NATIONAL SOLID AND HAZARDOUS WASTE MANAGEMENT POLICY OF THE FEDERATED STATES OF MICRONESIA

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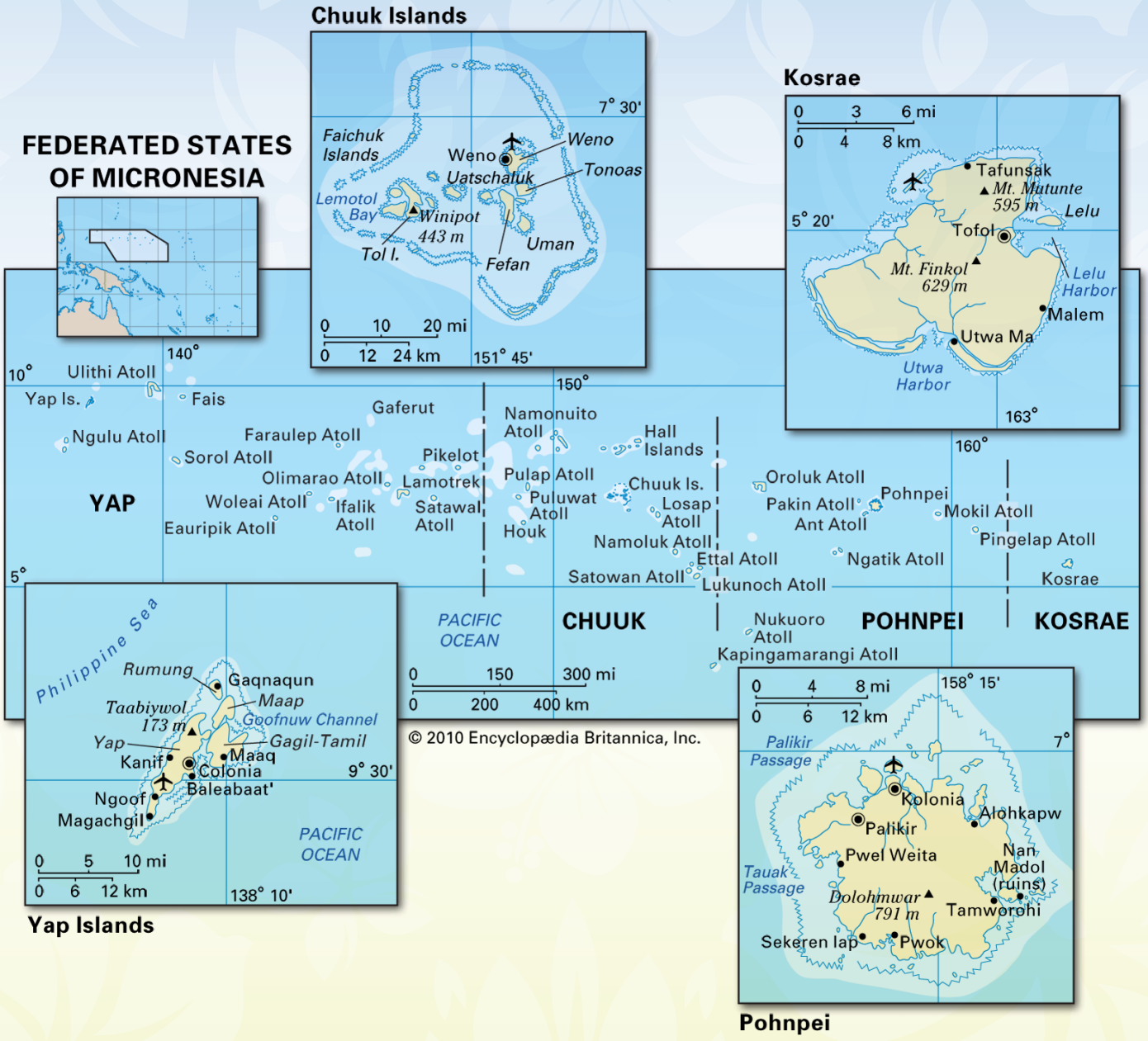
NATIONAL SOLID AND HAZARDOUS WASTE MANAGEMENT POLICY OF THE FEDERATED STATES OF MICRONESIA

Towards a clean and healthy FSM



1 Policy Statement

Federated States of Micronesia Environmental Protection Act[10] (EP Act – also referred to as 'Title 25') provides the FSM with a clear foundation and direction for the management of solid and hazardous wastes. This is stated in the principles defined in Sub Section 102 of the EP Act as follows:

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102. Public policy

- It is the policy of the Federated States of Micronesia to use all practicable means, consistent with other considerations of national policy, to improve and coordinate governmental plans, functions, programs, and resources to the end that the inhabitants of the Federated States of Micronesia may:
  - fulfil the responsibilities for each generation as trustee of the environment for succeeding generations;
  - enjoy safe, healthful, productive, and aesthetically and culturally pleasing surroundings;
  - attain the widest range of beneficial uses of the environment without degradation, risk to health or safety, or other undesirable or unintended consequences;
  - preserve important historic, cultural, and natural aspects of our Micronesian heritage, and maintain, wherever possible, an environment which supports diversity and variety of individual choice; and
  - remain responsible members of the global community by complying with the international legal obligations accepted by the Federated States of Micronesia upon ratifying or acceding to international environment agreements.
- The effort to protect and preserve the environment will be carried forward in close consultation with the States in the formulation of policy, enforcement, and other activities.
- The Federated States of Micronesia recognizes that each person has a responsibility to contribute to the preservation and enhancement of the environment.

The intent of the National Solid and Hazardous Waste Policy of the Federated States of Micronesia (FSM) is to build on this foundation and direction by providing the Chuuk, Kosrae, Pohnpei and Yap State Governments and their communities clear guidance and support to enable its realization.

By doing this, solid and hazardous wastes will be managed with compliantly, safely and responsively for the benefit of both the environment and the people of the FSM.

[10] Legal Information System of the Federated States of Micronesia (no date), *Title 25 Environmental Protection, accessed 2 April 2024.*

This guidance and support aligns with the fourteen principles of the Secretariat of the Pacific Regional Environment Programme's (SPREP) 'Cleaner Pacific 2025: Pacific Regional Waste and Pollution Management Strategy 2016–2025[11]'. These being:

1. Reduce, Reuse, Recycle, Return (3R + Return)
2. Product stewardship
3. Polluter pays principle
4. Proximity principle
5. Transparency
6. Public consultation and participation
7. Multisectoral approach
8. Regionalism
9. Sound decision-making
10. Precautionary approach
11. Proactive approach
12. Adherence to regional and international conventions
13. Public-private partnership
14. Selection of appropriate and affordable technology.

For the purposes of this Policy, waste management is defined as the processes involved in managing waste from the point of generation to destination. This includes collection, transportation, recycling/ disposal and monitoring.

2 Scope

This Policy applies to all those who take part in the management of solid and/or hazardous waste generated in the FSM including, but not limited to, the National Government, State Governments and their Departments and Agencies, Local Governments, Businesses, Industry, the Not-For-Profit sector, and Individuals.

This scope recognizes the responsibility of each person to contribute to the preservation and enhancement of the environment, as stated in the EP Act.

[11] Cleaner Pacific 2025: Pacific Regional Waste and Pollution Management Strategy 2016–2025: Implementation Plan 2021–2025. (sprep.org)

3 Applicable Agreements, Laws, Regulations and Guidelines

Adherence to the International Agreements and National and State Laws, Regulations and Guidelines stated in the following sections apply to all those who take part in the management of solid and/or hazardous waste generated in the FSM. Together, they form the legislative framework that ensures compliant, safe and responsive management of solid and hazardous wastes across the FSM.

3.1 International and Regional Agreements

The International and Regional Agreements stated in Table 3-1 apply to the management of solid and hazardous waste generated in the FSM. They comprise the FSM's commitments to the international community that relate to controlling the manufacture, importation, exportation, movement and disposal of known pollutants and specified hazardous wastes. Further detail on each Agreement is provided in Appendix A.

It is the responsibility of the FSM National Government to ensure that International and Regional Agreements are adhered to by all those to whom they apply, and that mandatory reporting to respective bodies occurs.

TABLE 3.1. International and Regional Agreements applicable to the management solid and hazardous waste in the FSM

Stockholm Convention on Persistent Organic Pollutants (**POPs**) (**Stockholm Convention**)
Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal (**Basel Convention**)
Waigani Convention
Noumea Convention
Montreal Protocol on Substances that deplete the Ozone Layer
Gigali Amendment to the Montreal Protocol

3.2 National Laws and Frameworks

The National Laws stated in Table 3.2 apply to the management of solid and hazardous waste in the FSM. They demonstrate the FSM's commitment to the International and Regional Agreements of which they are signatory to, and to the people and environment of the nation. Further detail on each Law is provided in Appendix B.

It is the responsibility of the FSM National Government to ensure that National Laws, and their respective Regulations and Guidelines, are adhered to by all those to whom they apply.

TABLE 3.2. National Laws and Frameworks applicable to the management solid and hazardous waste in the FSM

Constitution of the Federated States of Micronesia[12] (**Constitution**)
Federated States of Micronesia Environmental Protection Act[13] (**EP Act**)
Regulation to control the Trans boundary movement of hazardous waste (2014)
Nicotine Delivery System Import and Export Control Act of 2024 **(Nicotine Control Act)**
Prohibition of one-time use of Styrofoam and Plastic service food items and Plastic Shopping bags (2020)
FSM State of the Environment Report (2018)
National Guidance for Chemical Management (2016)
National Leachate Management Guidelines (2014)

[12] Government of the Federated States of Micronesia (no date), *Constitution of the Federated States of M*icronesia, https://www.fsmlaw.org/fsm/constitution/index.htm, accessed 2 April 2024.

[13] Legal Information System of the Federated States of Micronesia (no date), *Title 25 Environmental Protection*, accessed 2 April 2024.

3.3 State Laws and Regulations

The International and Regional Agreements and the National Laws are interpreted by each of the FSM States into State-based legislation that aims to protect human and environmental health. These laws, and their corresponding Regulations, are stated in Table 3.3. Further detail on each Law and Regulation is provided in Appendix C.

TABLE 3.3. FSM State Laws applicable to the management solid and hazardous waste in the FSM

YAP

- YSL #4-4 Yap State Public Service Corporation
  (Utilities Company's mandate for 'refuse collection and disposal')
- Recycling Program Law (2008)
- Recycling Program Regulations (Dec 2008)
- Recycling Finance Law (2009)
- Littering Law YSL 3-74
- Title 18: Conservation and Environment
- Environmental Quality Protection Act
- Title 14: Enabling legislation creating YSPSC
- Title 14: Junk Vehicles
- Pesticide Regulations
- POPs Regulations
- Solid Waste Management Strategy
- Environmental Impact Assessment, Earth moving, Recycling (deposit and refund fee schedules)
- YBSAP, Tourism Development Plan, State Economic Plan, SLM Project
- Legislation to ban plastic shopping bag

CHUUK

- Chuuk State Clean Environment Act
- CSL Public Law 02-94-01
- Littering Law CSL191-33
- Solid Waste Management Strategy
- Recycling Law (aluminum cans) -never signed
- Title 7, Chapter 9 (Municipal Taxing Power)
- Title 21, Chapter 13 (Sanitation)
- Title 22, Chapter 1 (Chuuk Environmental Protection Act)
- Title 22, Chapter 3 (Littering)
- Title 24, Chapter 11 (Public Lands and Condemnation)
- Title 29, Chapter 5 (Environmental Improvement Tax)
- Earth Moving Regulations, Environment Impact Assessment Regulations
- Chuuk State Development Plan, Chuuk State Strategic Plan for Education, Chuuk State Biodiversity Strategy and Action Plan
- Solid Waste regulations
- Water and Wastewater regulations
- Toilet Facilities and Disposal regulations
- Marine and Freshwater Quality Standard regulations

POHNPEI

- Constitution of Pohnpei, Article 7, Section 1 on Resources and Environment which requires establishment and execution of plans for conserving natural resources and protection of the environment.
- Title 27, Chapter 2: littering in public places and premises
- Title 27, Chapter 2: pollution of air, water, and land as an offense
- Title 27, Chapter 3: Establish recycling fee of five cents on aluminum imported
- Title 27, Chapter 3: Imposes deposit of 6 cents on all beverages produced or imported
- Title 27, Chapter 4: Prohibits importation, use, and disposal of non-recyclable shopping bag < 5 mm
- State Law No 3L-26-92, Pohnpei Environmental Protection Act
- Solid Waste Regulations 3/30/95
- Solid Waste Management Strategy
- EIA Regulations
- Marine and Fresh Water Quality Regulations
- Littering Law
- Pohnpei State Law No 6L-66-06 provides for litter abatement and solid waste disposal, shipping container and motor vehicle waste disposal fee, and establishes Environmental Quality Fund and Litter Reward Fund

KOSRAE

- Kosrae State Constitution, Article 2: Every person has the right to a healthful, clean and stable environment, while providing for the orderly development and use of natural resources, the state government shall by law protect the states environment, ecology, and natural resources from impairment from the public interest.
- Title 7, Chapter 4
- Title 9, Chapter 2
- Title 10, Chapter 2
- Title 11, Chapter 13 and 17
- Title 13, Chapter 5 and 6
- Pesticide Regulations
- POPs Regulations
- Kosrae Land Use Plan
- Kosrae Shoreline Management Plan
- Solid Waste Management Strategy
- Littering Law: Kosrae State Code, Title 13, Section 13.506
- Pollution: Kosrae State Code, Title 13, Section 530
- Legislation to ban plastic shopping bags
- Kosrae Recycling Program: Kosrae State Code, Title 7, Chapter 22

3.4 Precedence

In the event of a contradiction between any of the International Agreements to which the FSM are signatories and any of the National and/or State Laws and their respective Regulations and Guidelines, the requirements of the National Laws will take precedence.

3.5 Non-compliance

Compliance with International Agreements and National and/or State Laws and their respective Regulations and Guidelines is to be driven by all those who take part in the management of solid and/or hazardous waste generated in the FSM.

In the event of non-compliance, enforcement action is as stated in respective Agreements and Laws.

4 Guidance for the Management of Solid and Hazardous Waste

This section sets out the minimum standards to be adhered to for ensuring compliant (relating to regulatory standards), safe (indicating no harm to people or the environment) and responsive (referring to timely and efficient action) management of solid and hazardous wastes generated in the FSM.

Details of this guidance are set out in Table 4.1, which lists the various solid and hazardous waste types, their corresponding definitions, and their respective minimum standards for compliant, safe and responsive management.

These minimum standards are best supported by robust a data framework and the implementation of education activities by the appropriate authority.

By adhering to this guidance, the FSM can consistently maintain a benchmark for waste management, thereby ensuring environmental sustainability and public health and safety.

TABLE 4.1. Solid and hazardous waste types, definitions and minimum standards for management

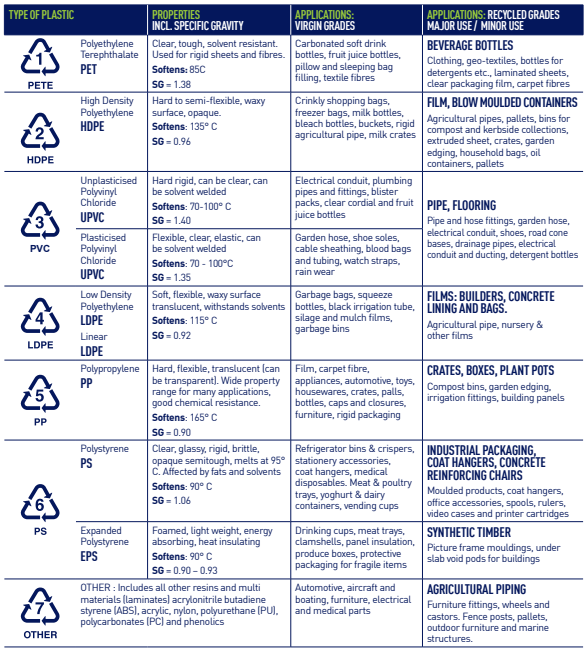
WASTE TYPE	DEFINITION	MINIMUM MANAGEMENT STANDARD
Bulky wastes	**End-of-life vehicles:** Includes cars, trucks, heavy machinery, boats and motorbikes. **Large domestic and commercial appliances:** Includes refrigerators, freezers, dishwashers, washing machines, stoves, microwaves ovens and air conditioners.	Bulky wastes are to be dismantled and parts segregated in this order: 1. Removal and containment of hazardous items, e.g., refrigerants, oil, other fluids. See *Hazardous wastes*. 2. Removal, cataloging and appropriate storage of reusable parts. 3. Removal and appropriate storage of recyclable parts with a focus on higher value materials, e.g., non-ferrous metals. 4. Removal of residual waste to a designated State landfill or dumpsite. The responsible party are to collect bulky waste data following the methods recommended by the SPREP Regional Waste Data Collection, Monitoring and Reporting Framework (2023) (**SPREP Waste Data Framework**) and aligned with the relevant key performance indicators.
Chemical wastes	A type of hazardous waste which may be harmful to human health or the environment, e.g., pesticides, herbicides, acids.	As per *Hazardous wastes*.

WASTE TYPE	DEFINITION	MINIMUM MANAGEMENT STANDARD
Clinical wastes (also, *Medical wastes*)	The FSM Infection Control Guidelines list five categories of clinical wastes: ▪ **Cytotoxic waste:** Cytotoxic drugs such as Azathioprine, Chlorambucil, Cisplatin, Fluorouracil, Cyclophosphamide, Melphalan and Methotrexate, vomit, urine, or feces from patients treated with cytotoxic drugs, contaminated materials from cytotoxic drug preparation and administration such as syringes, needles, dressing packs and gauge vials. ▪ **Infectious waste**: Waste that is likely to cause infection among patients, i.e., that which carries harmful micro-organisms. ▪ **Pathological waste:** Waste that is removed from the human body during surgery, labor and delivery, biopsy, embalming, autopsy, and amputation, and includes body parts, tissues, and fetuses. ▪ **Pharmaceutical waste**: Pharmaceutical products, drugs and vaccines that are expired, unused, split, contaminated and/or are no longer required. Also includes bottles and boxes with residues, gloves and masks, connecting tubing and drug vials. ▪ **Sharps:** Needles, lancets, hypodermic syringes with attached needles, scalper blades, razor blades, glass pipettes, broken glassware, intravenous spikes and other sharp objects with the potential to penetrate intact skin.	The five categories of clinical wastes shall be handled via the use of color-coded bins which are rigid, puncture-proof and sealable for their collection and storage: ▪ **Cytotoxic waste:** Purple bin. ▪ **Infectious waste and sharps:** Yellow bin. ▪ **Pathological waste:** Red bin ▪ **Pharmaceutical waste:** Blue bin. All clinical waste types are required to be transported to and treated at an approved healthcare waste management facility. The responsible party are to collect clinical waste data following the methods recommended by the SPREP Waste Data Framework and aligned with the relevant KPIs.

WASTE TYPE	DEFINITION	MINIMUM MANAGEMENT STANDARD
Commercial wastes	Solid, non-hazardous waste generated by commercial organizations, e.g., offices, stores, markets, restaurants, and hotels.	Commercial wastes are to be segregated at source, where possible, into material components for proper reuse or recycling in the first instance and disposed of at a designated State landfill or dumpsite where this is not possible. The responsible party are to collect commercial waste data following the methods recommended by the SPREP Waste Data Framework and aligned with the relevant KPIs.
Disaster wastes	The Guideline for Asia and the Pacific on Disaster Waste Management identifies it as the following- " Wastes may consist of destroyed buildings and the objects they held inside, destroyed pavements or other infrastructure, wood, sands, and other natural derivatives and so on. Not only are wastes directly generated from disasters, activities in recovery and reconstruction in the post-disaster phase also generate waste. The identification of materials is essential to promote proper WM."	Wastes must be treated promptly and appropriately, while preparations and countermeasures need to be considered in advance for the following reasons: life-threatening risk, public health risk, environment risk, impact on regular WM services in place, economic impact (resource efficiency/ cost effectiveness and benefit), resilience (community, communication, gender, training, etc.)" (*Guidelines for Asia and the Pacific on handling various types of Disaster Waste* p.5)
Electronic wastes (e-waste)	Unwanted electronic and electrical equipment, e.g., anything with a plug and/or battery, including batteries and end-of-life solar (photovoltaic) panels.	E-wastes are to be taken to a designated facility for dismantling and segregation into material components for proper storage and processing. The responsible party are to collect e- waste data following the methods recommended by the SPREP Waste Data Framework and aligned with the relevant KPIs.

WASTE TYPE	DEFINITION	MINIMUM MANAGEMENT STANDARD
Hazardous wastes	Wastes as defined in Article 1 and associated Annexes of the Basel Convention. Includes, but is not limited to, wastes that may be explosive, reactive, flammable, toxic, infectious, corrosive, or have other harmful properties.	Hazardous wastes shall be managed by taking the following steps: ▪ **Classification.** Waste shall be identified and labeled accordingly upon generation. ▪ **Segregation and containment.** Following classification, waste shall be placed in a suitable receptacle and contained until ready for transport. ▪ **Transportation.** Wastes shall be transported by an appropriate carrier to a designated facility for treatment and disposal. ▪ **Treatment and disposal.** Wastes shall be treated and disposed according to their classification. They shall not be disposed of at the designated State landfill or dumpsite until they have been effectively screened, that is, rendered biologically harmless in accordance with acceptable treatment practices as described in this Policy or current EPA standards and methods, and the wastes do not pose other hazards subject to International, National, State or Municipal Agreements, Laws, Regulations and/or Guidelines. In some cases, wastes may need to be exported for suitable treatment and/or disposal. ▪ **Documentation and training.** Those responsible for the management of hazardous wastes shall be appropriately trained to safely handle, transport and treat them and to document their pathway from generation to disposal. The responsible party are to collect hazardous waste data following the methods recommended by the SPREP Waste Data Framework and aligned with the relevant KPIs.
Industrial wastes	Solid, non-hazardous waste generated at places such as factories, warehouses and manufacturing facilities.	As per *Commercial wastes*.
Institutional wastes	Solid, non-hazardous waste generated at places such as hospitals, schools, libraries and prisons.	As per *Commercial wastes*.

WASTE TYPE	DEFINITION	MINIMUM MANAGEMENT STANDARD
Litter	Solid waste items that have been discarded incorrectly, without consent, at an unsuitable location, e.g., a public area.	Litter should be collected by the land owner and disposed of as per its classification in this Policy.
Medical waste (also healthcare waste)	As per *Clinical wastes.*	As per *Clinical wastes.*
Municipal wastes	Solid, non-hazardous waste generated in households and residential properties, and collected and treated by of for municipalities.	As defined in each of the FSM States Solid Waste Management Strategy.
Organic wastes	Biodegradable matter derived from plants and animals.	Organic wastes should be segregated where possible and if practicable. Segregated organic waste should not be disposed at a landfill or dumpsite but collected for composting. The responsible party are to collect organic waste data following the methods recommended by the SPREP Waste Data Framework and aligned with the relevant KPIs.
Per- and polyfluoroalkyl substances (**PFAS**)	A class of human-made chemicals that are persistent and toxic to human and environmental health. Used in a range of applications, such as stain protection, metal plating and cosmetics.	As per *Hazardous wastes*. Will need to be exported for treatment and disposal.
Persistent organic pollutants (**POPs**)	A class of highly hazardous chemicals that are persistent, that accumulate and magnify, and that are toxic to human and environmental health. Used in a range of applications such as pesticides, paints and in some plastics.	As per *Hazardous wastes*. Will need to be exported for treatment and disposal.

WASTE TYPE	DEFINITION	MINIMUM MANAGEMENT STANDARD
Single Use (One time use) Plastic items	Items meant to be disposed after use, and are made from fossil fuel based chemicals. They include the following: ▪ Plastic water bottles ▪ Single-serve coffee pods ▪ Paper coffee cups ▪ Boxes of tea bags ▪ Disposable utensils ▪ Plastic bags ▪ Produce bags ▪ Menstrual products ▪ Straws ▪ Wrappers	Some one time use plastic items can be recycled, while some can be reused. This depends on the type of plastic. In general, one-time use items can be collected and converted into energy or recycled. Based on the Plastic Identification Codes, we can identify one time use items and how they can be disposed. 
Solid wastes – Other	Any type of non-hazardous garbage, trash, refuse or discarded material requiring collection and transport to a processing or disposal site.	As per *Commercial wastes*.
Styrofoam items	Petroleum based plastic that is known for insulating properties – a type of expanded polystyrene (ESP)	These are banned in the FSM and citizens are encouraged to use biodegradable alternatives, using reusable containers and eco-friendly packaging. Styrofoam can be up cycled or taken to a specialized recycling center. In the FSM, Styrofoam can be collected and exported to an overseas buyer. It can also be reused or it can be taken to the waste disposal company for further guidance. Guidance from the National and State Environment offices can be sought as well.

WASTE TYPE	DEFINITION	MINIMUM MANAGEMENT STANDARD
Universal wastes	'Universal waste' as defined by the USEPA[14], 'means any of the following hazardous wastes that are subject to the universal waste requirements of this part: **a.** Batteries as described in §273.2; **b.** Pesticides as described in §273.3; **c.** Mercury-containing equipment as described in §273.4; **d.** Lamps as described in §273.5; and **e.** Aerosol cans as described in §273.6.	As per *Hazardous wastes.*
Used oil	Any petroleum or synthetic oil that has been used, and because of such use, is contaminated through physical and chemical properties.	Used oil should be properly filtered and stored in appropriately labelled and sealed containers until it can be safely transported to a final disposal site or recycled. The responsible party are to collect data on used oil following the methods recommended by the SPREP Waste Data Framework and aligned with the relevant KPIs.

5 Review Period

This Policy may be reviewed from time to time by the FSM National Government to ensure it remains responsive to changes to International Agreements, Laws and solid and hazardous waste practices.

[14] National Archives and Records Administration (6 March 2024), Government of the Federated States of Micronesia (no date), PART 273—STANDARDS FOR UNIVERSAL WASTE MANAGEMENT, https://www.ecfr.gov/current/title-40/chapter-I/subchapter-I/part-273, accessed 5 June 2024.

APPENDIX A International and Regional Agreements

Stockholm Convention on Persistent Organic Pollutants (POPs)[15] (Stockholm Convention)	
The objective of the Stockholm Convention is to protect human health and the environment from POPs.	Signatories to the Stockholm Convention have several responsibilities including to: ▪ Take measures to **eliminate or reduce the release of POPs** into the environment. This requirement covers the production, use, import and export of the substances listed in the Convention. ▪ **Propose new POPs for consideration** and possible addition to the list. This is critical in ensuring the Convention stays relevant and responsive. ▪ Develop and endeavour to **implement a National Implementation Plan** (**NIP**) which outlines the legislative and administrative measures that a party has taken or plans to take to achieve its obligations. ▪ Promote and facilitate **public awareness and education** about POPs to ensure informed decision-making and to encourage the publics' active participation in POPs management. ▪ Ensure the **safe handling, collection, transport, and disposal** of wastes that contain POPs. ▪ **Report** on its measures to implement the Convention and **share information** that could assist other parties in implementing the Convention.
Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal[16] (Basel Convention)	
The objective of the Basel Convention is to protect human health and the environment against the adverse effects of hazardous wastes, household waste and incinerator ash.	Signatories to the Basel Convention have several responsibilities including to: ▪ Ensure the generation of hazardous wastes within their jurisdiction is **reduced to a minimum**, considering social, technological and economic aspects. ▪ **Control and manage transboundary movements** of hazardous and other wastes. Any such movement should be limited to safe and environmentally sound methods, and only when it is justified. ▪ Ensure that hazardous waste generated is managed and disposed of in an **environmentally sound manner**. This includes minimizing the quantity and harmfulness of hazardous waste generated and treating and disposing the waste as close as possible to its source of generation. ▪ Commit to the **Obligation to Re-import**, i.e., if transport of hazardous waste cannot be completed in accordance with the terms of the contract, the exporting country is obliged to re-import the waste. ▪ **Prevent and punish** illegal trafficking of hazardous waste. This is considered criminal activity. ▪ Develop and implement **national laws to enforce the Convention's rules**, including to designate competent authorities and a focal point to facilitate implementation. ▪ **Report** on its measures to implement the Convention and **share information** that could assist other parties in implementing the Convention.

[15] United Nations Environment Program (2019), Stockholm Convention, https://chm.pops.int/, accessed 2 April 2024.

[16] United Nations Environment Program (2019), Basel Convention, https://www.basel.int/, accessed 2 April 2024.

Waigani Convention[17] [18]	
The objective of the Waigani Convention is to reduce and eliminate transboundary movements of hazardous and radioactive waste, to minimize the production of hazardous and toxic wastes in the Pacific region and to ensure that disposal of wastes in the Convention area is completed in an environmentally sound manner.	Signatories to the Waigani Convention have several responsibilities including to: ▪ **Prohibit the importation** of all hazardous and radioactive wastes from non-Pacific Islands Forum countries. ▪ **Control and manage the transboundary movement** of hazardous wastes within the South Pacific region, with transboundary movements allowed only under strict conditions. ▪ Ensure that hazardous wastes that are generated within their jurisdictions are collected, transported and disposed of in an **environmentally sound manner**. ▪ **Combat illegal traffic in hazardous and radioactive wastes**. If such traffic occurs, the exporting country must ensure the repatriation of the wastes. ▪ **Implement appropriate national laws and regulations** to enforce the Convention's rules, and to designate a focal point and competent authority for implementing these responsibilities. ▪ **Exchange information** regarding matters such as legislation, policies, best practices in waste management, and planned transboundary movements of hazardous wastes.
Noumea Convention	
The objective of the Noumea Convention is to strengthen cooperation among the Parties to protect the South Pacific Region from threats and effects of pollution incidents.	The Convention for the Protection of Natural Resources and Environment of the South Pacific Region (the Noumea Convention) and its Protocols obliges Parties to endeavour to take all appropriate measures to prevent, reduce and control pollution from any source and to ensure sound environmental management and development of natural resources, using the best practicable means at their disposal and in accordance with their capabilities.
Montreal Protocol on Substances that deplete the Ozone Layer	
The objective of the Montreal Protocol is to protect the earth ozone layer by eliminating use of ozone depleting substances (ODS)	Signatories to the Montreal Protocol have several responsibilities including 1. Take appropriate measures to protect human health and the environment against adverse effects resulting or likely to result from human activities which modify or are likely to modify the ozone layer, 2. Taking precautionary measures to control equitably total global emissions of substances that deplete it, with the ultimate objective of their elimination on the basis of developments in scientific knowledge, taking into account technical and economic considerations and bearing in mind the developmental needs of developing countries,
Gigali Amendment of the Montreal Protocol	
The objective of the Gigali Amendment is to phase down hydro-fluorocarbons. It was adopted by the parties of the Montreal Protocol at their 28th meeting.	▪ Parties are required to gradually reduce HFC use by 80-85 per cent by the late 2040s. First reductions by most developed countries are expected in 2019. Most developing countries will follow suit by a freeze of HFCs consumption levels in 2024, and in 2028 for some of them.

[17] SPREP (2024), Waigani Convention, https://www.sprep.org/convention-secretariat/waigani-convention, accessed 2 April 2024.

[18] The Waigani Convention is modelled on the Basel Convention and constitutes the regional implementation of the international hazardous waste control regime (Basel, Rotterdam and Stockholm Conventions), adding radioactive waste and extending coverage to the 200-mile exclusive economic zone.

APPENDIX B National Laws and Frameworks

Constitution of the Federated States of Micronesia[19] (Constitution)	Adopted in 1979, the Constitution serves as the FSM's fundamental law, setting forth the nations' political and legal framework. It aims to maintain unity among the four culturally diverse states while respecting their individuality, and to promote consensus as a governing principle while upholding democratic values such as the rule of law and respect for human rights. In relation to waste, Article XIII, Section 2 of the Constitution states: *Radioactive, toxic chemical, or other harmful substances may not be tested, stored, used, or disposed of within the jurisdiction of the Federated States of Micronesia without the express approval of the national government of the Federated States of Micronesia.*
Federated States of Micronesia Environmental Protection Act[20] (EP Act)	The EP Act sets forth the powers and duties of the Environment Protection Office (**Office**) to *protect the environment, human health, welfare, and safety and to abate, control, and prohibit pollution or contamination of air, land, and water in accordance with the EP Act and its Regulations, including measures undertaken to prohibit or regulate the testing, storage, use, disposal, import and export of radioactive, toxic chemical, or other harmful substances.* Additionally, it authorizes and empowers the Office's Director to adopt, approve, amend, revise, promulgate, and repeal Regulations that give effect to the Stockholm Convention, Basel Convention and the Waigani Convention.
Regulation to control Transboundary movement of hazardous waste	The purpose of the regulation is to control the import, export, production, sale and disposal of hazardous wastes and persistent organic pollutants in accordance with the Waigani, Basel, and Stockholm Conventions
Nicotine Delivery System Import and Export Control Act 2024 (e-Cigarette Import Control Act)	The e-Cigarette Import Control Act prohibits the importation and exportation of nicotine delivery systems including e-Cigarettes into the FSM, and for other purposes, for the protection of the health of the people. Nicotine delivery systems are defined as: *"any device that delivers nicotine, additives, compounds, chemicals and /or any mixture thereof through any aerosol or vapor substance for the user to inhale, and any component or part to the device is disposable, electronic, battery operated or not."* All nicotine delivery systems voluntarily surrenders shall be transferred to DECEM for proper disposal i.e. in line with the minimum standards outlined in Table 4.1. Solid and hazardous waste types, definitions and minimum standards for management.

[19] Government of the Federated States of Micronesia (no date), Constitution of the Federated States of Micronesia, https://www.fsmlaw.org/fsm/constitution/index.htm, accessed 2 April 2024.

[20] Legal Information System of the Federated States of Micronesia (no date), Title 25 Environmental Protection, accessed 2 April 2024.

Prohibition on the importation of one time use of disposable Styrofoam and plastic service food items and Plastic Shopping Bags (2020)	Public Law 21-76 prohibits the importation of one-time-use disposable Styrofoam and plastic food service items, such as plates, cups, eating utensils, and plastic shopping bags. The Customs and Tax Administration confiscates the prohibited items and stores them for 30 days, after which they are surrendered to DECEM for final proper disposal. Final proper disposal includes Reusing, Reducing, Recycling, and Incineration.
FSM State of the Environment Report (2018)	Six thematic areas in relation to the state of the environment are addressed in the report. They include Atmosphere and Climate, water, land, marine, biodiversity, built environment, and culture and heritage.
National Leachate Management Guidelines (2014)	A set of guidelines are provided to treat and monitor the leachate pond.
Chemical Management Policy and Strategy	Provide guidance on Chemical Management systems in the FSM.
Chemical Management Profile for State	Chemical Management Profile for State -Each State's Chemical Management system is described.
National Awareness Campaign and Program Guidelines (2025)	A set of guidelines for effective awareness Campaign and Programs activities

APPENDIX C State Laws and Regulations

CHUUK

Public Law 02-94-01	Provides the legal and policy frameworks for waste management on Chuuk. These laws are administered by the Chuuk State Environmental Protection Agency.
Littering Law, Title 22, Chapter 3, Section 1301-1306; (191-33)	Defines the process of disposing waste anywhere other than a government maintained public dumping ground as unlawful.
Recycling Law (for aluminium cans)	As above
Solid Waste Regulation	Establishes "minimum standards governing the design, construction, installation, operation, and maintenance of solid waste storage, collection and disposal system.
Chuuk State Clean Environment Act of 2018	This law covers different sections as follows: Ban of Styrofoam, Single-use plastic shopping bags, plastic straws; removal of tin roofing fences along the main road; removal of abundant vehicles; importation of vehicles with 100k mileage, and so forth.
Chuuk State Solid Waste Management Strategy 2019–2028 (Action Plan: 2019–2023)	To enable Chuuk State to establish a technically sound and financially sustainable solid waste management system, The strategy has a mid-term action plan of the first five years with technical, institutional, and financially appropriate options.
Water and Wastewater Regulations	Ensure safety and quality of drinking water and treatment of wastewater systems.
Toilet Facilities and Disposal regulations	Establishes minimum standards for toilet facilities and sewage disposal to minimize environmental pollution, health hazards, and public nuisance.
Marine and Freshwater Quality Standard regulations	Specifies the water quality standards to maintain the designated uses of marine and fresh water.
Water and Wastewater regulations	Ensure safety and quality of drinking water and treatment of wastewater systems.
Toilet Facilities and Disposal regulations	Establishes minimum standards for toilet facilities and sewage disposal to minimize environmental pollution, health hazards, and public nuisance.
Marine and Freshwater Quality Standard regulations	Specifies the water quality standards to maintain the designated uses of marine and fresh water

KOSRAE

Kosrae State Constitution, Article 2	Defines every persons right to a healthful, clean and stable environment, while providing for the orderly development and use of natural resources including protecting the states' environment, ecology, and natural resources from impairment from the public interest.
Kosrae State Code, Section 19.512	Purpose is to protect the environment, human health, welfare and safety and to abate, control and prevent pollution or contamination of air, land and water in accordance with Title 7, Chapter 4, Title 13 and this Title.
Pollution Law, Title 13, Chapter 5, Section 530	Defines the process of wilful or negligent discharging or pollutants as unlawful.
Persistent Organic Pollutants Act of 2009, Title 19, Chapter 5, Subchapter C	Enacted to safeguard Kosrae's environment and the health of its residents with specific objectives to implement the Stockholm Convention provisions and to monitor the use and discharge of certain hazardous substances currently within Kosrae's jurisdiction.
Littering Law, Title 13, Chapter 5, Section 506	Defines the process of wilful or negligent disposing of waste somewhere other than an appropriate storage container or area as unlawful.
Kosrae Recycling Program, Title 9, Chapter 22, Section 9.2201-9.2203	Defines a beverage container deposit scheme where the beverage container has a deposit included in the price of the container which can be claimed by returning the empty container to a state recycling agent.
Kosrae State Solid Waste Management Strategy 2018-2027 (Action plan: 2018-2022)	Enabling Kosrae State to establish a technically sound and financially sustainably solid waste management (SWM) system. This SSWMS consists of not only strategic elements but also a mid-term action plan of the first five years with technically, institutionally, and financially appropriate options.

POHNPEI

Article 7 S1 of the Constitution, State Law No. 3L-26-92	Provides for the abatement of litter and the disposal of solid waste, as well as shipping container and motor vehicle waste disposal fees.
Pohnpei State Code Title 27	Prohibits a person selling or distributing merchandise from offering any form of plastic bag to customer and grants the EPA the authority to monitor and control the operation of all state owned sanitary landfills.
State Law 6L-66-06	Provides the legal basis for waste management in Pohnpei including prevention, abatement, and control of litter to ensure the proper disposal of solid waste.

POHNPEI *cont.*

Solid Waste Regulation 3/30/95	Regulations on the proper management & disposal of solid waste in Pohnpei State.
Administrative Procedures Act, Title 8, Chapter 1, Section 1-101	Provides the administrative framework for issuing rules and regulations changes, stating that certain conditions to inform the public must be met before a new rule or regulation can be implemented.
Pohnpei Recycling Scheme, Title 27, Chapter 3, Section 3-110 – 3-112	Defines the Pohnpei Recycling Program for aluminium cans where the beverage container has a deposit included in the price of the container which can be claimed by returning the empty container to a state recycling agent.
Pohnpei Environmental Protection Act of 1992	Establishes EPA for Pohnpei State.
Drinking Water Regulations (effective 3 April 1995)	Ensures that public water supply systems are protected against contamination and pollution and do not constitute a health hazard.
Earthmoving Regulations (amended to 10 April 2008)	Requires control measures for erosion and sedimentation in all earthmoving activities.
Environmental Impact Assessment Regulations (effective 3 April 1995)	Establishes procedures for the preparation of an environmental impact assessment statement prior to any action that may significantly affect the quality of the human environment.
Pesticide Regulations (effective 3 April 1995)	Establishes a system of control over the importation, distribution, sale, and use of pesticides by persons within Pohnpei.
Restaurant and Food Selling Places Regulations (effective 3 April 1995)	Improves the service, equipment and structure of all food establishments to reduce the possible introduction and/or spread of disease within Pohnpei.
Toilet Facilities & Sewage Disposal Regulations (effective 3 April 1995)	Establishes minimum standards for toilet facilities and sewage disposal to minimize environmental pollution, health hazards, and public nuisance.
Marine and Fresh Water Quality Standard Regulations (effective 3 April 1995)	Specifies the water quality standards to maintain the designated uses of marine and fresh water.
Pohnpei State Solid Waste Management Strategy 2020-2029 (Action Plan: 2020-2024)	Enabling the State of Pohnpei to establish a technically sound and financially sustainable solid waste management (SWM) system. To do so, this ten-year SSWMS consists not only of strategic elements, but also of a mid-term Action Plan for the first five years, with technical, institutional and financially appropriate options.

YAP

Law No.4-4 (State Public Service Corporation)	Defines responsible agencies for waste collection and disposal.
Littering Laws, Title 11, Chapter 3, Section 330.	Defines the process of disposing waste anywhere other than a government maintained public dumping ground as unlawful.
Recycling Finance Law 2009	Stipulates the legal and policy frameworks for waste management.
Environmental Quality Protection Act (Y.S.L. 3-73)	Authorizes Yap State's EPA the power and duty to control and prohibit pollution of air, land, and water.
Hazardous Substance Regulation	Details labeling requirements for hazardous wastes, stating that "proper labeling of containers must be maintained such that the contents are easily identifiable."
Pesticide Regulation	States that "any pesticide brought into Yap State must have all labeling clearly legible and printed in the English language."
Recycling Program Law 2008	Stipulates the legal and policy frameworks for recycling.
Recycling Program Regulations 2008	Stipulates the legal and policy frameworks for waste management.
Yap State Solid Waste Management Strategy 2018–2027	Enabling the State of Yap to establish a technically sound and financially sustainable solid waste management (SWM) system. To do so, this ten-year SSWMS consists not only of strategic elements, but also of a mid-term Action Plan for the first five years, with technical, institutional and financially appropriate options.

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