

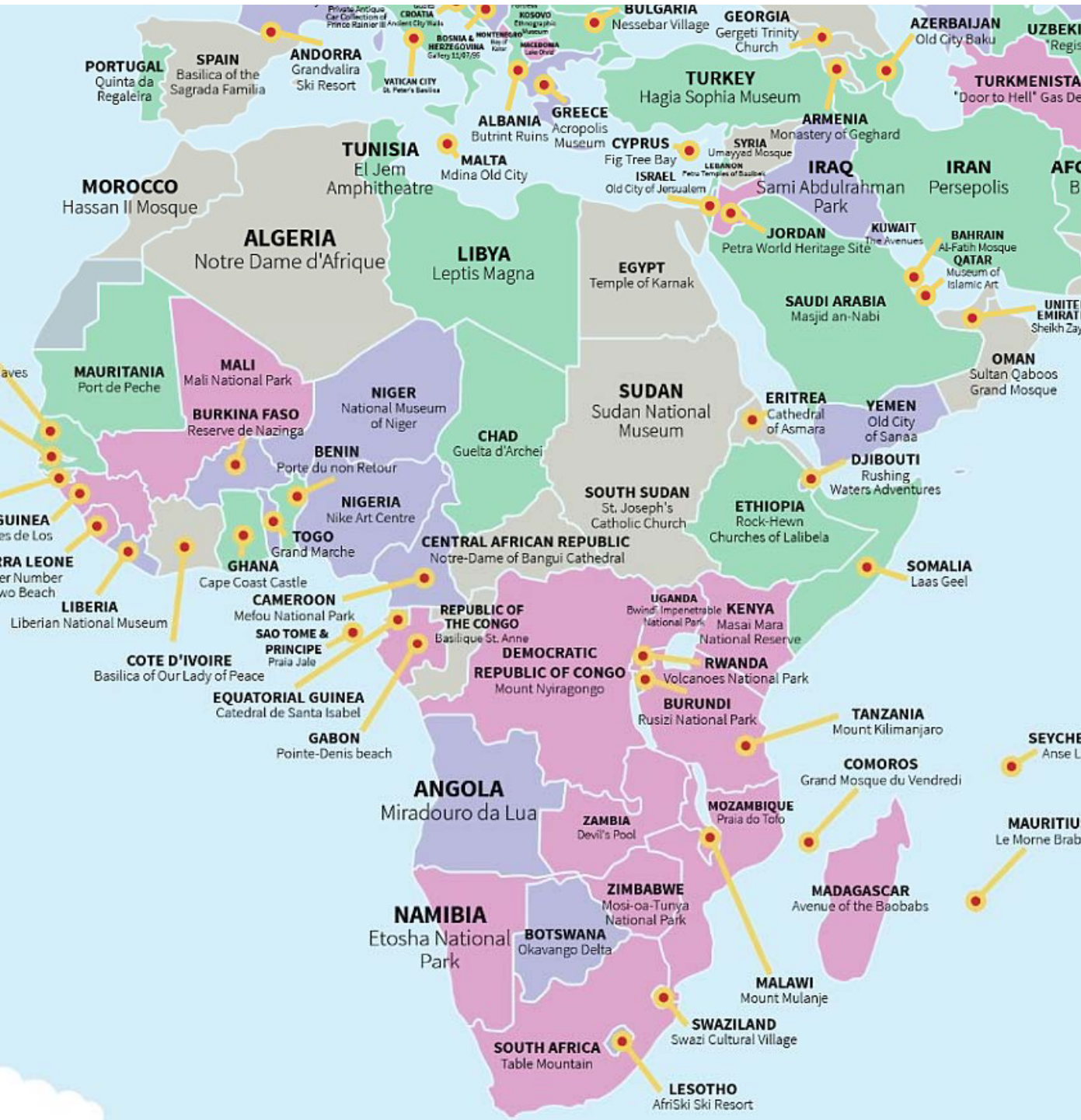
NATIONAL ENVIRONMENT MANAGEMENT COUNCIL (NEMC)

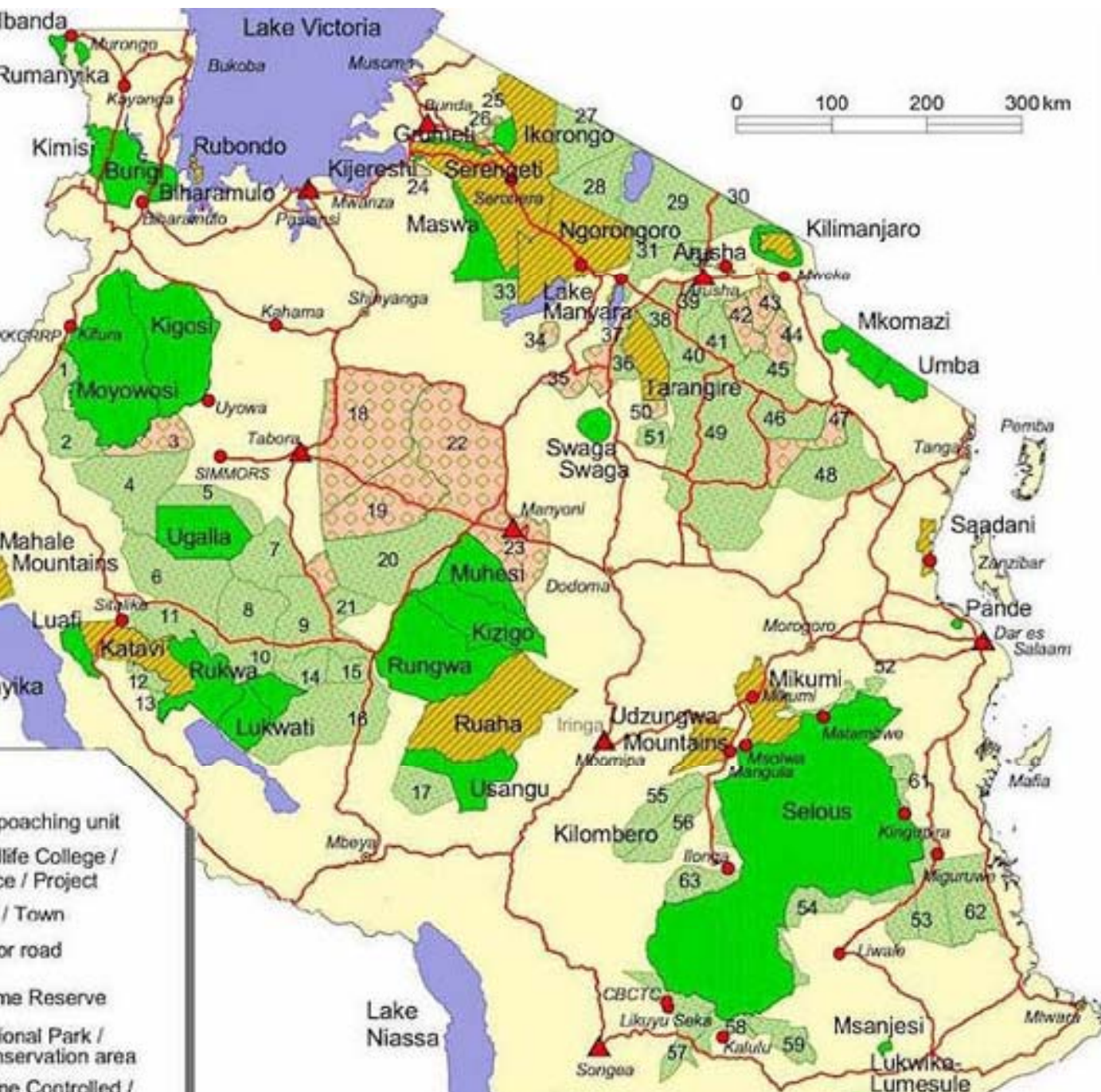


ENVIRONMENTAL INSPECTION IN MAINLAND TANZANIA

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Locational Map





Natural Resource Endowment

Role of Regulatory Inspections

- Inspections are a critical function of our government's efforts to protect the environment,
- During site visits, inspectors go to a facilities to determine if the activities and operations are being conducted in compliance with applicable permit conditions, laws, rules and regulations.
- **The inspector(s) ask questions and may collect samples, take photographs and review records.**

Specific Objectives of Inspections:

- i. Promote compliance behaviour.
- ii. Identify if there are environmental problems and their sources.
- iii. Ensure that self-monitoring data and records are of sufficient quality.
- iv. Check pollution control systems are working properly.
- v. Check if any additional measures have been taken.
- vi. Checking whether facilities that have breached the environmental legislation have complied with and implement the given requirement.
- vii. Obtain information to assess compliance.
- viii. Obtain evidence for the imposition of sanctions

Pre-Environmental Inspections

- The Inspection team get familiar with the facility. The familiarity can be through:
 - i. Previous inspections and their respective reports
 - ii. Information that was provided during permitting process (to meet environmental regulations).
 - iii. Facility reports available at regulators office e.g. self-monitoring reports, or notice
 - iv. Relevant legislation

Preparation for site visit



Inspection team: Document Review at NEMC

Review of relevant documents

Reviewing and Customizing Checklists

- Review and upgrade the existing site specific inspection checklist and inspection form relevant to the facility to be inspected. If checklists and inspection form are not in place, new ones should be prepared.

Review the relevant documents

- Documents for reviewing include EIA/ EA certificates, monitoring reports, licenses / permits, enforcement reports. Identify requirements of any relevant legislation.

Liaise with the designated laboratories

In cases of samples be collected liaise with designated laboratories for guidance.

Planning for Inspection

- Prepare a schedule of activities and outline steps to be undertaken once you are on site.
- Inform the facility owner of the intended inspection for announced inspections.
- The communication to the facility owner should be in written form and should include the following issues:
 - i. Date and time of visit
 - ii. Scope of the inspection
 - iii. Objectives of the inspection
 - iv. Relevant personnel to be met
 - v. Documentation that need to be availed for review on the date of the inspection
 - vi. Schedule of activities to be undertaken within the facility.
- Ensure appropriate regulatory authority field office is informed of the intended visit where applicable.

Opening meeting at the project site

- i. Introduce inspection team members
- ii. Take the list of attendance
- iii. Present inspection objectives and scope.
- iv. Highlight the relevant provisions of various statutes where necessary
- v. Address any concerns that may be raised by the facility owner
- vi. Agree on the inspection schedule.

Site inspection

- Use site specific checklist and inspection form to:
 - i. Observe evidence on the information gathered.
 - ii. Collect qualitative and quantitative information.
 - iii. Take photographs after informing the facility owner.
 - iv. Take samples where necessary.
 - v. Conduct oral interview as guided by the team leader.

Consult and reconcile the findings by inspection team

- The inspection team:
 - i. Summarize inspection findings.
 - ii. Identify issues requiring immediate attention.
 - iii. Prepare notes for the closing meeting.

Inspection of various project facilities



Inspection in Progress

Inspection of various project facilities



Closing meeting

Wrap up meeting between the management personnel and the inspection team.

- i. Discuss the inspection findings and recommendations.
- ii. Highlight findings requiring immediate attention.
- iii. Mention strengths and weaknesses noted within the facility.

Enforcement options

- After the conclusion of investigations, the investigator should take a decision, based on the available evidence and the authority's Enforcement Policy, on the enforcement action to be taken.
- The Regulatory authorities may respond to violations of environmental requirements by either administrative or judicial mechanisms.

Administrative Actions

Depending on the nature of the violation, the officer may serve any of the following administrative orders under EMA:

- Prohibition Notice (S.113),
- Restoration Order (S.151),
- Easements and Conservation Order (S.156 and 161 respectively),
- Prevention Order (S.195),
- Protection Order (S.196),
- Emergence Protection Order (S.197),
- Environmental Compliance Order (S.198),
- Cost Order (S. 199),
- Stop Order (Reg: 24, 26, 27 of Air Quality, Soil Quality and Water Quality Regulations of 2007 respectively).

Judicial sanctions

- Involves instituting prosecution against the offender.
- They aim at punishing wrongdoing to avoid recurrence and to act as a deterrent to others.
- They may be appropriate to use prosecution in conjunction with other available enforcement tools, for example, a prohibition notice requiring the operation to stop until certain requirements are met.
- Where circumstances warrant it, prosecution without prior warning or recourse to alternative sanctions will be pursued.

Inspection Findings

- ☐ Immediate steps must be taken to address all environmental anomalies observed
- ☐ The non compliances must be corrected as soon as possible
- ☐ The company receives from NEMC an official Inspection Report and must reply within the designated date

Inspection Findings Follow-up

- ☐ The Inspection report is prepared and sent to inspected project
- ☐ Time for feedback on implementation status is indicated

THANKS FOR
YOUR ATTENTION

