

KENYA



NATIONAL GUIDELINES FOR LICENSING AND INSPECTION OF MINE WASTE STORAGE FACILITIES IN KENYA

State Department
of Mines
(SDM)

Colin Muturi Ngigi
Purity Muthoni
Moses Gachanja

National Environment
Management Authority
(NEMA)

Joshua Kolondo
Juddy Susan Arieko
Esther Mwita

MINISTRY OF PETROLEUM AND MINING
STATE DEPARTMENT FOR MINING



Republic of Kenya



nema
mazingira yetu | uhai wetu | wajibu wetu

**INTERNATIONAL TRAINING
PROGRAMME 308**
Mine Water & Mine Waste Management



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THE CHANGE PROJECT

Poorly designed or managed tailing storage facilities (TSF) lead to increased costs of closure and long-term negative impacts which are a negative legacy to future generations due to perpetual risk to safety, health and environment. TSF's need to be designed, constructed and operated to the highest standards, with long term post closure stability in mind. The performance of TSF to the required standards throughout its life cycle is subject to the investor putting in place strategies for the best practice and the efficacy of regulatory agencies in monitoring and enforcement.

Currently, there are no guidelines in place in Kenya for permitting and inspection of mine waste storage facilities especially tailing storage facilities beside the availability of relevant regulatory standards. The disconnect between the regulators and those being regulated has been experienced thus calling for these guidelines to improve coordinated environmental compliance.

The implementation of this inspector's guideline is supported by checklists that provide a starting point for developing a system for inspections for proper management of the TSFs. The checklist will also help in identifying gaps within existing procedures, training requirements, permitting, conducting internal audits and aiding compliance and due diligence at any phase of the lifecycle.

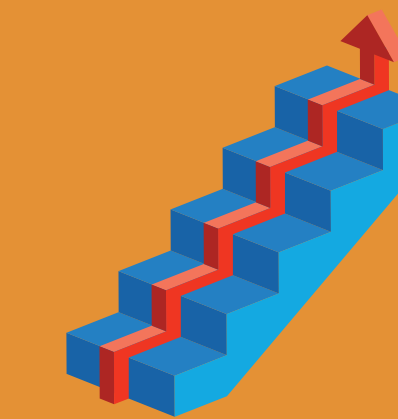
The main goal is to develop a sustainable use of natural resources and to secure safe living environments for future generations through a guided transparent and inclusive processes of permitting and inspecting mine storage facilities. This will help to appreciate the importance of clean and safe environments where non-discriminating economic growth can take place.



SIGNIFICANCE FOR THE PEOPLE AND THE ENVIRONMENT

The people and the environment at and around the tailing storage facilities must be protected from any adverse environmental impacts that relates to these facilities. The inspectors, the society and relevant agencies around the tailing storage facilities must be guided on measures to be undertaken to detect the potential dangers related to the tailing storage facilities and enforcing the relevant legislations. Miners and mining companies must know what is expected of them to not just comply with the relevant legislations but also on coordination with the relevant authorities towards the protection of the environment and ensure society's safety. The guideline will improve the coordination among the society, the companies and the authorities towards a sustainable, clean and healthy environment. Moreover, this document will support environmentally acceptable and sound management of Tailing Storage facilities by delivering brief and easily understandable information to respond on the environmental issues and complaints of the people living in a project area for negative impacts and\ damages imposed.

This guideline seeks to above all else protect human life and the environment as well by ensuring that the mining communities are not exposed to harmful physical or chemical effects. It holds the regulator accountable to ensuring that structured and timely inspections are done so as to be able to identify hazards and mitigate them before they get out of hand. By doing so mining communities and the environment will be protected from potential hazards such as dam spillage and exposure to toxic chemicals. Processes like Acid Rock Drainage (ARD) and Acid Mine Drainage (AMD) will also be prevented or minimized. Sound decisions on performance of TSF will result in improved mine safety and environmental conservation



RESULTS AND ACHIEVEMENTS

Strong governance and management of the tailings Storage facilities will help the country and the companies capture the positive benefits of mining while ensuring that adverse environmental, social and economic impacts are minimized or eliminated. Hence, the guideline will help both the regulatory body and the regulated companies to minimize the likely adverse environmental impacts.

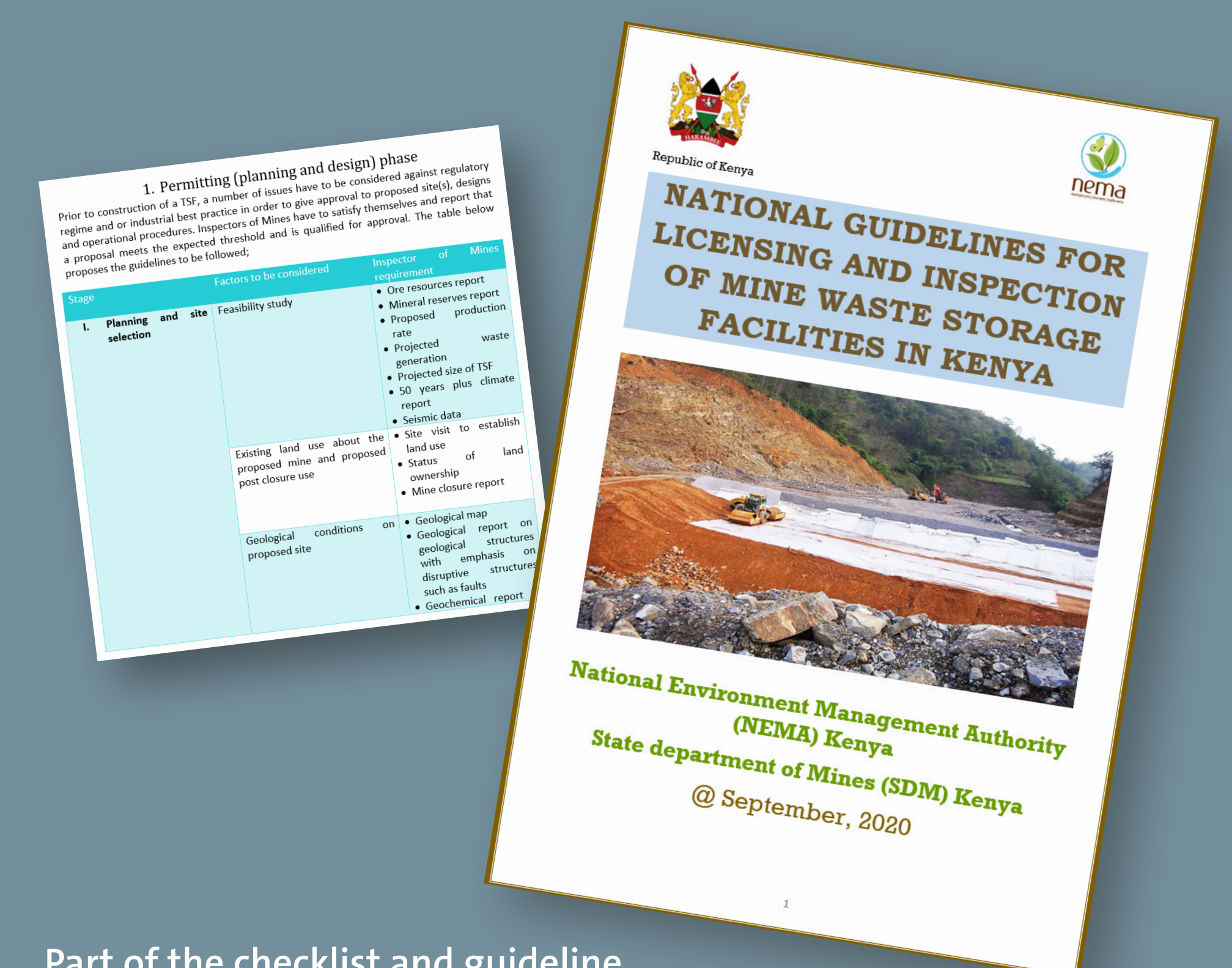


Currently, the document is still under review by various stakeholders and there are ongoing engagements towards enriching it, online engagements through zoom meetings and sharing of the document back and forth through emails has been done.

The participants together with the relevant stakeholders continues to engage towards enriching the document and ensure that the draft guideline is finalised and published as anticipated.

The next step is to call for participation by inspectors in finalising the guideline for the primary reason of fostering ownership of the document. If resources allow the final document may be introduced to holders of mining rights.

The guideline is recommended to be part of Inspectors handbook for permitting and inspections. Once accepted and published it will become part of Inspectors toolkit.



Part of the checklist and guideline.