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Legal issues on environmental hazard of petroleum

Ocheri C

University of Nigeria, Nsukka

Section 37 of the National Environmental Standards and Regulations Enforcement Agency (Establishment) Act 2007 defines "pollution" thus: "Pollution means man-made or man aided alteration of chemical, physical or biological quality of the environment beyond acceptable limits and pollutants shall be construed accordingly." The same Section defines the Environment" in this manner: "Environment includes water, air, land and all plants and human beings or animals living therein and the inter-relationships which exist among these or any of them." This is the current legislation governing environmental matters in Nigeria. It repealed the Federal Government Protection Agency Act of 1988 (See Section 36 of the Act) from the above definitions, it is clear that any human intervention which affects the natural state of the environment to such an extent that the society finds it unacceptable, qualifies as pollution. I think that the law does recognise that in our modern industrial society, pollution of some kind or to some degree is inevitable. What is objectionable and intolerable however is that it does not exceed certain limits where it would pose hazardous and deleterious effect on man and his surroundings? And this is what the law aims to prevent or control. Here in Nigeria, there is a constitutional provision which guarantees the protection of the environment by the State. Section 20 of the Constitution of the Federal Republic of Nigeria 1999 states: "The State shall protect and improve the environment and safeguard the water, air and land and wildlife of Nigeria." This paper discusses the nature, causes type and incident of pollution, Global Perspective on environmental, pollution from gas flaring, discharging of hazardous substances establishment of anti-pollution agency for the oil and gas sector in Nigeria. The effects of these operations on the environments were also discussed while the summary and conclusion were also given with a view to assisting the stakeholders, the governments and all the operators in this industry to adhere to the legal norms.

cyril.ocheri@unn.edu.ng