

COUNTY GOVERNMENT OF NAIROBI CITY



NAIROBI CITY COUNTY ASSEMBLY

SECOND ASSEMBLY-THIRD SESSION

**REPORT OF THE SECTORAL
COMMITTEE ON ENVIRONMENT AND NATURAL RESOURCES
ON THE
SITE INSPECTION VISIT TO DANDORA DUMPSITE**

**CLERK'S CHAMBERS,
CITY HALL,
NAIROBI**

JULY, 2019

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1.0 PREFACE

The Sectoral Committee on Environment and Natural Resources for the Second Assembly was established on 5th October 2017 on the floor of the House pursuant to provisions of Standing Order 203.

The Committee's mandate pursuant to the provisions of Standing Order 203 –Third Schedule is, amongst others, to investigate, inquire into and report on all matters relating to; “Implementation of specific national government policies on natural resources, environmental conservation, including soil and water conservation and forestry and control of air pollution, noise pollution, other public nuisances, refuse removal, refuse dumps and solid waste disposal.”

The Committee exercises its oversight mandate over the Environment and Natural Resources Sub-Sector in the County Executive.

The Committee comprises the following Members:-

1. **Hon. John Kamau, MCA** – **Chairperson**
2. **Hon. Fredrick Onyango Okeyo** – **Vice-Chairperson**
3. Hon. Jeremiah Themendu, MCA
4. Hon. James Mwangi Wambui, MCA
5. Hon. Peter Wahinya Njau, MCA
6. Hon. Laura Mwendu, MCA
7. Hon. John Kamangu, MCA
8. Hon. Joyce Muthoni, MCA
9. Hon. Mwaura Samora, MCA
10. Hon. Muchene Kabiru, MCA
11. Hon. Susan Makungu, MCA
12. Hon. Silas Ongwae, MCA
13. Hon. Peter Anyule Imwatok, MCA
14. Hon. Emily Wanjiku Waithaka, MCA
15. Hon. Rose Masitsa Shitote, MCA

16. Hon. Jared Ondieki Akama, MCA
17. Hon. Francis Otieno Ngesa, MCA
18. Hon. Solomon Magembe, MCA
19. Hon. Jairus Amukhoye Omayo, MCA

The Committee while deliberating on matters concerning refuse removal in the County and the status and operations at the Dandora dumpsite noted that there were certain irregularities/illegalities with respect to garbage collection and disposal by the County Government. Concern was raised that the County was losing millions of shillings due to the lack of a functional weighbridge at the dumpsite to measure waste deposited by contractors. Further, concern was raised that the weighbridge installed at the dumpsite in 2010 has not been operational since August, 2018 leading to the County not being able to measure waste deposited by contractors thus encouraging corruption at the site.

The Committee was further concerned that despite the County Executive engaging the services of private waste collection contractors and paying billions of shillings every year, there was little improvement in the collection of garbage.


In this regard, the Committee at its meeting held on Tuesday 19th March, 2019, proposed to visit Dandora dumpsite on Thursday 28th March, 2019 to inspect its status so as to get necessary information to inform its report to the House on the matter. During the site visit the Committee was accompanied by officers from the County sub-sector on Environment and Natural Resources.

Acknowledgement

The Committee thanks the Offices of the Speaker and the Clerk of the County Assembly for the support received during the inspection visit.

The Committee is also grateful to the County Representative of the area who joined the Committee during the inspection visit and for his input.

It is therefore my pleasant duty and privilege, on behalf of the Committee on Environment and Natural Resources to table this report and recommend it to the Assembly for adoption.

Signed 

Hon. John Kamau, MCA

(Chairperson)

Sectoral Committee on Environment & Natural resources

Dated this ... 17th ... day of ... July ... 2019

2.0 INTRODUCTION

- i.) Article 42 of the Constitution of Kenya provides that every person has the right to a clean and healthy environment, which includes the right to have the environment protected for the benefit of present and future generations through legislative and other measures.
- ii.) Section 5 of The Nairobi City County Solid Waste Management Act, 2015 provides that every person within the County is entitled to a clean and healthy environment and has a duty to safeguard and enhance the quality of the environment.
- iii.) The Environment and Natural Resources subsector is responsible for amongst other things refuse removal, refuse dumps and solid waste disposal in the County.
- iv.) While deliberating on the status and operations at the Dandora dumpsite, the Committee noted that there were certain irregularities/illegalities with respect to garbage collection and disposal by the County Government.
- v.) The Committee raised concern that the County was losing millions of shillings due to the lack of a functional weighbridge at the dumpsite to measure waste deposited by contractors.
- vi.) The weighbridge that was installed at the dumpsite in 2010 wasn't operational since August 16th, 2018 and the County was not able to measure waste deposited by contractors for payment. As a result, an estimate is made in comparison to the previous weights.
- vii.) Dandora is the official dumpsite of solid waste in Nairobi.
- viii.) The Committee conducted a joint site visit with the Environment and Natural resources sub-sector to the dump site on Thursday 28th March, 2019.
- ix.) The Committee held a meeting with the CEC Environment and Natural Resources on Tuesday 21st May, 2019 and received a comprehensive statement from the sub-sector on the operations at the dump site.

3.0 COMMITTEE FINDINGS DURING THE SITE VISIT

The Committee visited the dump site on Thursday 28th March, 2018 and met the dump site Manager, Mr. Andrew Nyansiongo. He took the Committee around and also briefed members on the operations at the dump site.

He informed the Committee that Dandora Dumpsite was started in the 1970's, and is currently the only official dumpsite in Nairobi City County. It covers an area of 32 acres, and uses open dumping method. It receives over between 1,500 to 2,000 tons of waste in a day, ranging from organic to inorganic waste.

He further informed the Committee that the dumpsite is the final disposal site of garbage. The site receives waste from all the sub counties across the County. The waste is weighed at the weighbridge (when functional), before it is dumped in the cells inside the dumpsite.

Wastes deposited in the dumpsite are pushed and compacted using heavy plant and equipment such as bulldozers and excavators. These machines are also used to clear waste from drains to avoid accumulation of the leachate that damages roads within the dumpsite.

The Manager informed the Committee that the waste generated in the County consists of 62% organic waste. When this waste decomposes, it generates gases including acidic fumes and methane, which are noxious and very flammable.

During the Inspection Visit the dumpsite Manager informed the Committee that;

1. That the County's only legal dumpsite (Dandora) was declared full in 2001, but still continues to receive waste from across the City after several attempts to relocate it to Ruai failed.
2. That in March, 2019 the County Government obtained the title deed for Dandora dumpsite which gave new hope for the revival of KShs 28 Billion power plant at the dumpsite.

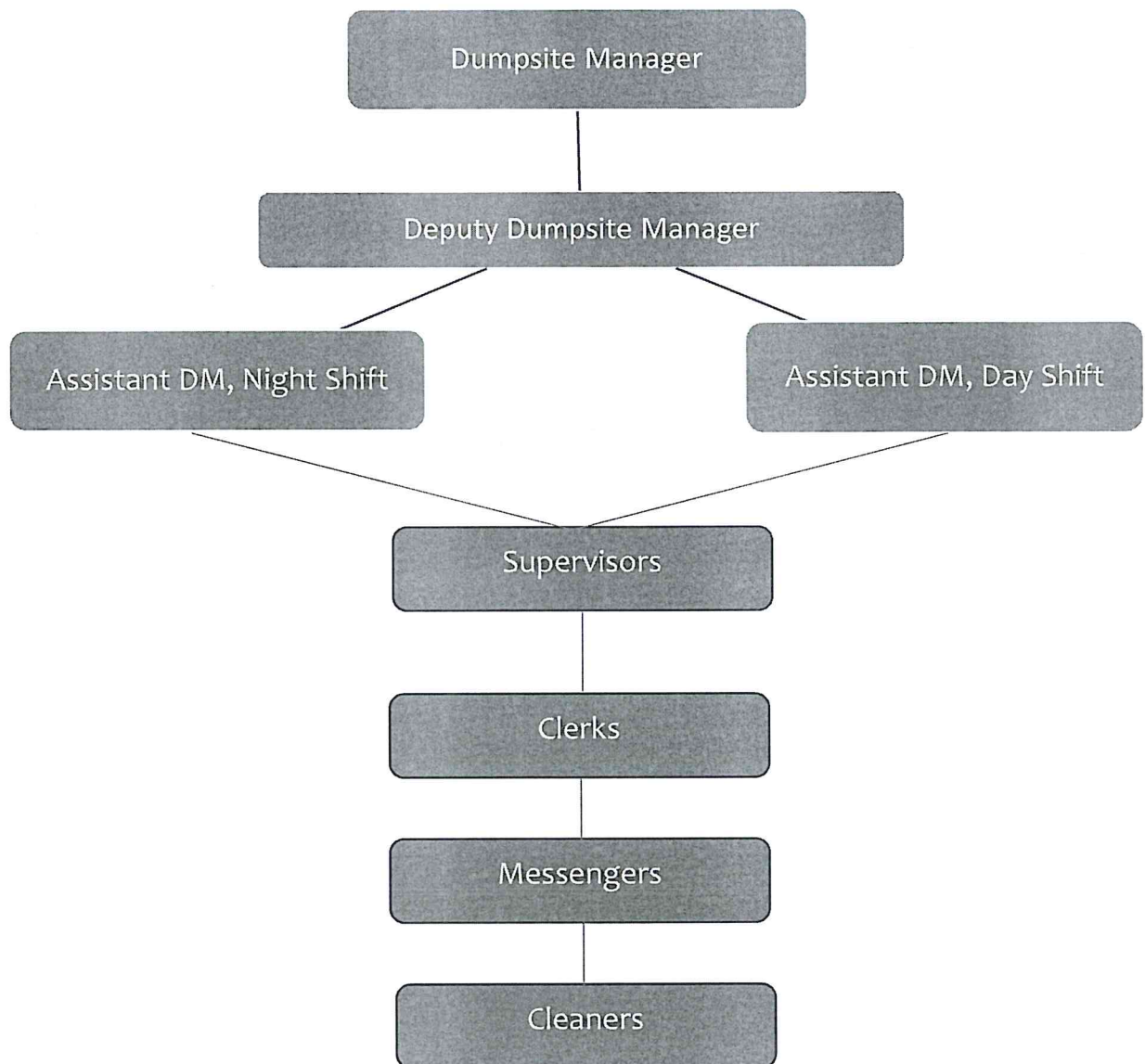
3. That the weighbridge installed at the dumpsite in 2010 has not been operational since August 16th, 2018 and the County was not able to measure waste deposited by contractors for payment.
4. That the contractors are paid depending on the weight of garbage they deposit at the dumpsite.
5. The County had been relying on an estimation method to determine how much waste is deposited at the dump site and how much to pay.
6. That lack of a functioning weighbridge at the dumpsite opens the floodgates for manipulating of figures.
7. That the County has been relying on an estimation method to determine how much waste is deposited at the dumpsite and how much to pay to contractors.
8. That the newly purchased weighbridge was lying idle in a yard located on Nanyuki Road for two years since its procurement through Gokhan Technical Services.
9. That the new weighbridge needed a new ramp to be mounted on and the County had advertised for the procurement of the same.

4.0 SUBMISSIONS BY COUNTY EXECUTIVE COMMITTEE MEMBER (CEC), ENVIRONMENT AND NATURAL RESOURCES

The Committee held a consultative meeting with the CEC Environment and Natural resources accompanied by the officers of the sub-sector on Tuesday 21st May, 2019 and further received written submissions from the CEC. While briefing the Committee, the CEC informed Members as follows;

- 4.1 Waste is collected from the 17 sub counties and taken to Dandora dumpsite. Vehicles accessing the dumpsite are weighed at the weighbridge located at the entry, whose details are captured by clerks in the system located at the dumpsite office. This information is then forwarded to headquarters as physical records, certified by the dumpsite Manager.

4.2 The dumpsite has a total of Twenty two (22) officers, headed by the dumpsite Manager. Under him is a deputy dumpsite manager, then two assistant Deputy Managers. The structure is as illustrated below;

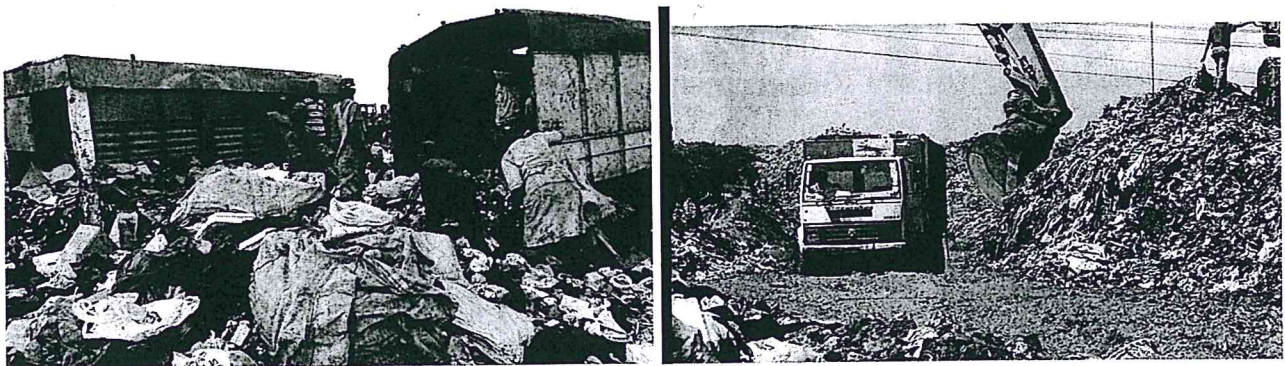


- 4.3 All the waste that is taken to the dumpsite is Municipal waste.
- 4.4 Every dumping cell within the dumpsite is managed by a County Supervisor who ensures that all waste is well deposited.
- 4.5 The dumping area was an open quarry which was acquired by the County Government to be used as a disposal site.
- 4.6 The proximity of the residential areas to the site and the frequent visit by Dandora residents to scavenge for materials of value exposes them to health risks including skin diseases, diseases of the respiratory system, injury, eye infections and abdominal upsets and pain.
- 4.7 Dandora dumpsite has two access points; the first one next to Shell Petrol Station and the second one at Stage 41 (the two are along John Osogo road).
- 4.8 The dumpsite is partially covered by a perimeter wall.
- 4.9 Vehicles entry into the dumpsite is controlled by County officials working at the weighbridge office and those working in the different cells within the dumpsite.
- 4.10 The initial budget for John Osogo road was Kshs 70 million. The contract was to run for a period of eight (8) months from the date of award. Challenges causing delays in its completion include slow processing of payment certificates and slow process of effecting payments.
- 4.11 Every financial year the environment sector provides protective gear to staff working across the different sub counties and the dumpsite. These include gumboots, overalls, nose masks, hand gloves among others. However, most of the staff working in the area do not put on most of the protective attires such as hand gloves and nose masks as required.
- 4.12 Reasons for non-payment of garbage collection contractors; the budget under solid waste management vote was exhausted, which compelled the sub-sector to request for a supplementary budget. This was approved and the payment vouchers were being processed.

5.0 COMMITTEE OBSERVATIONS DURING THE SITE VISIT

The Committee having conducted the site visit made the following observations:

1. That the weighbridge installed at the dumpsite in 2010 has not been operational since August, 2018 leading to the County not being able to measure waste deposited by the contractors.
2. That the estimation method used to determine how much waste is deposited at the dumpsite isn't accurate thus boosting corruption by cartels.
3. That lack of a functioning weighbridge at the dumpsite opens the floodgates for manipulating of figures.
4. The staff at the dumpsite was not facilitated with the necessary protective clothing yet there was a lot of dust emanating from the garbage and the dusty roads.
5. That the dumpsite infrastructure is wanting. The access road to the dumpsite was narrow and in a dilapidated state and the dumpsite offices were crumpled, an indicator of the sorry state of the infrastructure.
6. That only 10% of John Osogo road is partly done and the contractor was paid almost half of the contracted amount.
7. Most of the contractors have stopped working due to nonpayment.
8. That the dumpsite was declared full in 2001.



Trucks delivering garbage at Dandora dumpsite



Dusty John Osogo road

4.0 COMMITTEE RECOMMENDATIONS

The Committee recommends that this Assembly resolves as follows;

- 1) That the Environment and Natural Resources sub-sector should fastrack procurement process of the weighbridge ramp and install the new weighbridge since lack of a functioning weighbridge at the dumpsite opens the floodgates for manipulation of figures.
- 2) That the County Government do provide good office infrastructure and equipment to help in waste management pursuant to Section 6(1) and (2)(d) and (e) of The Occupational Safety And Health Act, 2007.
- 3) That the staff working at the dumpsite be provided with the necessary protective clothing and equipment management pursuant to Section 101 of The Occupational Safety And Health Act, 2007.
- 4) That the County Government should seek to partner with competent organizations in modernizing the Dandora dumpsite in order to employ appropriate technology that will add value to waste collected daily.
- 5) That the County Government urgently identifies another site and close the dumpsite for eventual rehabilitation since Dandora dumpsite was declared full in 2001.
- 6) That there is need for the County Government to urgently come up with sustainable solutions to harvesting the gases emitted from the dumpsite to avoid fires.

- 7) That regular payment to the garbage contractors is made in order to enable continuous garbage collection.

