**Solid Waste Capacity Index for Local Governments (SCIL)**

**SCIL Survey Preparation Document**

**Component 2 – Policy and Legal**

The SCIL Survey is one component of USAID’s Clean Cities, Blue Ocean (CCBO) Solid waste Capacity Index for Local government (SCIL) Tool Kit. The SCIL Survey has six components.

This document provides an overview of all *Component 1: Planning* questions contained in the SCIL survey. It enables those participating in the assessment to review each of these “Yes/No” questions to determine which may be answered “Yes.” and begin to gather “evidence” to support this answer. The last column may be used to track whether evidence has been found. The answers and evidence must be entered into the SCIL Tracker for a SCIL Score to be formed.

| **Criteria** | **Question #** | **CCBO SCIL Assessment** **Policy and Legal Criteria Questions** | **Preliminary Response –** Mark if you think the answer to this question is “Yes” | **Documentation–** Provide name and/or URL of the documentation to show that the answer is “Yes” |
| --- | --- | --- | --- | --- |
| Local legal framework reflects national and regional 3R/SWM laws and policies | 1 | Do local laws and policies support the 3R/SWM national and provincial laws, plans, and priorities? | Y: \_\_\_ N: \_\_\_  |  |
| Enabling statutes provide authorities to the local government to effectively implement an economically and environmentally sound 3R/SWM system | 2 | Are local laws or policies in place that allow for the local government to collect fees for 3R/SWM waste services?  | Y: \_\_\_ N: \_\_\_   |  |
| 3 | Are local laws or policies in place that allow for the local government to license companies/individuals to perform waste-related services (i.e., waste collection, operation of waste facilities, etc.)? | Y: \_\_\_ N: \_\_\_   |   |
| 4 | Are local laws or policies in place to give environmental officers or other positions within the local government (who are responsible for enforcing 3R/SWM laws) the authority to issue 3R/SWM tickets for penalties? | Y: \_\_\_ N: \_\_\_   |   |
| Basic operational specifications for handling different types of wastes are required by law | 5 | Do local laws or policies require **households** to appropriately handle the waste (i.e., residual, recyclable, bio-degradable, etc.) they generate? | Y: \_\_\_ N: \_\_\_   |   |
| 6 | Do local laws or policies require **non-households** to appropriately handle the waste (i.e., residual, recyclable, bio-degradable, etc.) they generate? | Y: \_\_\_ N: \_\_\_   |   |
| 7 | Do local laws or policies require segregation, and proper disposal of special wastes (specifically hazardous, infectious, and construction & demolition)? | Y: \_\_\_ N: \_\_\_   |   |
| The 3R/SWM Plan is approved by the local government | 8 | Does the local government have a policy that requires citizen/stakeholder feedback to be sought during the 3R/SWM planning process? | Y: \_\_\_ N: \_\_\_   |   |
| 9 | Does the local government have a policy that requires that the 3R/SWM plan to be formally approved? | Y: \_\_\_ N: \_\_\_   |   |
| Legal Framework acknowledges that 3R/SWM should adhere to a "best practice" of an integrated materials management approach | 10 | Are local laws or policies in place that support, and incentivize prevention of waste generation (source reduction)? | Y: \_\_\_ N: \_\_\_   |   |
| 11 | Are local laws or policies in place that incentivize, or require that waste materials be recovered for recycling (including bio-degradable materials)? | Y: \_\_\_ N: \_\_\_   |   |
| 12 | Are local laws or policies in place that incentivize, or require alternative technologies for treating/processing waste that cannot be reduced, reused, or recycled? | Y: \_\_\_ N: \_\_\_   |   |
| 'Legal framework prohibits actions/activities that undermine the environmentally safe management of waste materials under the local government's jurisdiction | 13 | Are local laws or policies in place that prohibit littering of waste and establish penalties for littering? | Y: \_\_\_ N: \_\_\_   |  |
| 14 | Are local laws or policies in place that prohibit open burning of waste on private or public property?  | Y: \_\_\_ N: \_\_\_   |  |
| 15 | Are local laws or policies in place that prohibit dumping of waste on land or into waterways without special authorization? | Y: \_\_\_ N: \_\_\_   |  |
| Local government has designated a lead government unit for 3R/SWM | 16 | Has the local government designated a unit with the responsibility and authority for implementation, oversight, compliance, and monitoring of the 3R/SWM system (e.g., environmental agency)? | Y: \_\_\_ N: \_\_\_   |  |
| 3R/SWM data is collected, validated, and used to improve enforcement | 17 | The local government has obtained reported data on quantities of all **non-segregated/residual** waste collected from all generators? | Y: \_\_\_ N: \_\_\_   |  |
| 18 | The local government has obtained reported data on quantities of all **segregated/recyclable** and biodegradable waste collected from all generators? | Y: \_\_\_ N: \_\_\_   |  |
| 19 | Are reported waste quantities maintained digitally in a computerized database by the local government? | Y: \_\_\_ N: \_\_\_   |  |
| 20 | Does the local government track 3R/SWM compliance violations in a structured database (this may include the offending party, geographic location, violation type, and enforcement action taken)? | Y: \_\_\_ N: \_\_\_   |  |
| There is transparency and accountability for 3R/SWM implementation and enforcement | 21 | Are there clear instructions on how a citizen can resolve or appeal the penalties for 3R/SWM offenses (i.e., for littering, dumping, etc.)? | Y: \_\_\_ N: \_\_\_   |  |
| 22 | Are local violations of 3R/SWM licenses/permits communicated in writing with instructions for resolution or appeal? | Y: \_\_\_ N: \_\_\_   |  |
| 23 | Do local systems for 3R/SWM fees and fines have individuals/agencies (that issue sanctions or cite violations) that are different from those which accept payment or oversee judgements (which will mitigate the risk of bribery or extortion)? | Y: \_\_\_ N: \_\_\_   |  |
| 24 | Is there a reporting mechanism in place for citizens to report suspected abuses of authority (corruption) by government officials that would apply to the 3R/SWM system? | Y: \_\_\_ N: \_\_\_   |  |
| 25 | Have local procedures for obtaining 3R/SWM licensing/permitting (for hauling companies or waste facilities) been established, and made publicly available to ensure standards for sanitation, safe operations, and protection for the environment? | Y: \_\_\_ N: \_\_\_   |  |
| 26 | Are local policies in place that clearly establish the penalties for violating 3R/SWM local laws or permit/license terms, (i.e., suspension or revocation, civil or criminal penalties, etc.)? | Y: \_\_\_ N: \_\_\_   |   |
| 3R/SWM procurement practices, and procedures are transparent and fair | 27 | Are protocols in place that require all local government products and services for the 3R/SWM system to be competitively procured? | Y: \_\_\_ N: \_\_\_   |  |
| 28 | Are local protocols in place that establish a standard approach that is aimed to reduce procurement biases (i.e., public tenders, objective bid evaluation procedures and committees, and contract templates) that would apply to the 3R/SWM system? | Y: \_\_\_ N: \_\_\_   |  |
| 29 | Are 3R/SWM procurements publicly posted in order to increase transparency? | Y: \_\_\_ N: \_\_\_   |  |
| 3R/SWM system is institutionalized | 30 | Have the components of the local 3R/SWM system been institutionalized with a written law, agreement, plan, contract, and/or memorandum of understanding (MOU) that carry these requirements beyond any elected official's time in office? | Y: \_\_\_ N: \_\_\_   |  |