

CHAPTER 120

POLLUTION (PREVENTION AND CONTROL) (MISCELLANEOUS PROVISIONS) LAW *Arrangement of Sections*

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CHAPTER 120

POLLUTION (PREVENTION AND CONTROL)
(MISCELLANEOUS PROVISIONS) LAWEdit No 24
of 1985,
Imo StateA Law To Provide for the Prevention and Control of Pollution in
Ebonyi State.

Commencement

23rd August, 1985

PART 1 - PRELIMINARY

Citation.

1. This Law may be cited as Pollution (Prevention and Control) (Miscellaneous Provisions) Law.

Interpretation

2. In this Law:
 "Commissioner" means the Commissioner charged with the responsibility for industries;
 "industrial waste" means any waste matter discharged from an industry;
 "major industrial proposal" means any proposal for the establishment of an industry or a proposal declared to be such by the Ministry;
 "Governor" means the Governor of the State;
 "Ministry" means the Ministry of Commerce and Industry;
 "State" means Ebonyi State of Nigeria.

PART II - INDUSTRIAL POLLUTION

Prevention
of
industrial
pollution.

3. (1) No industries which emit obnoxious gases which are hazardous to people's health or which generate a lot of noise shall be sited in or near a residential area.
- (2) (a) Every industry that discharges toxins in form of liquids, or discharges any industrial effluent, liquid waste or industrial waste shall make adequate arrangement for the disposal of the industrial waste, including where necessary, the provision of treatment plants which shall treat any such liquid before it is finally discharged into the ground.

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(b) It shall be an offence for any industry to discharge any industrial waste other than by the method provided in paragraph (a) of this subsection; or to discharge any waste liquids into streams, rivers, lakes, or onto the streets, road or highway.

(3) Nothing in this Law shall authorize any manufacturing company or a local government or any other person to construct or use any public or other sewer or any gutter or drain, for the purpose of conveying foul water into any natural or artificial stream, watercourse, canal, pond or lake, until the water had been so treated as not to affect prejudicially the purity and quality of the water in the stream, watercourse, canal, pond or lake.

4. It shall be mandatory for every major industrial proposal to be accompanied by an environmental impact statement which shall explain the probable effect of such establishment on the neighbourhood.

Requirement for environmental impact statement

5. (1) Subject to the State Environmental Protection Agency Law, every industry shall store its solid wastes in such a manner as not to give rise to offensive odour or infestation by rodents, flies and other insects.

Storage of solid wastes.

(2) The dumping or littering of broken bottles, scraps of iron and other metal and other industrial wastes howsoever on the highways or in the rivers and streams or in the bush other than on the trenching ground provided by the Environmental Protection Agency is hereby prohibited.

6. The excavation or quarrying of sand or gravel upon or near the source of any river or stream in the State is hereby prohibited.

Protection of river source.

7. Any road construction company or contractor who in the process of building or repairing a road dug a burrow pit, shall immediately after the road construction or repair, refill the burrow pit.

Road constructors to refill burrow pits.

(1) The Commissioner may make regulations requiring certain industries to contribute physically and financially in the control or maintenance of the environmental quality of the State in the following areas:

Regulations.

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- (a) Watershed management.
- (b) Air quality protection.
- (c) Fire prevention and control.
- (d) Reforestation of denuded areas and
- (e) Soil erosion prevention and control.

- (2) The regulation made under this section may provide for a system in which health inspectors make periodic inspection on industries and the penalty for keeping bad environment or sanitation.

PART III - DOMESTIC POLLUTION

Applicability
with relevant
Laws.

9. This part and the succeeding sections are without prejudice to the requirements of the Environmental Protection Agency Law and any other Laws thereto.

Water closet
system for
industries.

10. (1) Every industry shall provide water closet system in the industry for its employees.
- (2) All waste water from wash-hand basins, kitchens and baths within the industry shall discharge into separate soak-away pits that lead onto public drains, where possible.

Specific
prohibitions.

11. The following acts are hereby prohibited, that is to say:
- (a) dumping of refuse on the public highway or at any place other than a place provided for that purpose;
 - (b) littering of the street with paper and food waste;
 - (c) allowing sewage water to flow onto the street;
 - (d) urinating on the street within the town and built-up areas;
 - (e) defecating in places other than approved place; and
 - (f) fishing with poisonous chemicals.

Regulations.

12. (1) The Commissioner for Agriculture and Food may make regulations providing guidelines controlling the use of chemicals in the fishing industry and the use of pesticides and other agro-chemical materials in the farming industry.
- (2) Without prejudice to the Town and Country Planning Law and the Building Lines Law, the Commissioner for Works and Transport may make regulations requiring road constructing companies to provide certain environmental safeguards of the nature of culverts, gutters and drains.

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PART IV-OFFENCES AND PENALTIES

13. It shall be an offence not to comply with any stipulations or requirement of this Law.

Offences and
Penalties.

- (a) Any person who contravenes any provision of Part II of this Law shall be liable to a fine of Two hundred thousand Naira and, in the case of a continuing offence, to an additional fine of Twenty Thousand Naira for every day the offence continues.
- (b) Any person who contravenes any provision of Part III of this Law shall be liable to a fine of Ten Thousand Naira and, in the case of a continuing offence, to an additional fine of One thousand Naira for every day the offence continues.

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