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UPDATE ON E-WASTE MANAGEMENT IN NIGERIA

By

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Global
E-Waste Management Network (GEM₃)*

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OVERVIEW OF PRESENTATION

- Introduction
- National Laws and Regulations relating to E-waste control
- Current Status of WEEE Management
- Partnerships
- Major Accomplishments
- Implementation of Sector Regulations – Progress made since GEM2
- Lessons Learned and Future Goals
- Questions for Discussion/Conclusion



INTRODUCTION



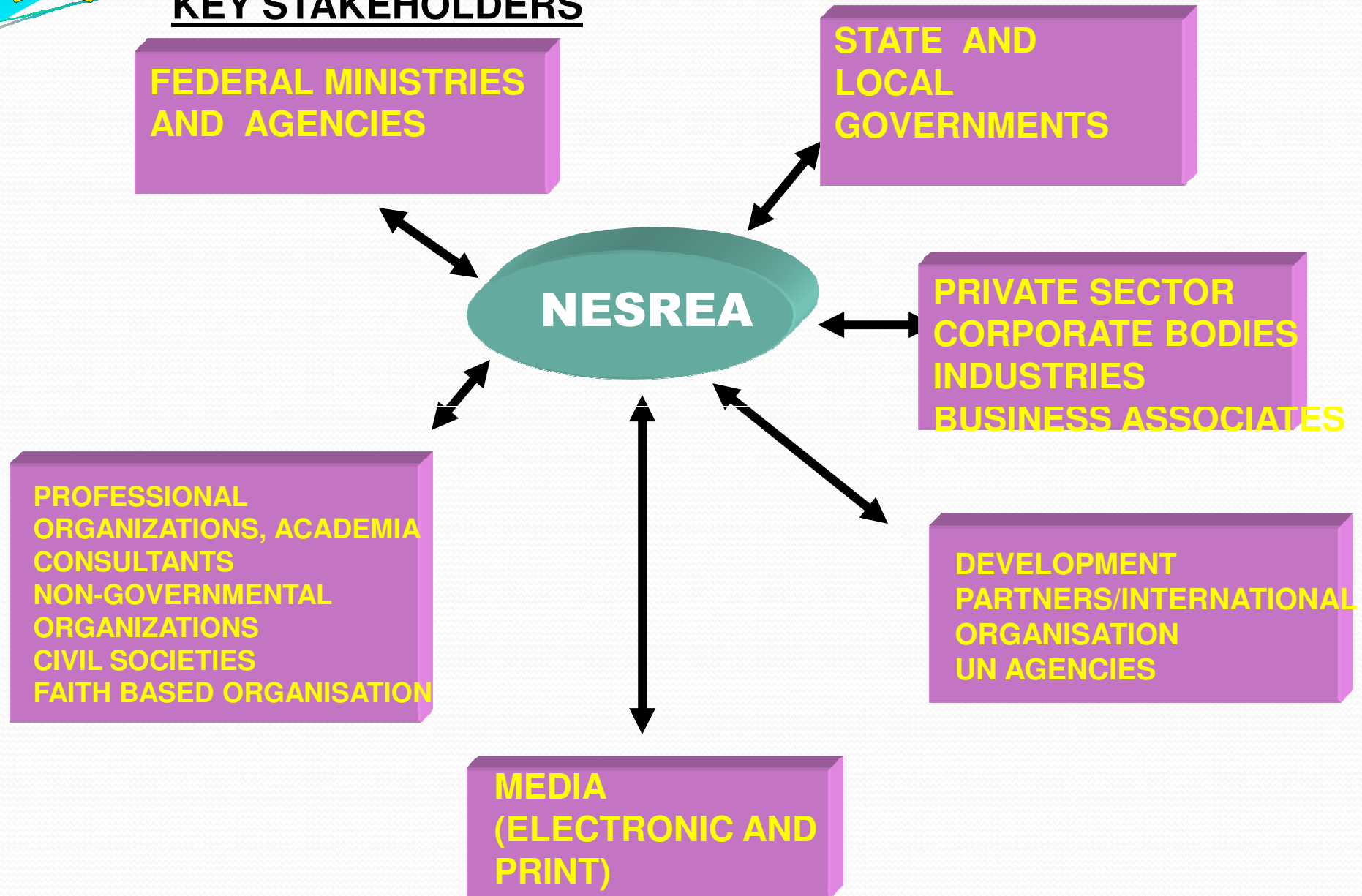
- ❖ The National Environmental Standards and Regulations Enforcement Agency (NESREA) an Agency of the Federal Ministry of Environment is responsible for the enforcement of all environmental laws in Nigeria;
- ❖ Her vision is to ensure a cleaner and healthier environment for all Nigerians, while her mission is to inspire personal and collective responsibility in building an environmentally conscious society for the achievement of sustainable development in Nigeria;
- ❖ NESREA has the power to, among others, prohibit processes and use of equipment or technology that undermine environmental quality.
- ❖ The mandate of NESREA includes development of new, and review of existing national environmental laws and regulations. The enforcement of all Multi-lateral Environmental Agreements, Protocols, Treaties and Conventions to which Nigeria is a signatory, including the Basel Convention.



INTRODUCTION II

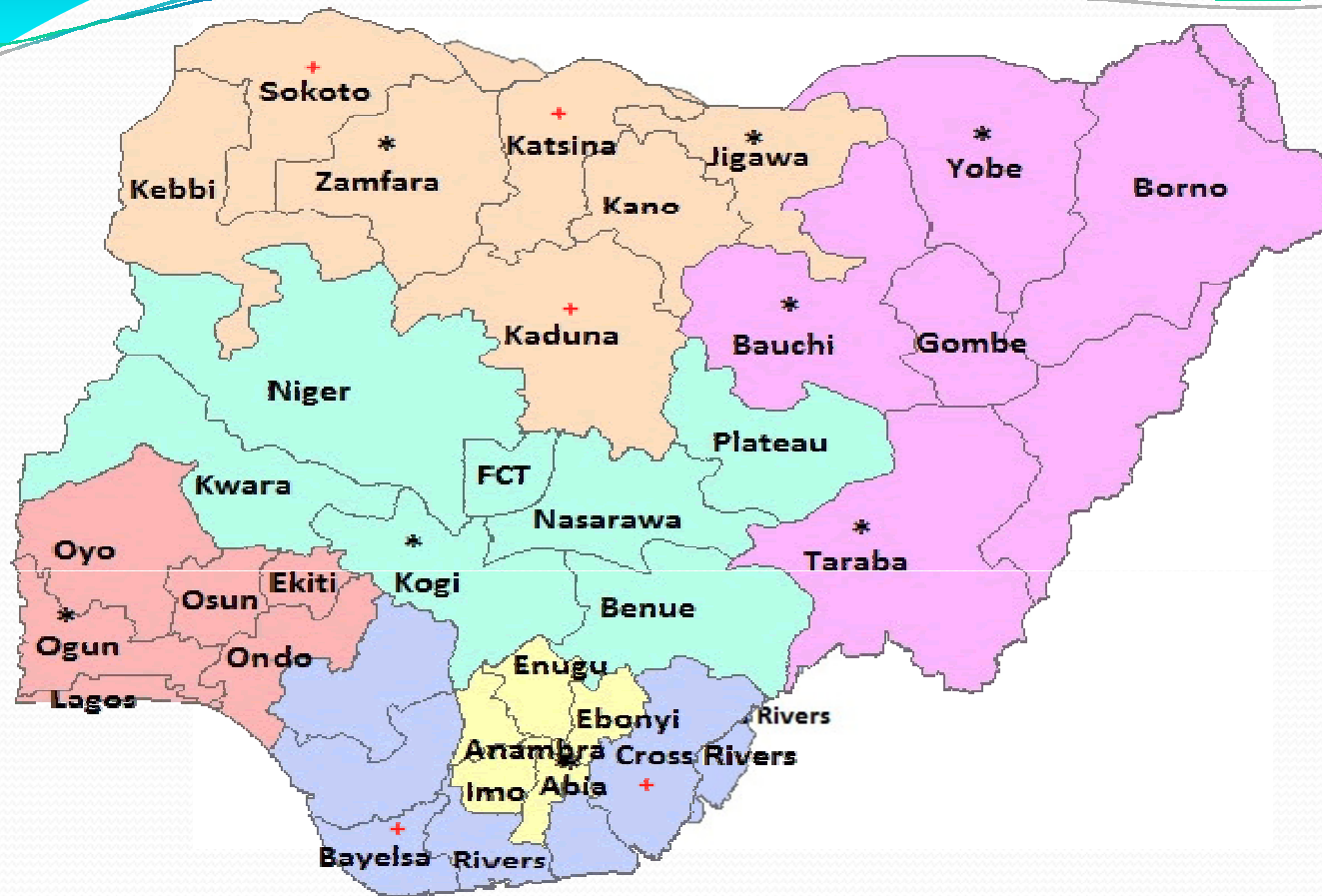


KEY STAKEHOLDERS





INTRODUCTION ...III



OFFICES

- * Acquisition of Offices in Progress
- + Newly Acquired Offices

- Establishment of 24 NESREA State offices in partnership with the respective State Governments in the North East, North West, North Central, South West, South-South and South East with 6 Zonal offices



INTRODUCTION ..IV

ORGANOGRAM





National Laws and Regulations Relating to E-Waste Control



- ❖ Environmental Impact Assessment Act Cap E12
 - 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.
- ❖ Harmful Waste (Special Criminal Provisions) Act Cap HI, 1988 and updated in 2004;
- ❖ The National Environmental (Sanitation and Waste Control) Regulation 2009;
- ❖ Guide for Importers of UEEE;
- ❖ The National Environmental (Electrical/Electronic Sector) Regulations 2011.



National Laws and Regulations Relating to E-Waste Control



Harmful Waste (Special Criminal Provisions) Act Cap HI, 2004

The Act prohibits the carrying, deposition and dumping of harmful waste on any land, territorial waters and matters relating thereto.

- ❖ The penalty to the extent of life imprisonment and in addition forfeit the carrier including aircraft vehicles or any other thing used in the transportation or importation of the waste to the Federal Government of Nigeria.
- ❖ Where the offence is being committed by a corporate body through the negligence or consent of the principal officers of the company, the officer and the body corporate shall be punished accordingly.



NATIONAL LAWS AND REGULATIONS RELATING TO E- Waste Control ..II



The National Environmental (Sanitation and Waste Control) Regulation 2009

The Act provides that

- ❖ No person is to engage in any activity likely to generate Hazardous waste without permit by the Agency;
- ❖ A generator of waste shall ensure a secured means of storing such wastes;
- ❖ Every person who generates hazardous waste shall cause such waste to be treated using acceptable methods;
- ❖ No person shall export or transit hazardous waste without permit by the Agency;
- ❖ No person shall transit toxic waste destined for another country through the territory of Nigeria without prior informed consent of such movement by the Agency
- ❖ Any person who fails to comply with the above obligations shall be guilty of an offence punishable with a fine of N5,000,000 or imprisonment for five years or both.



NATIONAL LAWS RELATING TO E-WASTE CONTROL ..III



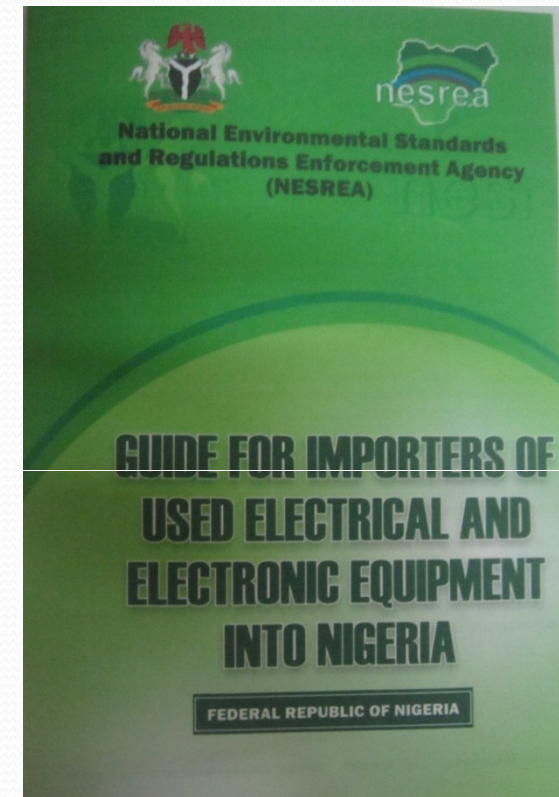
Guide for Importers of UEEE

The major Provisions

- ❖ Every importer of UEEE should register with NESREA;
- ❖ The Federal Government of Nigeria allows the importation of new EEE and functional UEEE;
- ❖ Nigeria has banned the importation of WEEE and near-end-of-life electrical/electronic equipment;
- ❖ Any WEEE imported into Nigeria shall be sent back to the Port of origin;
- ❖ Administrative punitive fee shall be imposed on the carrier of WEEE or UEEE mixed with WEEE;

Every carrier of UEEE shall be accompanied by:

- ❖ Cargo Movement Requirement (CMR) document;
- ❖ Proof of evaluation/testing and certificate containing testing information on each item;
- ❖ Declaration of the liability by the importer (Letter of Indemnity); and
- ❖ Copy of permit to import.





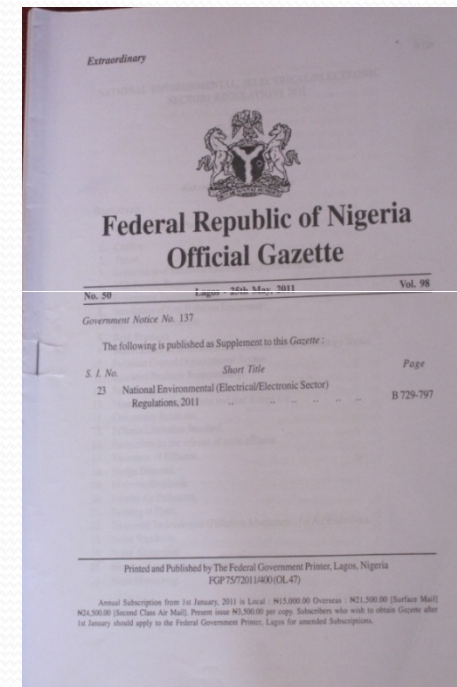
NATIONAL LAWS RELATING TO E-WASTE CONTROL ..IV

❖ The National Environmental (Electrical Electronic Sector) Regulations SI No 23 of 2011

- ❖ The Regulation is based on life cycle approach and covers all aspects of the electrical/electronic sector from cradle to grave;
- ❖ The principles are anchored on the 5Rs which are; Reduce, Repair, Re-use, Recycle and Recover as the primary drivers of the sector;
- ❖ Adopts the Polluter Pays Principle;
- ❖ Ensures the practice of Environmentally Sound Management (ESM); and
- ❖ Delineates Stakeholders responsibilities and roles

Activities that require permit under the regulation:

- ❖ Export or transit of e-waste must be with a valid trans-boundary movement permit issued from the Federal Ministry of Environment.
- ❖ Importation of UEEE.





NATIONAL LAWS RELATING TO E-WASTE CONTROL ..V



Extended Producer Responsibility: The Role of Key Stakeholders

- ❖ All importers, exporters, manufacturers, assemblers, distributors, and retailers, of various brands of EEE products shall subscribe to an Extended Producers' Responsibility (EPR) Program including the Buy Back;
- ❖ The importers/distributors for all EEE equipment traded or donated to individuals, educational institutions, religious organizations, communities or body corporate by whatever means, shall comply with the EPR Program;
- ❖ Manufacturers and Importers of EEE shall partner with the Agency on the Extended Producers' Responsibility Program within two years of commencement of these Regulations in order to achieve the Buy Back Program within a period of two years;



NATIONAL LAWS RELATING TO E-WASTE CONTROL ..VI

Specific Provisions of the EEE Sector Regulations

- Importation of CRT is banned;
- Manufacturers, Importers, Distributors or Retailers are to take back the end-of-life EEE and setup collection points/centres;
- Manufacturers and producers of EEE are to ensure Environmentally Sound Management of e-waste from collection points or centres;
- Consumers are to return end-of-life EEE to the collection points or centres; and
- All importers of new and/or used EEE are to pay an administrative cost to NESREA to promote Environmentally Sound Management of WEEE.



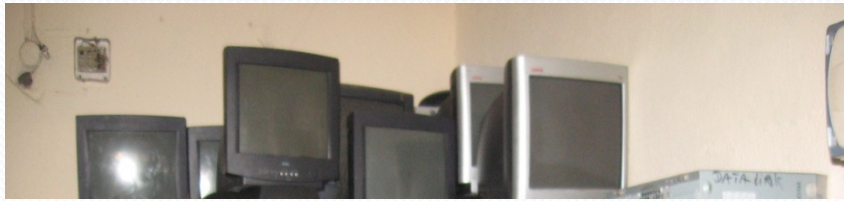
CURRENT WEEE STATUS

- According to Basel Action Network (BAN 2005) study in conjunction with BCC Nigeria, Nigeria imported about 500,000 used computers annually through the Lagos port alone;
- About 25% of the imports are functional used electronics while the remaining 75% is junk or unserviceable, which is eventually burnt or dumped carelessly;
- A preliminary survey conducted in Lagos area after the BAN study showed that the volume of imported electronic equipment were: *Computer village (15 tons), Alaba International Market (100 tons), Oshodi Market (15 tons), Lawanson Market (30 tons) and West Minister (40 tons)*;
- These figures have reduced drastically as a result of the steps taken to monitor the importation of used EEE into Nigeria. However, there are presently, no specific figures.



CURRENT WEEE STATUS ..II

Used EEE on display in Nigeria





USED EEE PREPARED FOR EXPORT PROBABLY TO DEVELOPING COUNTRIES





Well Packaged Used Electronics





CURRENT WEEE STATUS ..III

Collection:

- WEEE collection is not organised; there are no collection centers and most times, they are dumped along with other wastes;
- A lot of WEEE are also stockpiled in offices and homes;
- Some states such as Lagos have started stockpiling of WEEE pending the establishment of a recycling facility;
- Treatment /Recycling : this is currently carried out by the informal sector with no knowledge of the environmental and health effects of improper WEEE management.



PARTNERSHIPS

At the National Level, NESREA is collaborating with the Nigeria Customs Service and all the members of the National Toxic Waste Dump Watch committee on the illegal shipment of WEEE;

At the International Level,

Nigeria is networking with the international community to control e-waste, e.g.:

- International Network for Environmental Compliance and Enforcement (INECE) Seaport Environmental Security Network (SESN);
- International Criminal Police Organisation (INTERPOL); and
- United States EPA, UK EA, Germany, VROM, IMPEL TFS, EPAT and other sister Agencies.



MAJOR ACCOMPLISHMENTS

- Certification of credible importers of Used EEE and sanctioning importers not certified by the NESREA;
- About 14 containers and 12 trucks of e-waste were repatriated while 17 unregistered importers were intercepted with necessary punitive charges imposed;
- The Agency is collaborating with the Nigeria Customs Service (NCS) through the Nigeria Integrated Customs Information System (NICIS) portal to monitor importation of used EEE.



E-WASTE REPATRIATED BY NESREA SINCE 2010

S/N	Date	Vessel	No of Containers	Country of Export
1	14 th April, 2010	MV Nashville	UESUA 463595-0	Austria
2	3 rd June 2010	MV Gumel	7x40 Ft and 2x 20 Ft trucks	Germany
3	6 th Oct. 2010	Vera D	4 x40 Ft (ZCSU 82397694-5, ZCSU 82392024-5 and ZCSU 81973444-5)	United States of America (USA)
4	14 th Oct 2010	Grande America	2 (GCNU 463667-3 and GCNU 463871-6)	United Kingdom
5	11 th July, 2012	Louis S	1 (TGHU 353945-7)	Malaysia
6	16 th May, 2012	PAC Antilia	1 (TGHU 736337-1)	Singapore
7	6 th Dec. 2012	Hamonía Teutonica	1x 40ft (PCIU 999156-0)	Korea
8	6 th Dec. 2012	NYK Vega	1x 40 ft and 1x20ft (MOAU 772496-3 and UNIU 205536-0)	Japan
9	10 th January, 2013	MV Marivia	2x40 Ft (ECMU 987085-8 and ECMU 989451-0)	United Kingdom
10	19 th June, 2013	Euro cargo Salerno	3 Trucks - Discharged at the Port of Luanda for repatriation	Belgium



IMPLEMENTATION OF THE SECTOR REGULATIONS



PROGRESS MADE SINCE GEM2

The Agency is still discussing with the Original Equipment Manufacturers (OEM- Dell, Hp, Phillips) and a UK based recylcer on the execution of the provision of the Regulations on the Extended Producer Responsibility (EPR).

- The Recycler has submitted a Feasibility study to establish Facility which is currently being considered.
- Significant progress has been made to ensure that a reputable recycler of e-waste establishes a plant in the country to take care of the in-country generated e-waste.



IMPLEMENTATION OF THE SECTOR REGULATIONS II

Draft Guidelines for Implementation of EPR for the EEE Sector has recently been developed with the key items derived from the extant laws on hazardous waste;

KEY DEFINITIONS

- **Producer** means importer, manufacturer, producer and assembler. Specifically, "Producer" includes any person who:
 - manufactures and sells EEE under his or her own brand;
 - imports and resells EEE produced by other manufacturers;
 - imports and resells EEE produced by other suppliers under his or her own brand;
 - imports electrical and electronic equipment as a business; and
 - exports electrical and electronic equipment as a business, or distributes electrical and electronic equipment from a manufacturer.
- **EEE Registry** means the registered body/organization that maintains the register of producers/recyclers/waste organizations and inventory of WEEE/E-waste nationwide.



IMPLEMENTATION OF THE EEE SECTOR REGULATIONS III

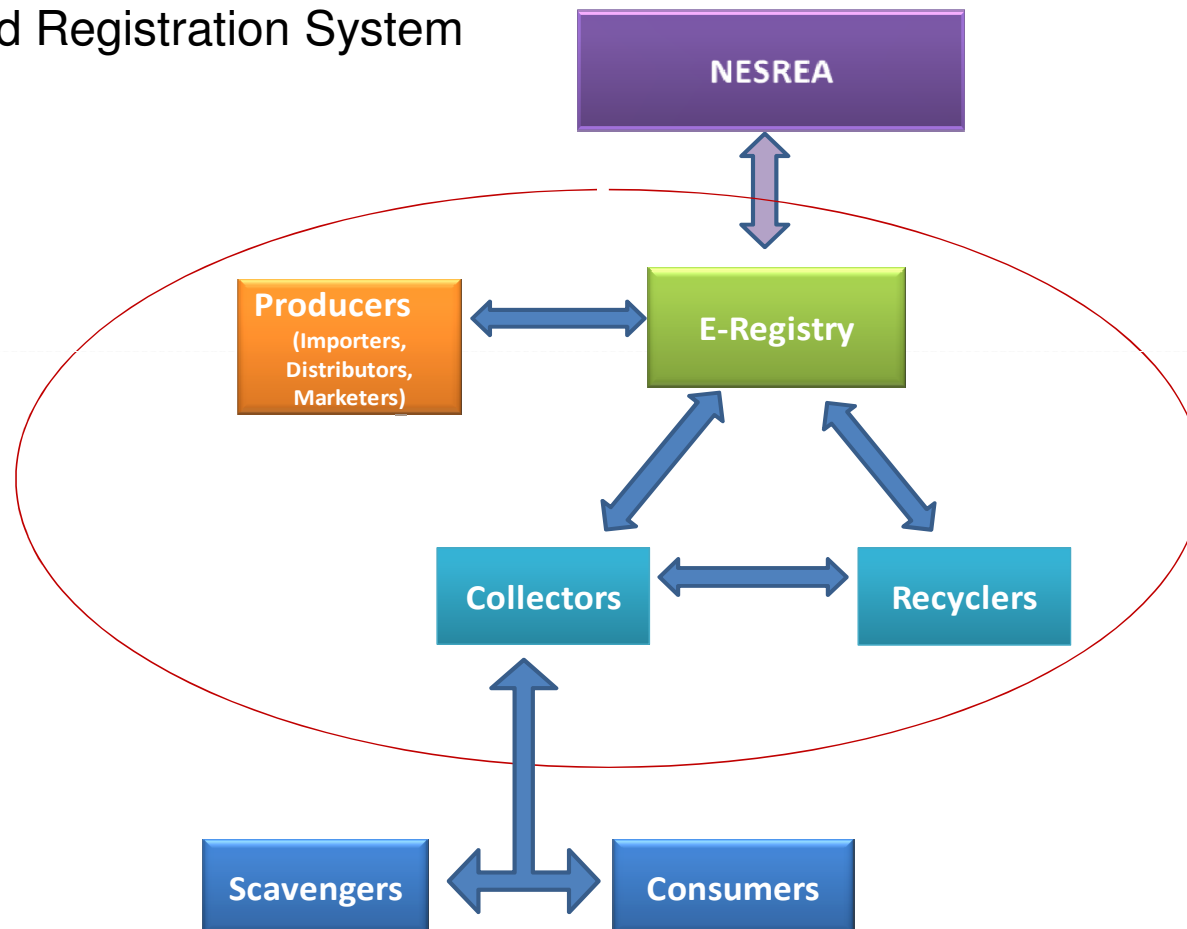


- The draft guidelines also provide for the following:
 - Identification of Electrical and Electronic Equipment
 - **Criteria for registration and participation of producers;**
 - National Criteria for WEEE Recycling including Standards for various categories - (Taiwan standard, e-stewards and the R2 were used as reference to develop this);
 - Product Identification and Marking; and
 - Framework & Functions of the Registry requirement for importation of UEEE into Nigeria.



IMPLEMENTATION OF THE SECTOR REGULATIONS IV

Proposed Registration System





Lessons Learned and Future Goals

- Lessons learned from current WEEE management situation prompted the training of the informal sector by the Basel Convention Regional Coordinating Center in terms of technical capacity and awareness for importers and handlers of used electronics by NESREA;
- Sensitization of industrialists and marketers during routine compliance monitoring by NESREA;
- Outstanding needs/goals for current and future WEEE management include:
 - Improvement on data collection of current import of non functional used electronics;
 - Establishment of the WEEE demonstration Recycling Facility;
 - Establishment and operation of the E-registry using third Party and Public Private Partnership; and
 - Establishment of collection centers in collaboration with the OEMs.



Questions for Discussion

Discussion topics for the GEM Network that would be useful:

- Recycling Standards and the implementation of EPR;
- The need for support in the establishment of Registry electronics;
- We wish to know how to calculate payment of registration and fund management for WEEE recycling; and
- Other direct country specific support that can be gained from the GEM partners.



Conclusion

- Nigeria has made significant progress in the management of WEEE in terms of Policy and legal framework ;
- A lot still needs to be done in the actual implementation of the EPR;
- The discussions we have had so far in this programme has been quite helpful and the lessons learnt will further be used to improve on the implementation of the EPR; and
- Finally, on behalf of the Nigerian government and NESREA, I wish to appreciate the USEPA and EPAT for sustaining the GEM meetings.

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THANKS!

