



GOVERNMENT OF NAIROBI CITY COUNTY



THE NAIROBI CITY COUNTY ASSEMBLY

OFFICE OF THE CLERK

SECOND ASSEMBLY-FIFTH SESSION

NBI CA. PLC. 2021

18th November, 2021

PAPER LAID

Pursuant to Standing Order 191, I beg to lay the following Paper on the Table of the Assembly, today Thursday day 18th November, 2021.

THE REPORT OF THE SECTORAL COMMITTEE ON ENVIRONMENT AND NATURAL RESOURCES ON THE CONSIDERATION OF THE ENVIRONMENT, WATER AND ENERGY SECTOR REPORT ON THE CLOSURE OF KIAMAIKO ABBATOIRS

(Chairperson, Sectoral Committee on Environment and Natural Resources)

Copies to:
The Speaker
The Clerk
Hansard Editor
Hansard Reporters
The Press



**NAIROBI CITY COUNTY ASSEMBLY
SECOND ASSEMBLY – FIFTH SESSION**

**THE REPORT OF THE SECTORAL
COMMITTEE ON ENVIRONMENT AND NATURAL RESOURCES
ON THE CONSIDERATION OF ENVIRONMENT, WATER AND
ENERGY SECTOR ON CLOSURE OF KIAMAIKO ABBATOIRS**

**Clerks Chambers
Nairobi City County Assembly
City Hall Buildings
Nairobi**

NOVEMBER, 2021

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1.0. PREFACE

1.1. Committee Mandates

Mr. Speaker Sir,

The Sectoral Committee on Environment and Natural Resources is established under Standing Order No. 203. Its mandate pursuant to Standing Order 203(6) is to:-

- a) *investigate, inquire into, and report on all matters relating to the mandate, management, activities, administration, operations and estimates of the assigned departments;*
- b) *study the programme and policy objectives of departments and the effectiveness of the implementation;*
- c) *study and review all county legislation referred to it;*
- d) *study, assess and analyse the relative success of the departments as measured by the results obtained as compared with its stated objectives;*
- e) *investigate and inquire into all matters relating to the assigned departments as they may deem necessary, and as may be referred to them by the County Assembly;*
- f) *vet and report on all appointments where the Constitution or any law requires the County Assembly to approve, except those under Standing Order 185(Committee on Appointments): and*
- g) *make reports and recommendations to the County Assembly as often as possible, including recommendation of proposed legislation.*

Mr. Speaker Sir,

In accordance with the Second Schedule of the Standing Orders, the Sectoral Committee is mandated to consider all matters relating to:- *implementation of specific national government policies on natural resources and environmental conservation, including soil and water conservation and forestry and control of air pollution, noise pollution, other public nuisances and refuse removal, refuse dumps and solid waste disposal.*

1.2. Committee Members

The Committee comprises the following Members:-

- | | |
|--------------------------------------|------------------|
| 1. Hon. John Kamau, MCA | Chairperson |
| 2. Hon. Joseph Ndonji, MCA | Vice Chairperson |
| 3. Hon. Wanjiru Kariuki, MCA | |
| 4. Hon. Anthony Kimemia, MCA | |
| 5. Hon. Joseph Wambugu, MCA | |
| 6. Hon. Laura Mwendu, MCA | |
| 7. Hon. James Mwangi, MCA | |
| 8. Hon. John Kamangu, MCA | |
| 9. Hon. Solomon Magembe, MCA | |
| 10. Hon. Joyce Muthoni, MCA | |
| 11. Hon. Margaret Mbote, MCA | |
| 12. Hon. Anthony Kiragu, MCA | |
| 13. Hon. Leah Supuko, MCA | |
| 14. Hon. Jacinta Wanjiru, MCA | |
| 15. Hon. Peter Imwatok, MCA | |
| 16. Hon. Francis Ngesa, MCA | |
| 17. Hon. Rose Masitsa, MCA | |
| 18. Hon. Millicent Okatch, MCA | |
| 19. Hon. Emily Waithaka Wanjiku, MCA | |
| 20. Hon. Redson Otieno Onyango, MCA | |
| 21. Hon. Michael Ogada MCA | |
| 22. Hon. Evans Otiso, MCA | |
| 23. Hon. Fuad Hussein, MCA | |
| 24. Hon. Wahinya Njau Peter, MCA | |
| 25. Hon. Eunice Wanjiku Maribe, MCA | |
| 26. Hon. Jeremiah Themendu, MCA | |
| 27. Hon. Wilson Ochola, MCA | |

2.0. EXECUTIVE SUMMARY

2.1. Background

Mr. Speaker Sir,

In April, 2018 National Environment Management Authority (NEMA) had ordered the closure of the slaughter houses at Kiamaiko in a bid to clean up Nairobi River. Earlier on 2015, the Authority gave the similar orders but the Kiamaiko Traders have continued to discharge untreated liquid into the Nairobi River.

Mr. Speaker Sir,

The operators had requested to be allowed a two-year grace period to buy land elsewhere and rebuild. The County had planned to relocate the traders from the filthy slaughterhouses to cleaner, modern and spacious abattoirs situated at Njiru Ward. However, traders feared that such relocation would lead to losses. This caused delay and has contributed continued illegal discharge of liquid waste into the Nairobi River.

Mr. Speaker Sir,

As a Capital City, the Nairobi City County has both adopted Nairobi Rivers rehabilitation and restoration program on sanitation. The continued pollution of the Nairobi River as instigated by the Kiamaiko Slaughterhouses waters down the objectives set out to achieve Nairobi Rivers rehabilitation and restoration program on sanitation.

Mr. Speaker Sir,

In an effort to solve this, a joint inspection exercise was conducted by the county departments of Environment, Health, Agriculture, Water and Planning and members of the County Assembly from respective Sectoral Committees.

Mr. Speaker Sir,

In view of the foregoing therefore, the inspection report on the closure of Kiamaiko slaughterhouses was forwarded to the Sectoral Committee for consideration. It is important to note the report forwarded by the County Executive Committee Member responsible for Water, Sanitation, Environment, Energy and Climate Change is a product of series of inspections conducted by the Officers from Environmental Monitoring Compliance and Enforcement, the last of which being conducted 29th October, 2021. The Core objective of the said inspection visits was to inspect, establish the baseline conditions and advise on the environmental status of facilities under investigation.

Mr. Speaker Sir,

When NEMA issued the orders on 24th April, 2018 to decommission the said slaughterhouses, the members of the Committee gave out their opinions and after several considerations and negotiated compliance, the traders were given a grace period of one year which elapsed long time ago now. Despite the said orders the Committee observed that Kiamaiko Slaughterhouses are still in operation.

2.2. Acknowledgement

Mr. Speaker Sir,

I wish to acknowledge with gratitude the offices of the Speaker and the Clerk of the County Assembly for the support extended to the Committee in the consideration of this report.

Mr. Speaker Sir,

I also wish to extend my gratitude to County Executive Committee Member responsible for Water, Sanitation, Environment, Energy and Climate Change and

particularly the Officers from Environmental Monitoring Compliance and Enforcement for conducting several site inspections.

Mr. Speaker Sir,

Finally, much thanks to the Members of the Committee, and the Secretariat particularly the Clerk Assistant in charge of the Committee for their dedication, untiring commitment during the consideration of this report.

Mr. Speaker Sir,

On behalf of the Committee, I now have the honour and pleasure to present the Report of the Committee on Consideration of the report on closure of Kiamaiiko Slaughterhouses for consideration and adoption.

Signature



Hon. John Kamau Muthiga, MCA (Chairperson)

Date

...18/11/2021/...

3.0. SITE INSPECTIONS AT KIAMAIKO ABBATOIRS

3.1. Introduction

Kiamaiko Abattoirs are slaughterhouses being operated by traders in Kiamaiko Ward, Mathare Sub-County. These facilities are in unhygienic conditions. This site has been operational since 1996 when traders moved in to deal only in meat from goats and sheep.

Oftentimes, due to lack of adequate space it was observed that parts of the animal meat such as kidneys and intestines are stored on filthy floors where the untreated liquids flow making them unsafe for humans. The state of hygiene is quite deplorable especially during the rainy seasons. The area is known for having poor drainage.

3.2. Joint site inspection

The joint site inspection was prompted by the notice issued by the NEMA to shut down the slaughterhouses at Kiamaiko citing the unhygienic conditions and regular disposal of waste into the Nairobi River.

Standing Order 203 mandates any Sectoral Committee to investigate, inquire into, and report on all matters relating to the mandate, management, activities, administration and operations of the assigned departments. The Committee thus from time to time is expected to conduct a fact-finding site inspection in order to observe an occurrence and how such problem is addressed by recommending the relevant County sector to provide necessary solutions within the confines of the law.

The Committee conducted a joint site inspection in September 2019 with Officers from the county departments of Environment, Environmental Health Division, Water and Sanitation and Planning. During the said inspection, the members of the Sectoral Committees were further accompanied the Committee members: Health Services, Planning and Housing, Water and Sanitation.

4.0. THE KEY COMMITTEE OBSERVATIONS DURING THE CONSIDERATION OF THE INSPECTION REPORT ON CLOSURE OF THE SLAUGHTERHOUSES

4.1. Introduction

Following the orders issued by NEMA, the Officers from Environmental Monitoring Compliance and Enforcement conducted a series site inspection to Kiamaiko. Some of the visits are pre-announced while others are unannounced. The focus of the visit was to establish the baseline conditions of the said facilities in regard to environmental degradation.

4.2. Findings of the Inspection report

After conducting a number of inspections, key issues were noted. The following are the key findings;

- i. The slaughterhouses are connected to Nairobi Water and Sewerage Water and Sewerage Infrastructure;
- ii. Blood, dung, slurry and offal and waste water from carcass washing are disposed directly to the sewer line;
- iii. The solid waste from the slaughterhouses such as condemned meat, dung, skins, horns, bones and carcasses are openly dispossessed; and
- iv. The aforementioned facilities do not have an existing effluent treatment facility. Therefore, the liquid waste such as the blood and paunch manure is directed to the sewer line without any treatment.

4.3. Conclusions of the Inspection Report

The findings of the inspections spawn the following conclusions:-

- i. The facilities lacked proof of contracted licensed waste service provider that handles the resultant solid waste. Presence of solid waste at the drains leading to the sewer line is a clear indication of solid waste disposal;

- ii. The operators of abattoirs must apply for effluent discharge certificate which at the time of the visit was not available;
- iii. The workers within the facilities should be provided with Personal Protective Equipment (PPEs) during operations; and
- iv. The sector finds the management of the Kiamaiko slaughterhouse in violations of the provisions of the Environmental Management Act, 1999 on environmental pollution and recommends the wind up and immediate relocation of the Kiamaiko Slaughterhouse to avoid further environmental pollution.

5.0. KEY COMMITTEE RECOMMENDATIONS

Mr. Speaker sir,

The Committee recommends that this Assembly resolves;-

- i. That, the facilities be closed immediately having failed to comply with the relevant regulatory provisions and relocate to other compliant facilities such as Njiru Abattoir;
- ii. That, the proprietors be given 14 days' notice to vacate and decommission the facilities;
- iii. That, the Nairobi City County government arrest and prosecute the proprietors for the violations of the provisions of the EMCA 2015; and
- iv. That, in restoration of the Environmental condition of the Area and the riparian areas the Nairobi City County Government organize a cleanup exercise aimed at drainage clearing, waste removal and waste collection for the final disposal to the designated disposal site.

NAIROBI CITY COUNTY

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City Hall,
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Nairobi,
KENYA.

ENVIRONMENT, WATER, ENERGY, NATURAL RESOURCES AND CLIMATE CHANGE

NCC/CECM/EEW&NR/LMW/81/2021

The Clerk
Nairobi City County Assembly
P.O Box 45844-00100
NAIROBI.

3rd November, 2021



RE: INSPECTION REPORT ON CLOSURE OF KIAMAIKO SLAUGHTER HOUSES

Reference is made on the above subject matter.

Forwarded herewith please find attached copies of response report for your noting and necessary action.

LARRY M. WAMBUA
COUNTY EXECUTIVE COMMITTEE MEMBER
ENVIRONMENT, WATER, ENERGY, NATURAL RESOURCES & CLIMATE
CHANGE

CA Environment
Table before
Committee for noting
& necessary action.
14/11/21 F.C.A
for AG PCA(C)
14/11/21 8/11/2021

By P/C.A (C)
Adria the committee
AG clerk
03/11/2021

NAIROBI CITY COUNTY

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ENVIRONMENT, WATER, ENERGY, NATURAL RESOURCES AND CLIMATE CHANGE

NCC/CECM/EEWNR&CC/LMW/80/2021

3rd November, 2021

STATEMENT TO THE COUNTY ASSEMBLY

Inspection Report on Closure of Kiamaiko Slaughter Houses.

Introduction.

Kiamaiko slaughter houses are located in Kiamaiko ward, Mathare Sub County. The slaughter houses are 15 and are managed and operated under the umbrella of group of Kiamaiko slaughter houses under the leadership of a chairman.

Inspection.

Officers mandated with Environmental Monitoring Compliance and Enforcement from the Environment, Water, Sanitation, Energy Natural Resources & Climate Change sector in Nairobi City visited the Slaughter house on 28th October ,2021 and established the following.

Previously several site visits to Kiamaiko slaughter houses to inspect, establish the baseline conditions and advise on the environmental status of the facilities were conducted the last being on the 29th October 2021. The site inspections were conducted so as to effectively inform on the decision of closure and guide in drafting of the closure plan for the Kiamaiko Slaughter houses. A closure notice had been issued by NEMA on 24th April, 2018 to decommission the slaughter house. After several considerations and a negotiated compliance, a grace period of one year was given which has already elapsed.

Several site visits have thus been carried-out commensurate with the levels of environmental risks associated with the operations of the slaughterhouses. These visits have included both pre-announced and unannounced visits. The visits were aimed at establishing the baseline conditions of the facilities in regards to environmental practices with special focus on the modes and systems instituted by the proprietors to manage both solid and liquid wastes which have been a key complaints subject from the area residents. For effective baseline data collection and establishing of the primary status of the slaughter houses various methodologies were employed as outlined below:

- General update from the key stakeholders through public participation and direct interviews on the status of the facilities;
- Review of the facilities documentation to verify compliance to regulatory provisions
- Visual inspection of areas around the facilities;
- Visual inspection of the structures and strategies employed during normal operations of the facilities.
- Photographing evidence taken within and around the facilities (see photos attached)

The observations were classified into three sections:

- General: routine site observation. No corrective action(s) needed;
- Notable: observation with potential environmental impacts; however, risks associated with observations are not immediately significant and/or corrective actions can be (and have agreed to be) quickly implemented;
- Critical: observation has immediate and/or major environmental risks. Urgent/immediate corrective action required, which may affect site operations or cannot be quickly implemented.

Annex: see attached Photographs

Findings.

The key areas that the inspections focused on were

Public consultations and engagements. The observations made in regards to the facilities operations were categorized as critical and greatly impacted on the environment, as well as in violation of the environmental regulatory provisions.

The slaughter houses Sits in a residential area with mixed use of the business, such as retail shops and House to let for accommodation.

The Slaughter houses are connected to Nairobi Water and Sewerage water and sewerage infrastructure.

Blood, dung and slurry and ovals, waste water from carcass washing is disposed directly to the sewer line, there exists a grit trap for solid waste containment.

The Solid Waste from the slaughterhouses such as condemned meat, skin, dung, horns and carcasses, bones generated from slaughter houses is openly disposed.

The slaughter houses do not have an existing effluent treatment facility hence the liquid waste from the slaughter houses such as blood and paunch manure are directed on to sewer line without treatment.

Kiamaiko slaughter houses had done their annual environmental audit as required by EIA regulations under EMCA act 1999).

Conclusion

The facilities lacked proof of contracted licensed waste service provider that handles the resultant solid waste from the facilities operations. On daily operations the slaughter houses were observed to generate a significant amount of waste that was estimated to be approximately 10tonnes on daily basis. With the lack of substantive proof of adequate waste management, it is therefore presumable that the slaughter houses have been among the key sources of wastes that are illegally accumulated on the riparian areas that has adversely affected the water quality of the Nairobi River. Presence of solid waste at the drains leading to the sewer line was a clear indication of disposal of solid waste in the sewer line contributing to blockages and spillage degrading the state of the environment.

The Solid Waste from the slaughterhouses such as condemned meat, skin, dung, horns and carcasses, bones generated from slaughter houses is classified as infectious thus hazardous and have a potential of causing zoonotic diseases upon contact, an environmental hazard to both animals and humans hence impoverishing humans as a result of the cost incurred in the acquisition of treatment, thus the need for it to be incinerated. Kiamaiko slaughter houses solid waste is openly collected and disposed, this nature of open collection and disposal provides an avenue for disease transfer, the potential to cause harm violation the provisions of waste disposal as established in the Kiamaiko slaughter houses.

This is in violation to The Environmental Management and Coordination (Waste Management) Regulations, 2006 section 4 (2) any person whose activities generate waste shall collect, segregate and dispose or cause to be disposed of such waste in the manner provided for under these Regulations.

A site survey established that the slaughter house facilities had sewer line but also noted to lack waste water pre-treatment and quality analysis facilities. This considerably affects the environmental health resulting into odor, drainage channel blockage and mosquitos' breeding grounds among others.

Discharge into the Nairobi River during blockage was noted to be in violation to EMCA 2015 Amendment, section 42(1) (e) that states, "No person shall, without prior written approval of the Authority given after an EIA in relation to a river, lake, sea or wetland in Kenya, carry out any of the following activities (e) deposit any substance in a lake, river or wetland or in, on, or under its bed, if that substance would or is likely to have adverse environmental effects on the river, lake or wetland;

The operation and management of slaughter houses in Kenya requires owners and operators of these slaughter houses and such establishment to take full responsibility as enshrined in the Environmental Management and coordination Act (1999) that discharge on to the environment shall carry out daily effluent discharge quality and quantity monitoring and establish a effluent treat facility as provided by NEMA at the time of inspection None of the abattoirs had the effluent treatment facility or provided effluent discharge quality reports on effluent .

The water quality regulation prohibits one from discharging or any pollutants into the aquatic environment unless such pollutant complies with the standard set out in third schedule of the water act 2006 in this case Kiamaiko slaughter houses were discharging to the storm water drainage and the sewer line contrary to these provisions thus causing pollution.

Operators of abattoirs/slaughter house must apply for effluent discharge certificate which at the time of the visit was not available hence comprising the effluent discharge quality standards thus causing pollution.

In addition, the facilities did not possess an effluent discharge license despite the significant volume of liquid waste generated from its daily operations, this is in contempt to EMCA 2015, 75(1) No entity operating a sewerage system or owner or operator of any trade or industrial undertaking shall discharge any effluents or other pollutants into the environment without an effluent discharge license issued by the Authority.

The workers within the facilities should be provided with PPE's during operations. The site visits established that the workers were not wearing any PPE's which is contrary to the provisions of The Occupational Safety and Health Act, 2007.

The Sector finds the management of the Kiamaiko slaughterhouse in violations of the provisions of the Environmental management Act of 1999 on environmental pollution and recommends the wind up and immediate Urgent relocation of the Kiamaiko slaughter houses to abet further environmental pollution.

In order to maintain environmental sanity in the area, enhance public health and boost environmental compliance the team having analyzed all the aspects of the slaughter houses operations do here by recommend that:

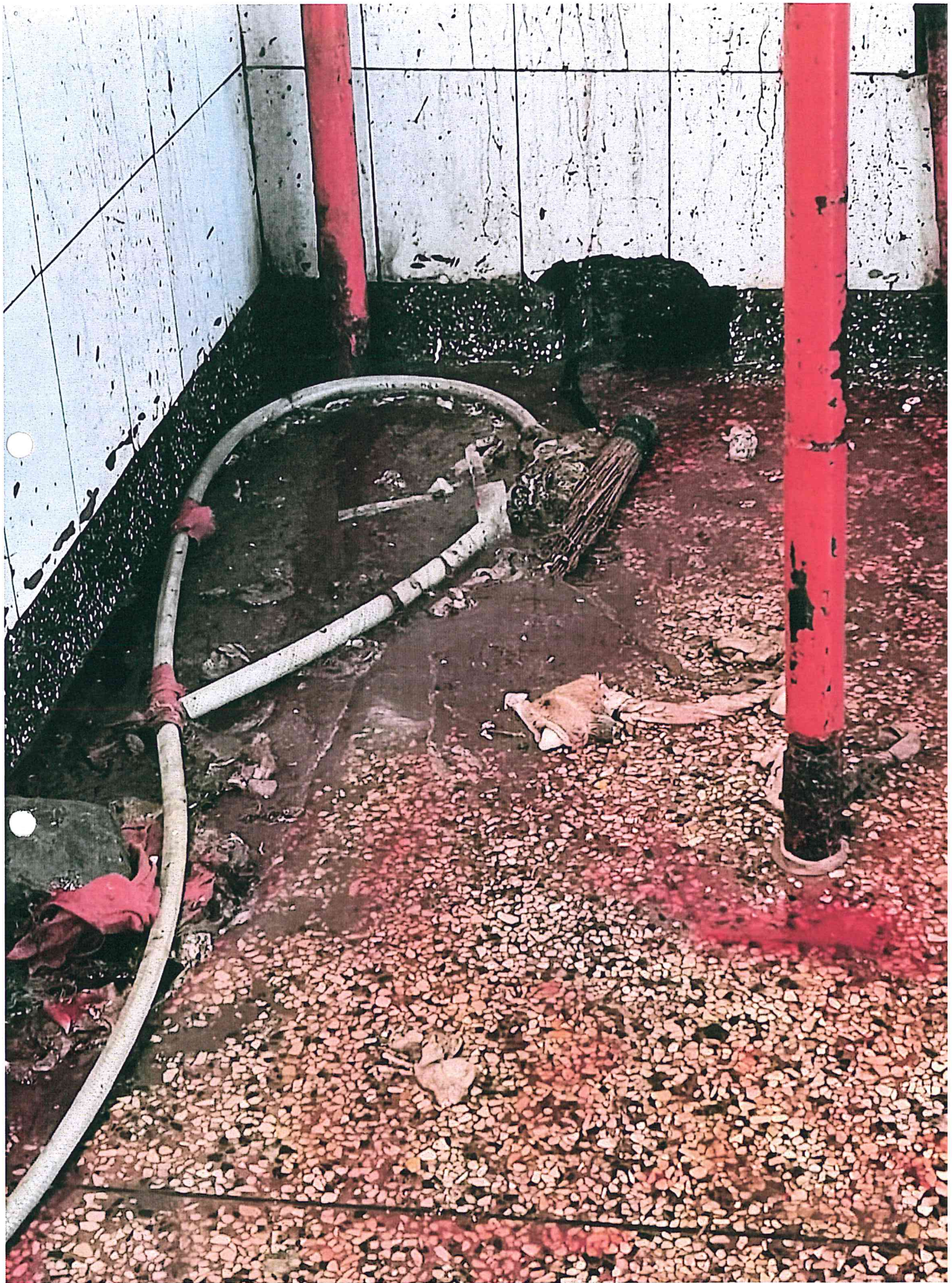
- The facilities should be closed immediately having failed to comply with the relevant regulatory provisions that have been highlighted in this report and relocate to other compliant slaughter houses
- The proprietor(s) should be given 14days notice to vacate and decommission the facilities.

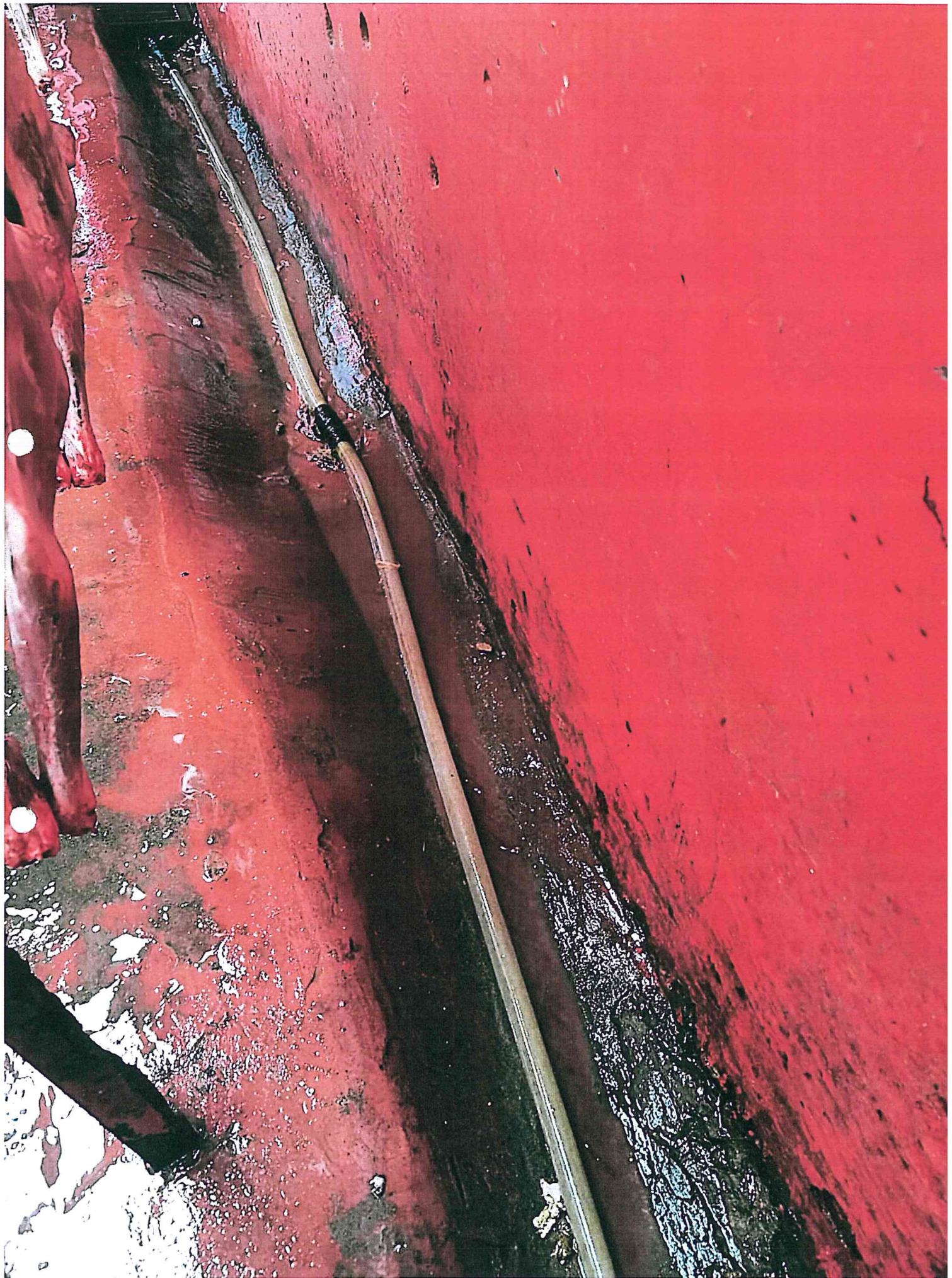
- The Nairobi City County Government should consider arresting and prosecuting the proprietor(s) for the violations of the provisions of the EMCA 2015,
- In restoration of the environmental condition of the area, and the riparian areas, the NCCG should organize a clean-up exercise aimed at the drainage clearing, waste removal and waste collection for final disposal to the designated disposal site.

Nairobi City County is of the view that regulating slaughter houses is envisaged in Meat control Cap 356 and in section 2 meat control act of local slaughter houses licensing of regulations 2011 indicate that for purposes of enforcement of these laws including licensing and therefore directs the area Director of veterinary services to withdraw operating licenses given to the Kiamaiiko slaughter houses.



LARRY M. WAMBUA
COUNTY EXECUTIVE COMMITTEE MEMBER
ENVIRONMENT, WATER, ENERGY, NATURAL RESOURCES & CLIMATE
CHANGE









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MINUTES OF THE 43RD SITTING OF THE NAIROBI CITY COUNTY
ASSEMBLY SECTORAL COMMITTEE ON ENVIRONMENT AND NATURAL
RESOURCES ON THURSDAY, 11TH NOVEMBER, 2021 VIRTUALLY AT
11:30AM

PRESENT

- | | |
|---------------------------------|------------------|
| 1) Hon. John Kamau, MCA | Chairperson |
| 2) Hon. Joseph Ndonji, MCA | Vice Chairperson |
| 3) Hon. Peter Imwatok, MCA | |
| 4) Hon. Joyce Muthoni, MCA | |
| 5) Hon. Francis Ngesa, MCA | |
| 6) Hon. Anthony Kiragu, MCA | |
| 7) Hon. Rose Masitsa, MCA | |
| 8) Hon. Eunice Wanjiku, MCA | |
| 9) Hon. Wanjiru Kariuki, MCA | |
| 10) Hon. Margaret Mbote, MCA | |
| 11) Hon. Emily Waithaka Wanjiku | |
| 12) Hon. James Mwangi, MCA | |
| 13) Hon. Michael Ogada, MCA | |
| 14) Hon. Joseph Wambugu, MCA | |
| 15) Hon. Jacinta Wanjiru, MCA | |
| 16) Hon. Millicent Okatch, MCA | |
| 17) Hon. Laura Mwende, MCA | |

ABSENT

- 1) Hon. Anthony Kimemia, MCA
- 2) Hon. John Kamangu, MCA
- 3) Hon. Fuad Hussein, MCA
- 4) Hon. Redson Onyango, MCA
- 5) Hon. Solomon Magembe, MCA
- 6) Hon. Leah Supuko, MCA
- 7) Hon. Wahinya Njau Peter, MCA
- 8) Hon. Evans Otiso, MCA

SECRETARIAT

- 1) Mr. Guyo Sankala –Clerk Assistant
- 2) Ms. Yvonne Wamucii – Researcher

AGENDA

- 1) Preliminaries (prayers & adoption of the Agenda)
- 2) Consideration and adoption of the inspection Report on closure of Kiamaiko Slaughterhouses
- 3) Any Other Business
- 4) Adjournment

MIN.217/NOV/2021 - PRELIMINARIES

The Committee Chairperson called the meeting to order at 11:00am after leading the members in a word of prayer. He welcomed and thanked everyone for taking his or her time to attend the Meeting. He then took the members through the agenda of the sitting.

Agenda was confirmed after being proposed by Hon. Laura Mwende and Hon. Hon. Eunice Wanjiku.

MIN.218/ NOV /2021- CONSIDERATION AND ADOPTION OF THE INSPECTION REPORT ON CLOSURE OF KIAMAIKO SLAUGHTERHOUSES

The Chairperson took the members through the content of the inspection report. He further informed the Committee that a joint inspection was carried out by the county departments of Environment, Health, Agriculture, Water and Planning and members of the County Assembly from respective Sectoral Committees following an order by NEMA to shut down the Kiamaiko abattoirs.

The Committee members keenly observed the findings of the aforementioned report on the inspection. The Committee therefore recommended that;-

- i. The facilities be closed immediately having failed to comply with the relevant regulatory provisions and relocate to other compliant facilities such as Njiru Abattoir;
- ii. The proprietors be given 14 days' notice to vacate and decommission the facilities;
- iii. The Nairobi City County government arrest and prosecute the proprietors for the violations of the provisions of the EMCA 2015; and
- iv. In restoration of the Environmental condition of the Area and the riparian areas the Nairobi City County Government organize a cleanup exercise

aimed at drainage clearing, waste removal and waste collection for the final disposal to the designated disposal site.

MIN.219/NOV/2021 - ANY OTHER BUSINESS

There was no any other business considered by the Committee.

MIN.220/ NOV/2021 -ADJOURNMENT

There being no other business considered by the Committee the meeting was adjourned at 12:10pm.

CONFIRMED AS TRUE COPY OF THE PROCEEDINGS

CHAIRPERSON.....

DATE.....

CLERK ASSISTANT.....

DATE.....

