



NATIONAL ENVIRONMENTAL SANITATION AND WASTES CONTROL REGULATIONS (2009)

National Environmental Standard and Regulations Enforcement Agency (NESREA)

Simplified Summary

Curated by Clean Technology Hub



Clean Tech Incubation &
Acceleration Foundation
Energy Innovation Center



EXECUTIVE SUMMARY

Environmental sanitation and waste management practices are a combination of ways to ensure the environmental order and to mitigate solid, liquid, and gaseous pollution. Industries and manufacturers are obliged to abide by this regulation to ensure the safety of the people and environment. This regulation shows the duties and obligations of the local, state and federal government and also shows the penalties/sanctions from going against the regulation; not leaving out the provision provided by the government.

OBJECTIVES

The objective is to ensure that environmental factors are considered in the decision making process while likely adverse/hazardous environmental impacts are identified and minimized.

KEY PROVISIONS

1. All Local government Areas shall ensure the provision and maintenance of:
 - a. Sanitary slaughter houses;
 - b. Toilets and urinals in public places; and
 - c. Waste receptacles in the streets, premises of all kind and public places;
2. The LGAs shall:
 - a. be responsible for the clearing of litter and waste on the highways;
 - b. be responsible for the registration and monitoring of one and two-stars hotels including Small Scale Food Premises;
 - c. ensure that Small Scale Food Premises comply with guidelines;
 - d. register Municipal and Health Care Waste Collectors;
 - e. register Integrated pest and Vector Management Outfits; and
 - f. ensure compliance with the provisions of these Regulations.

ENVIRONMENTAL SANITATION

1. GENERAL CLEANLINESS

1. No person is to discard, throw or drop any litter or any similar refuse anywhere except in designated litter bins.
2. No owner, operator, occupant or person in care, management or control of premises is to allow the release of litter into the environment.
3. No occupant or passenger of any vehicle is to throw or drop any litter onto the streets, roads, highways, public spaces and other undesignated places.
4. Without prejudice to the foregoing, any person whose activities generate waste shall ensure that the waste is handled by a person licensed to transport and dispose of the wastes in designated waste management facilities.



5. Any occupant in care, control, or management of a premises or business shall:
 - a. Keep the sidewalks and drainage areas all around the building clean at all times;
 - b. Ensure there is no sweeping out, or throwing of any litter into any drain, public place, private lands, vacant plot, streets, lanes, walkways, beaches or docks within 5 metres of the premises; and
 - c. Ensure there is no blockage of the streets, walkways, drains with building or construction materials such as sand, gravels or chippings, earth, stones, bricks or cement blocks, iron rods, etc.
6. a. All Food Vendors shall, in line with National Policy Guidelines on Food Sanitation:
 - I. ensure that litter and other wastes do not pollute the environment;
 - II. maintain hygiene or cleanliness of the location of business at all times; and
 - III. collect and dispose of all wastes generated in the course of business to a designated collection point.b. All Food Vendors shall comply with the provisions as contained in Schedule 1 to these Regulations.
7. All traders in the markets or in the management or control of a business or operation where wastes are generated in the vicinity shall:
 - a. ensure that litter and recyclable materials are deposited in appropriate receptacles or wastes bins; and b) maintain cleanliness and empty receptacles regularly.
8. A person in care, management or control of any industrial facility shall:
 - a. provide welfare facilities such as potable water, conveniences cloakrooms and canteen;
 - b. provide educational and pictorial signs to direct persons where they can drop wastes;
 - c. provide receptacles for recyclable materials in appropriate and easily accessible locations;
 - d. service, maintain and empty the receptacles regularly;
 - e. keep the premises, drains and all public or private lands, streets, lanes, walkways; beaches or docks within 5 metres of the boundary of the property free from litter at all times;

II. DUTIES AND OBLIGATIONS

1. Every owner of premises shall:
 - a. provide potable water supply for the premises to ensure sound environmental sanitation and personal hygiene;
 - b. provide adequate number of toilets for the occupants as prescribed in Schedule 3 to these Regulations;
 - c. ensure that the construction and maintenance of septic tank or soak away pit or other on-site sanitation facilities comply with the provisions in Schedule 4 to these Regulations;
 - d. ensure regular maintenance of the structure;
 - e. provide drains for waste water, storm water and ensure linkage to surrounding network;
 - f. ensure that untreated sewage is not piped or discharged into public drains or roads; and



- g. ensure regular dislodgement and safe disposal of the contents of the septic tank.
- 2. Every occupant of premises shall ensure:
 - a. the cleanliness of the kitchen, drains, toilets, cloak rooms, bathrooms, animal pens and other rooms within the premises;
 - b. control of vectors in the premises; and
 - c. regular cutting of grasses, lawns, shrubs, flowers, etc in and around the premises
- 3. Every household or dwelling unit shall have safe and adequate waste collection bins for storage of domestic wastes.
- 4. All vehicle owners shall provide appropriate liter receptacle for the use of occupants or passengers.
- 5. Relevant authorities shall provide appropriate and adequate litter bins in public places.
- 6. A person in care, management or control of any commercial, business premises or construction sites shall:
 - a. provide adequate liter bins and receptacles for recyclable materials in appropriate and easily accessible locations;
 - b. service and maintain the receptacles regularly, keep the premises and all public or private lands, streets, lanes, walkways, beaches or docks within 5 meters of the boundary of the property free from litter at all times;
 - c. ensure that wastes are collected and disposed of; and d) ensure that all re-cyclable materials are neatly packaged and stacked before disposal.

III. PUBLIC ADVERT INFRASTRUCTURE

- 1. Appropriate organ of Government shall designate and ensure the provision of adequate infrastructure for public advertisement.
- 2. No person shall paste or attach flyers, banners, advertisement or other literature except in places designated or approved by the relevant Authority

IV. BANNED PESTICIDES OR CHEMICALS FOR DOMESTIC FUMIGATION

- 1. All Integrated Pest or Vector Management outfits shall comply with the provisions as contained in Schedule 5 to these Regulations.
- 2. No Integrated Pest or Vector Management outfit shall use any of the banned Pesticides, chemicals or equipment as contained in Schedule 6 to these Regulations.

WASTES CONTROL		
SOLID WASTE CONTROL	CONTROL OF EFFLUENT DISCHARGE	HAZARDOUS WASTE CONTROL
1. All owners or occupiers of premises shall provide waste receptacles for	1. No effluent from a housing estate, hotel, commercial facility, waste management facility, hospital,	1. No person shall engage in any activity likely to generate any hazardous waste as defined in



<p>storage before collection by licensed waste managers.</p> <ol style="list-style-type: none"> 2. Any person who owns or control a facility or premises which generates waste shall reduce, re-use and recycle waste, to minimize pollution by adopting the following: <ol style="list-style-type: none"> a. Cleaning production practices should be adopted in order to save raw materials and energy segregate wastes at source; b. ensure safe disposal. 3. A licensed waste manager shall undertake waste collection at the designated points at scheduled time or period following the waste collection and transportation. 4. Any person granted license to transport waste shall meet all operational conditions. 	<p>abattoir or livestock farm shall be discharged or cause to be discharged into the public drain or natural environment without a permit from the Agency.</p> <ol style="list-style-type: none"> 2. Pursuant to sub-regulation of this regulation, no effluent so discharged shall exceed the permissible limits or levels as contained according to the Regulations. 	<p>these Regulations without a permit issued by the Agency.</p> <ol style="list-style-type: none"> 2. Every generator of hazardous waste shall ensure that every container or package for storing such waste is secured, marked and labeled according to Regulations. 3. Every person who generates toxic or hazardous waste shall treat or cause such hazardous waste to be treated using methods acceptable to the Agency. 4. Any leachate or other by-products of such treated waste shall be disposed of or treated in accordance with the provisions contained in the Permit.
---	---	---

INSTITUTIONAL ROLES AND RESPONSIBILITIES

<p>The Agency shall:</p> <ol style="list-style-type: none"> a. ensure the implementation of the provisions of the National Environmental Sanitation Policy and Guidelines at all levels of Government; b. enforce compliance with the provisions of these Regulations; c. issue Permits as prescribed in the relevant regulations of these Regulations; d. ensure compliance with conditions of the Permits as contained in the relevant Schedules;



- e. establish strategies alliance with other Federal Ministries, Departments and Agencies (MDAs), States, Local Government Areas (LGAs) and other relevant stakeholders;
 - f. ensure that the waste management facilities comply with the Environmental Impact Statement (EIS);
 - g. embark on intensive environmental education and awareness campaign on sound environmental sanitation and waste management;
 - h. develop and publicise set standards for environmental sanitation, waste management and equipment procurement and maintenance;
 - i. develop and periodically review the Regulations, Standards and Guidelines on Environmental Sanitation and Waste Management;
 - j. initiate and institutionalize extended product program with emphasis on 'buy back' initiative;
 - k. establish data bank on environmental sanitation and waste management;
 - l. be responsible for the monitoring of five-star hotel;
 - m. ensure that the States and Local Governments make provisions for land for waste management facility;
 - n. provide technical assistance to States and Local governments; and
 - o. ensure safe and sustainable control of waste generated by specialized agencies.
1. States shall establish sanitation and integrated waste management programs and ensure the provision and maintenance of:
- a. abattoirs;
 - b. adequate toilets and urinals in public places;
 - c. waste receptacles in the streets and premises of all kinds;
 - d. sites for development of waste management facilities in Local Government Areas.
2. The State shall:
- a. ensure clearance of litter and refuse from designated dumps sites;
 - b. be responsible for the registration and monitoring of three and four-star hotels;
 - c. ensure that Large and Medium Scale Food Premises comply with relevant guidelines;
 - d. register Municipal and Health Care Waste Collectors;
 - e. register Integrated Pest and Vector Management Outfits; and
 - f. ensure compliance with the provisions of these Regulations.



3. All Local government Areas shall ensure the provision and maintenance of:
 - a. Sanitary slaughter houses;
 - b. Toilets and urinals in public places; and
 - c. Waste receptacles in the streets, premises of all kinds and public places.
4. The LGAs shall:
 - a. be responsible for the clearing of litter and waste on the highways;
 - b. be responsible for the registration and monitoring of one and two-stars hotels including Small Scale Food Premises;
 - c. ensure that Small Scale Food Premises comply with guidelines;
 - d. register Municipal and Health Care Waste Collectors;
 - e. register Integrated pest and Vector Management Outfits; and
 - f. ensure compliance with the provisions of these Regulations.

SANCTIONS AND ENFORCEMENT

In order to ensure effective implementation of these Regulations and promote stakeholder involvement in environmental sanitation, the following programme shall be implemented by governments in collaboration with the public and private sector under the strategic alliance programme:

- Waste Minimisation Programme
- Extended Producers Responsibility Programme
- Plastic film Phase-out Programme
- Hazardous Waste Management Programme
- Waste Management Enlightenment Programmes (Information, Education and Communication).
- Research and Development Programme on Environmental Sanitation
- National Waste or Sanitation Databank.

ENFORCEMENT	OFFENCES	PENALTIES
The enforcement power of all the provisions relating to meeting the requirements and standards on environmental sanitation and waste control provided in these Regulations is	It shall be an offense for an owner or occupant in care of premises or in control or management of a business to: <ol style="list-style-type: none"> 1. release or causes litter to be released into the environment; 	Any person who violates any of the Regulation shall be guilty of an offense and shall on conviction be liable to a fine of N250,000:00 or imprisonment for eighteen (18)



<p>vested on the Agency and on the basis of any information available to it, the Agency may take any enforcement action at any time as may be appropriate.</p> <p>1. If an owner or occupant in care of premises or in control or management of a business is in contravention or is likely to contravene the provision of any regulation, guideline or condition of the Permit, the Agency shall serve an enforcement notice.</p> <p>2. An enforcement notice shall:</p> <ol style="list-style-type: none"> a. Specify the matters constituting the contravention or the matters making it likely that the contravention will arise, as the case may be; b. Specify the steps that must be taken to remedy the contravention or to remedy the matters making it likely that the contravention will arise, as the case may be; and c. Specify the period within which those steps must be taken. <p>3. Enforcement notice shall be hand delivered or delivered by registered post or courier, newspaper publication or pasting at the address of the owner or occupant of the premises.</p>	<ol style="list-style-type: none"> 2. fails to contain and dispose litter at construction or demolition site regularly; 3. fails to segregate waste for proper management; 4. fails to provide standard containers for storage sorted wastes before collection; 5. fails to provide, service, maintain or empty receptacles for litter and recyclable materials; 6. fails to keep litter away from 15 meters within the premises or vacant plots; 7. fails to locate water source away from pollution source; 8. fails to immediately clean up or remove debris from around a dug well after installing or repairing pumping equipment; 	<p>months or to both such fine and imprisonment.</p>
--	--	--



4. Where a person fails to comply with enforcement notice within a specified period as contained in regulation 68(2) of these Regulations, a second notice will be served to him.		
---	--	--

APPROVED INTERVENTION PROGRAMMES

As part of the Agency’s Strategic Alliance Programme on Environmental Sanitation and Waste Control, all States and Local Government Areas shall ensure that their programmes conform to the Agency’s programme on the same for proper harmonization and implementation as contained in Schedule 8 to these Regulations.

SCHEDULE V [Regulation 22(1)]

GUIDELINES FOR INTEGRATED PEST AND VECTOR CONTROL

- All integrated Pest and Vector Management Outfit shall:
- a. dispose used pesticide containers in compliance with established procedures;
 - b. pay attention and care to eco-Packaging, Labeling and Storage and destroy all empty pesticides containers using approved disposal method;
 - c. use appropriate or personal Protective Equipment (PPE) such as respirators, nose masks, goggles, gloves, boots, long sleeve overall coats and helmets, while carrying out pest control operations;
 - d. ensure that no smoking, eating or drinking is undertaken during operations;
 - e. ensure that all food stuffs, cooked foods, cutleries, pates, drinking glasses or cups, etc are removed to a safer place before fumigation;
 - f. undertake periodic biological monitoring especially serum cholinesterase levels for all pesticide handlers;
 - g. ensure that all chemicals are kept out of the reach of children;
 - h. ensure that chemical stores do not open to any other premises;
 - i. provide a fire extinguisher and First Aid Equipment.

SCHEDULE VIII (Regulation 32)

MATERIALS AMENDABLE TO EXTENDED PRODUCTS RESPONSIBILITY PROGRAMME

Products	Implementation Date
Plastic materials	31st March, 2010
Used tyres	31st March, 2010

**NATIONAL ENVIRONMENTAL
SANITATION AND WASTES
CONTROL REGULATIONS (2009)**



E-waste	31st January, 2011
Newsprint and Papers	31st March, 2010
Batteries	31st January, 2011
Metals	31st January, 2011
Cans or Tins	31st March, 2010
Glass	31st January, 2011
Refrigerators	31st January, 2011
Asbestos waste	31st March, 2010
RELATED REGULATORY AND POLICY DOCUMENT	
<ol style="list-style-type: none"> 1. Environmental Impact Assessment Act Cap E12 2. Harmful Waste (Special Criminal Provisions) Act Cap HI, 1988 and updated in 2004. 3. The National Environmental (Sanitation and Waste Control) Regulation 2009. 	
IMPLEMENTATION STATUS	
<p>SON and NESREA harmonize both Agency's roles on a take-back system in line with the Extended Producer Responsibility (EPR) programme seeing that the country has become a dumping ground for so many toxic materials thus exposing the citizens to diseases like cancer without knowing the source.</p>	