

Rwanda

Ministerial Order establishing Special Regulations Relating to Burying Toxic Wastes

Ministerial Order 6 of 2010

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Ministerial Order establishing Special Regulations Relating to Burying Toxic Wastes

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Assented to on 15 July 2010

Commenced on 30 August 2010

[This is the version of this document from 30 August 2010.]

The Minister of Environment and Lands;

Pursuant to the Constitution of the Republic of Rwanda of 04 June 2003 as amended to date, especially in Articles 49, 120, 121 and 201;

Pursuant to Organic Law n° 04/2005 of 08/04/2005 determining the modalities of protection, conservation and promotion of environment in Rwanda, especially in Article 34;

After consideration and approval by the Cabinet in its session of 01/04/2010;

HEREBY ORDERS:

Chapter One General provisions

Article One – Purpose of this Order

This Order determines the modalities of burying toxic wastes.

Article 2 – List of toxic wastes

It is forbidden to burry toxic wastes referred to in the annex of this order, except in accordance with the provisions of this Order.

Article 3 – Reviewing the list of toxic wastes

The list of toxic wastes attached to this Order shall be reviewed any time it is deemed necessary. Whenever research shows that other toxic wastes not on this list, the Minister in charge of environment may order that those toxic wastes be buried according to the provision of this Order.

Chapter Two Modalities of burrying toxic wastes

Article 4 – Application for authorization to burry toxic wastes

Authorization to burry toxic wastes shall be applied for in writing to Rwanda Environment Authority with a copy to the Minister in charge of environment. The Minister in charge of Health, District authorities where the toxic wastes are found and District authorities where those toxic wastes are expected to be buried shall be informed.

The application letter for the authorization should be accompanied by a professional study carried out and showing the following:

- 1° the curriculum Vitae of the owner of toxic wastes to be buried;
- 2° the name of the Country from which the products that those toxic wastes are from and the names of the producers of those wastes;
- 3° names of those who ordered them, the time and reasons of ordering them;
- 4° causes of the intoxication;
- 5° the names of those who shall bury them and the facilities they have;
- 6° the size or volume of those toxic wastes;
- 7° the name of trade mark of those wastes;
- 8° where they are stocked and how they are stocked;
- 9° category of those wastes and chemical composition;
- 10° consequences of those wastes to human lives and the environment in general;
- 11° where and how those wastes shall be buried and methodology to be used;
- 12° the type of soil where those wastes are going to be buried so as how to ensure they don't destroy or affect it;
- 13° indication of the best way to remove those toxic wastes from where they are to where they going to be buried;
- 14° indication on how all those ways mentioned above have no consequences to water, soil, underground water sources, rivers, air space and human lives;
- 15° indication of the role of all business partners or stakeholders;
- 16° all the consequences that may occur and all precautions taken and how to intervene in case of accidents and unexpected reactions;
- 17° indication on how the inspection and follow up of consequences can arise and intervention methods on long and short term bases;
- 18° reasons for requesting the use of this methodology of burying toxic wastes;
- 19° supplementary explanation and details.

Article 5 – Period for the applicant to get an answer

The applicant for the authorization to bury the toxic wastes shall get an affirmative or negative answer within a period of twenty (20) days starting from the date the requesting letter has been received by the Rwanda Environment Authority. Where the answer is negative he/she shall be given the reason for rejecting the request.

The period stated in paragraph 1 of this Order may be extended, but the applicant shall be notified of that extension in writing before the expiration of the period.

Article 6 – Cost of burying toxic wastes

The cost of burying the toxic wastes and the appropriate study is met by the owner of toxic wastes.

When the owner of toxic wastes is unknown, the District where the toxic wastes are found pays all necessary fees for burying those wastes.

Chapter III Consultative committee

Article 7 – Responsibilities

The Consultative Committee shall have responsibilities of providing views and recommendations related to burying toxic wastes.

Article 8 – Composition

The Consultative Committee shall be composed of the following:

- 1° the Permanent Secretary in the ministry in charge of environment;
- 2° the Representative of the ministry in charge of infrastructure;
- 3° the representative of the ministry in charge of health;
- 4° the Representative of the ministry in charge of agriculture and animal resources;
- 5° the Representative of the ministry in charge of commerce;
- 6° the Representative of Rwanda Bureau of Standards;
- 7° the Representative of Rwanda National Police;
- 8° the Director General of Rwanda Environment Management Authority;
- 9° the Representative of the private sector.

Article 9 – Meetings of the committee

The Consultative meeting shall be convened and chaired by the Permanent Secretary in the ministry in charge of environment; it shall be held twice (2) a year and at any time it is deemed necessary. In that meeting, any person needed to help the Consultative Committee to fulfill its duties may be invited.

Chapter IV Final dispositions

Article 10 – Provisions not provided

Other provisions not provided in this Order are governed by ordinary laws relating to wastes management.

Article 11 – Repealing provisions

All prior legal provisions contrary to this Order are hereby repealed.

Article 12 – Entering into force

This Order shall come into force on the date of its publication in the Official *Gazette* of the Republic of Rwanda.

Annex

Liste des déchets dangereux

A – Flux de déchets

Déchets cliniques provenant de soins médicaux dispensés dans des hôpitaux, centres médicaux et cliniques:

1. Déchets issus de la production et de la préparation de produits pharmaceutiques;
2. Déchets de médicaments et produits pharmaceutiques;
3. Déchets issus de la production, de la préparation et de l'utilisation de biocides et des produits phytopharmaceutiques;
4. Déchets issus de la fabrication, de la préparation et de l'utilisation des produits de préservation du bois;
5. Déchets issus de la production, de la préparation et de l'utilisation de solvant Organiques;
6. Déchets cyanurés de traitements thermiques et d'opérations de trempe;
7. Déchets d'huiles minérales impropres à l'usage initialement prévu;
8. Mélanges et émulsions huile/eau ou hydrocarbure/eau;
9. Substances et articles contenant, ou contaminés par, des diphényles polychlorés (PCB), des terphényles polychlorés (PCT) ou des diphényles polybromés (PBB);
10. Résidus goudronneux de raffinage, de distillation ou de toute opération de pyrolyse;
11. Déchets issus de la production, de la préparation et de l'utilisation d'encres, de colorants, de pigments, de peintures, de laques ou de vernis;
12. Déchets issus de la production, de la préparation et de l'utilisation de résines, de latex, de plastifiants ou de colles et adhésifs;
13. Déchets de substances chimiques non identifiées et/ou nouvelles qui proviennent d'activités de recherche, de développement ou d'enseignement, et dont les effets sur l'homme et/ou sur l'environnement ne sont pas connus;
14. Déchets de caractère explosible;
15. Déchets issus de la production, de la préparation et de l'utilisation de produits et matériels photographiques;
16. Déchets de traitements de surface des métaux et matières plastiques;
17. Résidus d'opérations d'élimination des déchets industriels;

B. Déchets ayant comme constituants:

18. Métaux carbonyles;
19. Béryllium composés du béryllium;
20. Composés du chrome hexavalent;
21. Composés du cuivre;
22. Composés du zinc;
23. Arsenic, composés de l'arsenic;

24. Sélénium, composés du sélénium;
25. Cadmium, composés du cadmium;
26. Antimoine, composés de l'antimoine;
27. Tellure, composés du tellure;
28. Mercure, composés du mercure;
29. Thallium, composés du thallium;
30. Plomb, composés du plomb;
31. Composés inorganiques du fluor, à l'exclusion du fluorure de calcium;
32. Cyanures inorganiques;
33. Solutions acides ou acides sous forme solide;
34. Solutions basiques ou bases sous forme solide;
35. Amiante (poussières et fibres);
36. Composés organiques du phosphore;
37. Cyanures organiques;
38. Phénols, composés phénolés, y compris les chlorophénols;
39. Ethers;
40. Solvants organiques halogénés;
41. Solvants organiques, sauf solvants halogénés;
42. Tout produit de la famille des dibenzofurannes polychlorées;
43. Tout produit de la famille des dibenzoparadioxines polychlorées;
44. Composés organohalogénés autres que les matières figurant dans la présente

[please note: only available in French.]