

A BILL

FOR

AN ACT TO REGULATE THE DISPOSAL OF WASTE BY INDUSTRIES OR COMPANIES; PROHIBIT ENVIRONMENTAL POLLUTION; PRESCRIBE PENALTIES AGAINST OFFENDERS; AND FOR RELATED MATTERS, 2016

Sponsored by Hon. Ayuba Mohammed Bello

[] Commencement

ENACTED by the National Assembly of the Federal Republic of Nigeria as follows:

1	1.-(1) As from the commencement of this Bill no company or	Prohibition of Waste Disposal without permit
2	industry shall dispose waste through water, Waterways, Rivers or Sea unless	
3	it installs anti-pollution equipment for the detoxication of effluent and	
4	chemical discharges emanating from such industry or company.	

5 (2) The equipment for the purpose of detoxication shall be based on
6 the best available technology (BAT), the best practical technology (BPT) or
7 the uniform effluent standards (UES).

8	2.-(1) The Ministry shall provide parameters for waste water	Provision of
9	disposals.	Parameters

10 (2) In this Act, reference to:

11 (a) "Ministry" means the Ministry responsible for Environment
12 and reference to "Minister" shall be construed accordingly;

13 (b) Company means a company that generates or discharges waste.

14	3. An industry which discharges effluent shall treat the effluent to	Treatment of Effluent
15	a uniform level as may be specified by the Ministry to ensure assimilation by	
16	the receiving water into which the effluent is discharged.	

17 (2) The industries or companies shall furnish from time to time the
18 nearest office of the Ministry, the composition of any effluent treated as
19 specified in Section 1 of this Bill.

Additional Sectoral Limitation Treatment	1	4.-(1) Any industry or company shall be subjected to the additional
	2	sectoral effluent limitations as may be specified by the Minister.
Penalty	3	5. Any industry or company or its agents that contravenes any of the
	4	provisions of this Bill commits an offence and is liable on conviction to a fine
	5	of N500,000.00 for each day the offence is committed.
Restriction on the release of Toxic substance	6	6. No Industry shall release hazardous or toxic substances into the
	7	Air, Water or Land of Nigeria's ecosystems beyond limits approved by the
	8	Ministry.
Pollution Monitoring Units	9	7. An Industry or Company that discharges effluent or releases
	10	hazardous or toxic substances, shall:
	11	(a) have a pollution monitoring unit within its premises;
	12	(b) have on site a pollution control unit;
	13	(c) assigns the responsibility for pollution control to a person or body
	14	Corporate and accredited by the Ministry; and
	15	(d) ensure constant monitoring of the parameters referred to in
	16	Section 7 of this Bill.
Analysis of discharge	17	8. A discharge, including solid, gaseous and liquid waste by any
	18	Industry or Company shall be analyzed by such Company or Industry and
	19	reported to the nearest Office of the Ministry not later than 24 hours of such
	20	discharge.
Unusual or Accident Discharge	21	9.-(1) An unusual discharge or accidental discharge of waste from any
	22	Industry shall be reported by the industry or company to the nearest office of
	23	the Ministry not later than 24 hours of the discharge.
	24	(2) Any person may on notice of any accidental or unusual discharge
	25	report same to the nearest office of the Ministry and on receiving the report, the
	26	Ministry shall take immediate action to order the Industry to rectify the
	27	damage.
	28	(3) Where a notice has been served on the industry and action is not
	29	taken, such Industry shall be closed down for a period not less than 6 months.

1	10. An industry shall submit to the nearest office of the Ministry:	List of Chemicals
2	(a) the list of chemicals used in the manufacture of its products;	used to be
3	(b) details of stored chemicals and storage facilities and	submitted
4	conditions; and	
5	(c) where' chemicals are bought, sold or obtained, the name of any	
6	secondary buyer.	
7	11. The Zonal Offices of the Ministry shall also serve as pollution	Pollution Response
8	Centres for coordinating pollution response activities.	Centre
9	12.-(1) An industry shall have a contingency plan approved by the	Contingency Plan
10	Ministry in the event of accidental discharge.	
11	(2) Where an industry refuses to make provision for contingency	
12	plan or the contingency plan is not approved by the Ministry, such Industry	
13	shall be closed down until adequate provision is made by the industry.	
14	13. An industry shall set up machinery for combating pollution	Machinery for
15	hazard and maintain equipment in the event of an emergency, and it shall for	combating pollution,
16	this purpose have a .stock of pollution response equipment which shall be	etc.
17	readily accessible and available to combat pollution hazards in the event of	
18	accidental discharges.	
19	14.-(1) A company, industry or person shall not engage in the	Storage treatment
20	storage, treatment, and transportation of harmful toxic waste within Nigeria	and transportation
21	without a permit issued by the Ministry.	of harmful toxic
22	(2) The permit shall be in such form as may be determined by the	waste
23	Ministry.	
24	15. Any industry that generates waste shall be responsible for	Generator's
25	collection, treatment, transportation and final disposal of the waste.	Liability
26	16. No industry shall discharge into Public Drains, Rivers, Lakes,	Permissible limits
27	seas or underground injection:	of discharge into
28	(a) effluent with constituents beyond permissible limit; and	Public drain
29	(b) Oil in any form without a permit from the Ministry or any	
30	Organization designated for that purpose.	

Violation	1	17.-(1) Any Industry or Company that violates the provisions of
	2	Section 16 of this Bill shall be closed down for a period not less than 6 months
	3	without option of fine.
	4	(2) Where the Ministry is satisfied that an industry or a company has
	5	contravened any of the conditions specified in a permit given, it may revoke the
	6	permit and any other licence issued to such an industry or company.
	7	18. Where an industry acquires new point source of pollution or a new
	8	process line with a new point source, it shall apply for discharge permit not later
	9	than 180 days before commencing the discharge of any effluent arising thereof.
Short Title	10	19. This Bill may be cited as the Industrial Waste Water, Pollution, etc.
	11	(Control) Bill, 2016.

EXPLANATORY MEMORANDUM

This Bill seeks to Control the way in which Industries and Companies Discharge Waste and Toxic Substances in the Ecosystem which has caused unbearable hardships to members of those Communities where such Industries are cited.

The Bill further Provides Penalty for the Contravention of the Provisions of this Bill or Instructions given by the Ministry based on the Provision of this Bill.