



*National Environmental Standards And
Regulations Enforcement Agency (NESREA)*

EASE OF DOING BUSINESS EXECUTIVE ORDER (EO1)

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1. PERMIT WORK FLOW

TYPES OF PERMIT

1. Air Quality Permit relating to issues on Atmospheric Emissions, Vehicular Emissions, Open Burning, Refrigeration and Air Conditioning equipment (RAC), and Noise;
2. Waste and Toxic Substances Permit relating to issues on Waste Generation, Restricted Chemicals, Sludge Disposal and Effluent Discharge;
3. Used Electrical and Electronic Equipment (UEEE) Permit relating to handling, import and export of UEEE; and
4. Biodiversity Conservation Permit relating to issues on Assess to Genetic Resources.
5. Eco-Guard Certification: Eco-guard Certification is issued to facilities that are in the pre-construction and construction stages of their projects.

APPLICATION PROCESS

Completed application form(s) with relevant attachments shall be submitted in two hard copies along with a software copy (in Microsoft Word) to the NESREA Office nearest to the facility. The following documents, among others, must accompany each completed application form:

- Receipts of payment for the Processing Fees;
- Payment receipt (official revenue receipt) from NESREA Office nearest to the company's facility or area of operation for the Processing Fee(s);
- Certificate of Incorporation;
- Tax Clearance for the last 3 years;
- Evidence of Environmental Impact Statement (EIS) - where applicable;
- Environmental Management Plan (EMP);
- Environmental Audit Report (EAR);
- Monthly Monitoring Report for Last 3 Months; and
- A Schematic diagram of the facility

Application Flow

- Applicants are expected to download Permit Form(s) that is/are relevant to their operations and fill.
- Completed application is/are expected to be submitted to the nearest NESREA Office (where the facility resides) attaching the necessary documents.
- Evidence of payment of processing fee which is paid into the TSA Account of the Agency (NESREA)
- After payment, a revenue collection receipt is issued by the Agency from the state Office (where the facility resides) of the Agency.

Note: Permits renewals are to be applied for 3 months before expiration of the current Permit.

TIME-LINE

All "complete" application forms shall be acknowledged by the Agency within 7 working days of receipt; and the Agency may upon assessment of the application request the applicant to furnish additional information within a specified period. The period between the acknowledgment of receipt of the "completed" Application Forms and the date at which the Agency notifies the Applicant of its decision to approve or refuse the issuance of Permit as the case may be, shall not exceed 30 working days

STATUTORY FEES

The statutory fees include:

S/N	FEE	COST (N)
1	PROCESSING FEE	
a.	Biodiversity Conservation Permit	50, 000
b.	Electrical & Electronic Equipment Permit	15, 000
c.	Air Quality Permit	20, 000
d.	Waste and Toxic Substances Permit	20, 000
e.	Eco Guard Certification	40,000
2.	AMENDMENT FEE	20, 000
3.	RE-HEARING FEE	50, 000
4.	APPEAL FEE	20, 000
5.	ANNUAL PERMIT FEE	Variable
6.	RENEWAL FEE	Variable

ISSUANCE OF PERMIT

If the Application is approved, the Agency shall first notify the applicant of such approval, including the assessed Annual Permit Fee to be paid within a specified period. On payment of the Permit Fee by the applicant, the Agency shall issue the appropriate Permit and the conditions therein

PLEASE NOTE:

- The application fee(s) for Amendment, Re-hearing, Appeal and Renewal, will in addition attract the required Processing Fee(s).
- The Annual Permit fee is variable depending on the facility and its operations.
- Permit(s) shall be renewed annually.
- Renewal Fee is variable like the Permit Fee.
- All fees are subject to review by the Agency.

2. ENVIRONMENTAL IMPORT CLEARANCE

REQUIREMENT FOR APPLICATION	ACTION TAKEN BY THE AGENCY	TIME FRAME
1. Application Letter;	Upon receipt, the application is checked	1 day
2. Proforma Invoice;	for banned items;	
3. Packing List	Proforma invoice is assessed for Payment;	Same day
In addition:		
UEEE	Amount to be paid is communicated to the importer	Same day
4. Corporate Affairs Corporation (CAC) Certificate;	Upon receipt of Evidence of Payment, import clearance certificate issued;	1-2 days
5. Registration as UEEE Importer (where applicable)		
6. Income Tax Clearance Certificate from Federal Inland Revenue Service (FIRS);		
CHEMICALS		
7. Application to the Agency;	Upon receipt, the application is checked for banned/ restricted chemicals; if not in the list then;	1 day
8. Submission of Proforma invoice;	Proforma invoice is assessed for Payment;	Same day
9. Submission of Corporate Affairs Corporation (CAC) Certificate;	Amount to be paid is communicated to the importer	Same day
10. Material Safety Data	Upon receipt of	1-2 days

Sheet (MSDS);	Evidence of Payment, import clearance certificate issued.	
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PAYMENT CHART FOR IMPORT PERMIT

Payment is calculated according to the value in the Invoice.

S/NO	INVOICE VALUE	AMOUNT PAID
1.	\$1 - \$30,000	₦30,000
2.	\$31,000 - \$50,000	₦40,000
3.	\$51,000 - \$100,000	₦80,000
4.	\$101,000 - \$150,000	₦120,000
5.	\$201,000 - \$200,000	₦180,000
6.	\$1,000,000 - \$1,000,000	₦200,000
7.	\$1,000,000 - Above	₦250,000
8.	\$1,500,000 - \$1,500,000	₦350,000
9.	\$2,000,000 - \$2,000,000	₦450,000
10.	\$2,000,000 - \$2,500,000	₦550,000
11.	\$3,000,000 - \$3,000,000	₦650,000
12.	\$3,500,000 - \$3,500,000	₦750,000
13.	\$3,500,000 - \$4,000,000	₦850,000
14.	\$4,000,000 - \$4,500,000	₦950,000

15.	\$4,500,000 - \$5,000,000	₱1,050,000
16	\$5,000,000 - \$5,500,000	₱1,150,000
Etc in the same order continues		

3. CERTIFICATION OF IMPORTERS OF USED ELECTRONIC ELECTRICAL EQUIPMENT (UEEE)

All importers of Used Electrical Electronic Equipment (UEEE) are required to register with the Agency in line with the National Environmental (Electrical Electronic Sector) Regulations, 2011.

For new/fresh application, the following documents are required: Application letter, Completed UEEE Application Form, CAC certificate, Tax clearance certificate (FIRS) and evidence of payment of N115,000 as registration and processing fees paid into the Treasury Single Account (TSA).

For renewal application, the following documents are required: Renewal Application letter; a Copy of expired certificate; Information on the equipment imported; and Evidence of payments of N50,000 renewal fee for 1 year paid into the Treasury Single Account (TSA).

S/N	UEEE Certificate Application	Process	Time taken
1.	For new/fresh application	Upon receipt, Desk officer reviews. If no issues, it is forwarded to the Director	1 day
		Director receives and recommends to DG;	1 day
		DG directs Secretary to prepare certificate	2 days
		Appending of signature by Directors	2 days
2.	For renewal application	Upon receipt, Desk officer reviews. If no issues,	1 day
		Director receives and recommends to DG;	1 day
		DG directs Secretary to prepare certificate	2 days
		Appending of signature by Directors	2 days Maximum 1 week

4. COMPLIANCE MONITORING INSPECTION

Compliance Monitoring Inspections are the backbone of enforcement programmes. The goals of every inspection amongst others are to identify specific environmental problems and ensure that they are addressed in accordance with relevant Environmental Laws.

Inspection is the critical appraisal involving examination, measurement, testing, gauging and comparison of materials or items. An inspection determines if the materials or items are in proper quality and condition, and if it conforms to the applicable or specified requirements.

COMPLIANCE MONITORING TIME TABLE

S/No.	Office	No. in a Team	Time frame
1	State Field Office	4	Twice per Monthly
2	Zonal Office	4 in conjunction with state officers	Monthly
3	Headquarters	4 members in conjunction with state officers	Quarterly

STEPS TAKEN:

S/N o.	ACTIVITIES			TIMELINE
1.	Pre-inspection activities	Planning	<ul style="list-style-type: none"> ➤ Carryout literature reviews about the facility/sector profile and review the applicable National Environmental Regulations for the sector. ➤ For maiden visit, inform the facility of your coming. ➤ Obtain a letter of introduction of the team from management. ➤ Take along Business Registration form, and Industrial Assessment form. 	2 days 4 days 3 days 1 day

			<ul style="list-style-type: none"> ➤ For follow up visit, Study the facility file to update knowledge on the production process and potential for contamination of environmental media. Also evaluate environmental concerns previously observed at the facility ➤ For sampling inspection, notify the Reference Laboratory to provide an officer to join the team and get sampling kits ready 	<p>2 days</p> <p>3 day</p>
			<p>a) Get relevant Personal Protective Equipment (PPE), Sampling and Analytical equipment eg Helmets, Steel toed boots, Nose mask or respirator, Ear muffles, Laboratory coats, NESREA Jacket, noise meter, pH meter, RF meter, DO Meter (hand-held kits for in-situ test), GPS, camera (The settings of the camera must be adjusted to acquire photographs with the appropriate date embedded on them)</p>	
2	Inspection of the facility	<p>a) Conference Opening meeting</p> <p>a) What to observe</p>	<p>During opening conferences the following is important:</p> <ul style="list-style-type: none"> ➤ Endeavour to be formal, ➤ Give a brief on the Agency (for first time visit), ➤ Ask if the facility is registered with NESREA, CAC (collect evidence for documentation), ➤ Ask the year of establishment/commencement of operation of the facility, ➤ Ask if the facility has Environmental document like EIS/EAR/EMP where applicable, ➤ Give opportunity to the management to respond and ➤ Politely request the company's representative to conduct the team round the facility. 	

		<p>b) Closing Conference meeting</p> <p>c) Inspection report</p>	<p>The following should be observed during the inspection:</p> <ul style="list-style-type: none"> ➤ Categorize the facility if small, medium or large scale, ➤ Effluent discharges, ➤ Amount of dust particulate emissions/fumes, ➤ Look out for degraded/polluted site, ➤ Get an impression of general housekeeping of the facility and ➤ Other environmental concerns <p>At the closing meeting, your observed compliance concerns should be orally discussed with the management.</p> <p>A comprehensive report of the visit, addressing all the concerns raised during the inspection should be forwarded to the Headquarters with recommendation</p>	
3.	<p>Issuance of letters: this depends on the type of violation</p>			

5. ADDRESSING PUBLIC COMPLAINTS

ACTION TAKEN BY THE AGENCY	TIME FRAME
Upon receipt of complaint,	
1. The complaint is reviewed;	2 days
2. An inspection team is set up for investigation;	1 day
3. The complainant is contacted on the phone for more information before embarking on the visit	1 day
4. The inspection team visits site of complaint and has opening conference with contact (representative of facility, community, residents etc)	1 day
5. Walk-through inspection and interview with neighbors in order to ascertain the veracity of the claim;	Same day
6. Access the impact of the complaint on the environment with photographs and taking samples where necessary;	Same day
7. At the end of the inspection, a closing conference is held with the contact (representative of facility, community, residents etc) informing them of the findings and proffer solutions to the concerns;	Same day
8. A report of the investigation is written and Compliance Concern Letter is issued with a time line to remedy the concerns where necessary;	2-3 days
9. A follow-up visit is carried out upon expiration of the timeline, if still non-compliant, a second compliance concern letter is issued with another timeline to remedy necessary concerns;	7 - 14 days
10. Abatement Notice with a timeline is served if the second compliance notification is not complied with.	7 - 14 days
11. Legal action is taken on non-compliance upon expiration of timeline of the Abatement Notice (AN);	Immediately after
12. Where the findings contradict the claims of the complainant, both parties are invited for a meeting to discuss and proffer solution.	expiration of the AN 7 days
13. Where both parties are not available for a meeting, a letter is written from the Agency informing them of the outcome of the investigation.	3 days

6. REVIEW AND CERTIFICATION OF ENVIRONMENTAL AUDIT REPORTS (EARs)/ENVIRONMENTAL MANAGEMENT PLANS (EMPs) FOR INDUSTRIAL FACILITIES, ENERGY AND TELECOM OPERATORS

In line with the provision of National Environmental Standards and Regulations Enforcement Agency (NESREA), Environmental Audit (EA) is required from medium and large scale industrial facilities, Telecom operators and Energy facilities. The "small" or "micro" scale industrial facilities/enterprises are required to submit environmental management plan. The facilities are classified based on the following format:

- Size of the facility (Landmass);
- Number of personnel (Staff strength);
- Is the facility automated/mechanized?
- Process (wet/dry);
- Production turnover (per day/week/month); and
- Waste streams-type/handling.

EAR for Medium and Large scale Industrial and Energy Facilities

S/No.	Preparation for submission	Process taken for review	Time taken
1.	The EAR, prepared by a NESREA accredited consultant using the National Audit Guidelines is submitted with an Audit administrative fee of ₦250,000.00 for audit certification paid into the Treasury Single Account (TSA).	<ul style="list-style-type: none"> • Upon receipt of the EAR and upon fulfillment of required conditions, Desk officer reviews; • Department carries out an In-house review; • Management committee review. • If no issues, it is certified immediately. • If not properly prepared, the consultant is sanctioned and directed to resubmit. Upon resubmission, the same steps are taken. 	<p>7 days</p> <p>10 days</p> <p>7 days</p> <p>5 days</p> <p>29 days</p>

EAR for Telecom Operators

S/N	Preparation for submission of EAR by Telecom Operators	Process taken for review/verification	Time taken
1.	<p>The site specific EAR is prepared by a NESREA accredited consultant using the National Audit Guidelines.</p> <p>Submission of EAR is on a State by State basis (in soft copies) and a volume of EAR contains not more than 100 sites in a contiguous vicinity/area.</p> <p>An operator with less than 1000 sites makes payment of ₦500,000.00 as administrative fee for each volume of EAR and ₦400,000.00 for more than 1000 sites. The operators also pays administrative fee of ₦20,000.00 per site for audit certification into TSA.</p>	<ul style="list-style-type: none"> Immediately after submission, the review is done by the Department. After the review, Headquarters, Zonal/State Field Offices carry out verification of the sites; After the verification another review to confirm those that are operational/compliant or moribund. Certification of operational sites and issuance of certificate. 	<p>5 days (100 sites);</p> <p>10 days</p> <p>40 days</p> <p>5 days</p> <p>Maximum 3 months</p>

EMP for Micro and Small scale facilities

S/N	Preparation for submission	Process taken for review	Time taken
1.	<p>The EMP, prepared by a NESREA accredited consultant, the facility or the Agency's State Field Office using the EMP guidelines for the Sector Regulations is submitted with payment of administrative fee into TSA.</p> <p>For a small scale facility EMP certification fee is ₦50,000.00.</p> <p>For micro scale facility, EMP certification fee is ₦25,000.00.</p>	<ul style="list-style-type: none"> Upon receipt, Desk officer reviews; Department carries out an In-house review; Management committee review. If no issues, it is certified immediately. 	<p>2 days</p> <p>2 days</p> <p>7 days</p> <p>5 days</p>

		<ul style="list-style-type: none">• .• If there are issues, the consultant or the facility is informed to correct the issues and resubmit.	
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7. ACCREDITATION OF ENVIRONMENTAL CONSULTANTS

	STEPS	TIME FRAME	FEE ₦
1.	<p>ADVERTISEMENT</p> <p>Advertisement is done on:</p> <ul style="list-style-type: none"> • Agency's Website; • National Dailies: <ol style="list-style-type: none"> a. Punch News Paper; & b. Daily Trust <p>REQUIREMENTS</p> <ul style="list-style-type: none"> • A non-refundable sum of Twenty Five Thousand Naira only (N25, 000. 00) is to be paid into the Treasury Single Account (TSA) and a copy of receipt attached to the application. • Application Letter; • Originals of business registration (CAC); • VAT; • Tax Clearance; • Registration with other Regulatory Bodies; and • Evidence of previous jobs done in your area(s) of expertise for sighting. 	<p>Month of May</p> <p>Duration: 15 working days for submission of applications</p>	N25,000 .00
2.	<p>ACCREDITATION/INTERVIEW</p> <p>After registration, applicants are invited for an interview.</p>	15 working days after closure of advertisement.	
3.	<p>NOTIFICATION</p> <p>Successful applicants/organizations are notified of their successes and also requested to make payments for their certification.</p>	10 working days after accreditation.	
4.	<p>PAYMENTS/CERTIFICATION</p> <p>The payment is subject to the number of area of specialization as indicated by each participant.</p>	10 working days after notification from date of receipt of letter.	100/200/300 (See payment chart, please).
5.	<p>ANNUAL RENEWAL OF CERTIFICATE</p> <p>The NESREA Certificate for consultants is</p>	Must be renewed annually from the first date of	100/200/300 (See payment

	<p>to be renewed annually.</p> <ul style="list-style-type: none"> • REQUIREMENTS FOR RENEWAL - Letter of application for renewal; - A photocopy of current certificate; and - Evidence of payment for renewal of certificate. 	<p>receipt. Backlogs (if any) shall/must always be cleared before renewal of certificates for any year.</p>	<p>chart, please).</p>
6.	<p>PUBLICATION The Agency publishes the names of participants who make their payments within the stipulated time in the Agency's website and in the National Dailies i.e. Punch & Daily Trust so that they can be easily identified and reached by the general public.</p>	<p>20 working days after successful certification.</p>	
7.	<p>INDUCTION/TRAINING After successful registration and certification of consultants, the agency organizes an induction/training programme for the newly accredited consultants and participation is mandatory.</p>	<p>120 working days after registration.</p>	<p>25,000.00</p>
8.	<p>REFRESHER COURSES In order to meet up with trending environmental issues and processes and update the skills and knowledge of consultants from time to time, the Agency annually organizes a compulsory Refresher Course for her registered consultants.</p>	<p>Annually</p>	<p>25,000.00</p>