

MINISTRY OF ECONOMIC GROWTH AND JOB CREATION

**PUBLIC SECTOR CONSULTATION ON
THE NATIONAL POLICY
FOR THE ENVIRONMENTALLY SOUND
MANAGEMENT OF HAZARDOUS WASTES
(GREEN PAPER)**

12 February 2019
Knutsford Court Hotel

Rapporteur's Final Report
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ACRONYMS

AGC	Attorney General's Chambers
BSJ	Bureau of Standards Jamaica
EGJC	Economic Growth and Job Creation Committee.
EHU	Environmental Health Unit
ESM	Environmentally Sound Management
E-waste	Electronic waste
HCFC	Hydrochlorofluorocarbon
JCA	Jamaica Customs Agency
JIS	Jamaica Information Service
MEGJC	Ministry of Economic Growth and Job Creation
MFAT	Ministry of Foreign Affairs and Trade
MGD	Mines and Geology Division
MICAF	Ministry of Industry, Commerce, Agriculture and Fisheries
MOFP	Ministry of Finance and Planning
MOH	Ministry of Health
MLGCD	Ministry of Local Government and Community Development
MSET	Ministry of Science, Energy and Technology
MTM	Ministry of Transport and Mining
NEPA	National Environment and Planning Agency
NRCA	Natural Resources Conservation Authority
NSWMA	National Solid Waste Management Authority
ODPEM	Office of Disaster Preparedness and Emergency Management
ODS	Ozone depleting substances
PCA	Pesticides Control Authority
PIOJ	Planning Institute of Jamaica
POPs	Persistent Organic Pollutants
QSPTF	Quick Start Programme Trust Fund
SAICM	Strategic Approach to International Chemicals Management
STATIN	Statistical Institute of Jamaica
SDGs	Sustainable Development Goals
SRD	Standards and Regulations Division
WHO	World Health Organization

BACKGROUND NOTE

The consultation with the public sector on the National Policy for the Environmentally Sound Management of Hazardous Wastes (Green Paper) was held on 12 February 2019. It was the first in a series of consultations to ensure that all views were shared and accommodated, where possible.

Hazardous wastes are dangerous to health and the environment and this Policy covers the Environmentally Sound Management (ESM) of this type of waste. It should be noted that the Policy adopted the definition of the Environmentally Sound Management (ESM) of Hazardous Wastes as defined under the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal, which is 'taking all practicable steps to ensure that hazardous wastes and other wastes are managed in a manner which will protect human health and the environment against the adverse effects which may result from such wastes'. Following on this, hazardous waste is considered as any substance which by reason of its chemical activity, toxicity, explosivity, corrosivity, or other characteristics, causes or is likely to cause, danger to health or the environment, whether of itself or on contact with other waste.

The Policy is in keeping with Jamaica's National Development Plan-Vision 2030 Jamaica, in particular, Goal 4: Jamaica has a Healthy Natural Environment. Under this goal, Jamaica focuses on the effective management of the country's natural resources to ensure the continued provision of essential environmental services. It also acknowledges the fundamental right of Jamaicans in keeping with the Charter of Fundamental Rights and Freedoms (Constitutional Amendment) Act, 2011 specifically, Section 13 (3) (l) the right to enjoy a healthy and productive environment free from the threat of injury or damage from environmental abuse and degradation of the ecological heritage. In recognition of this right, the goal of this Policy is for the environmentally sound management of hazardous wastes in Jamaica in keeping with international and regional best practices, to ensure the protection of human health and the environment.

The strategic component of the Policy outlines actions to be undertaken and, where possible, the timeframe for their implementation by various stakeholders to ensure that the policy goal and objectives are realized.

The directives stated in the Policy are in accordance with Jamaica's obligations under key multilateral environmental agreements and arrangements related to the management of chemicals and hazardous wastes, including the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal, the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade, the Stockholm Convention on Persistent Organic Pollutants (POPs), the Minamata Convention on Mercury and the Strategic Approach to International Chemicals Management (SAICM).¹

The consultation was attended by key public sector stakeholders including: Ministry of Health (MOH); National Solid Waste Management Authority (NSWMA); National Environment Planning Agency (NEPA);

¹ Taken from the Executive Summary of the National Policy for Environmentally Sound Management of Hazardous Wastes.

Ministry of Local Government and Community Development; Ministry of Industry, Commerce, Agriculture and Fisheries (MICAF); Ministry of Foreign Affairs and Trade (MFAT); Ministry of Science and Technology (MST); Cabinet Office; Attorney General's Chambers; Statistical Institute of Jamaica (STATIN); Mines and Geology Division (MGD); Jamaica Customs Agency (JCA); Bureau of Standards Jamaica (BSJ); Planning Institute of Jamaica (PIOJ), Ministry of Economic growth and Job Creation (MEGJC); Pesticides Control Authority (PCA); and the Jamaica Information Service (JIS).

EXECUTIVE SUMMARY

The opening ceremony, chaired by Ms. Gillian Guthrie, Senior Director, Environment and Risk Management Branch, MEGJC, who moderated the morning's proceedings. The welcome was given by Mr. Yaneke Watson, Chief Technical Director, Policy, Planning and Evaluation, MEGJC and representatives from MEGJC's key partners in the implementation of the hazardous waste policy brought remarks on behalf of their agencies – Ms. Bethune Morgan, NEPA and Mr. Phillip Morgan, NSWMA.

Mr. Watson emphasized that dealing with the subject of hazardous waste and the development of the Policy was a huge undertaking as it impacted all aspects of the environment and was directly linked to Goal 4 of Jamaica's Vision 2030 – "Jamaica has a healthy natural environment", as well as the Sustainable Development Goal 3 (SDGs) which is to "ensure healthy lives and promote well-being for all at all ages". He noted that the formulation of this Policy would guide matters relating to packaging, labeling, transportation, financing and so on. Inviting the participation of all agencies in the creation of the Policy would guarantee the inclusion of best practices across sectors.

Ms. Morgan emphasized the multi-sectoral character of the Policy and the need for a coordinated effort by a multiplicity of actors including: NEPA, MEGJC, NSWMA and the MOH, which all had mandates and responsibilities for the management of hazardous waste. She also referenced Jamaica's involvement in many multi-lateral environmental agreements and highlighted the direct association between the policy and the Basel Convention, Rotterdam Convention, Minamata Convention on Mercury as well as employing a strategic, integrated approach to chemical management. Ms. Morgan observed that the Policy would provide an additional tool to ensure the efficient management of hazardous waste and, thus, reduce threats to public health locally.

Mr. Morgan viewed the Policy as being integral to the role of the NSWMA as a regulator of waste. He said it would provide guidance for the actions of the agency as its role evolved into that of a regulator rather than collector. He commented on the timeliness of the policy as they would facilitate the setting of the mandate of the NSWMA in regard to the management of solid waste.

Moderator, Ms. Gillian Guthrie, reiterated the point that the Policy had been long in coming. She noted that hazardous waste was not a subject that was discussed by the general public. The impact of chemicals and other hazardous materials, while a part of everyday life, was not fully understood by the average Jamaican. The objective of the policy was to coordinate the management of hazardous waste as well as share data and build capacity in the ability to implement the Policy.

Ms. Joanne Felix, Environment and Risk Management Branch, MEGJC, provided an overview of the Policy. She highlighted the major agreements that guided the Policy, the three stated objectives along with the associated strategic actions, the proposed five-year timeline as well as the proposed institutional framework.

Ms. Felix concluded by noting that the Policy: acknowledges the fundamental rights of Jamaicans in the Charter of Fundamental Rights and Freedoms Act, 2011 i.e. the right to a healthy and productive environment; will be reviewed every five years and amendments recommended as necessary; will have a positive effect on both the health of the environment and the citizens of Jamaica; and is aligned with Vision 2030 Jamaica, in particular Goal 4 – Jamaica has a Healthy Natural Environment.

Ms. Guthrie provided a brief overview on medical wastes. She introduced the World Health Organization (WHO) definition of medical waste which described different categories of waste – infectious, pathological, sharps, chemical, pharmaceutical, toxic, radioactive, and general or non-hazardous waste. Hospitals, nursing homes, mortuaries, blood banks, laboratories, etc, were some of the sources of health care waste. She reemphasized the critical need to obtain accurate data on the volume of hazardous health care waste to inform the policy. She highlighted the existence of two guideline documents on the subject of health care waste from the Basel Convention and noted that the WHO had also prepared a document on the management of health care waste.

Ms. Navarine Hylton advised that the MOH had, since 2004, a medical waste policy which was still at draft stage and would now be integrated into the Hazardous Waste Policy. A study on waste generation in the health sector in 2006/7 estimated that approximately 1,600 tons of medical waste was generated annually. She noted that this could be reduced with improvement in segregation practices. The Kingston Public Hospital had operated a treatment facility for hazardous waste since 2009 at which time it had a capacity of 1000 tons annually. An upgrade in 2012 had doubled its capacity but it was not yet operating at optimum capacity. The facility was currently experiencing significant challenges.

Ms. Guthrie led the discussion on the Policy. She noted that with the lengthy process undergone in developing the draft Policy, several elements had already been achieved such as the drafting of the three NSWMA acts. The question of a standalone medical waste policy came up and she explained that the Cabinet was of the view that there should be one comprehensive document on hazardous wastes.

Discussions included the need for appropriate infrastructure to deal with various categories of hazardous waste including land. The idea of the treatment of hazardous waste as a business opportunity for companies that already had facilities with the capacity to dispose of hazardous wastes. The consensus was that the proposal should be made to Cabinet but should be placed in the appropriate context for the protection of the sector and the country.

Participants examined the Policy in detail highlighting inaccuracies and gaps. The point was made that the amended document (incorporating the recommendations) would be submitted to Cabinet by the MEGJC. Ms. Guthrie emphasized that the original Policy document had been placed online and would be presented for discussion at all upcoming consultations.

OPENING CEREMONY

Ms. Gillian Guthrie, Senior Director, Environment and Risk Management Branch, moderated the morning's proceedings. The welcome would be given by Mr. Yaneke Watson, Chief Technical Director, Policy, Planning and Evaluation, MEGJC. Representatives from MEGJC's key partners in the implementation of the hazardous waste policy brought remarks on behalf of their agencies – Ms. Bethune Morgan, NEPA and Mr. Phillip Morgan, NSWMA. Ms. Guthrie advised that MEGJC was the focal point for several multi-lateral environmental agreements for chemicals and waste. She highlighted the Basel Convention on the Transboundary Movements of Hazardous Wastes and Their Disposal. She explained that this convention took an integrated and lifecycle approach towards the management of hazardous waste. MEGJC was the focal point and NEPA the competent authority in implementing the convention. Consequently, she noted, it was important that the Ministry's partners were on board in any discussion on the Policy.

WELCOME

Mr Yaneke Watson, Chief Technical Director, Policy Planning and Evaluation Division, MEGJC

Mr. Watson emphasized that the development of the Policy impacted all aspects of the environment and was directly linked to Goal 4 of Jamaica's Vision 2030 – "Jamaica has a healthy natural environment", as well as the SDG 3 to "ensure healthy lives and promote well-being for all at all ages".

He noted that the formulation of this Policy would guide matters relating to packaging, labeling, transportation, financing, and so on, of hazardous waste. Inviting the participation of all agencies in the creation of the Policy would guarantee the inclusion of best practices across sectors. He emphasized that livability was important. His own experience of living close to a bauxite plant had made him well aware of the challenges communities faced and cited a recent experiment in which he asked a student to carry out a land use study on the impact of the operations of Windalco on the surrounding communities. A major finding was that farmers were happier with the closure of plant. The response demonstrated the urgent need to take control of the environment.

He underscored the need for the participants in the day's consultation to engage strong discussions and to share ideas to ensure that all stakeholders were on the same page.

REMARKS

Ms Bethune Morgan, National Environment and Planning Agency

Ms Morgan acknowledged that the management of hazardous waste has long needed coordinated and comprehensive management within relevant and legislated regulatory framework. She noted that to date the most appropriate adjectives to describe the current management of the area were: sectoral, piecemeal and fragmented. Consequently, steps towards the completion of a comprehensive hazardous waste policy through the consultation was an important milestone.

She also emphasized the multi-sectoral character of such a policy with the need for a coordinated effort by a multiplicity of actors including: NEPA, MEGJC, NSWMA and the MOH all of which have mandates and responsibilities for the management of hazardous waste. She, too, referenced Jamaica's involvement in many multi-lateral environmental agreements and highlighted the direct association between the policy and the Basel Convention, Rotterdam Convention, Minimata Convention on Mercury as well as employing a strategic, integrated approach to chemical management.

Ms Morgan observed that the Policy would provide an additional tool to ensure the efficient management of hazardous waste and thus reducing threats to public health locally. She highlighted the relevance of the Natural Resources Conservation Authority (NRCA) Act to the Policy. She added that the mission of the Agency was to promote sustainable development through the protection and monitoring the environment which involves pollution prevention, control, monitoring, assessment, investigating and reporting. The Agency was governed by the Natural Resources Conservation Authority Act. Subsidiary regulations which contributed to the governance of hazardous wastes were the Natural Resources Conservation Permits and Licences (1996) Regulations amended in 2015, Natural Resources (Prescribed Areas) (Prohibition of Categories of Enterprise, Construction and Development) Order, 1996, also amended in 2015. Both are applicable to any construction or development that conducts hazardous waste removal, storage, transportation, treatment or disposal services. She also highlighted the Natural Resources (Hazardous Wastes) (Control Transboundary Movement) Regulations, 2002 which facilitates export of hazardous wastes that the country is unable to manage locally to other jurisdictions.

Financing the recommendations of the policy would present a significant challenge. The challenge facing the stakeholders present would be to introduce viable policy solutions for Jamaica.

Ms Morgan concluded with a quote from the Green Paper:

Effective implementation of the Policy is dependent, to a large extent, on the support and the cooperation of all stakeholders, including the general public. It will necessitate the inclusion of comprehensive regulatory institutions and infrastructural frameworks with mechanisms to monitor compliance and implementation of stated policy goals, objectives and strategies.

Mr Phillip Morgan, National Solid Waste Management Authority

Mr Morgan viewed the Policy as being integral to NSWMA's role as a regulator of waste. He said it would provide guidance for the actions of the agency as its role evolved into that of a regulator rather than collector. He commented on the timeliness of the policy as they would facilitate the setting of the mandate of the NSWMA in regard to the management of solid waste.

He shared information on some of the regulations currently being crafted in terms of solid waste. NSWMA was about to embark on the implementation of the electronic waste (E-waste) regulation which would require manufacturers and distributors of electrical equipment to take back these items at the end of life. He noted that many spontaneous fires in the landfill were caused by NSWMA vehicles running over dumped electrical equipment.

Mr Morgan committed the full participation of the NSWMA in this consultation. He recommended that following the consultation, an inventory of all hazardous waste in Jamaica be prepared in order to dispose of the waste in an environmentally responsible manner.

Moderator/Chair

Moderator, Ms. Gillian Guthrie, reiterated the point that the Policy had been long in coming. She noted that hazardous waste was not a subject that was discussed by the general public. The impact of chemicals and other hazardous materials, while a part of everyday life, was not fully understood by the average Jamaican. The objective of the policy was to coordinate the management of hazardous waste as well as share data and build capacity in the ability to implement the Policy. She cited the decline of the insect population as one of the negative impacts of the use of pesticides. The question was how to deal with pesticides that were no longer in use. She also highlighted medical waste as critical issue. The suggestion of proceeding with the policy on medical waste by the MOH had been discussed, but Cabinet was of the view that it should be incorporated into this Policy. How to treat that category of hazardous waste would, therefore, have to be addressed by the policy.

POLICY OVERVIEW

Ms Joanne Felix, Environment and Risk Management Branch, MEGJC

Ms Felix outlined the conventions, policies and legislation that dealt with hazardous waste:

- Charter of Fundamental Rights and Freedoms (Constitutional Amendment) Act, 2011
- Vision 2030 National Development Plan
- National Solid Waste Management Policy of Jamaica (2002)
- Jamaica's Energy Policy (2009 – 2030)
- The Revised Motor Vehicle Import Policy (2014)
- The Medical Waste Management Policy (draft)
- National Policy on Environmental Management Systems (draft)
- The Emissions Policy Framework (draft)

Regional and international instruments included:

- Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade (2002)
- Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal (2003)
- Strategic Approach to International Chemicals Management (SAICM) (2006)
- Stockholm Convention on Persistent Organic Pollutants (2007)
- Minamata Convention on Mercury (2017)

Ms. Felix shared the definition of hazardous wastes that the draft Policy had adopted from the Natural Resources Conservation (Permits and Licences) Regulations, 1996:

Any substance which by reason of its chemical activity, toxicity and explosivity, corrosivity or other characteristics, causes or is likely to cause, danger to health or the environment, whether of itself or on contact with other waste

The Basel Convention defines environmentally sound management (ESM) as, "Taking all practicable steps to ensure that hazardous wastes are managed in a manner which will protect human health and the environment against the adverse effects which may result from such wastes".

The goal of the Policy is for the ESM of hazardous wastes in Jamaica, in keeping with international and regional best practices, to ensure the protection of human health and the environment.

Ms. Felix cited a number of instances highlighted in the press of damage done by improper management of hazardous waste including several cases of lead poisoning in St Andrew and St Catherine of children and adults as well as the impact of the burning of tyres on people in the Riverton area. The Policy was intended to address weaknesses in the management of hazardous waste.

The Policy has three objectives and corresponding strategies and actions.

1. Institute effective hazardous waste management framework at national and local levels
Strategy 1 A. To encourage the ESM of hazardous wastes through strengthening of the regulatory framework using an integrated –life-cycle approach

Strategy 1.B. To facilitate the treatment and disposal of hazardous wastes in an environmentally sound manner through the upgrade and institution of infrastructural works

2. To improve information sharing, education and awareness raising at all levels of society to support and facilitate active participation in the decision-making

Strategy 2.A. To minimize the generation of hazardous wastes and risk of exposure to public and environmental health.

3. To promote sustainable financing mechanisms for hazardous waste management

Enactment of draft legislation - omnibus leg on chemical waste, National Asbestos Guidelines,

Strategy 3.A. To encourage joint ventures and partnerships between or among the public and private sectors and public interest groups in financing national hazardous wastes management initiatives III

Ms. Felix presented a list of actions to ensure implementation of the Policy accompanied by a recommended timeline in terms of years.

She noted that the actions were listed on page 39 of the draft Policy (which had been circulated to participants), some of which were detailed in the table below.

Ms. Felix presented a recommended institutional framework for the implementation of the Policy. Leading the charge would be the Economic Growth and Job Creation Committee (EGJC) with the MOH, MEGJC, and MLGCD determining policy and technical experts from the Pest Control Authority, Standards and Regulations Division, Environmental Health Unit, NEPA and NSWMA providing technical support. Other supporting agencies included the Ministry of Finance and the Public Service, Ministry of Transport and Mining, Ministry of National Security, Jamaica Customs Agency, Maritime Authority, Fire Brigade, Bureau of Standards Jamaica and National Compliance and Regulatory Authority.

The seven critical areas of hazardous waste management to be addressed were identified as: importation/manufacture, (PCA, SRD, NEPA, JCA, EHU); distribution (EHU, NEPA, PCA, SRD); transportation (NEPA, MTM); storage (NEPA, EHU); treatment (NEPA); disposal (NEPA, NSWMA, MOH, WMU); and emergency response (ODPEM).

An inter-ministerial coordinating committee comprising: MEGJC, MOH, MOFP, MLGCD, AGC and MICAF was proposed with subcommittees taking responsibility of hazardous waste, radioactive wastes and non-hazardous waste.

Ms Felix concluded by noting that the Policy: acknowledges the fundamental rights of Jamaicans in the Charter of Fundamental Rights and Freedoms Act, 2011 i.e. the right to a healthy and productive environment; will be reviewed every five years and amendments recommended as necessary; will have a positive effect on both the health of the environment and the citizens of Jamaica; and is aligned with Vision 2030 Jamaica, in particular Goal 4: Jamaica has a Healthy Natural Environment for transition to a green economy.

Ms Felix invited participants to review the draft Policy and to submit any amendments they considered necessary. Comments should be specific and the changes meticulously referenced within the document. Comments should be sent on the relevant letterhead and the track changes tool should not be used.

DISCUSSION

Ms Gillian Guthrie, Senior Director, Environment and Risk Management Branch, MEGJC

Overview on Health Care Waste

Ms Guthrie provided a brief overview on health care waste. She introduced the WHO definition of health care waste which described different categories of waste – infectious, pathological, sharps, chemical, pharmaceutical, toxic, radioactive, general or non-hazardous waste. Hospitals, nursing homes, mortuaries, blood banks, laboratories, etc were some of the sources of health care waste.

Examples of Health Care Waste

Categories	Examples
Infectious waste	Pathogens e.g. laboratory cultures; waste from isolation wards; tissues (swabs), materials, or equipment that have been in contact with infected patients; excreta
Pathological waste	Human tissues or fluids e.g. body parts; blood and other body fluids; fetuses Sharps e.g. needles; infusion sets; scalpels; knives; blades; broken glass
Pharmaceutical waste	Pharmaceuticals that are expired or no longer needed; items contaminated by or containing pharmaceuticals (bottles, boxes)
Genotoxic waste	Waste containing cytostatic drugs (often used in cancer therapy); genotoxic chemicals
Chemical waste	laboratory reagents; film developer; disinfectants that are expired or no longer needed; solvents wastes with high content of batteries; broken thermometers; blood-pressure gauges; etc. heavy metals, pressurized containers, gas cylinders; gas cartridges; aerosol cans
Radioactive waste	Unused liquids from radiotherapy or laboratory research; contaminated glassware, packages, or absorbent paper; urine and excreta from patients treated or tested with unsealed radionuclides; sealed sources Cultures and stocks of highly infectious agents.

Ms Guthrie shared that WHO has estimated that approximately 0.5 kilograms of hazardous waste was generated per hospital bed in developed countries, in developing countries 0.2 kilograms. She looked at the recommendation by WHO for the segregation of waste which would involve the use of colour-coded bags to collect different types of waste thus determining the handling of that waste.

She shared an unconfirmed figure (World Bank) of 5,100 hospital beds in Jamaica. She calculated an annual volume of 1,020 kilograms of health care waste in Jamaica.

A 1996 source provided a figure of over 6000 kilograms of clinical waste was generated from six institutions over a three-week period in Jamaica. She emphasized the need to have an accurate calculation of the volume of waste being generated by the Jamaican health care system. She noted that not all health care waste was hazardous. The MOH has shredding facility downtown Kingston which deals with pathological and infectious waste.

Ms Guthrie reemphasized how critical it was to obtain accurate data on the volume of hazardous health care waste to inform the policy.

She highlighted the existence of two guideline documents on the subject of health care waste from the Basel Convention and the WHO had also prepared a document on the management of health care waste.

Ms Guthrie highlighted a number of recommendations for the Policy:

- Strategies to encourage a reduction in volume of waste
- Institution of legislative guidelines and institutional practices on the identification and segregation of waste, safe transportation and storage of waste, environmentally safe treatment of waste (steam treatment etc.)
- Establishment of a database of categories of waste
- Training of personnel in the handling, disposal and storage of waste
- Development of management plans for primary health care facilities, mass immunization.

Ms Guthrie stated that the next consultation would be with the private sector and a comprehensive, accurate document was required.

Navarine Hylton, Ministry of Health

Ms Hylton advised that the MOH had, since 2004, a medical waste policy which was still in draft stage and would now be integrated into the Hazardous Wastes Policy. A study on waste generation in the health sector in 2006/7 estimated that 1,600 tons of medical waste was generated annually. She noted that this volume could be reduced with institutional strengthening and improvement in segregation practices. She advised that much of the waste coming to the Kingston Public Hospital (KPH) waste treatment facility was non-infectious waste.

The treatment facility became operational in 2009 with a capacity of 1,000 tons annually. It was upgraded in 2012 and doubled capacity but it was not yet operating at optimum capacity and was currently experiencing significant resource challenges. She shared that when the project was envisioned in 2004, the plan was for four treatment facilities across the island. There was only funding for one facility. Additionally, incinerators at four health care facilities were not working well so a lot of general waste was coming in from all over the island. The KPH unit was currently serving 60 health care facilities, both public and private sector. She noted that some of the health centres were collection centres for satellite facilities and all the private health care waste came into the treatment facility. Despite this, she felt that the more serious issue was the lack of regulations to mandate the smaller health care facilities to observe proper environmental practices

She added that the Ministry was currently looking at the operation of the facility and considering options – public private partnership or divestment.

Discussion on the Policy

Issue/Subject	Discussion
Scope of Policy Page 9	Ms. Guthrie pointed out that the Policy did not address radioactive materials. They were dealt with by the Hazardous Substances and Regulatory Authority and covered under the Nuclear Safety and Radiation Act 2015. Specific types of medical wastes would be addressed under policies to be developed by the Ministry with responsibility for Health.
Paragraph 5	It was to be amended to include medical waste
Policy Framework Pages 13 and 14	Key instruments recommended for inclusion in Table 2 of the Policy document were :

Table 2	<ul style="list-style-type: none"> ▪ National Information and Communications Technology Policy, 2011 ▪ Comments from consultation through the Ministry of Science Energy and Technology (MSET) on and E-Waste Policy and Regulatory Framework. Recommendation to take those comments by the e-waste consultant on board. ▪ National Transport Policy (transportation of hazardous waste was a gap in the policy that should be addressed). ▪ National Chemical Response Protocol had been completed (this required updating).
Question raised regarding rationale for integrating medical waste rather than leaving it as a standalone policy	Cabinet wanted a comprehensive document to cover hazardous waste management inclusive of medical waste, rather than creating a plethora of documents. A recommendation for a separate medical waste policy could be made to Cabinet to address non-hazardous health care waste.
Infrastructure Pages 14 & 15 -	<p>Observations made:</p> <ul style="list-style-type: none"> ▪ There were no engineered disposal sites ▪ Waste was not being disposed in an environmentally sound manner ▪ It was necessary to identify land for proper disposal storage of waste. Land was required. It was not highlighted in the land policy but would be included in revised land policy <p>Ms. Guthrie emphasized the need for decisions and actions:</p> <ul style="list-style-type: none"> ▪ regarding the categories of waste to be dealt with locally; ▪ putting the necessary infrastructure in place to deal with those categories; ▪ examining the categories to be considered for export of waste that we cannot deal with locally. She noted that shipments of hazardous waste, that could not have been adequately disposed of locally, had already taken place, for example: <ul style="list-style-type: none"> ○ the shipment of pcb waste to France ○ NEPA had issued permits for the shipment of used batteries to China and other places <p>Hence, Jamaica already had experience in dealing with the shipment of hazardous wastes.</p> <p>She noted that large stockpiles of hazardous waste was the result of the lack of resources, even by large companies, to engage a foreign company to package and ship these wastes on a sustained basis.</p> <p>Navarine Hylton noted that from the perspective of the health care sector certain chemicals/pharmaceutical substances might be exported. She also raised the question of how electrical waste should be treated.</p> <p>Ms. Guthrie said that the regulations developed by the NSWMA included a take back approach by which major distributors of electrical products were required to take back products at end of life.</p>

<p>The idea of pursuing public private partnerships to assist in waste disposal was floated. There were private sector companies with high temperature kilns who might be encouraged to assist with hazardous waste from the public sector.</p>	<p>Stephanie Forte of the Attorney General’s Chambers recommended that a study be carried out on the countries to which waste was exported to keep abreast of their policies regarding accepting waste so we will have alternative destinations in the event of any changes.</p> <p>Ms. Guthrie advised that Jamaica had already banned the importation of some hazardous waste as the country did not have the capacity to handle it. She asked for opinions on whether the treatment of hazardous waste as a business opportunity should be accommodated or the status quo should be maintained. The consensus was for the status quo to be maintained.</p> <p>Ideas looked at addressing the following options</p> <ul style="list-style-type: none"> ▪ PPPs might be explored outside of the Policy. Discussions could begin even before finalization of Policy ▪ If companies had to retrofit their equipment to accommodate waste from public sector, waste produced might not be enough and they may view it as a business opportunity to be a regional facility and might wish to import waste in order to see a return on investment. ▪ While an interesting idea might introduce problems of control ▪ The idea of private investment in hazardous waste disposal also explored. The possibility existed that an external investor might see an opportunity in Jamaica <p>It was agreed that the idea, while an interesting one, would have to be carefully considered and introduced in a context that exhibited all checks and balances.</p>
<p>Page 3 - Ozone depleting substances reference</p>	<p>The table on this page had to be updated as the government was in the process of phasing out HCFCs. Jamaica had ratified the Montreal Protocol but there is still the issue of dealing with the stockpiles of refrigerants and equipment. And in discussions, stakeholders were told that in many instances the HCFCs that had been removed from equipment systems were being vented on occasion, as there was no disposal system in place. Consequently the country must grapple with the storage and disposal of ozone depleting substances (ODSs).</p> <p>Jamaica was in the process of moving towards the ratification of the Kigali Amendment to the Montreal Protocol. which deals with the phase out of HFCs. These were substances with a high global warming potential so were also covered under the United Nations Framework Convention on Climate Change.</p>
<p>Page 19 Table 4 MDAs involved in hazardous waste management</p>	<p>The MEGJC was identified as the focal point for the Basel and Minamata Conventions. The Ministry of Foreign Affairs is the focal point for the Stockholm Convention and MEGJC listed as the technical entity. MEGJC has also been dealing with the policies for chemical and hazardous wastes, and the development of legislation.</p>

	<p>Under the National Quick Start Programme Trust Fund (QSPTF) Project, a chemicals project, the MEGJC assisted the MOH with drafting omnibus legislation for chemicals management. Drafting instructions were currently at the MOH.</p> <p>The representatives at MOH were asked whether these would be enacted. It was recommended that a special meeting be convened to discuss this issue as it was important that the relevant personnel were in attendance.</p> <p>Chief Parliamentary Counsel, MOH, suggested convening a special meeting with all pertinent individuals to explore issues.</p>
NEPA	NEPA agreed with the current wording
Ministry of Local Government	The Disaster Preparedness and Emergency Management Act, 1993 was repealed and replaced by the Disaster Risk Management Act, 2015. The NSWMA Act was 2001 not 2000. NSWMA noted that their mandate was not municipal waste but solid waste. The transportation of waste should be included. Also in regulations that were currently being worked on a vehicle was considered a disposal facility. Ms. Guthrie emphasized need for precise wording.
ODPEM	An issue with wording was highlighted in terms of wording re responding. They were the coordinating and not responding body. The correct wording would be supplied.
Ministry of Transport and Mining	Monifa Blake (MTM) pointed out a correction to be made to the date of enactment of the Road Traffic Act, 2018 (not 1938); The Shipping Act is being analyzed and the legal officer would have to advise on its status.
Mines and Geology (p22)	The language was accurate. It was observed that the policy focused on the bauxite industry. It was noted that gold mining also generated hazardous waste.
Ministry of Health	<p>Drafting instructions (as discussed above) are with the MOH for the Chemicals Act.</p> <p>At the bottom of page 23 the word disposal to be changed to management. A recommendation made to review the National Chemicals Profile.</p> <p>MOH did not regulate exports but imports and manufacture of chemicals. MOH was requested to check the section carefully and submit amendments.</p>
Jamaica Customs	The Customs Act is 2014
Entities not reflected in the table	<ul style="list-style-type: none"> ▪ Ministry of Industry, Commerce, Agriculture and Fisheries (MICAFA) ▪ Bureau of Standards ▪ National Resources Conservation Authority ▪ Ministry of Labour, Occupational Health and Safety Unit ▪ National Commission on Science and Technology <p>Point was made that the policy would cover the major entities involved in management of hazardous waste.</p>
Goal of Policy – comments	All agreed on the definition proposed in the Green Paper (Basel Convention)
Objectives of Policy - Comments	<p>Question arose about introducing a separate objective for illegal waste left on ports; a strong possibility in light of Jamaica being a major transshipment hub. It would include the need to build capacity of regulators to monitor and control ports.</p> <p>The observation was made that Objective 1 was too broad and heavy.</p>

	<p>It was recommended that building capacity of Jamaica Customs should have a discrete objective.</p> <p>It was agreed that MEGJC would review Objective 1 and make it more specific and include an Objective 4 which would address safety and security in relation to hazardous waste management.</p>
Guiding principles	All considered relevant – there was a suggestion to consolidate the 14 listed into about eight.
Institutional framework	<p>Cabinet was not happy with the proposed framework as there was no clear leadership ownership of the Policy.</p> <p>The point was made that leadership had to come from either the Ministry of Health or the Ministry with responsibility for Environment. It was suggested that a recommendation be taken to the Cabinet and leave them to make the decision.</p> <p>The final proposal to be taken to Cabinet was for the Ministry with responsibility for environment take the lead in coordinating hazardous waste within a core group comprising the Ministry of Health, Ministry of Environment and Ministry of Local Government.</p> <ul style="list-style-type: none"> ▪ MOH would be primarily responsible for hazardous medical waste ▪ Ministry of Local Government would be responsible for hazardous solid waste ▪ Ministry of Environment would coordinate the overall management
Implementation Roadmap – 5-year plan	<p>Some actions have already been achieved because of the time it took to reach this stage. For example, three pieces of legislation relating to the NSWMA had already been drafted:</p> <ul style="list-style-type: none"> ▪ The National Solid Waste Management (Public Cleansing) Regulations; ▪ National Solid Waste Management (Disposal of Solid Waste) Regulations; ▪ The National Solid Waste Management (Disposal of Hazardous Waste) (Electronic and Electrical) Regulation, 2017. ▪ Omnibus legislation on chemicals management (to be finalized in year 3)
Definitions of hazardous waste and medical waste	<p>Should there be a differentiation between medical and hazardous waste. Definition used includes medical waste. Ms. Guthrie requested guidance from the Chief Parliamentary Counsel on the definition of solid and medical waste so as to accurately determine the responsible entity.</p> <p>Drafting of regulations had to take into consideration whether the framework existed for the implementation of listed responsibilities.</p> <p>MOH questioned whether any other entity would be willing to assume the responsibility for hazardous medical waste.</p> <p>Ms. Guthrie said she would await guidance from the AGC and the CPC on the issue and discuss with the MOH.</p>
Were there any other areas which required a	<p>For example, should a management plan be crafted for the phase out of mercury?</p> <p>It was agreed that there should be a management plan.</p>

management plan?	
Does NEPA develop Codes of Practice? NEPA was asked to comment on statement re codes of practice on page 41	It was noted that NEPA developed guidelines and the industry develops codes of practice. NEPA would submit a written comment.
A comment was requested on the institution of a hazardous waste cell or landfill.	The Ministry of Local Government would submit a comment. It was suggested that this might be included under infrastructure.
Contamination site	NEPA would submit a written comment.
Implementation of MARPOL	Written comments would be submitted.
ODPEM risk management plan	This required implementation. This was another area/plan that did not have specific ownership. Timeline should be noted as ongoing.
Page 40 Table 5 Are any key actions omitted? Third action	NSWMA would be replaced with MLGCD. For the point on public awareness the agency with responsibility should be named. Financing should be addressed in Objective 3. In relation to third action (Develop and implement of at least one management plan every three years ...) should be changed to read - develop one management plan over the five-year period on one of the priority areas. Actions relating to public health need to be included – exposure of workers on garbage truck to potential health threats. Regulators were asked to submit actions on monitoring and enforcement. Actions required to strengthen capacity. Also include a call for reduction in volume of hazardous waste.
Page 39 – Is the list of priority categories comprehensive?	It was agreed that the list was comprehensive
Possible questions from the public?	Where would the repository of data on hazardous waste located? (STATIN)
Donations?	Include comment on how to deal with donations brought into the country. Must ensure that donations are fit for purpose. Persons/institutions receiving donations must be made more aware.

Ms Guthrie reiterated the point that individual entities need to review relevant sections and submit their comments. The document will be amended based on this consultation and would be placed online and widely circulated so it was absolutely critical for the stakeholders in the public sector to be represented

accurately. Ms Guthrie asked that written comments be submitted via email to the addresses shared on screen in the presentation.

Ms Guthrie closed the session by thanking all participants for their attention and very useful contributions. She noted that the private sector consultation would be held in March. Key agencies who may need to answer questions that may arise would also be invited. Public consultations would be held following the private sector consultation.