to be undertaken.
- (v) Obtain approval of the site lay-out plan from Kigumba Town Council; and ensure that the plan is in line with the planning provisions for the area as provided for by Kigumba Town Council and in line with the Physical Planning Act 2010.

#### 4.2 Construction and Design:

- (i) Restrict the project infrastructural set-up within the area approved for development as shown in Figure-1, minimising vegetation clearance.

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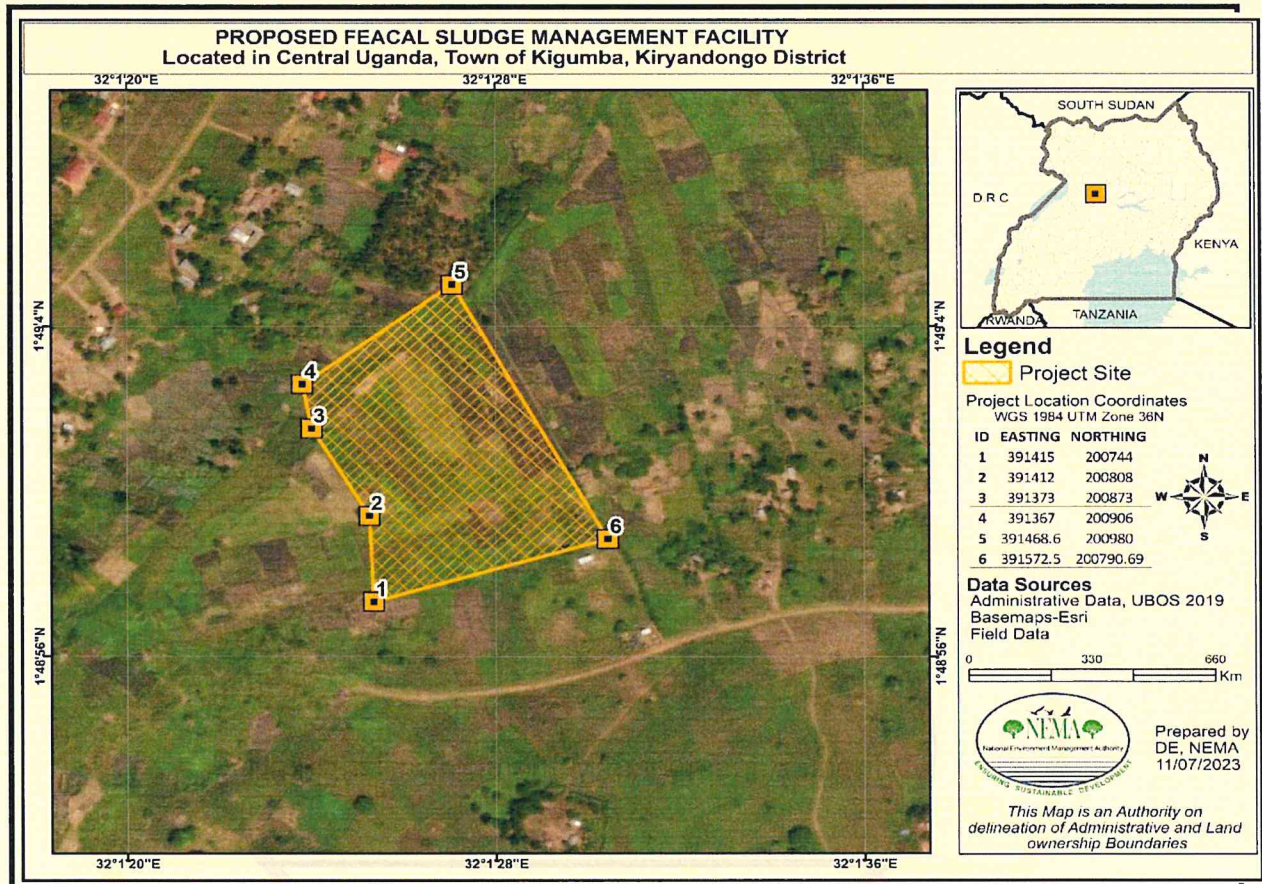
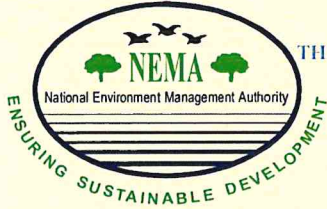


Figure 1: Image showing the location of the proposed Feacal Sludge Management Facility

- (ii) Construct a perimeter wall around the entire facility and strictly adhere to the building codes relevant to the category of buildings and project infrastructure in accordance with the Building Control Act, 2013.
- (iii) Adhere to and comply with the legal requirements for easements for the area as provided for by the Kiryandongo District Local Government area planning provisions and requirements, and as provided for under Section 117(4) of the National Environment Act, 2019.

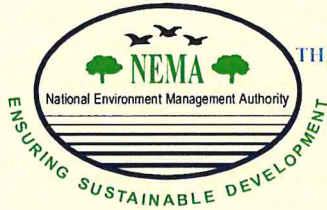


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- (iv) Design and construct an effluent treatment plant of appropriate technology and capacity to adequately handle the character and the volume of wastewater and sludge that will be generated by the Effluent Treatment facility in accordance with the National Environment (Standards for discharge of effluents into the water or on land) Regulations 2020.
- (v) Undertake detailed geotechnical investigations/studies of the site and implement the resultant recommendations considering that the structural integrity of the structures must be cognizant of the area geology and geomorphology.
- (vi) Put in place a proper drainage system including embankments in and around the project site to handle storm-water run-off and to control flooding in the surrounding area and ensure that these are well maintained to avoid sedimentation and siltation of the existing drainage channel.
- (vii) Put in place an impervious ground surface for all areas of potential contamination with waste storage facility as a measure of ensuring that both surface and underground water resources are protected from contamination or pollution from the operations of the Effluent Treatment Plant facility in accordance with the National Environment Act, No.5 of 2019 and National Environment Standard (Standard for discharge of effluent on land or into the water) Regulations, S.I no. 49/2020.

### **4.3 Environmental Management Obligations:**

- (i) In executing the Project, the Environmental Management and Monitoring Plan in the ESIS shall be adhered to at all times, in accordance with section 122(3) of the National Environment Act, 2019.
- (ii) Put in place appropriate mechanisms or systems for handling all forms of waste, both hazardous and non-hazardous waste generated, in accordance with the National Environment (Waste Management) Regulations, S.I. No. 49/2020 and the National Environment (Standards for Discharge of Effluent into Water and Land) Regulations, 144/2020.



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- (iii) Notwithstanding condition (ii) above, ensure that all waste generated by the project, is disposed of at locations gazetted as waste disposal sites and that no waste including stockpile and debris, is dumped into water bodies, wetland ecosystems, and around settlements.
- (iv) Ensure that the tank used for faecal/ waste treatment and management, are constructed (lined) with water-proof material to prevent permeation of wastewater into the surrounding environment.
- (v) Ensure adherence to high efficiency and standards of effluent treatment and discharge so as not to contaminate inflow into the nearby wetland which can affect other projects in the vicinity.
- (vi) Promote efficient resource use at the project premises including recycling of used water, rainwater harvesting and application of Cleaner Production among others.
- (vii) Institute robust housekeeping and environmental management practices as provided for under the National Environment Act, 2019.
- (viii) Put in place measures for adequate soil stabilization and erosion control including landscaping the project site with appropriate greenery.
- (ix) Air conditioners and refrigeration / cooling systems to be used at the Project Premises must be those permitted under the National Environment (Management of Ozone Depleting Substances and Products) Regulations, S.I No. 48/2020; and, banned refrigerants and related equipment must not be used at any one time.

#### **4.4 Chemicals management:**

- (i) Chemicals prohibited under Section 70 of the National Environment Act, No.5 of 2019; shall not be used in project operations.
- (ii) Comply with the applicable National laws and the Globally Harmonized System (GHS) for classification and labelling of chemicals, in the transportation, storage, handling and disposal of chemicals.

## NATIONAL ENVIRONMENT MANAGEMENT AUTHORITY (NEMA)

- (iii) Maintain an up-to-date inventory of chemicals used, their Material Safety Data Sheets and Risk Assessment Report; and avail this information to the Authority upon request.

### 4.5 Environmental Monitoring:

- (i) Put in place mechanisms (including monitoring equipment) to ensure that noise and vibration generated at the Project site premises during construction and/or operations of the Project does not exceed the levels stipulated in the National Environment (Noise Standards and Control) Regulations, S.I No. 30/2003.
- (ii) Put in place measures (including monitoring equipment) to ensure that emissions from the faecal sludge management facility and any auxiliary components do not emit noxious gases (including methane components), odour and particulate matter beyond the permitted levels in accordance with the East African Standard for Air Quality Specifications CD/T/66:2010.
- (iii) Put in place a monitoring programme including the frequency and methods for monitoring the parameters indicated table-1 below, during the construction and operational phases of the Project.

*Table 1: Limits for air quality and gaseous emissions*

Pollutant	Time-weighted Average	Standard for Ambient Air
		Acceptable Limit
Carbon monoxide (CO)	8 hours	1.0 mg/m <sup>3</sup>
	1 hour	2.0 mg/m <sup>3</sup>
Carbon dioxide (CO <sub>2</sub> )	8 hours	1.0 mg/m <sup>3</sup>
	1 hour	2.0 mg/m <sup>3</sup>
Respirable particle matter (<10µm) (PM <sub>10</sub> )	Annual average	50 µg/m <sup>3</sup>
	24 hours	75 µg/m <sup>3</sup>
Lead (Pb)	Annual average	0.5 µg/m <sup>3</sup>
	24 hours	0.75 µg/m <sup>3</sup>
Sulphur dioxide (SO <sub>2</sub> )	Annual average	15 µg/m <sup>3</sup>
	24 hours	30 µg/m <sup>3</sup>
Nitrogen dioxide (NO <sub>2</sub> )	Annual average	15 µg/m <sup>3</sup>
	1 hour	30 µg/m <sup>3</sup>



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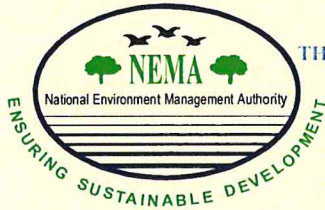
### 4.6 Public and Occupational Health & Safety:

- (i) In accordance with the Occupational Safety and Health Act, 2006, put in place appropriate and adequate occupational safety and health policy measures and procedures and train/sensitize workers on these procedures.
- (ii) ALL employees (including casual workers) should be accorded decent working conditions, provided with appropriate personal protective equipment (PPE), and given clear terms and conditions of employment in accordance with the Employment Regulations, 2011.
- (iii) Prepare and implement an appropriate and comprehensive Emergency Preparedness and Response Plan (EPRP) aimed at ensuring preparedness and response to several emergencies including fires.
- (iv) Sensitize and train workers on the operationalisation of the EPRP and provide the necessary equipment and resources to ensure effective implementation of the Plan.
- (v) Maintain the entire project site as a **NO SMOKING** zone and post clearly legible signs reading "NO SMOKING" at conspicuous places within the project premises, with exceptions being in accordance with requirements and provisions of the Tobacco Control Act, 2015.
- (vi) Put in place appropriate and/or adequate on-site sanitary facilities separate for the respective sex of project site workers / visitors; and provisions for the secure containment, treatment, and safe disposal of such waste in accordance with the Public Health Act Cap. 281.
- (vii) Prevent the occurrence of project induced off-site negative impacts and ensure that project activities (including of material suppliers and distributors) do not disrupt or compromise public wellbeing and environmental health.
- (viii) Provide safe drinking water for site workers in accordance with the Occupational Health and Safety Act 2006.

### 4.7 Social Aspects:

- (i) Compensate all persons likely to be affected by the Project and its activities, in accordance with the national laws governing compensation.





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- (ii) Put in place measures to ensure community health and safety, including restricting access to the facility, putting in place appropriate signage, and a perimeter wall around the entire project site.
- (iii) There shall be no use of child labour during project execution in accordance with the Children Act, 2016.
- (iv) Put in place a grievance handling mechanism in liaison with Kigumba Town Council, and any other relevant Lead Agency.
- (v) In liaison with the authorities responsible for the provision of the respective utilities, put in place measures to ensure that project implementation does not interfere with the use of existing public utilities by communities surrounding the project area especially the roads.
- (vi) Put in place an awareness and prevention program for HIV/AIDS, Sexually Transmitted Diseases (STD) and Hepatitis-B, for both the workers and neighboring community.

### 5.0 **GENERAL CONDITIONS OF APPROVAL**

#### 5.1 **Environmental Audits:**

Undertake Annual Environmental Audits in accordance with Section 126 of the National Environment Act, 2019, and National Environment (Audits) Regulations, S.I. No. 47/2020; and carry out the first environmental audit **31<sup>st</sup> August, 2024.**

#### 5.2 **Use of Plastics:**

Single use plastic bags below 30 microns and any plastic that is not labelled in accordance with provisions of the National Environment Act, No. 5 of 2019, shall not be used during the entire project life cycle.

#### 5.3 **Display of Certificate:**

Display the NEMA certificate of approval and all its conditions at the project premises at all times, including displaying the NEMA certificate Number on the



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project signposts and website at all times in accordance with regulation 52 of the National Environment (Environmental and Social Assessment) Regulations, 2020.

### **5.4 Record Keeping and Reporting:**

Ensure proper record-keeping as required under Section 176 of the National Environment Act, 2019, and transmit the records to this Authority, as required under Section 177 of the Act.

### **5.5 Operational Changes:**

Seek written approval from this Authority for any operational changes under this Certificate.

### **5.6 Unanticipated Impacts:**

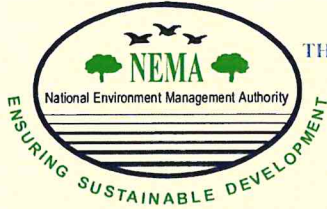
In accordance with Section 126 (6) (b) of the National Environment Act, 2019, mitigate any other **undesirable environmental impacts** that may arise during the implementation of the project, but were not contemplated by the time of undertaking the environmental and social impact assessment.

### **5.7 Notification:**

- (i) Notify this Authority of any malfunction of any component under this project, within 12 hours and that mitigation measures are put in place.
- (ii) Notify this Authority in writing of the intent to decommission any components under this project and submit a decommissioning plan **three months** in advance.

### **6.0 DECOMMISSIONING AND RESTORATION PHASE CONDITIONS**

- (i) Ensure that a decommissioning plan is submitted to this Authority for approval at least 3 (three) months prior to decommissioning the project components.
- (ii) Undertake to decommission the project components when their lifespan comes to an end as per the decommissioning plan, or as will be prescribed by the relevant Lead Agencies.



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- (iii) Restore all parts of the project site laid bare during project implementation phases; and undertake proper landscaping, including revegetation of bare ground surfaces with suitable indigenous species of trees/grass.
- (iv) Report on the completed decommissioning and restoration activities to this Authority.

### 7.0 SUSPENSION/WITHDRAWAL/CANCELLATION CONDITIONS

This Certificate shall be suspended/withdrawn/cancelled if:

- (a) there is no compliance with any of the **Specific Conditions** set out in this Certificate in **Section 4.0** above, and any other substantive conditions of the Certificate;
- (b) there is unauthorized substantial modification of the project implementation or operations which may lead to un-assessed adverse environmental and social impacts that were not evaluated at the time of issuing this Certificate of Approval;
- (c) there arise substantive undesirable effects that were not contemplated during the issuance of this Certificate of Approval;
- (d) there is failure to mitigate un-assessed adverse environmental and social impacts as provided for under **condition 5.5** and **condition 5.6** above; and,
- (e) there is need by the Authority for review, on account of change in Government Policy, Standards, new conservation measures by this Authority and/or enforcement of a court order.

**DATED AT KAMPALA ON 21<sup>ST</sup> JULY, 2023**

Signed:

**EXECUTIVE DIRECTOR, NEMA**

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## NATIONAL ENVIRONMENT MANAGEMENT AUTHORITY (NEMA)

c.c. The Permanent Secretary,  
Ministry of Gender, Labour and Social Development,  
**KAMPALA.**

**Attn:** The Commissioner,  
Occupational Safety and Health Department.

c.c. The Permanent Secretary,  
Ministry of Water and Environment,  
**KAMPALA.**

**Attn:** The Commissioner, Directorate of Water Resources Management.

c.c. The Chief Administrative Officer,  
Kiryandongo District Local Government,  
**KIRYANDONGO.**

**Attn:** The Environment Officer.

c.c. The Town Clerk,  
Kigumba Town Council,  
**KIRYANDONGO.**