

*Extraordinary*



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THE ESTABLISHMENT OF THE HYDROCARBON  
POLLUTION RESTORATION PROJECT UNIT,  
MINISTRY OF PETROLEUM RESOURCES, 2014



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S. I. No. 16 of 2014

**THE ESTABLISHMENT OF THE HYDROCARBON  
POLLUTION RESTORATION PROJECT UNIT, MINISTRY OF  
PETROLEUM RESOURCES, 2014**

[16th Day of July, 2014]

Commence-  
ment.

WHEREAS following the environmental pollution and degradation of the Niger Delta region, especially Ogoniland due to Oil production activities and outcries by the affected communities, international and local society groups on the state of the environment ;

WHEREAS the Federal Government, in its effort to remedy the effect of the environmental degradation on the affected communities, commissioned the United Nations Environment Programme (UNEP) to carry out a study and detailed assessment of the Oil pollution in Niger Delta especially Ogoniland ;

WHEREAS the UNEP carried out an environmental assessment of the Niger Delta region especially Ogoniland and on 4th August, 2011, submitted the Report of the assessment to the Federal Government ;

WHEREAS the Federal Government inaugurated a Presidential Implementation Committee (PIC) under the Chairmanship of the Minister of Petroleum Resources to review and make recommendations on the Implementation of the UNEP Report ;

WHEREAS the PIC recommended the establishment of the Hydrocarbon Pollution Restoration Project Unit to develop and initiate work programmes aimed at restoring Ogoniland and other impacted host communities ; and

WHEREAS His Excellency, PRESIDENT GOODLUCK JONATHAN, on the recommendation of the PIC, approved the establishment of the Hydrocarbon Pollution Restoration Project (The HYPREP) as a special unit under the Ministry of Petroleum Resources on 20th July, 2012.

NOW THEREFORE—

1. There is established the Hydrocarbon Pollution Restoration Project (The HYPREP) Unit under the Ministry of Petroleum Resources.

Establishment  
of the  
Hydrocarbon  
Pollution  
Restoration  
Project Unit.  
Process of  
Implementa-  
tion.

2. The HYPREP shall be driven by the Ministry of Petroleum Resources supported by an Advisory Council.

Advisory  
Committee.

3.—(1) There is established for the HYPREP an Advisory Committee which shall consist of —

- (a) Minister of Petroleum Resources as the Chairman ;
- (b) Minister of Environment ;
- (c) Minister of Finance ;
- (d) Minister of Niger Delta Affairs ;
- (e) Representative of the Ecological Fund Office ;
- (f) Managing Directors of International Oil companies (I.O.C's) ;
- (g) Managing Directors of NNPC ;
- (h) Group Managing Director, NNPC ; and
- (i) National Co-ordinator, HYPREP as the Secretary.

(2) The Advisory Committee shall—

- (a) guide and steer the activities of the HYPREP ;
- (b) advice the Minister on the manner in which assets or funds of the project are to be held and utilized ;
- (c) advise the Minister on the keeping of proper accounts and records for the purposes of the Fund in such a form as may be specified in the Financial Regulations ; and
- (d) approve activities and project of the HYPREP including milestones, time schedule phasing and note of Oil Ways, cost estimates and suggested sources of funding.

Objectives.

4. The objectives of the HYPREP are to—

- (a) develop and initiate work programme aimed at restructuring all Hydrocarbon Impacted Communities in Nigeria and any matter that the Federal Government may from-time to time assign to the HYPREP ;
- (b) undertake a comprehensive assessment of all environmental issues associated with the Oil field related activities in Ogoniland including the quantification of impacts ;
- (c) provide useful guidance data to undertake remediation of contaminated soil and groundwater in Ogoniland ;
- (d) provide specific recommendations regarding the scope, modalities and means of remediation of soil and groundwater contamination ;
- (e) technically evaluate alternative technologies to be employed to undertake remediation of contaminated soil and groundwater ;
- (f) provide recommendation for responding to future environmental contamination from Oil field Operations ;



(g) provide recommendations for sustainable environmental management of Ogoniland ;

(h) enhance local capacity for better environmental management and promote awareness of sound environmental management and sustainable development ; and

(i) be part of the peace dividend and promote ongoing peace building efforts.

**5. The HYPREP shall —**

Functions.

(a) investigate and evaluate all Hydrocarbon polluted communities and sites in Nigeria and make recommendation to the Federal Government ;

(b) implement the actionable recommendation of the United Nations Environment Programme (UNEP) Report on Environmental Restoration in Niger Delta ; and

(c) restore communities and sites impacted by Hydrocarbon Pollution in Nigeria and any other matter that the Federal Government may assign to it ;

**6. The Minister of Petroleum Resources shall drive the process and have overall supervisory control on the activities of the HYPREP supported by the HYPREP Advisory Council.**

Management Structure.

**7.—(1) There shall be the following Technical Working Groups —**

Technical Working Groups.

(a) Environment ;

(b) Health ;

(c) Water ;

(d) Security ;

(e) Legislation and Standard ;

(f) Community Relations ;

(g) Surveillance ; and

(h) Monitoring.

(2) The Technical Working Groups shall consist of experts with broad ranging skills and knowledge drawn from major stakeholder organizations.

**8.—(1) There shall be a monitoring and sustainability group to be anchored by the United Nations Environment Programme (UNEP) to ensure—**

Monitoring and Sustainability Group.

(a) the HYPREP's compliance with existing Laws ; and

(b) sustainability of the HYPREP in accordance with the international best practice.

(2) The Monitoring and sustainability group shall consist of the following—

- (a) United Nations Environment Programme (UNEP) ;
- (b) National Oil Spill Detection and Response Agency ;
- (c) World Health Organisation (WHO) ;
- (d) United Nations Institute for Training and Research (UNITAR) ;
- (e) Department of Petroleum Resources (DPR) ;
- (f) United Nations Development Programme (UNDP) ; and
- (g) Green Project Management.

Funding.

9.—(1) There shall be established, a dedicated Environmental Restoration Fund (the Fund), into which the following contributions by Oil Companies Operating in the affected areas shall be paid —

- |                            |             |
|----------------------------|-------------|
| (a) Joint Venture Partners | 90 per cent |
| (b) The Refineries         | 5 per cent  |
| (c) Local Operators        | 5 per cent  |

(2) The Fund shall be used only for activities dealing with the Environmental Restoration of the impacted Communities for which it was established.

(3) The Polluter-pay-Principle shall apply in the funding of activities of the HYPREP.

(4) The HYPREP may, from time to time, apply the proceeds of the fund for—

- (a) the execution of programmes and projects approved in the work plan of HYPREP ;
- (b) the cost of administration of the project ;
- (c) the payments of salaries, fees and other remuneration of employees of HYPREP and experts or professionals appointed by the HYPREP ; and

(d) any expenditure connected with all or any of the mandates of the HYPREP.

Interpretation.

10. In this Notice—

“Fund” means the Environmental Restoration Fund established under paragraph 9 of this Notice ; and

“Minister” means the Minister responsible for petroleum resources.

Citation.

11. This Notice may be cited as the Establishment of the Hydrocarbon Pollution Restoration Project Unit, Ministry of Petroleum Resources Notice, 2014.

MADE at Abuja this 16th day of July, 2014.

DIEZANI ALISON-MADUEKE, CON  
*Honourable Minister*  
*Ministry of Petroleum Resources*

EXPLANATORY NOTE

*(This note does not form part of the above Notice but is  
intended to explain its purport)*

This Notice is to notify the General Public of the Establishment of the Hydrocarbon Pollution Restoration Project Unit, Ministry of Petroleum Resources to restore Communities and Sites impacted by Hydrocarbon Pollution in Nigeria.