

FEDERAL REPUBLIC OF NIGERIA

**NATIONAL ENVIRONMENTAL GUIDELINES ON
MANAGEMENT AND DISPOSAL OF EXPIRED AND
OBSOLETE CHEMICALS IN NIGERIA**

**FIRST EDITION
2026**

**ISSUED BY
NATIONAL ENVIRONMENTAL STANDARDS AND
REGULATIONS ENFORCEMENT AGENCY ABUJA, NIGERIA**

FOREWORD

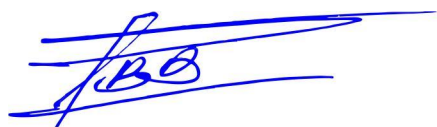
The management and disposal of expired and obsolete chemicals has for too long been one of the most visible yet inadequately addressed environmental governance challenges in Nigeria. Across our universities, research institutes, hospitals, farms, and factories, stocks of expired, degraded, and obsolete chemicals continue to accumulate – not because those responsible are indifferent to the risks they pose, but largely because no clear, authoritative, and practically applicable national framework has existed to guide their safe handling and disposal. This document is NESREA's response to that gap.

These National Environmental Guidelines on Management and Disposal of Expired/Obsolete Chemicals in Nigeria are developed by NESREA under its mandate as the nation's primary environmental enforcement authority, drawing on Section 7(f) and 7(g) of the NESREA Act, 2007 (Amendment, 2018), which charge the Agency with enforcing compliance with legislation on sound chemical management and with regulations on the handling and disposal of hazardous chemicals and waste. The Guidelines are developed within the framework of the UNEP Special Programme for Institutional Strengthening, and reflect Nigeria's commitments to control the transboundary movement and environmentally sound management of hazardous wastes and their disposal; to eliminate and reduce releases of persistent organic pollutants; to ensure prior informed consent in the trade of certain hazardous chemicals and pesticides; to protect human health and the environment from anthropogenic emissions and releases of mercury; and in support of the Global Framework on Chemicals.

The research and gap analysis that underpins this document identified eleven specific regulatory gaps, eight sector-specific challenges, and six emerging issues. The development process has been deliberately inclusive: government ministries, departments and agencies, educational institutions, research bodies, the chemical and manufacturing industry, waste management operators, civil society organizations, women's groups, and community representatives have all contributed their perspectives. Their insights are embedded in these provisions.

NESREA is under no illusion that promulgating a guideline is sufficient to transform practice. The Guidelines must be backed by enforcement, by continued investment in licensed disposal infrastructure, by technical assistance to regulated entities, and by inter-agency coordination that provides regulated entities with a consistent and coherent regulatory experience. NESREA commits to providing that backing.

I commend this First Edition to all covered entities and implementing partners. Nigeria's environment, the health of our communities, and our standing as a responsible member of the international chemicals management community all depend on determined and consistent implementation of these Guidelines.



Director-General/Chief Executive Officer

National Environmental Standards and Regulations Enforcement Agency

Abuja, Nigeria

2026

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ABBREVIATIONS AND ACRONYMS

Acronym	Full Meaning
ADP	Agricultural Development Programme
AECMR	Annual Expired Chemicals Management Report
AWAMN	Association of Waste Managers of Nigeria
BAT	Best Available Techniques
BEP	Best Environmental Practices
BRS	Conventions on the Control of Hazardous Wastes, Prior Informed Consent, and Persistent Organic Pollutants (collectively)
CAS	Chemical Abstracts Service
DG/CEO	Director-General / Chief Executive Officer
ECCU	Expired Chemical Control Unit
ECMF	Expired Chemicals Management Fund
EHS	Environmental Health and Safety
EMS	Environmental Management System
EPR	Extended Producer Responsibility
ERP	Emergency Response Plan
ESM	Environmentally Sound Management
F&C	Food and Chemicals (Department)
FAO	Food and Agriculture Organization of the United Nations
FIFO	First-In First-Out
FRSC	Federal Road Safety Corps
GFC	Global Framework on Chemicals 2023–2050
GHS	Globally Harmonized System of Classification and Labelling of Chemicals
IACCECM	Inter-Agency Coordination Committee on Expired Chemicals Management
ICCON	Institute of Chartered Chemists of Nigeria
ICCM	International Conference on Chemicals Management
IED	Directorate of Inspection and Enforcement
IPAN	Institute of Public Analysts of Nigeria

Acronym	Full Meaning
IUPAC	International Union of Pure and Applied Chemistry
MAN	Manufacturers Association of Nigeria
MDA	Ministry, Department and Agency
MEA	Multilateral Environmental Agreement
NACRDB	Nigerian Agricultural Cooperative and Rural Development Bank
NAFDAC	National Agency for Food and Drugs Administration and Control
NASENI	National Agency for Science and Engineering Infrastructure
NEMA	National Emergency Management Agency
NESREA	National Environmental Standards and Regulations Enforcement Agency
NITDA	National Information Technology Development Agency
NNRA	Nigerian Nuclear Regulatory Authority
NUC	National Universities Commission
ODS	Ozone-Depleting Substances
OHS	Occupational Health and Safety
PIC	Prior Informed Consent
POPs	Persistent Organic Pollutants
SAICM	Strategic Approach to International Chemicals Management
SDS	Safety Data Sheet
SHPF	Severely Hazardous Pesticide Formulation
SME	Small and Medium Enterprise
SON	Standards Organization of Nigeria
UN GHS	United Nations Globally Harmonized System
UNEP	United Nations Environment Programme
UNITAR	United Nations Institute for Training and Research
WHO	World Health Organization

SECTION 1 – CITATION, COMMENCEMENT AND AUTHORITY

1.1 Citation

These Guidelines shall be cited as the National Environmental Guidelines on Management and Disposal of Expired/Obsolete Chemicals in Nigeria, 2026, hereinafter referred to as “the Guidelines.”

1.2 Commencement

These Guidelines shall come into force on the date of their formal adoption by the Director-General of the National Environmental Standards and Regulations Enforcement Agency (NESREA).

1.3 Statutory Authority

These Guidelines are issued by NESREA in the exercise of its statutory functions and powers under the following provisions of the National Environmental Standards and Regulations Enforcement Agency (Establishment) Act, 2007 Amendment, 2018 (Act No. 25 of 2007):

- (a) Section 7(f), which charges the Agency with enforcing compliance with any legislation on sound chemical management, safe use of pesticides and disposal of spent packages thereof;
- (b) Section 7(g), which charges the Agency with enforcing compliance with regulations on the importation, exportation, production, distribution, storage, sale, use, handling and disposal of hazardous chemicals and waste, other than in the oil and gas sector;
- (c) Section 7(c), which charges the Agency with enforcing compliance with the provisions of international agreements, protocols, conventions and treaties on the environment including chemicals and hazardous wastes;
- (d) Section 8(k), which empowers the Agency to submit for ministerial approval proposals for guidelines on waste management and environmental sanitation, and control of hazardous substances and removal control methods; and
- (e) Section 34, which vests in the Minister the power to make regulations generally for the purposes of carrying out or giving full effect to the functions of the Agency.

1.4 International Obligations

These Guidelines give effect to Nigeria's obligations under the following multilateral environmental agreements to which Nigeria is a Party, in fulfilment of Nigeria's mission to manage chemicals and hazardous wastes in an environmentally sound manner consistent with international standards:

- (a) The Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal, 1989, to which Nigeria acceded in 1991, giving effect to the obligations of responsible generation, management, and disposal of hazardous wastes;
- (b) The Convention on Persistent Organic Pollutants, 2001, ratified by Nigeria in 2004, requiring the elimination and reduction of releases of listed persistent organic pollutants;
- (c) The Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade, 1998, ratified by Nigeria in 2006, governing the import and export of chemicals subject to prior informed consent;

- (d) The Convention on Mercury, 2013, ratified by Nigeria in 2017, requiring the environmentally sound management and disposal of mercury and mercury-containing wastes;
- (e) The African Convention on the Ban of Import of Hazardous Wastes into Africa and the Control of their Transboundary Movement, 1991, to which Nigeria is a Party;
- (f) The Global Framework on Chemicals 2023–2050, adopted at the Fifth International Conference on Chemicals Management (ICCM5), Bonn, September 2023;
- (g) The Strategic Approach to International Chemicals Management (SAICM), 2006; and
- (h) The 1957 United Nations Agreement concerning the International Carriage of Dangerous Goods by Road (ADR), as applicable to Nigeria's domestic road transport obligations.

1.5 Relationship to Other Instruments

These Guidelines shall be read in conjunction with, and are without prejudice to, the provisions of:

- (a) The National Environmental (Hazardous Chemicals and Pesticides) Regulations, 2014, S.I. No. 65;
- (b) The National Environmental (Chemical, Pharmaceutical, Soap and Detergent Manufacturing Industries) Regulations, S.I. No. 27 of 2009;
- (c) The National Environmental (Sanitation and Wastes Control) Regulations, S.I. No. 28 of 2009;
- (d) The Harmful Waste (Special Criminal Provisions) Act, Cap. H1, Laws of the Federation of Nigeria, 2004;
- (e) NAFDAC regulations governing the destruction of expired regulated products; and
- (f) The Nigerian Industrial Standard NIS:2026 on Environmentally Sound Management of Chemicals.

Where a conflict arises between these Guidelines and any of the instruments listed above, the instrument that provides greater protection to human health and the environment shall prevail, subject to the resolution procedure set out in Section 14.4 of these Guidelines.

SECTION 2 – DEFINITIONS

In these Guidelines, unless the context otherwise requires, the following definitions shall apply. Where a term is defined in a referenced international instrument (including the UN GHS, the Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal, or the Convention on Persistent Organic Pollutants), that definition shall apply as adapted herein.

“Agency” means the National Environmental Standards and Regulations Enforcement Agency (NESREA), established under Act No. 25 of 2007 Amendment, 2018.

“Attendant” means any other person, other than the driver, accompanying the driver of the vehicle carrying or transporting any expired or obsolete chemical waste, and who is required to comply with the same emergency procedures, personal protective equipment requirements, and hazard awareness obligations as the driver under these Guidelines.

“Authorized Officer” means an officer of NESREA designated under Section 30 of the NESREA Act to carry out inspection, sampling, and enforcement activities, or any officer of a State Environment Agency acting under a formal delegation from NESREA pursuant to Section 14.3 of these Guidelines.

“Batch” means a discrete quantity of expired/obsolete chemical waste arising from a single chemical waste generator site, characterized by a defined composition and hazard profile, and managed as a unit through the disposal process.

“Best Available Techniques (BAT)” means the most effective and advanced stage in the development of activities and their methods of operation that indicate the practical suitability of particular techniques for providing the basis for disposal methods designed to prevent and, where that is not practicable, to reduce impacts on human health and the environment, consistent with the technical guidelines of the relevant international agreements on hazardous wastes, persistent organic pollutants, and mercury.

“Best Environmental Practices (BEP)” means the application of the most appropriate combination of environmental control measures and strategies in the context of managing expired/obsolete chemicals, consistent with international guidance.

“Chain-of-Custody” means the documented sequence of possession, transfer, and management of expired/obsolete chemical waste from the point of expiry declaration through to the issuance of a disposal completion certificate, including all intermediate storage, transportation, and treatment events.

“Chemical” means any substance, whether in its natural state or obtained by any manufacturing process, including any additive required to preserve its stability and any impurity deriving from the process used, but excluding any solvent which may be separated without affecting the stability of the substance or changing its composition.

“Chemical Assessor” means a person or firm holding a valid certificate of competence issued by NESREA or recognized by NESREA for the purpose of classifying expired/obsolete chemical waste and preparing waste characterization reports under these Guidelines.

“Chemical Inventory” means the formal register of all chemical substances and mixtures held by a covered entity, containing the information prescribed in Section 6 of these Guidelines.

“Contaminated Site” means any land or water body where chemical concentrations attributable to expired/obsolete chemical waste disposal or accidental release exceed the applicable Nigerian environmental quality standards or, where such standards have not been established, the applicable international threshold values.

“Covered Entity” means any person, institution, company, government agency, or other organization that generates, stores, transports, treats, or disposes of expired/obsolete chemicals and that falls within the scope of these Guidelines as defined in Section 3.

“Degraded Chemical” means any chemical that, without necessarily having reached the manufacturer-specified expiry date, has undergone physical, chemical, or biological change such that its composition, purity, hazard classification, or performance specification has materially departed from the original product specification, rendering it unsuitable for its intended use or giving rise to new or aggravated hazard characteristics.

“Disposal” means any operation leading to waste recovery or final disposal, including incineration on land, dumping at sea, permanent storage, biological or physico-chemical treatment, or any other method approved by NESREA for reducing, transforming, or destroying expired/obsolete chemical waste, consistent with the applicable technical guidelines on the control of transboundary movements and disposal of hazardous wastes.

“Disposal Completion Certificate” means the document issued by a licensed disposal facility to a chemical waste generator confirming that a specified batch of expired/obsolete chemical waste has been received, treated, and disposed of in accordance with these Guidelines, substantially in the form set out in Annex VI.

“Emergency Disposal” means any disposal of expired/obsolete chemical waste undertaken outside normal procedure with the specific written authorization of the Director-General of NESREA, where the circumstances of an immediate and serious hazard risk justify departure from the standard licensed facility requirement.

“Expired Chemical” means any chemical substance or mixture that: (a) has reached or exceeded the manufacturer-specified shelf-life or expiry date marked on its container or accompanying documentation; or (b) has become a degraded chemical as defined in these Guidelines, whichever occurs first, and which the responsible officer of the covered entity has declared as an expired chemical in the chemical inventory pursuant to Section 5.

“Extended Producer Responsibility (EPR)” means a policy approach under which chemical producers, importers, and distributors bear shared responsibility for the management and disposal of the chemical products they place on the Nigerian market at the end of their useful life.

“Generator” means any covered entity at whose premises a chemical first becomes an expired/obsolete chemical as a result of expiry or degradation, and who consequently bears primary regulatory responsibility for its proper management and disposal under these Guidelines.

“GHS” means the United Nations Globally Harmonized System of Classification and Labelling of Chemicals, as revised, published by the United Nations, and as adopted for Nigerian purposes under NESREA guidance.

“Hazardous Chemical Waste” means any expired/obsolete chemical that meets one or more of the following GHS hazard criteria: acute toxicity (Categories 1, 2 or 3); skin corrosion or eye damage; respiratory or skin sensitization; germ cell mutagenicity; carcinogenicity; reproductive toxicity; specific target organ toxicity; aspiration hazard; flammability; explosivity; oxidizing properties; or environmental hazard (aquatic or chronic toxicity), or which is listed in the schedules to the National Environmental (Chemicals and Pesticides) Regulations, or in the Annexes to the international agreement on the control of transboundary movements of hazardous wastes.

“Interim Storage” means the temporary, structured retention of expired/obsolete chemicals at the chemical waste generator’s premises or at a registered collection point, pending collection, transportation, and final disposal, in accordance with the standards prescribed in Section 8 of these Guidelines.

“Licensed Disposal Facility” means a waste management facility holding a current valid permit issued by NESREA authorizing the treatment, storage, or disposal of hazardous chemical waste of the category in question.

“Manifest” means the Hazardous Waste Transportation Manifest, substantially in the form set out in Annex IV, which tracks a shipment of expired/obsolete chemical waste through the chain-of-custody from the chemical waste generator to the licensed disposal facility.

“Mercury Waste” means any chemical waste consisting of, containing, or contaminated with mercury or mercury compounds, including waste mercury, mercury-containing compounds, mixtures containing mercury, and contaminated products, subject to the obligations of the international agreement on mercury.

“Non-Hazardous Expired/Obsolete Chemical” means any expired/obsolete chemical that does not meet the criteria for hazardous chemical waste as defined in these Guidelines, and that may be managed under the less stringent requirements applicable to non-hazardous waste under the National Environmental (Sanitation and Wastes Control) Regulations, 2009, subject to the documentation requirements of these Guidelines.

“Obsolete Pesticide” means any pesticide preparation that has expired, been banned, or is no longer registered for use in Nigeria, or whose container has been so damaged or degraded as to render it unfit for use or safe storage, including all formulations covered by the list of persistent organic pollutants subject to elimination or reduction under the relevant international agreement, and the list of chemicals subject to prior informed consent procedures.

“POPs Waste” means any waste consisting of, containing, or contaminated with a persistent organic pollutant listed in Annex A, B, or C of the international agreement on persistent organic pollutants, including obsolete POPs-containing pesticides, polychlorinated biphenyls (PCBs), and other listed industrial chemicals.

“Product-to-Waste Transition Point” means the specific event or condition described in Section 5.2 of these Guidelines at which an expired/obsolete chemical ceases to be subject solely to product regulations and becomes subject to the hazardous waste management requirements of these Guidelines.

“Re-containerization” means the transfer of expired/obsolete chemical waste from a damaged, deteriorated, or otherwise unsuitable original container into a new, appropriately rated and labelled container that meets the relevant UN specification for the chemical in question, carried out by a competent person prior to transportation.

“Responsible Officer” means the individual designated by management of a covered entity as having day-to-day supervisory responsibility for chemical inventory management, expiry monitoring, and compliance with these Guidelines.

“Safety Data Sheet (SDS)” means the document providing comprehensive information on a chemical substance or mixture for use in workplace chemical management, prepared and maintained in accordance with GHS requirements and the requirements of NESREA.

“State Environment Agency” means a State agency established under State law and charged with environmental regulation within its State, with which NESREA may enter into a formal delegation arrangement for specified aspects of these Guidelines.

“Transboundary Movement” means any movement of expired/obsolete chemical waste from an area under the national jurisdiction of Nigeria to or through an area under the jurisdiction of another State, or to or through areas not under the national jurisdiction of any State, as regulated under the international agreement on the control of transboundary movements of hazardous wastes and their disposal.

SECTION 3 – SCOPE AND APPLICATION

3.1 Chemicals Covered

These Guidelines apply to all categories of chemical substances and mixtures that become expired/obsolete chemicals within the meaning of Section 2, including:

- (a) Laboratory reagents and analytical chemicals, including standards, calibration solutions, indicators, culture media, and specialty reagents held in educational institutions, government research institutes, private research facilities, and quality control laboratories;
- (b) Industrial chemicals, including solvents, acids, alkalis, oxidizing agents, reducing agents, catalysts, process intermediates, raw materials, and specialty chemicals used in manufacturing, processing, and industrial operations;
- (c) Agricultural chemicals, including all pesticide formulations (insecticides, herbicides, fungicides, rodenticides, acaricides, and plant growth regulators), fertilizer chemical additives, veterinary preparations containing hazardous chemical constituents, and soil treatment chemicals;
- (d) Pharmaceutical raw materials and precursor chemicals held by pharmaceutical manufacturers, research institutions, or government agencies, to the extent not regulated under a current NAFDAC destruction order;
- (e) Healthcare chemicals, including diagnostic reagents, laboratory staining materials, disinfectants, sterilizing agents, fixatives, and specialty cleaning chemicals held at hospitals, clinics, medical laboratories, and diagnostic centers;
- (f) Consumer and institutional chemical products held in institutional possession in quantities exceeding the normal household quantity thresholds prescribed in Annex VII, including cleaning agents, surface treatment products, and specialty maintenance chemicals; and
- (g) Other chemical wastes arising from the foregoing categories, including contaminated containers, absorbent materials, and equipment residues.

3.2 Entities Covered

These Guidelines apply to all covered entities, which shall include:

- (a) Federal and State government ministries, departments and agencies that handle, store, or dispose of chemicals;
- (b) Federal, State, and private tertiary educational institutions, polytechnics, colleges of education, and vocational training centers operating chemical laboratories;
- (c) Federal, State, and private research institutes and government-affiliated research programmes;
- (d) All registered and unregistered chemical manufacturers, importers, distributors, wholesalers, and retailers operating in Nigeria outside the oil and gas sector;
- (e) All industrial, manufacturing, processing, mining, textile, tannery, paint, adhesive, rubber, plastic, and food processing facilities using chemicals in their production processes;
- (f) Healthcare facilities, including hospitals, specialist medical centers, medical diagnostic laboratories, blood banks, and pharmaceutical wholesalers;
- (g) Agricultural input suppliers, distributors, and commercial farm operations; and
- (h) Licensed hazardous waste management companies and waste transportation contractors operating in Nigeria.

3.3 Exclusions

The following are expressly excluded from the scope of these Guidelines:

- (a) Petroleum products, refined petroleum derivatives, and associated waste streams regulated under the Petroleum Industry Act, 2021, and by the Nigerian Upstream Petroleum Regulatory Commission or the Nigerian Midstream and Downstream Petroleum Regulatory Authority;
- (b) Radioactive materials and radioactively contaminated wastes regulated under the Nuclear Safety and Radiation Protection Act and the Nigerian Nuclear Regulatory Authority, save that mixed radioactive-chemical wastes shall be subject to these Guidelines in respect of their chemical hazard component in consultation with NNRA;
- (c) Expired pharmaceutical products in the retail, wholesale, and healthcare possession chain, which are subject to an active NAFDAC recall or destruction notice, save that chemical waste arising from the NAFDAC-supervised destruction process shall be subject to these Guidelines in respect of disposal of the resulting hazardous waste;
- (d) Normal household quantities of consumer chemical products held by private individuals for personal use; and
- (e) Chemical waste regulated exclusively under a specific industry permit issued by NESREA where that permit explicitly addresses expired/obsolete chemical management and disposal to a standard equal to or more stringent than these Guidelines.

3.4 Chemical Waste Generator Category Thresholds

For the purposes of applying differentiated compliance requirements, covered entities are classified into the following generator categories as set out in Annex VII, based on the nature and volume of expired/obsolete chemical waste they generate:

- (a) Category A (Large Generator): any covered entity generating more than 500 kilograms or 500 litres of hazardous expired/obsolete chemical waste per calendar year;
- (b) Category B (Medium Generator): any covered entity generating between 50 and 500 kilograms or 50 and 500 litres of hazardous expired/obsolete chemical waste per calendar year; and
- (c) Category C (Small Generator): any covered entity generating less than 50 kilograms or 50 litres of hazardous expired/obsolete chemical waste per calendar year, including most educational institutions, small healthcare facilities, and small and medium enterprises.

Where a covered entity generates multiple categories of chemical waste with different hazard profiles, it shall be classified according to the most stringent applicable category. NESREA may, by notice, reclassify a covered entity where assessment of its actual waste generation patterns warrants a different category assignment.

NOTE: Annex VII provides full details of the compliance requirements applicable to each chemical waste generator category. Covered entities uncertain about their classification should contact the NESREA Expired Chemical Management Unit or the relevant State Environment Agency for determination.

SECTION 4 – GENERAL PRINCIPLES

All activities carried out under these Guidelines shall be guided by the following principles, which reflect Nigeria's environmental policy commitments and its obligations under relevant multilateral environmental agreements.

4.1 Polluter-Pays Principle

The costs of managing and disposing of expired/obsolete chemicals shall be borne by the chemical waste generator, consistent with the principle that those who produce hazardous chemical waste bear responsibility for the environmental and public health costs of its sound management. Where the original chemical waste generator of an expired/obsolete chemical stockpile cannot be identified or no longer exists, NESREA shall assess liability in accordance with applicable Nigerian law and may invoke the provisions of the Harmful Waste (Special Criminal Provisions) Act where appropriate. This principle shall not be applied in a manner that creates a financial deterrent so prohibitive as to incentivize illegal disposal, and NESREA shall maintain accessible compliance assistance and, where appropriate, facilitate cost-sharing mechanisms.

4.2 Precautionary Principle

Where there is scientific uncertainty about the hazard characteristics of a particular expired/obsolete chemical, or about the adequacy of a proposed disposal method, the more protective option shall be selected pending formal characterization. The absence of complete information shall not be used as a reason to defer the management and disposal of expired/obsolete chemicals known to pose a risk to human health or the environment.

4.3 Preventive and Lifecycle Approach

The preferred approach to expired/obsolete chemicals management is the prevention of accumulation in the first place. Covered entities are encouraged to adopt first-in first-out (FIFO) chemical purchasing and usage practices; maintain chemical inventories that enable proactive identification of chemicals approaching expiry; and establish procurement procedures that limit over-stocking. These Guidelines address the downstream reality of chemicals that have already expired, but their long-term objective is to support a shift toward lifecycle chemical management in which expiry accumulation is the exception rather than the norm.

4.4 Environmentally Sound Management (ESM)

All storage, transportation, treatment, and disposal of expired/obsolete chemicals shall be conducted in a manner consistent with the ESM principles of the international hazardous wastes management framework, defined as taking all practicable steps to ensure that hazardous wastes and other wastes are managed in a manner that will protect human health and the environment against the adverse effects which may result from such wastes. The ESM standard requires the use of best available techniques where technically and economically achievable, and not less than the minimum acceptable standards specified in these Guidelines.

4.5 Proximity and Self-Sufficiency Principles

Nigeria is committed, under its international obligations on hazardous wastes management and the African convention on the ban of import of hazardous wastes into Africa, to the development of adequate national capacity for the environmentally sound disposal of domestically generated hazardous chemical waste, to the end that transboundary movements of such waste are minimized and that disposal capacity is geographically accessible to all

chemical waste generators. These Guidelines are implemented in the context of that commitment, and NESREA shall work actively with the Federal Ministry of Environment, the Federal Ministry of Industry Trade and Investment, and State Governments to facilitate the development of regional disposal infrastructure.

4.6 Gender Sensitivity and Equity

These Guidelines recognize that women, children, the elderly, indigenous communities, and other vulnerable populations bear disproportionate health and environmental burdens from improper chemical disposal, and that their specific exposures, roles, and constraints must be actively considered in the design and implementation of expired/obsolete chemicals management measures. NESREA shall ensure that guidance materials, training programmes, and public communications under these Guidelines are accessible and responsive to diverse user groups, including those with limited formal education or limited access to information technology.

4.7 Transparency and Public Participation

Information about the management and disposal of expired/obsolete chemicals shall, subject to legitimate confidentiality interests, be made available to the public. Covered entities above the Category A threshold shall comply with the public disclosure requirements in Section 12.5. NESREA shall maintain a publicly accessible register of licensed disposal facilities, chemical waste generator compliance records, and enforcement actions taken under these Guidelines, consistent with the right of access to environmental information under Nigerian law and Principle 10 of the Rio Declaration.

SECTION 5 – IDENTIFICATION OF EXPIRED/OBSOLETE CHEMICALS AND PRODUCT-TO-WASTE TRANSITION

5.1 Obligation to Identify Expired/Obsolete Chemicals

Every covered entity shall maintain procedures for the regular monitoring of chemical inventories to identify chemicals that have become obsolete, have reached, or are approaching expiry. These procedures shall include:

- (a) An annual review of the complete chemical inventory by the designated Responsible Officer, conducted in the month of January each year, or within ninety days of the commencement of the covered entity's first full year of obligation under these Guidelines;
- (b) A physical inspection of all chemical storage areas to verify container integrity, label legibility, and consistency with inventory records;
- (c) Formal recording in the chemical inventory of all chemicals identified as expired or degraded, including the date of identification, the basis for the expiry determination, and the responsible officer making the determination; and
- (d) For Category A and B chemical waste generators, a quarterly sub-inventory review of chemicals with remaining shelf-lives of twelve months or less, to enable advance planning for disposal.

5.2 Product-to-Waste Transition Rule

A chemical becomes subject to the requirements of these Guidelines – and to the hazardous waste management regime under the National Environmental (Chemicals and Pesticide) Regulations – on the earliest of the following trigger events:

- (a) The date on which the manufacturer-specified expiry date printed on the container or accompanying documentation is passed, without the covered entity having commenced a documented and NESREA-approved alternative assessment confirming continued fitness for use; or
- (b) The date on which the Responsible Officer records in the chemical inventory that the chemical has become a degraded chemical as defined in Section 2, based on visual, olfactory, or analytical evidence of material change in composition, hazard profile, or physical state.

For the avoidance of doubt:

- (a) The transition to waste status does not require any notification to NESREA at the moment of transition, but must be reflected in the chemical inventory within fourteen days of the trigger event; and
- (b) Once a chemical has transitioned to expired/obsolete chemical status, it shall not be reverted to product status, re-labelled, redistributed, or used, except as provided for in sub-paragraph (c) below.
- (c) A chemical approaching but not yet past its expiry date may continue to be used if the covered entity has conducted and documented an analytical fitness-for-purpose assessment in accordance with NESREA-published technical guidance, and has notified NESREA of the extension in writing. Such extensions shall not exceed a cumulative period of twelve months and shall not apply to any chemical listed in the schedules of persistent organic pollutants subject to elimination or restriction, or any mercury compound subject to obligations under the international agreement on mercury.

5.3 Expiry Declaration

Upon identifying an expired/obsolete chemical, the Responsible Officer shall complete an Expiry Declaration in the chemical inventory record, incorporating:

- (a) Chemical name (IUPAC and common name), which shall be preceded by the word "WASTE";
- (b) CAS number where available;
- (c) Quantity (expressed in kilograms or litres, as appropriate);
- (d) Physical state and container type;
- (e) Manufacturer's printed expiry date or, where not available, estimated date of acquisition;
- (f) Basis for expiry determination (date lapsed; degradation identified; other);
- (g) Preliminary hazard classification based on container labelling or available SDS;
- (h) Current storage location and interim storage conditions; and
- (i) Name and signature of Responsible Officer and date of declaration.

GUIDANCE: Covered entities that do not have access to an SDS for an unidentified or partially labelled expired/obsolete chemical should treat the substance as hazardous chemical waste pending formal characterization and contact the NESREA Expired Chemical Management Unit for guidance. Under no circumstances should an unidentified expired/obsolete chemical be disposed of without characterization.

5.4 Notification to NESREA

Category A and B chemical waste generators shall notify NESREA of the existence of expired/obsolete chemicals in interim storage within thirty days of the Expiry Declaration, using the notification format prescribed on the NESREA regulatory portal. Category C chemical waste generators are exempt from the notification requirement but shall maintain records of expiry declarations for inspection purposes.

SECTION 6 – CHEMICAL INVENTORY REQUIREMENTS

6.1 Mandatory Inventory for All Covered Entities

Every covered entity to which these Guidelines apply shall maintain a current chemical inventory containing, at minimum, the information set out in Annex II to these Guidelines. The chemical inventory shall:

- (a) Be maintained in written form using the standard template in Annex II, or in an electronic format that contains all required fields and can be produced in printed form on demand for inspection purposes;
- (b) Be kept at the facility to which it relates, accessible to authorized officers at all reasonable times;
- (c) Be updated within fourteen days of any receipt of new chemical stocks, any expiry declaration, any change in storage location, or any disposal transaction; and
- (d) Be retained for a minimum period of five years from the date of the last entry.

6.2 Minimum Inventory Data Fields

The chemical inventory shall contain the following data for each chemical substance or mixture:

- (a) Chemical identity: IUPAC name; common or trade name; CAS number (where known); chemical formula (where known);
- (b) Physical description: physical state (solid, liquid, gas, paste); colour; odour (if observable without undue exposure risk);
- (c) Quantity: current quantity in kilograms or litres, and unit of measure; number of containers; container size and type (drum, bottle, cylinder, bag, etc.);
- (d) Storage information: storage location (building, room, shelf, cage); date received; supplier or manufacturer name (if known); lot or batch number (if available); manufacturer-specified expiry date (if marked);
- (e) Hazard information: GHS hazard classification (if known from SDS or labelling); signal word (Danger/Warning); relevant hazard statements;
- (f) Status: current status (in use / expired/obsolete – awaiting disposal / disposed); date of expiry declaration where applicable; date and method of disposal where applicable; and
- (g) Documentation reference: SDS reference number or availability status; disposal completion certificate number (upon disposal).

6.3 Electronic Inventory Systems for Category A Chemical Waste Generators

Category A chemical waste generators shall manage their chemical inventories using an electronic inventory management system that:

- (a) Automatically flags chemicals approaching their manufacturer-specified expiry date ninety, sixty, and thirty days in advance;
- (b) Generates a consolidated list of expired/obsolete chemicals on demand;
- (c) Maintains a transaction log recording all additions, updates, and disposals; and
- (d) Is backed up at intervals not exceeding thirty days.

6.4 Annual Inventory Declaration

All Category A and B chemical waste generators shall submit an Annual Inventory Declaration to NESREA by 31 March each year, covering the preceding calendar year. The Declaration shall include:

- (a) A summary of the total quantities of chemicals held at the beginning and end of the reporting year, disaggregated by GHS hazard category;
- (b) The total quantity of expired/obsolete chemicals declared during the year;
- (c) The total quantity of expired/obsolete chemicals disposed of during the year, with reference to disposal completion certificate numbers; and
- (d) The total quantity of expired/obsolete chemicals remaining in interim storage at year end, with an explanation of the disposal timeline.

Category C chemical waste generators are not required to submit an Annual Inventory Declaration but shall make their chemical inventory available to authorized officers on request and at any compliance inspection.

6.5 Procurement Integration

To prevent the future accumulation of expired/obsolete chemicals, covered entities are strongly encouraged, and Category A chemical waste generators are required, to:

- (a) Integrate expiry date and shelf-life data into chemical procurement decisions, including specification of minimum acceptable remaining shelf-life at time of delivery (recommended minimum: 12 months for routine chemicals; 6 months for slow-moving specialty chemicals);
- (b) Adopt first-in first-out (FIFO) stock rotation in chemical stores; and
- (c) Maintain procurement records that are cross-referenced to the chemical inventory, including e-commerce procurement records.

GUIDANCE: NESREA recommends that covered entities appoint an Officer with responsibility for chemical inventory management, and that this officer receives formal training in chemical hazard recognition and expired/obsolete chemicals management. NESREA provides or approves training programmes for this purpose.

SECTION 7 – CLASSIFICATION AND CHARACTERISATION OF EXPIRED/OBSOLETE CHEMICALS

7.1 Obligation to Classify

Every expired/obsolete chemical shall be classified according to its hazard characteristics before any disposal activity is undertaken, and before it is offered to a waste transportation contractor or licensed disposal facility. Classification determines the applicable disposal method requirements and the level of precaution required during interim storage and transportation.

7.2 Classification Framework

Classification of expired/obsolete chemicals shall be based on the United Nations Globally Harmonized System of Classification and Labelling of Chemicals (GHS) as the national standard, and shall assign each expired/obsolete chemical to one or more of the following primary hazard classes relevant to waste management decision-making:

- (a) Class 1 – Explosive Waste: expired/obsolete chemicals that are self-reactive, thermally unstable, or that may detonate or deflagrate under foreseeable conditions;
- (b) Class 2 – Reactive/Oxidizing Waste: expired/obsolete chemicals that are pyrophoric, self-heating, water-reactive, or strongly oxidizing;
- (c) Class 3 – Flammable Waste: expired/obsolete chemicals with a flash point below 60°C including flammable liquids, solids, and aerosols;
- (d) Class 4 – Toxic and Acutely Hazardous Waste: expired/obsolete chemicals classified as GHS Acute Toxicity Category 1, 2, or 3; carcinogens; mutagens; reproductive toxins; or sensitizers;
- (e) Class 5 – Corrosive Waste: expired/obsolete chemicals classified as GHS Skin Corrosion Category 1 or Eye Damage Category 1;
- (f) Class 6 – Persistent Organic Pollutant (POP) Waste: expired/obsolete chemicals listed in Annex A, B, or C of the international agreement on persistent organic pollutants, or identified as containing PCBs or other regulated POPs at concentrations above the applicable threshold;
- (g) Class 7 – Mercury Waste: expired/obsolete chemicals containing mercury or mercury compounds, subject to obligations under the international agreement on mercury;
- (h) Class 8 – Mixed Hazardous Waste: expired/obsolete chemicals presenting more than one of the above hazard classes, to be managed according to the most hazardous applicable class; and
- (i) Class 9 – Non-Hazardous Expired/Obsolete Chemical Waste: expired/obsolete chemicals that do not meet the criteria for Classes 1–8 and may be managed under the less stringent requirements of these Guidelines applicable to non-hazardous waste.

7.3 Classification Procedures by Chemical Waste Generator Category

7.3.1 Category A and B Chemical Waste Generators

Category A and B chemical waste generators shall conduct hazard classification of all expired/obsolete chemicals using the step-by-step classification procedure set out in Annex I of these Guidelines. Where the hazard classification cannot be determined from available SDS, labelling, or reference data with reasonable confidence, the chemical waste generator shall engage a NESREA-certified Chemical Assessor to conduct formal characterization before disposal. The classification shall be documented in the chemical inventory and in the waste characterization form (Annex III).

7.3.2 Category C Chemical Waste Generators

Category C chemical waste generators shall apply the simplified classification matrix in Annex I, Table 1 to classify their expired/obsolete chemicals using available SDS or container labelling information. Where classification cannot be determined from available information, the chemical waste generator shall treat the expired/obsolete chemical as Class 4 (Toxic) hazardous waste and contact NESREA or the relevant State Environment Agency for guidance. Category C chemical waste generators are not required to engage a Chemical Assessor unless directed to do so by NESREA.

7.4 Simplified Classification Matrix

Table 1 below provides a simplified first-pass classification guide for common categories of expired/obsolete chemicals. The matrix is indicative and does not substitute for GHS-based classification where SDS data is available.

Chemical Category	Default Waste Class	Key Disposal Concern	Disposal Method (see Section 10)
Organochlorine pesticides (DDT, aldrin, dieldrin, etc.)	Class 6 – POP	POP destruction required – cannot landfill	High-temperature incineration ($\geq 850^{\circ}\text{C}$) – Section 10.4(d)
Organophosphate pesticides	Class 4 – Toxic	Neurotoxicity; degradation products may be more toxic	Incineration or licensed treatment – Section 10.4(c)
Mercury compounds (reagents, thermometers, batteries)	Class 7 – Mercury	Mercury recovery mandatory before disposal	Mercury recovery/retorting – Section 10.4(e)
Strong acids (H_2SO_4 , HCl , HNO_3 , HF)	Class 5 – Corrosive	Fuming; container degradation risk	Neutralization + treated effluent disposal – Section 10.4(b)
Strong alkalis (NaOH , KOH , NH_4OH)	Class 5 – Corrosive	Exothermic reaction risk; container integrity	Neutralization + treated effluent disposal – Section 10.4(b)
Halogenated solvents (chloroform, CCl_4 , DCM)	Class 3/4 – Flammable/Toxic	Carcinogenic; cannot be poured to drain	High-temperature incineration – Section 10.4(d)
Non-halogenated solvents (ethanol, acetone, toluene)	Class 3 – Flammable	Flash point; vapour accumulation	Solvent recovery or incineration – Section 10.4(c)
Cyanide salts and solutions	Class 4 – Toxic	HCN liberation; incompatible with acids	Chemical treatment or licensed incineration – Section 10.4(c)
Reactive metals (sodium, potassium, lithium)	Class 2 – Reactive	Water-reactive; fire and explosion risk	Controlled neutralization by specialist – Section 10.4(a)
PCB-containing equipment fluids	Class 6 – POP	POP destruction required	High-temperature incineration ($\geq 1100^{\circ}\text{C}$) – Section 10.4(d)

Chemical Category	Default Waste Class	Key Disposal Concern	Disposal Method (see Section 10)
Biological stains and fixatives (formalin, glutaraldehyde)	Class 4 – Toxic	Carcinogenic; sensitizer; drain disposal prohibited	Licensed treatment or incineration – Section 10.4(c)
Expired fertilizers (non-hazardous grades)	Class 9 – Non-hazardous	Assess for nitrate content; disposal by Agri-agency	Land application or licensed landfill – Section 10.4(f)

NOTE: This matrix provides guidance only. NESREA does not guarantee that all chemicals within each category have the same hazard profile, and chemical waste generators must conduct SDS-based verification where available. Unlabelled chemicals must be treated as Class 4 (Toxic) pending formal identification.

SECTION 8 – INTERIM STORAGE REQUIREMENTS

Interim storage is the period during which expired/obsolete chemicals are retained at the chemical waste generator's premises or at a registered collection point, following expiry declaration and pending final disposal. This period must be managed as a regulated activity, not as passive accumulation. The requirements of this Section are designed to prevent additional hazard arising from deterioration, leakage, incompatible storage, or uncontrolled reaction during what is necessarily a transitional period.

8.1 Maximum Interim Storage Periods

The maximum period for which expired/obsolete chemicals may be held in interim storage without NESREA authorization is as follows:

- (a) Class 1 (Explosive) and Class 2 (Reactive) waste: immediate notification to NESREA upon identification; interim storage not to exceed 30 days unless NESREA grants a specific extension in writing;
- (b) Class 7 (Mercury) waste and Class 6 (POP) waste: not to exceed 90 days from the date of expiry declaration;
- (c) Class 4 (Toxic), Class 3 (Flammable), and Class 5 (Corrosive) waste: not to exceed 180 days from the date of expiry declaration;
- (d) Class 8 (Mixed) waste: the maximum period applicable to the most hazardous constituent class shall apply; and
- (e) Class 9 (Non-Hazardous) expired/obsolete chemicals: not to exceed 12 months.

Where a chemical waste generator is unable to arrange licensed disposal within the applicable maximum period due to circumstances beyond its reasonable control, including infrastructure unavailability in its geographic zone, it may apply to NESREA for an extension of the interim storage period. Such applications must be submitted before the expiry of the initial period and must include evidence of reasonable attempts to secure disposal and a proposed alternative disposal timeline. Extensions shall not be granted for Classes 1, 2, 6, or 7 except in documented emergency circumstances.

8.2 Physical Storage Requirements

All interim storage areas for expired/obsolete chemicals shall meet the following minimum physical requirements:

- (a) Containment: interim storage areas shall have impermeable flooring with bunded secondary containment capable of retaining not less than 110 percent of the volume of the largest single container or 25 percent of the total stored volume, whichever is greater. Secondary containment shall be chemically resistant to the category of chemicals stored;
- (b) Segregation: expired/obsolete chemicals shall be stored segregated from chemicals in active use, from foodstuffs, and from incompatible chemical categories. The minimum segregation requirements are:
 - (i) Oxidizing agents shall be stored separately from flammable and combustible materials;
 - (ii) Acids shall be stored separately from alkalis, cyanides, and reactive metals;
 - (iii) Flammable liquids shall be stored in a separate, ventilated flammable liquid store or cabinet;
 - (iv) Class 1 (Explosive) and Class 2 (Reactive) materials shall be stored in dedicated, locked storage consistent with the relevant standard;
 - (v) Class 6 (POP) waste and Class 7 (Mercury) waste shall be stored in designated, labelled containers separate from other waste streams;

- (c) Ventilation: interim storage areas for volatile expired/obsolete chemicals (flammable liquids, toxic gases, mercury compounds, halogenated solvents) shall be equipped with adequate ventilation providing a minimum of six air changes per hour, or equivalent forced ventilation;
- (d) Temperature control: storage areas for thermally unstable expired/obsolete chemicals, including reactive metals, peroxide-forming compounds, and self-reactive chemicals, shall be maintained within the temperature range specified in the SDS. In the absence of SDS data, the storage temperature shall not exceed 30°C for such materials;
- (e) Lighting and access: interim storage areas shall be adequately illuminated and accessible to authorized persons only, with access restricted by lock and by clear signage identifying the area as an expired/obsolete chemicals storage area;
- (f) Fire suppression: interim storage areas holding Class 3 (Flammable) or Class 1 (Explosive) waste shall be equipped with appropriate fire suppression equipment, and the Federal Fire Service or equivalent State fire authority shall be informed of the nature and approximate quantity of flammable materials stored; and
- (g) Spill response: a spill containment kit appropriate to the categories of chemicals stored shall be maintained adjacent to the interim storage area, and the Responsible Officer shall ensure that persons with access to the area are trained in its use.

8.3 Container Requirements

Expired/obsolete chemicals shall remain in their original containers during interim storage wherever those containers are sound and undamaged. Where original containers are leaking, structurally compromised, or otherwise unsuitable for continued storage, the chemical waste generator shall:

- (a) Arrange for re-containerization by a competent person, using a container rated to the UN specification applicable to the chemical in question; or
- (b) Contact the licensed disposal facility or NESREA for emergency collection and re-containerization where re-containerization on-site is not safely practicable.

Re-containerized expired/obsolete chemicals shall be labelled in accordance with GHS labelling requirements, including the chemical name, hazard pictogram(s), signal word, relevant hazard statements, and an indication that the contents are expired/obsolete and awaiting disposal.

8.4 Labelling of Expired/Obsolete Chemicals in Storage

Every expired/obsolete chemical in interim storage shall be clearly marked with a label affixed to the container that includes, at minimum:

- (a) The text “EXPIRED/OBSOLETE CHEMICAL – AWAITING DISPOSAL” in bold lettering;
- (b) The chemical name (IUPAC or common name);
- (c) GHS hazard pictograms and signal word applicable to the hazard class;
- (d) The date of the expiry declaration; and
- (e) The waste class assigned under Section 7 of these Guidelines.

8.5 Registration of Interim Storage Areas

Category A chemical waste generators shall register each interim storage area used for expired/obsolete chemicals with NESREA or the relevant State Environment Agency within thirty days of first use for that purpose. Registration shall include the location, physical dimensions, maximum storage capacity, chemical categories to be stored, and the name of the Responsible Officer. Category B chemical waste generators shall register their interim storage

areas within sixty days of first use. Category C chemical waste generators are exempt from registration but shall make their storage areas accessible to authorized officers.

8.6 Inspection of Interim Storage

Covered entities shall conduct a documented inspection of their expired/obsolete chemical interim storage areas at the following minimum frequencies:

- (a) Category A chemical waste generators: monthly inspection by the Responsible Officer, with a written record of inspection findings retained for five years;
- (b) Category B chemical waste generators: quarterly inspection; and
- (c) Category C chemical waste generators: semi-annual inspection or when any change in storage conditions is identified.

NESREA authorized officers may inspect interim storage areas at any time upon presentation of their certificate of designation. Where an authorized officer identifies storage conditions that present an imminent hazard, NESREA may issue an immediate compliance notice requiring rectification within a period to be specified, and may exercise powers under Section 30 of the NESREA Act.

SECTION 9 – TRANSPORTATION OF EXPIRED/OBSOLETE CHEMICALS

9.1 General Transportation Requirements

The transportation of expired/obsolete chemicals from a chemical waste generator's premises to a licensed disposal facility, collection point, or transfer station shall comply with:

- (a) The National Environmental (Chemicals and Pesticides) Regulations, 2023, including manifest requirements;
- (b) The UN Recommendations on the Transport of Dangerous Goods (Model Regulations), current edition, as applicable to road transport in Nigeria;
- (c) Federal Road Safety Corps (FRSC) regulations on the transportation of dangerous goods;
- (d) The transportation provisions of these Guidelines; and
- (e) Any specific transport conditions attached to the NESREA permit of the receiving licensed facility.

9.2 Pre-Transport Container Condition Assessment

Before any expired/obsolete chemical is loaded for transportation, the Responsible Officer or the licensed waste transporter shall conduct a pre-transport container condition assessment that verifies:

- (a) The structural integrity of each container, including that there are no leaks, cracks, bulges, severe corrosion, or lid/cap failures;
- (b) That each container is adequately closed and sealed, and that the closure mechanism is appropriate to the container type;
- (c) That each container is labelled in accordance with GHS requirements as modified by Section 8.4 of these Guidelines; and
- (d) That incompatible chemicals are separated in the load according to the incompatibility matrix in Annex I, Table 2.

Any container found to be structurally compromised shall be re-containerized before transport in accordance with Section 8.3 of these Guidelines. The loading of structurally compromised containers onto a transport vehicle is prohibited.

NOTE: A Pre-Transport Container Condition Assessment Form, incorporating vehicle type and other relevant information required to be recorded before loading, is provided at Annex IX to these Guidelines. This form shall be completed for every consignment of hazardous expired/obsolete chemical waste and retained in the chain-of-custody record.

9.3 Manifest Requirements

A completed Hazardous Waste Transportation Manifest in the form set out in Annex IV shall accompany every movement of hazardous expired/obsolete chemical waste from a chemical waste generator's premises. The Manifest shall:

- (a) Be completed in four copies: the chemical waste generator retains one copy before the waste leaves the premises; one copy accompanies the shipment and is retained by the licensed disposal facility; one copy is returned to the chemical waste generator by the licensed facility upon receipt; and one copy is submitted to NESREA within fourteen days of the disposal facility receiving the waste;
- (b) Be signed by the Responsible Officer of the chemical waste generator prior to loading;
- (c) Be signed by the driver of the transport vehicle upon loading as confirmation of the quantities and conditions described;

- (d) Be signed by the receiving officer at the licensed disposal facility upon receipt; and
- (e) Remain with the waste at all times during transport.

Where a consignment is transported through multiple legs (chemical waste generator to collection point to facility), a new or endorsed Manifest shall be generated for each leg of the journey.

9.4 Vehicle and Equipment Requirements

Vehicles used for the transportation of hazardous expired/obsolete chemical waste shall:

- (a) Be appropriate for the category of hazardous goods carried, with a load bed that is enclosed or adequately sheeted to prevent spillage or rain ingress;
- (b) Be fitted with appropriate spill containment devices/systems in the cargo area;
- (c) Display ADR-compliant hazard placards corresponding to the primary hazard class of the most hazardous material carried;
- (d) Display an Orange Plate in tandem with ADR provisions;
- (e) Carry a current vehicle inspection certificate and a valid FRSC dangerous goods transportation approval where required; and
- (f) Not carry expired/obsolete chemical waste in a passenger compartment or mixed with foodstuffs, livestock, or any material not intended for hazardous waste disposal.

9.5 Driver and Attendant Requirements

The driver and any Attendant responsible for a vehicle carrying hazardous expired/obsolete chemical waste shall:

- (a) Hold a valid category of National Driver's Licence appropriate for the category of vehicle being used to transport a particular class of waste;
- (b) Have received induction on the hazards and emergency procedures applicable to the hazard class of materials being transported, and be in possession of the Emergency Response Instruction card for those materials;
- (c) Carry appropriate personal protective equipment for use in the event of a spill or release, including chemical-resistant gloves, safety spectacles, and an appropriate respirator for the most toxic material in the consignment; and
- (d) Have access to and be familiar with the emergency contact numbers for NESREA (Environmental Emergency Hotline: FRSC, and the Federal Fire Service).

9.6 Emergency Procedures During Transport

In the event of a spill, release, fire, collision, or other incident during transportation of expired/obsolete chemical waste, the driver shall:

- (a) Stop the vehicle in a safe location away from waterways, drains, and populated areas;
- (b) Take immediate measures to control the spread of any released material, using the spill containment materials carried on the vehicle;
- (c) Notify NESREA's Environmental Emergency Hotline, NEMA, FRSC, Fire Service, and the nearest hospital or health facility immediately;
- (d) Display visibly on the transporting vehicle the National Emergency Toll Free Line (112) and FRSC Toll Free Line (122);
- (e) Alert bystanders to move upwind of the release and not to approach the affected area;
- (f) Not attempt to re-load damaged containers without specialist assistance; and
- (g) Provide the emergency services and NESREA with the Manifest details for the consignment.

Full documentation of any transportation incident shall be submitted to NESREA within 48 hours of the incident in the format prescribed in Section 13.3 of these Guidelines.

9.7 Small Quantity Exemptions for Category C Chemical Waste Generators

Category C chemical waste generators transporting quantities of hazardous expired/obsolete chemical waste below the manifest threshold prescribed in the National Environmental (Chemicals and Pesticides) Regulations, 2023, are exempt from the full manifest requirement in Section 9.3 but shall maintain a simplified written transport record including the chemical names, quantities, destination, and date of transport. This exemption applies only to transportation to a NESREA-registered collection point or directly to a licensed disposal facility, and does not authorize informal disposal.

SECTION 10 – DISPOSAL METHODS AND TECHNOLOGY SELECTION

10.1 Disposal Hierarchy

The disposal of expired/obsolete chemicals shall follow the hierarchy of preferred methods set out below, in descending order of preference. The chemical waste generator shall demonstrate to NESREA's satisfaction that higher-priority options have been genuinely considered and found inapplicable before selecting a lower-priority option:

- (a) First priority – Recovery and reuse: for selected non-hazardous and low-hazard expired/obsolete chemicals where a technically qualified receiving institution or facility confirms in writing that the material can be safely used for an appropriate purpose. Recovery and reuse is not applicable to POPs waste, mercury waste, or any chemical where degradation has produced additional hazardous constituents;
- (b) Second priority – Solvent recovery or chemical recycling: for pure expired/obsolete solvents and select industrial chemicals where a licensed facility has the technical capacity to recover usable product from the expired/obsolete material. Conditions governing the licensing, performance, and accountability of solvent recovery vendors are set out in Annex X to these Guidelines;
- (c) Third priority – Physico-chemical or biological treatment: to reduce hazardous characteristics before final disposal, including neutralization of corrosive wastes, reduction of reactive wastes, biodegradation of biodegradable organic wastes, and stabilization/solidification prior to landfill;
- (d) Fourth priority – High-temperature incineration: for organic hazardous chemical wastes including POPs, halogenated solvents, toxic organics, and mixed chemical waste where other methods are not applicable; and
- (e) Fifth priority – Secure chemical landfill: for stabilized inorganic residues and non-hazardous expired/obsolete chemical wastes where incineration is not technically required.

Open burning, open dumping, dilution and discharge to waterways, and discharge to unlined excavations are expressly prohibited for all categories of hazardous expired/obsolete chemical waste and constitute a violation of these Guidelines as well as of the Harmful Waste Act and the NESREA Act.

10.2 Disposal Only at Licensed Facilities

All hazardous expired/obsolete chemical waste shall be disposed of at a NESREA-licensed disposal facility, or at a facility operating under a valid permit from a State Environment Agency where such permit is recognized by NESREA as meeting an equivalent standard.

Chemical waste generators shall verify the licence status of a proposed receiving facility before consigning waste to it. NESREA shall maintain and update a register of licensed hazardous waste disposal facilities, available on the NESREA website and at zonal offices. Consigning waste to an unlicensed facility shall constitute a violation by the chemical waste generator under these Guidelines, irrespective of any contractual arrangements with the facility.

10.3 Minimum Facility Standards

Licensed disposal facilities handling expired/obsolete chemicals shall maintain the following minimum standards for each applicable treatment method:

10.3.1 High-Temperature Incineration Facilities

Shall operate primary combustion chambers at a minimum temperature of 850°C for general organic chemical waste and at a minimum of 1,100°C for POPs waste and halogenated organic waste, with a gas residence time of not less than two seconds in the secondary combustion chamber, consistent with applicable Technical Guidelines on High-Temperature Incineration. Flue gas treatment equipment shall comply with applicable Nigerian emission standards or international BAT benchmarks where national standards are not yet established.

10.3.2 Physico-Chemical Treatment Facilities

Shall maintain documented operating procedures for each treatment process, a certified laboratory for verifying treatment outcomes, and appropriate secondary containment for treatment operations. Treatment residues shall meet applicable Nigerian effluent standards before discharge, or shall be managed as hazardous waste where those standards cannot be met.

10.3.3 Secure Chemical Landfill Facilities

Shall meet the specifications for Class I secure landfill cells as set out in NESREA's technical standards for hazardous waste landfills, including geomembrane liner systems, leachate collection and treatment, groundwater monitoring wells, and post-closure management plans.

10.3.4 Mercury Recovery Facilities

Shall employ retorting or equivalent thermal mercury recovery technology, meeting the technical requirements applicable under the international agreement on mercury. Recovered mercury shall be managed in accordance with the Mercury Waste requirements of Section 11.2. Residues from mercury recovery shall be stabilized and disposed of at a secure chemical landfill.

10.4 Specific Disposal Method Requirements by Waste Class

10.4(a) Class 2 – Reactive/Explosive Waste

Reactive and explosive expired/obsolete chemical waste shall be managed exclusively by a NESREA-certified specialist contractor with demonstrated competence in the safe handling of the specific materials in question. The specialist contractor shall prepare a site-specific work plan approved by NESREA prior to commencement of any removal or disposal operation. Standard disposal routes for the specific materials shall be confirmed with the receiving facility before transportation. Under no circumstances shall reactive or explosive materials be transported without prior notification to FRSC and NESREA of the route and timing of transport.

10.4(b) Class 5 – Corrosive Waste

Strong acids and alkalis may be neutralized at the chemical waste generator's premises or at a licensed treatment facility, subject to the following conditions:

- (a) On-site neutralization is permitted only for Category A and B chemical waste generators with adequate facilities, trained personnel, and documented operating procedures, and only after written notification to NESREA;
- (b) The neutralization process shall be conducted in a properly contained and ventilated area;
- (c) The resulting treated effluent shall be tested to confirm compliance with applicable effluent standards before disposal to drain; and

- (d) Neutralization residues that fail effluent standards shall be managed as hazardous waste at a licensed facility.

10.4(c) Class 3 and 4 – Flammable and Toxic Organic Waste

Expired/obsolete flammable and toxic organic chemicals shall be disposed of by high-temperature incineration at a licensed facility, or by solvent recovery where technically and economically feasible. Drain disposal, sewer disposal, and evaporative disposal are expressly prohibited. Category A chemical waste generators generating recurring volumes of spent organic solvents are encouraged to establish solvent recovery contracts with licensed recovery facilities as a preferred alternative to incineration, in accordance with the vendor conditions set out in Annex X.

10.4(d) Class 6 – POP Waste

POP waste shall be disposed of exclusively by high-temperature incineration at a temperature of not less than 1,100°C with appropriate emission controls, consistent with the applicable technical guidelines on the environmentally sound disposal of persistent organic pollutants. No other disposal method is acceptable for POP waste. Where no incineration facility with the required temperature capability is available in Nigeria, chemical waste generators shall notify NESREA, and NESREA shall advise on approved alternative arrangements consistent with Nigeria's international obligations on control of transboundary movements of hazardous wastes, which may include authorized transboundary movement to an approved facility. Dilution or mixing of POP waste with non-POP waste is prohibited.

10.4(e) Class 7 – Mercury Waste

Mercury-containing expired/obsolete chemicals shall be disposed of exclusively through licensed mercury recovery or stabilization facilities operating in accordance with applicable technical guidelines under the international agreement on mercury. The disposal options in descending order of preference are: (i) mercury recovery and temporary storage of recovered mercury in a manner that does not result in re-entry into commerce; (ii) stabilization and conversion to a mercury sulfide form for secure landfill disposal; and (iii) disposal at a licensed hazardous waste facility with demonstrated capacity for mercury containment. The pouring of mercury or mercury compounds to drain, evaporation of volatile mercury compounds, and landfilling of untreated mercury compounds are prohibited.

10.4(f) Class 9 – Non-Hazardous Expired/Obsolete Chemical Waste

Non-hazardous expired/obsolete chemicals may be disposed of at a licensed municipal solid waste facility where the facility operator confirms acceptance, or through licensed incineration, or by authorized land application for agricultural chemicals that meet the applicable agronomic and environmental criteria as assessed by the Federal Ministry of Agriculture and Food Security. Documentation of disposal shall be maintained under Section 12 of these Guidelines.

10.5 NESREA-Coordinated Regional Collection Programmes

In recognition of the severe geographic limitations of Nigeria's licensed disposal infrastructure, NESREA shall establish, implement and coordinate, in partnership with State Environment Agencies and State Environmental Protection Agencies (EPAs) and licensed waste management companies, Regional Collection Programmes for institutional chemical waste generators (Category B and C) that lack individual access to licensed disposal facilities. These programmes shall:

- (a) Provide scheduled collection services in collaboration with State Environmental Protection Agencies (EPAs) at registered institutional collection points across Nigeria's six geopolitical zones;

- (b) Offer subsidized or cost-pooled disposal arrangements specifically for educational institutions and non-revenue generating government research facilities;
- (c) Be coordinated through NESREA Zonal Offices in partnership with the relevant State Environment Agencies; and
- (d) Be funded through a combination of NESREA's operational budget, UNEP programme support, and contributions from industry under extended producer responsibility arrangements as provided in Section 16.

SECTION 11 – SPECIAL DISPOSAL PROVISIONS FOR PRIORITY CHEMICAL CATEGORIES

11.1 Obsolete Pesticide Stockpiles

11.1.1 Scope of Application

This Section applies to all obsolete pesticide stockpiles within the meaning of Section 2 of these Guidelines, including stockpiles at former government agricultural programme depots, State ADP stores, agricultural input dealer premises, research institute storage sites, and commercial farm facilities. It applies to all pesticide active ingredient classes, including organochlorine, organophosphate, pyrethroid, carbamate, neonicotinoid, and other synthetic and biological formulations.

11.1.2 Coordination with the Federal Ministry of Agriculture and Food Security

The management and disposal of obsolete pesticide stockpiles shall be coordinated between NESREA and the Federal Ministry of Agriculture and Food Security (FMAFS) through the Inter-Agency Coordination Committee established under Section 14. FMAFS shall have primary responsibility for the identification, inventory, and characterization of stockpiles at government agricultural programme sites, working in conjunction with the State ADPs. NESREA shall provide technical guidance on disposal methods and shall exercise enforcement authority over the disposal process and interim storage standards.

11.1.3 Inventory and Assessment of Legacy Stockpiles

Within twelve months of the commencement of these Guidelines, NESREA, in coordination with FMAFS and the six geopolitical zone NESREA offices, shall conduct or commission a national assessment of legacy obsolete pesticide stockpiles. The assessment shall:

- (a) Identify and document all known stockpile sites by location, approximate volume, and predominant active ingredients;
- (b) Prioritize sites by hazard risk, proximity to human settlements and water bodies, and container condition; and
- (c) Develop a three-year prioritized disposal action plan for government-owned legacy stockpiles, to be submitted to the Minister of Environment and the Minister of Agriculture for approval.

11.1.4 Interim Containment of Legacy Stockpiles

Pending formal disposal, all known legacy obsolete pesticide stockpile sites shall be secured to prevent access by unauthorized persons and livestock, to prevent run-off to waterways, and to minimize exposure of surrounding communities. NESREA may issue compliance notices to site owners, custodians, or responsible government agencies requiring the implementation of specific containment measures.

11.1.5 Disposal of Organochlorine (POP-Listed) Pesticides

All obsolete pesticide formulations containing substances subject to elimination or restriction under the international agreement on persistent organic pollutants – including DDT, aldrin, dieldrin, endrin, heptachlor, chlordane, mirex, toxaphene, and lindane – shall be disposed of exclusively by high-temperature incineration consistent with applicable joint technical guidelines on environmentally sound disposal of POPs waste, as prescribed in Section 10.4(d). Dilution, burial, or landfill disposal of POP-listed obsolete pesticides is expressly prohibited, consistent with the obligations of the international agreement on persistent organic

pollutants. Where domestic incineration capacity is insufficient, NESREA shall coordinate with UNEP for international disposal assistance.

11.1.6 Containers and Packaging

Empty or partially empty containers from obsolete pesticide stockpiles shall be triple-rinsed, with rinsate used as a dilute pesticide application on agricultural land where agronomically appropriate and where FMAFS approves, or collected and disposed of with the bulk waste. Rinsate that cannot be applied shall be managed as liquid pesticide waste. Rinsed containers may not be reused for any purpose and shall be rendered irreparable before disposal. Contaminated packaging, soil, and absorbent materials associated with stockpile sites shall be managed as the equivalent hazard class of the pesticide with which they are contaminated.

11.2 Mercury-Containing Chemicals and Equipment

11.2.1 Scope

This Section applies to all expired, broken, or decommissioned mercury-containing products and materials held in institutional or commercial possession, including: mercury laboratory reagents and standard solutions; mercury thermometers, barometers, and manometers; mercury-vapour lamps and fluorescent lamps (including compact fluorescents); battery types containing mercury; dental amalgam waste; and equipment containing mercury switches or relays.

11.2.2 Mercury Minimization

Covered entities holding mercury-containing equipment or chemicals are encouraged to progressively replace mercury-containing items with mercury-free alternatives, consistent with the phase-out obligations of the international agreement on mercury, upon the natural end of the useful life of the mercury-containing item. The purchase of new mercury-containing thermometers and measuring instruments for laboratories and healthcare facilities is discouraged, consistent with the international phase-out schedule for such instruments.

11.2.3 Collection and Storage

Mercury-containing expired/obsolete chemicals, broken thermometers, spent lamps, and decommissioned mercury equipment shall be:

- (a) Collected in sealed, unbreakable, chemically resistant secondary containers clearly labelled "MERCURY WASTE – REGULATED UNDER THE INTERNATIONAL AGREEMENT ON MERCURY";
- (b) Stored in a cool, well-ventilated area, away from heat sources, separated from other waste streams;
- (c) Not subject to crushing, shredding, or open-air evaporation under any circumstances; and
- (d) Disposed of through a licensed mercury recovery facility or, where no domestic facility is accessible, through NESREA-approved arrangements.

11.2.4 ASGM Sector Mercury Waste

Mercury waste arising from artisanal and small-scale gold mining (ASGM) activities is subject to the requirements of these Guidelines and to the National Action Plan for the reduction of mercury use in ASGM, prepared in fulfilment of Nigeria's obligations under the international agreement on mercury. NESREA shall collaborate with the Federal Ministry of Solid Minerals Development and State Governments in mining States to develop sector-specific guidance and collection infrastructure for ASGM mercury waste.

11.3 Polychlorinated Biphenyls (PCBs)

11.3.1 Identification and Inventory

Covered entities operating or storing electrical equipment including transformers, capacitors, hydraulic equipment, and heat transfer equipment installed before 1985 shall conduct an assessment for PCB content using appropriate field testing or laboratory analysis. Electrical equipment and associated oils found to contain PCBs at concentrations equal to or exceeding 50 mg/kg shall be declared and managed as Class 6 POP waste under these Guidelines. NESREA shall develop and publish a national PCB inventory form and a PCB management guidance note within twelve months of the commencement of these Guidelines.

11.3.2 Disposal of PCB Waste

PCB-containing equipment oils, contaminated materials, and decommissioned PCB equipment shall be disposed of by high-temperature incineration at not less than 1,100°C with appropriate emission controls, consistent with the applicable technical guidelines on the management of polychlorinated biphenyls and related compounds. The landfill of untreated PCB waste is prohibited.

11.4 Cyanide Compounds

Expired/obsolete cyanide salts, solutions, and formulations shall be managed with particular care given the acute toxicity hazard of hydrogen cyanide gas that may be released on contact with acid. Interim storage of cyanide waste shall be in separate, lockable, clearly labelled containers, strictly segregated from acids and oxidizing agents. Disposal shall be by licensed chemical treatment (alkaline chlorination or equivalent), incineration, or other licensed method approved by NESREA. Laboratory personnel managing expired/obsolete cyanide compounds shall be trained in cyanide emergency response procedures.

11.5 Healthcare and Pharmaceutical Laboratory Chemicals

Expired/obsolete laboratory chemicals held in healthcare facilities and hospital laboratories, including formalin, glutaraldehyde, xylene, ethanol, staining reagents, and diagnostic chemicals, shall be managed under the requirements of these Guidelines in respect of the chemical waste component. NESREA shall develop, in cooperation with the Federal Ministry of Health and NAFDAC, joint guidance notes on the segregation of chemical waste from biological and pharmaceutical waste in healthcare settings, to facilitate appropriate management of each waste stream in an environmentally sustainable manner. Healthcare facility Responsible Officers should refer to both NESREA and NAFDAC guidance when managing mixed healthcare chemical waste.

SECTION 12 – DOCUMENTATION, CHAIN-OF-CUSTODY AND REPORTING

12.1 Chain-of-Custody Principle

A complete and unbroken chain-of-custody record shall be maintained for every batch of hazardous expired/obsolete chemical waste from the point of expiry declaration to the issuance of a disposal completion certificate. The chain-of-custody record shall be capable of demonstrating, at any point, the current location, custodian, and condition of the waste. In the event of an enforcement action or judicial proceeding, the chain-of-custody record shall constitute the primary documentary evidence of compliance or non-compliance.

12.2 Chain-of-Custody Documents

The chain-of-custody for each batch of expired/obsolete chemical waste shall comprise the following documents, assembled in sequence:

- (a) Expiry Declaration entered in the chemical inventory (Section 5.3);
- (b) Waste Characterization Form (Annex III), completed before disposal arrangements are made;
- (c) Inventory notification of expired/obsolete chemicals in storage submitted to NESREA in collaboration with the relevant State Agencies, where applicable (Section 5.4);
- (d) Hazardous Waste Transportation Manifest (Annex IV), completed for each movement;
- (e) Receipt confirmation from licensed disposal facility upon delivery; and
- (f) Disposal Completion Certificate (Annex VI), issued by the licensed disposal facility confirming treatment and disposal.

All chain-of-custody documents shall be retained by the chemical waste generator for a minimum period of five years from the date of the disposal completion certificate and shall be made available to authorized officers on demand.

12.3 Waste Characterization Form

Before offering any batch of expired/obsolete chemical waste for transportation or disposal, the chemical waste generator shall complete a Waste Characterization Form substantially in the format set out in Annex III. The Form shall include:

- (a) Chemical Waste Generator details (name, address, contact, NESREA registration number where applicable);
- (b) A list of all chemicals in the batch with their CAS numbers, quantities, hazard classes, and container descriptions;
- (c) A declaration of any known incompatibilities, reactive hazards, or special handling requirements;
- (d) The proposed disposal method and name of proposed receiving facility;
- (e) The name and signature of the Responsible Officer completing the form; and
- (f) Copies of or references to available Safety Data Sheets.

The Waste Characterization Form shall be provided to the licensed disposal facility and waste transporter before the waste is loaded for transport.

12.4 Annual Expired/Obsolete Chemicals Management Report

Category A and B chemical waste generators shall prepare and submit to NESREA an Annual Expired Chemicals Management Report (AECMR), substantially in the form set out in Annex V, by 31 March of each year covering the preceding calendar year. The AECMR shall include:

- (a) A summary of the total chemicals inventory at the beginning and end of the reporting year;
- (b) The total quantity and types of expired/obsolete chemicals declared during the year, disaggregated by waste class;
- (c) The total quantity of expired/obsolete chemicals disposed of during the year, with references to disposal completion certificates;
- (d) The total quantity of expired/obsolete chemicals remaining in interim storage at year end, with projected disposal timelines;
- (e) A summary of any incidents, spills, or emergencies involving expired/obsolete chemicals during the year;
- (f) Training activities related to expired/obsolete chemicals management conducted during the year; and
- (g) Any challenges encountered and steps taken or proposed to address them.

12.5 Public Disclosure Requirements for Category A Chemical Waste Generators

Category A chemical waste generators shall make available to the public, by publication on their institutional website or by other accessible means, an annual summary of their expired/obsolete chemicals management performance, including the total quantities declared as expired/obsolete, the disposal methods employed, and compliance certificate references. This requirement shall be deemed complied with by the publication of the relevant sections of the AECMR, subject to the exclusion of confidential business information as defined by NESREA.

12.6 NESREA Register of Disposed Expired/Obsolete Chemicals

NESREA shall compile and maintain a national register of expired/obsolete chemical waste disposal transactions, based on the manifests and AECMR submissions received from chemical waste generators and the confirmation records submitted by licensed disposal facilities. The register shall be updated on a quarterly basis and the aggregate national statistics shall be published annually in NESREA's Annual Environmental Performance Report.

SECTION 13 – EMERGENCY PREPAREDNESS AND INCIDENT NOTIFICATION

13.1 Emergency Response Plans

Category A chemical waste generators and all licensed disposal facilities handling expired/obsolete chemicals shall prepare and maintain a current Emergency Response Plan (ERP) specifically addressing scenarios involving expired/obsolete chemical stockpiles. The ERP shall be reviewed and updated not less than annually and shall:

- (a) Identify and assess the credible emergency scenarios associated with the expired/obsolete chemicals held, including fire, explosion, uncontrolled release, leakage, vapour cloud formation, and uncontrolled chemical reactions;
- (b) Prescribe specific response procedures for each scenario, including initial containment measures, personnel evacuation procedures, and notification protocols;
- (c) Identify the personal protective equipment and emergency response materials available on-site for each scenario;
- (d) Include contact details for NESREA's Environmental Emergency Hotline, the Federal Fire Service or State Fire Service, the nearest hospital or poison control centre, and the FRSC;
- (e) Designate an emergency coordinator by name and position, with a nominated deputy;
- (f) Describe coordination procedures with NESREA, the State Environment Agency, and other first responders; and
- (g) Include a schedule for emergency response drills – at minimum one drill per year for Class 1, 2, 6, and 7 waste holders.

Category B chemical waste generators shall prepare a simplified emergency response procedure sheet covering the chemical categories held in their interim storage area. Category C chemical waste generators are encouraged to maintain basic emergency contact information and first-response procedures for the chemicals they hold.

13.2 Immediate Notification Requirements

In the event of any of the following incident types involving expired/obsolete chemicals, the covered entity shall notify NESREA's Environmental Emergency Hotline immediately, and in all cases within two hours of the incident:

- (a) Any uncontrolled release of hazardous expired/obsolete chemical waste to the environment, including spills, leaks, and pipe or container failures resulting in release to soil, water, or air;
- (b) Any fire, explosion, or uncontrolled chemical reaction involving expired/obsolete chemical waste;
- (c) Any known or suspected exposure of any person to a hazardous expired/obsolete chemical, whether through inhalation, skin contact, ingestion, or injection;
- (d) Any theft, loss, or unauthorized removal of hazardous expired/obsolete chemical waste; and
- (e) Any transportation incident involving expired/obsolete chemical waste as prescribed in Section 9.6.

Notification to NESREA does not relieve the chemical waste generator of the obligation to notify other relevant authorities including the Federal Fire Service, State Environment Agency, and FRSC as appropriate to the nature of the incident.

13.3 Incident Report

A full written incident report shall be submitted to NESREA within 48 hours of the initial notification. The report shall include:

- (a) Date, time, and precise location of the incident;
- (b) Nature and cause of the incident (to the extent known);
- (c) Identity and quantity of the expired/obsolete chemical(s) involved;
- (d) Immediate actions taken;
- (e) Injuries or exposures to persons and environmental impacts observed or anticipated;
- (f) Containment and clean-up measures undertaken or planned; and
- (g) Corrective and preventive actions proposed to prevent recurrence.

NESREA may conduct an independent post-incident investigation and shall determine whether any enforcement action under Section 15 is warranted in respect of the circumstances of the incident.

13.4 Community Notification

Where an incident involving expired/obsolete chemicals has resulted in or may result in exposure of members of the surrounding community to hazardous chemical releases, the covered entity shall cooperate with NESREA and the State Environment Agency in issuing timely public notifications and providing accurate hazard and health advice to affected communities. NESREA shall coordinate such notifications with the Federal Ministry of Health and the relevant State Ministry of Health. Community notification shall be in the prevailing local language as well as English where this is practicable.

13.5 Contamination Remediation

Where an incident or legacy disposal practice has resulted in contamination of soil, groundwater, or surface water, the chemical waste generator or responsible party shall, upon direction by NESREA, conduct a site assessment and prepare a remediation plan consistent with NESREA's Contaminated Land Management Framework. The costs of site assessment and remediation shall be borne by the responsible party in accordance with the polluter-pays principle. Where the responsible party is no longer identifiable or does not exist, NESREA shall coordinate with the Federal Ministry of Environment and relevant State Governments on funding mechanisms for orphaned site remediation.

SECTION 14 – ROLES, RESPONSIBILITIES AND INTER-AGENCY COORDINATION

14.1 NESREA – Lead Coordinating and Enforcement Authority

NESREA is the lead coordinating and enforcement authority for these Guidelines, in exercise of its mandate under the NESREA Act, 2007 (Amendment, 2018). NESREA's responsibilities under these Guidelines shall include:

- (a) Publishing, updating, and disseminating these Guidelines and associated technical guidance documents;
- (b) Maintaining and publishing the register of licensed hazardous waste disposal facilities;
- (c) Receiving, reviewing, and acting on chemical waste generator notifications, Annual Inventory Declarations, and Annual Expired Chemicals Management Reports;
- (d) Conducting compliance inspections of chemical waste generator interim storage areas and licensed disposal facilities;
- (e) Operating the Environmental Emergency Hotline and coordinating incident response;
- (f) Coordinating Regional Collection Programmes as described in Section 10.5;
- (g) Issuing, suspending, and revoking licences for hazardous waste disposal facilities;
- (h) Taking enforcement actions as prescribed in Section 15;
- (i) Maintaining the national register of expired/obsolete chemical waste disposal transactions under Section 12.6;
- (j) Convening and chairing the Inter-Agency Coordination Committee under Section 14.4; and
- (k) Reporting to the Federal Ministry of Environment on the state of expired/obsolete chemicals management in Nigeria as part of NESREA's annual report.

14.1.2 State Environment Agencies

State Environment Agencies shall, within their respective State jurisdictions, support NESREA in inspecting chemical waste generator premises, facilitating the registration of interim storage areas, receiving and forwarding chemical waste generator notifications to NESREA, and participating in Regional Collection Programmes. Where a State Environment Agency has issued regulations or guidelines on hazardous waste management that meet or exceed the standards of these Guidelines, NESREA shall formalize the relationship through a Memorandum of Understanding and may delegate specified enforcement functions to that agency.

14.2 Other Government Agencies – Supporting Responsibilities

14.2.1 National Agency for Food and Drugs Administration and Control (NAFDAC)

NAFDAC shall have primary regulatory responsibility for expired pharmaceutical products and agricultural chemical products under active recall or destruction orders issued under NAFDAC's enabling legislation. NAFDAC shall cooperate with NESREA to ensure the seamless handover of chemical waste arising from NAFDAC-supervised destruction processes to NESREA's regulated waste management regime, and shall participate in the Inter-Agency Coordination Committee.

14.2.2 Federal Ministry of Agriculture and Food Security

The Federal Ministry of Agriculture and Food Security (FMAFS) shall coordinate the identification, inventory, and preliminary containment of government-owned obsolete pesticide stockpiles; provide technical advice on agronomically appropriate disposal of lower-hazard expired/obsolete agricultural chemicals; and participate in the Inter-Agency Coordination Committee. FMAFS shall designate a focal officer for expired/obsolete chemicals coordination with NESREA within three months of the commencement of these Guidelines.

14.2.3 Federal Road Safety Corps (FRSC)

FRSC shall enforce the transportation of dangerous goods requirements applicable to expired/obsolete chemical waste transport, in collaboration with NESREA. FRSC shall provide NESREA with reports of incidents involving dangerous goods vehicles carrying chemical waste within thirty days of such incident.

14.2.4 Nigerian Nuclear Regulatory Authority (NNRA)

NNRA shall coordinate with NESREA on the management of mixed chemical-radioactive wastes arising from research institutions and healthcare facilities, ensuring that the chemical hazard components are managed under these Guidelines while radioactive hazard components are managed under NNRA's jurisdiction.

14.3 Chemical Waste Generator Responsibilities

Chemical waste generators bear the primary operational responsibility for compliance with these Guidelines. The specific responsibilities of each chemical waste generator category are summarized in Annex VII and are detailed throughout these Guidelines. At minimum, every chemical waste generator shall designate a Responsible Officer, maintain a chemical inventory, conduct expiry monitoring, manage interim storage in compliance with Section 8, arrange licensed disposal, and maintain chain-of-custody documentation.

14.4 Inter-Agency Coordination Committee on Expired/Obsolete Chemicals Management

NESREA shall establish and chair an Inter-Agency Coordination Committee on Expired/Obsolete Chemicals Management (IACCECM). The Committee shall:

- (a) Be composed of designated focal officers from NESREA, NAFDAC, FMAFS, SON, FRSC, NNRA, ICCON, IPAN, State EPAs, the Federal Ministry of Environment, the Federal Ministry of Health, the Federal Ministry of Industry Trade and Investment, and the National Universities Commission;
- (b) Meet at least quarterly in its first year of operation and at least twice per year thereafter, or as convened by NESREA on account of an emergency or significant regulatory development;
- (c) Provide a formal mechanism for resolving jurisdictional conflicts, harmonizing regulatory interpretations, and coordinating cross-agency enforcement actions;
- (d) Review progress on the implementation of these Guidelines annually and make recommendations for amendment; and
- (e) Produce and publish an annual Inter-Agency Coordination Report.

Decisions of the IACCECM shall be reached by consensus where possible and by majority vote where consensus is not achievable. Where a conflict between the requirements of these Guidelines and those of another agency's instrument cannot be resolved by the IACCECM, the matter shall be referred to the Federal Ministry of Environment for ministerial determination.

SECTION 15 – COMPLIANCE, ENFORCEMENT AND PENALTIES

15.1 NESREA's Enforcement Powers

NESREA shall exercise all enforcement powers available under the NESREA Act, 2007 (Amendment, 2018) in respect of violations of these Guidelines. The enforcement powers available to NESREA include, but are not limited to:

- (a) The power to enter and inspect any premises under Section 30 of the NESREA Act;
- (b) The power to take samples, examine documents, and seize articles under Section 30;
- (c) The power to suspend activities and seal premises under Section 30(1)(g);
- (d) The power to establish mobile courts under Section 8(f) of the NESREA Act;
- (e) Criminal prosecution with the consent of the Attorney-General of the Federation under Section 32(3) of the NESREA Act; and
- (f) Referral of serious violations to the Harmful Waste (Special Criminal Provisions) Act enforcement authorities.

15.2 Graduated Enforcement Framework

NESREA shall apply a graduated enforcement framework to violations of these Guidelines, progressing from administrative compliance measures through formal legal action in proportion to the nature, severity, persistence, and good faith of the violating party:

Step 1 – Compliance Advice and Technical Assistance

For minor, first-time, or inadvertent violations by covered entities that do not present imminent hazard risk, NESREA shall issue a Compliance Advice Notice identifying the specific deficiency, providing technical guidance on the required corrective action, and setting a reasonable deadline for compliance. No penalty shall be imposed at this stage.

Step 2 – Formal Compliance Notice

Where compliance has not been achieved within the deadline set in a Compliance Advice Notice, or where the violation is of a nature warranting direct formal action, NESREA shall issue a Formal Compliance Notice requiring specific corrective actions within a prescribed period, which shall not exceed thirty days unless technical circumstances justify a longer period. A Formal Compliance Notice shall be recorded in NESREA's enforcement register and may be cited in subsequent proceedings.

Step 3 – Administrative Compliance Order

Where a covered entity fails to comply with a Formal Compliance Notice, or where the nature of the violation warrants direct administrative action (including cases of ongoing hazard to human health or the environment), NESREA shall issue an Administrative Compliance Order which may require specific actions, impose conditions on operations, and may include an administrative fine.

Step 4 – Suspension of Activity and Facility Sealing

Where violations are persistent, willful, or create an immediate hazard risk, NESREA may, under Section 30(1)(g) of the NESREA Act, suspend the relevant activities and seal the premises until compliance is demonstrated to NESREA's satisfaction.

Step 5 – Criminal Prosecution

In the most serious cases, including violations resulting in significant environmental contamination, human injury or death, deliberate illegal dumping, and falsification of compliance records, NESREA shall refer the matter for criminal prosecution under the

applicable provisions of the NESREA Act, the Harmful Waste (Special Criminal Provisions) Act, and any other applicable legislation.

15.3 Specific Violations and Penalties

The following constitute specific violations of these Guidelines subject to the enforcement framework in Section 15.2 and to the applicable penalties under the NESREA Act:

- (a) Failure to maintain a current chemical inventory in accordance with Section 6: Compliance Advice → Formal Compliance Notice → Administrative Order;
- (b) Failure to conduct expiry monitoring and to make Expiry Declarations in accordance with Section 5: Compliance Advice → Formal Compliance Notice;
- (c) Failure to comply with interim storage requirements under Section 8, where no imminent hazard is identified: Formal Compliance Notice;
- (d) Failure to comply with interim storage requirements where imminent hazard is identified: immediate Administrative Compliance Order including suspension of storage area operations;
- (e) Transportation of expired/obsolete chemical waste without a valid manifest under Section 9.3: Formal Compliance Notice + referral to FRSC;
- (f) Consigning expired/obsolete chemical waste to an unlicensed disposal facility: Administrative Compliance Order + fine under NESREA Act;
- (g) Open dumping, open burning, or drain disposal of hazardous expired/obsolete chemical waste: immediate suspension + criminal prosecution referral;
- (h) Failure to notify NESREA of an incident within the prescribed two-hour period under Section 13.2: Formal Compliance Notice + administrative fine;
- (i) Submission of false or materially misleading information in any document required by these Guidelines: suspension + criminal prosecution referral; and
- (j) Obstruction of an authorized NESREA officer: criminal prosecution under Section 31 of the NESREA Act.

15.4 Good Faith and Mitigating Factors

In determining the appropriate enforcement response, NESREA shall take into account: the degree of genuine effort made by the covered entity to comply; the financial capacity of the chemical waste generator, particularly for educational institutions and Category C chemical waste generators; the rapidity with which the covered entity took corrective action upon becoming aware of the violation; the extent of environmental or health harm resulting; and the history of the covered entity's compliance. NESREA shall not use these Guidelines as an instrument for penalizing chemical waste generators who proactively declare accumulated legacy expired/obsolete chemicals and request assistance in achieving compliance, provided that the chemical waste generator cooperates with NESREA's compliance assessment and rectification process.

SECTION 16 – EXTENDED PRODUCER RESPONSIBILITY AND FINANCIAL MECHANISMS

16.1 Statement of Policy

The Federal Government of Nigeria, acting through NESREA, recognizes that the accumulation of expired/obsolete chemicals across the country is in significant part a consequence of the absence of adequate product take-back, collection, and disposal infrastructure, and of the inequitable distribution of disposal costs. These Guidelines establish a policy framework for the progressive development of extended producer responsibility mechanisms, consistent with the polluter-pays principle and with the strategic objectives of the international hazardous wastes management framework and the Global Framework on Chemicals 2023–2050.

16.2 EPR Obligations on Chemical Manufacturers and Importers

Within two years of the commencement of these Guidelines, NESREA shall develop and issue specific regulations establishing EPR obligations on chemical manufacturers and importers. These regulations shall, at minimum, require:

- (a) Registration with NESREA of all chemicals placed on the Nigerian market above a prescribed annual quantity threshold;
- (b) A financial contribution by manufacturers and importers to an Expired Chemicals Management Fund (ECMF) calculated as a specified levy per kilogram of regulated chemical placed on the market;
- (c) Product take-back obligations or collective industry take-back schemes for specified chemical categories, including pesticides and laboratory reagents, enabling chemical waste generators to return expired/obsolete products to the supply chain for managed disposal; and
- (d) A minimum shelf-life labelling standard, specifying that all regulated chemicals placed on the Nigerian market shall bear a manufacturer-specified expiry date or shelf-life period.

16.3 Expired/Obsolete Chemicals Management Fund

NESREA shall, in consultation with the Federal Ministry of Finance, establish an Expired Chemicals Management Fund (ECMF), to be managed as a dedicated fund within NESREA's accounts. Funds within the ECMF shall be applied exclusively to:

- (a) Subsidizing the disposal costs of educational institutions, government research institutes, and Category C chemical waste generators that cannot reasonably meet full disposal costs;
- (b) Funding Regional Collection Programmes under Section 10.5;
- (c) Supporting the development of licensed hazardous waste disposal infrastructure in underserved geopolitical zones;
- (d) Training and capacity building for Responsible Officers and NESREA enforcement staff; and
- (e) Financing the disposal of orphaned legacy chemical stockpiles where no responsible party can be identified.

16.4 Donor and Development Partner Funding

NESREA shall actively seek continued support from international development partners, including UNEP, GEF, relevant convention secretariats, bilateral donors, and international

financial institutions, for the financing of disposal infrastructure development, legacy stockpile clearance programmes, and capacity building under these Guidelines. NESREA shall report annually on the application of all externally sourced funds within its Annual Environmental Performance Report.

SECTION 17 – TRANSITIONAL PROVISIONS AND COMPLIANCE AMNESTY

17.1 Transitional Compliance Period

A transitional compliance period of twenty-four (24) months shall apply from the date of formal commencement of these Guidelines, during which:

- (a) All covered entities shall conduct an initial chemical inventory review in accordance with Section 6, and shall submit a first-year compliance plan to NESREA within ninety days of commencement, setting out the steps the entity will take during the transitional period to achieve full compliance;
- (b) NESREA shall prioritize compliance assistance and technical guidance over punitive enforcement for covered entities that demonstrate genuine engagement with the transitional process;
- (c) The interim storage maximum period requirements of Section 8.1 shall not apply to expired/obsolete chemicals that were accumulated before the date of commencement of these Guidelines, provided that a disposal timeline for legacy stocks is included in the compliance plan submitted under (a) above and adhered to; and
- (d) Annual Inventory Declaration and Annual Expired Chemicals Management Report submissions shall commence from the first full calendar year following the transitional period.

17.2 Compliance Amnesty for Legacy Stockpiles

Any covered entity that, during the transitional compliance period, voluntarily declares to NESREA the existence of a legacy expired/obsolete chemicals stockpile accumulated before the commencement of these Guidelines, cooperates with NESREA's assessment of the stockpile, and implements an agreed disposal plan, shall not be subject to enforcement action under these Guidelines in respect of the pre-existing stockpile alone.

The amnesty under this Section applies only to the existence of the legacy stockpile and to the pre-commencement accumulation of expired/obsolete chemicals. It does not apply to new violations occurring after commencement, and does not extinguish any liability under the Harmful Waste (Special Criminal Provisions) Act or other criminal statutes where those liabilities apply independently of these Guidelines.

17.3 Existing Compliance Arrangements

Any disposal arrangement, permit condition, or compliance notice issued before the commencement of these Guidelines under the National Environmental (Sanitation and Wastes Control) Regulations, or under any other NESREA instrument and relating to hazardous chemical waste management, shall remain in force and shall be read subject to these Guidelines. Where an existing compliance arrangement imposes more stringent requirements on a specific covered entity than these Guidelines, the more stringent requirement shall continue to apply.

SECTION 18 – REVIEW, AMENDMENT AND REPEAL

18.1 Scheduled Review

These Guidelines shall be comprehensively reviewed within five years of their date of commencement, or earlier upon the occurrence of a material trigger event. At the scheduled review, NESREA shall conduct a full stakeholder consultation process substantially similar to that undertaken in developing these Guidelines, including consultation with the Inter-Agency Coordination Committee, regulated entities, civil society, and international technical advisers.

18.2 Material Trigger Events for Early Review

NESREA shall initiate a review of these Guidelines before the scheduled five-year review if any of the following material trigger events occur:

- (a) Nigeria ratifies, accedes to, or becomes subject to new obligations under a multilateral environmental agreement affecting the management and disposal of hazardous chemical waste;
- (b) The Conferences of the Parties to the relevant international agreements on hazardous wastes, persistent organic pollutants, prior informed consent, or mercury adopt new technical guidelines or amendments to Annexes that materially affect the requirements applicable to Nigeria;
- (c) A significant development in available disposal technology or a material change in Nigeria's licensed disposal infrastructure makes the requirements of Section 10 materially obsolete or inadequate;
- (d) Systematic enforcement experience or scientific evidence reveals significant deficiencies in the definitions, classification criteria, or minimum standards prescribed by these Guidelines; or
- (e) The Minister of Environment directs NESREA to review these Guidelines.

18.3 Amendment Procedure

Amendments to these Guidelines shall be made by NESREA through a process that includes: a technical review by the Expired Chemical Control Unit; consultation with the Inter-Agency Coordination Committee; a period of public stakeholder consultation of not less than thirty days for substantive amendments; and approval by the Director-General of NESREA.

18.4 Repeal and Savings

These Guidelines shall remain in force until formally repealed by NESREA with the approval of the Minister of Environment. Upon repeal, NESREA shall ensure that replacement guidelines or regulations are in place to provide continuity of the regulatory framework for expired/obsolete chemicals management without any regulatory gap. All chain-of-custody records, disposal completion certificates, and compliance documents created under these Guidelines shall retain their legal effect after any repeal in respect of the obligations and proceedings to which they relate.

ANNEX I – EXPIRED/OBSOLETE CHEMICALS CLASSIFICATION AND DISPOSAL METHOD MATRIX

This Annex provides the detailed classification and disposal method matrix referenced in Section 7. Table 1 provides extended classification guidance by chemical category. Table 2 provides the chemical incompatibility matrix for segregation in interim storage and transportation.

Table 1 – Expired/Obsolete Chemical Classification and Disposal Method Reference Matrix

Waste Class	Chemical Category	GHS Hazard Class	Special Conditions / Constraints	Approved Disposal Methods
Class 1 – Explosive	Self-reactive chemicals, dry picric acid, dry azide salts, peroxide-forming compounds (stored >12 months)	Explosive; Self-reactive	Specialist contractor only; NESREA pre-approval required for all movements	Controlled detonation or specialist neutralization by licensed contractor
Class 2 – Reactive	Alkali metals (Na, K, Li), metal hydrides (LiAlH ₄ , NaBH ₄), phosphorus, pyrophoric materials	Pyrophoric; Water-reactive; Self-heating	No exposure to air or water; sealed inert-atmosphere containers; specialist handling	Controlled neutralization by specialist chemical contractor under NESREA-approved work plan
Class 3 – Flammable	Non-halogenated solvents: ethanol, methanol, acetone, ethyl acetate, toluene, xylene, petroleum ether	Flammable liquid; Aspiration hazard	No drain disposal; vapour-tight containers; grounding for static; segregate from oxidizers	Solvent recovery (preferred); licensed incineration; licensed thermal treatment
Class 4 – Toxic	Organophosphate pesticides, cyanide compounds, strong oxidants with toxicity, carcinogenic chemicals (benzene, formaldehyde)	Acute Tox. 1–3; Carc.; Repr.; STOT	PPE: nitrile gloves, full face shield, respirator; no drain disposal; sealed containers	Licensed high-temperature incineration; licensed chemical treatment (cyanide: alkaline chlorination); no landfill untreated
Class 5 – Corrosive	Strong acids: H ₂ SO ₄ , HCl, HNO ₃ , HF, H ₃ PO ₄ ; Strong alkalis: NaOH, KOH, Ca(OH) ₂ , NH ₄ OH	Skin Corr. 1; Eye Dam. 1	HF requires specialist handling (antidote on site); compatibility check before mixing acid/alkali streams	On-site neutralization (Cat. A/B, notified); licensed physico-chemical treatment; treated effluent to drain if within limits

Waste Class	Chemical Category	GHS Hazard Class	Special Conditions / Constraints	Approved Disposal Methods
Class 6 – POP Waste	Organochlorine pesticides (DDT, aldrin, dieldrin, endrin, heptachlor, chlordane, lindane); PCBs; Dioxin/furan-contaminated materials	Persistent; Bioaccumulative; Toxic; Carcinogenic	BAT required; incineration temp $\geq 1,100^{\circ}\text{C}$; emission controls mandatory; landfill prohibited	High-temperature incineration $\geq 1,100^{\circ}\text{C}$ (BAT); no dilution; no burial; transboundary movement possible with NESREA authorization
Class 7 – Mercury	Mercury metal; Hg salts and compounds; Mercury-containing instruments; Fluorescent lamps; Dental amalgam	Acute Tox. 1–2; Env. Haz. (aquatic)	International obligations on mercury applicable; no open-air evaporation; no drain disposal; sealed containers essential	Mercury recovery/retorting (preferred); stabilization to HgS then secure landfill; no untreated landfill
Class 8 – Mixed	Chemical mixtures presenting multiple hazard classes; contaminated laboratory waste mixtures	Multiple classes	Manage as most hazardous constituent; no mixing of incompatible waste streams	Licensed high-temperature incineration; or specialist treatment as directed by NESREA/licensed facility
Class 9 – Non-Hazardous	Expired/obsolete salts (NaCl , Na_2SO_4), dilute aqueous solutions within effluent limits, expired starch, expired sugar solutions	None meeting Classes 1–8 criteria	Confirm non-hazardous classification by SDS review before applying this category	Licensed municipal waste facility; land application (agricultural, agronomically appropriate); licensed landfill

Table 2 – Chemical Incompatibility Matrix for Storage and Transportation Segregation

“X” indicates incompatibility requiring physical separation in storage and transport.

	Acids	Alkalis	Oxidizers	Flammables	Cyanides	Reactive Metals	Mercury Cpd	POPs
Acids	—	X	X	X	X	X	X	—
Alkalis	X	—	X	—	—	X	—	—
Oxidizers	X	X	—	X	X	X	—	—
Flammables	X	—	X	—	—	—	—	—
Cyanides	X	—	X	—	—	—	—	—
Reactive Metals	X	X	X	—	—	—	—	—
Mercury Cpd	X	—	—	—	—	—	—	—
POPs	—	—	—	—	—	—	—	—

ANNEX II – STANDARD CHEMICAL INVENTORY TEMPLATE

This template shall be used by all Category B and C chemical waste generators. Category A chemical waste generators may use an equivalent electronic system providing all required fields are captured.

INSTITUTION / FACILITY NAME: _____

ADDRESS: _____

RESPONSIBLE OFFICER: _____

DATE: _____

S/ N	Chemical Name (IUPAC/Common)	CA S No.	Qty (kg/L)	Contain er Type	Date Receive d	Expir y Date	Hazar d Class	Statu s	Disposa l Ref.
1									
2									
3									
4									
5									
6									
7									
8									

NOTE: STATUS CODES: [A] Active – In Use [E] Expired/Obsolete – Awaiting Disposal [D] Disposed (see Disposal Ref.)

ANNEX III – EXPIRED/OBSOLETE CHEMICAL WASTE CHARACTERISATION FORM

Complete before presenting any batch of expired/obsolete chemical waste for transportation or disposal. Provide a copy to the waste transporter and the receiving facility.

Generator Name	
NESREA Registration No. (if applicable)	
Address / Site Location	
Contact Person and Phone Number	
Total Quantity of Waste in Batch (kg/L)	
Number of Containers	
Waste Classification (as per Section 7)	
Physical State (solid / liquid / gas / mixed)	
Chemical Name(s) / CAS Number(s)	
Known Incompatibilities / Special Hazards	
Container Type and Condition	
SDS Available? (Yes / No)	
Proposed Disposal Method	
Name of Proposed Receiving Facility	
NESREA Licence No. of Receiving Facility	
Responsible Officer Name and Signature	
Date of Form Completion	

ANNEX IV – HAZARDOUS WASTE TRANSPORTATION MANIFEST (SUMMARY FORM)

This Manifest shall be completed before loading. Produce four (4) copies. Distribution: Chemical Waste Generator (1 copy before loading); with waste (1 copy, retained by receiving facility); returned to chemical waste generator (1 copy signed by facility on receipt); submitted to NESREA within 14 days (1 copy).

SECTION A – GENERATOR DETAILS

Chemical Waste Generator Name	
Address	
NESREA Registration No.	
Responsible Officer	
Signature / Date	

SECTION B – WASTE DESCRIPTION

Waste Class (per Section 7)	
Chemical Name(s) / CAS Number(s)	
Total Quantity (kg / L)	
Number of Containers	
Container Type	
Known Hazards / Incompatibilities	

SECTION C – TRANSPORTER DETAILS

Transporter Company Name	
Vehicle Registration No.	
Driver Name and Licence No.	
Attendant Name (if applicable)	
Driver Signature / Date of Loading	

SECTION D – RECEIVING FACILITY DETAILS

Facility Name	
NESREA Licence No.	

Receiving Officer Name	
Receiving Officer Signature / Date of Receipt	
Disposal Method to be Applied	
Disposal Completion Certificate No. (to be completed after disposal)	

ANNEX V – ANNUAL EXPIRED/OBSOLETE CHEMICALS MANAGEMENT REPORT TEMPLATE

To be submitted by all Category A and B chemical waste generators to NESREA by 31 March each year, covering the preceding calendar year. Reference: Section 12.4.

PART 1 – ENTITY IDENTIFICATION

Entity Name	
Address	
Chemical Waste Generator Category (A or B)	
NESREA Registration No.	
Responsible Officer	
Reporting Year	

PART 2 – INVENTORY SUMMARY

Total chemicals in inventory at start of year (kg/L)	
Total chemicals in inventory at end of year (kg/L)	
Total expired/obsolete chemicals declared during the year (kg/L)	
Breakdown of expired/obsolete chemicals by waste class	

PART 3 – DISPOSAL SUMMARY

Total quantity disposed of during the year (kg or L)	
Disposal methods used	
Disposal completion certificate numbers	
Quantities remaining in interim storage at year end (kg or L)	
Projected disposal date for remaining stocks	

PART 4 – INCIDENTS AND COMPLIANCE

Number and description of incidents during the year	
---	--

Any enforcement actions received from NESREA	
Training activities conducted	
Challenges and proposed solutions	

CERTIFICATION: I certify that the information provided in this Annual Expired/Obsolete Chemicals Management Report is accurate and complete to the best of my knowledge. Name and Signature of Responsible Officer: _____ Date: _____

ANNEX VI – DISPOSAL COMPLETION CERTIFICATE TEMPLATE

To be issued by the licensed disposal facility upon completion of treatment and disposal of each batch. Provide to the chemical waste generator for retention in chain-of-custody records.

Certificate Reference Number	
Issuing Facility Name	
NESREA Facility Licence No.	
Chemical Waste Generator Name	
Generator Address	
Manifest Reference Number	
Date Waste Received at Facility	
Description of Waste (Chemical Category / Waste Class)	
Quantity Received (kg / L)	
Disposal Method Applied	
Disposal Date / Period	
Outcome (e.g. Incinerated; Treated + Landfilled; Mercury Recovered)	
Name and Signature of Facility Manager	
Date of Certificate Issuance	
NESREA Notification Date	

ANNEX VII – CHEMICAL WASTE GENERATOR CATEGORY THRESHOLDS AND COMPLIANCE REQUIREMENTS SUMMARY

Requirement	Category A (>500 kg/L per year)	Category B (50–500 kg/L per year)	Category C (<50 kg/L per year)	Reference Section
Chemical Inventory	Required – electronic system	Required – written	Required – written	Section 6
Annual Inventory Declaration	Required by 31 March	Required by 31 March	Not required	Section 6.4
Expiry Declaration	Required within 14 days	Required within 14 days	Required within 14 days	Section 5.3
NESREA Notification	Within 30 days	Within 30 days	Not required	Section 5.4
Waste Characterization Form	Required – all batches	Required – all batches	Required – all batches	Section 12.3
Chemical Assessor	Required where classification uncertain	Required where classification uncertain	Not required (contact NESREA for guidance)	Section 7.3
Interim Storage Registration	Required within 30 days	Required within 60 days	Not required	Section 8.5
Interim Storage Inspection	Monthly	Quarterly	Semi-annually	Section 8.6
Max. Interim Storage – Class 6/7	90 days	90 days	90 days	Section 8.1
Max. Interim Storage – Class 3/4/5	180 days	180 days	180 days	Section 8.1
Transportation Manifest	Required – all movements	Required – all movements	Simplified record	Section 9.3
Annual AECMR	Required by 31 March	Required by 31 March	Not required	Section 12.4
Public Disclosure	Required	Not required	Not required	Section 12.5
Emergency Response Plan	Full ERP required	Simplified procedure sheet	Basic contacts encouraged	Section 13.1
Pre-Transport Assessment Form	Required – Annex IX	Required – Annex IX	Recommended	Section 9.2

ANNEX VIII – REFERENCED LEGISLATION, CONVENTIONS AND TECHNICAL GUIDELINES

A. Nigerian Legislation and Regulatory Instruments

- National Environmental Standards and Regulations Enforcement Agency (Establishment) Act, 2007 Amendment 2018 (Act No. 25 of 2007). Federal Republic of Nigeria Official Gazette, Vol. 94, No. 92, 31 July 2007.
- Harmful Waste (Special Criminal Provisions) Act, Cap. H1, Laws of the Federation of Nigeria, 2004.
- Environmental Impact Assessment Act, Cap. E12, Laws of the Federation of Nigeria, 2004.
- National Agency for Food and Drugs Administration and Control (NAFDAC) Act, Cap. N1, Laws of the Federation of Nigeria, 2004.
- Petroleum Industry Act, 2021.
- National Environmental (Hazardous Chemicals and Pesticides) Regulations, 2014, S.I. No. 65.
- National Environmental (Chemical, Pharmaceutical, Soap and Detergent Manufacturing Industries) Regulations, S.I. No. 27 of 2009.
- National Environmental (Sanitation and Wastes Control) Regulations, S.I. No. 28 of 2009.
- National Environmental (Ozone Layer Protection) Regulations, S.I. No. 18 of 2009.
- National Environmental (Surface and Groundwater Quality) Regulations, 2011.
- Nigerian Industrial Standard NIS:2026 – Environmentally Sound Management of Chemicals.

B. International Conventions and Frameworks

- Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal, 1989 (accessed by Nigeria 1991).
- Convention on Persistent Organic Pollutants, 2001 (ratified by Nigeria 2004).
- Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade, 1998 (ratified by Nigeria 2006).
- Convention on Mercury, 2013 (ratified by Nigeria 2017).
- African Convention on the Ban of Import of Hazardous Wastes into Africa and the Control of their Transboundary Movement, 1991.
- Global Framework on Chemicals 2023–2050. Adopted at ICCM5, Bonn, September 2023.
- Strategic Approach to International Chemicals Management (SAICM), 2006.
- Agreement concerning the International Carriage of Dangerous Goods by Road (ADR), 1957, as amended.
- Montreal Protocol on Substances that Deplete the Ozone Layer, 1987.

C. International Technical Guidelines and Standards

- Technical Guidelines for the Environmentally Sound Management of Wastes Consisting of, Containing, or Contaminated with Persistent Organic Pollutants. UNEP/CHW.10/6/Add.3/Rev.1, 2011.
- Technical Guidelines on High-Temperature Incineration. UNEP/CHW.6/11, 2002.
- Technical Guidelines on the Environmentally Sound Management of Polychlorinated Biphenyls, Polychlorinated Terphenyls and Polybrominated Biphenyls. UNEP, 2001.

- Technical Guidelines for the Environmentally Sound Management of Mercury Wastes. Joint work under international agreements on hazardous wastes and mercury, 2015.
- FAO (2014). International Code of Conduct on Pesticide Management. Food and Agriculture Organization, Rome.
- FAO/UNEP (2015). Revised Draft Technical Guidelines for the Environmentally Sound Management of Obsolete Pesticides. Rome.
- United Nations (current edition). Recommendations on the Transport of Dangerous Goods – Model Regulations. UN, New York and Geneva.
- United Nations (current edition). Globally Harmonised System of Classification and Labelling of Chemicals (GHS). UN, New York and Geneva.
- UNITAR (2021). Guidance on Developing National Chemicals and Waste Legislation and Policies. Geneva.
- WHO (2012). Safe Management of Wastes from Health-Care Activities, 2nd Edition. World Health Organization, Geneva.
- UNEP (2022). Global Chemicals Outlook II: From Legacies to Innovative Solutions. UNEP, Nairobi.

ANNEX IX – PRE-TRANSPORT CONTAINER CONDITION ASSESSMENT FORM

This form shall be completed by the Responsible Officer or the licensed waste transporter before any consignment of hazardous expired/obsolete chemical waste is loaded for transportation, as required by Section 9.2 of these Guidelines. A completed copy shall be retained in the chain-of-custody record. Where any deficiency is identified, loading shall be suspended until the deficiency is corrected.

PART 1 – GENERATOR AND TRANSPORT DETAILS

Chemical Waste Generator Name	
NESREA Registration No. (if applicable)	
Address / Site of Dispatch	
Responsible Officer completing this form	
Date of Assessment	
Vehicle Type (e.g. closed van, flatbed with sheeting, tanker)	
Vehicle Make and Model	
Vehicle Registration Number	
Gross Vehicle Weight Rating (GVWR)	
FRSC Dangerous Goods Transport Approval No. (if applicable)	
Vehicle Inspection Certificate No. and Expiry Date	
Driver Name	
Driver National Licence No. and Category	
Attendant Name (if applicable)	
Name of Receiving Licensed Disposal Facility	
NESREA Facility Licence No. of Receiving Facility	
Manifest Reference Number	

PART 2 – VEHICLE READINESS CHECKLIST

Item	Satisfactory (Yes/No)	Remarks / Action Taken
Vehicle load bed enclosed or sheeted and secured against spillage and rain ingress		
Spill containment devices/systems in place in cargo area		
ADR-compliant hazard placards displayed for primary hazard class		
Orange Plate displayed in tandem with ADR placards		
National Emergency Toll Free Line (112) visibly displayed on vehicle		
FRSC Toll Free Line (122) visibly displayed on vehicle		
Emergency Response Instruction card for cargo hazard class available in cab		
Personal protective equipment (chemical-resistant gloves, safety spectacles, respirator) available in cab		
Spill kit available and stocked appropriately for chemical categories being transported		
Fire extinguisher of appropriate type fitted and in-date		
Vehicle separated from foodstuffs, livestock, or incompatible materials		
Passenger compartment clear of chemical waste		

PART 3 – CONTAINER CONDITION ASSESSMENT

Inspect each container individually. Record the container reference number, chemical name, and the result of each check.

Container Ref / Label	Chemical Name	Waste Class	Structural Integrity (No leaks/cracks/bulges)	Closure / Seal Adequate	GHS Label Compliance	Compatible with Load (no incompatibles adjacent)
1						
2						
3						
4						
5						
6						
7						
8						

NOTE: Where any container fails the structural integrity check: loading is prohibited until re-containerization is completed in accordance with Section 8.3. Record the re-containerization action and the date completed in the Remarks column or on a separate attachment.

PART 4 – CERTIFICATION

I certify that the assessment above has been conducted and that all items recorded as satisfactory are in compliance with the requirements of Section 9.2 of the National Environmental Guidelines on Management and Disposal of Expired/Obsolete Chemicals in Nigeria. Loading has been approved / Loading has been suspended pending corrective action (delete as applicable). Responsible Officer / Transporter Representative Name: _____ Signature: _____
 Date: _____ Date: _____ Driver Name: _____
 Driver Signature: _____
 Date: _____

ANNEX X – CONDITIONS GOVERNING SOLVENT RECOVERY VENDORS

This Annex sets out the conditions applicable to vendors engaged in the recovery of expired/obsolete solvents and select industrial chemicals under the second-priority disposal method described in Section 10.1(b) of these Guidelines. Compliance with these conditions is a prerequisite for a vendor's recognition by NESREA as a licensed solvent recovery facility.

A. NESREA Licensing Requirements

A solvent recovery vendor must hold a current NESREA facility licence specifically covering solvent recovery operations before it may accept any expired/obsolete chemical waste under Section 10.1(b). The vendor must:

- (a) Submit an application to NESREA for a Solvent Recovery Facility Licence, accompanied by: (i) a description of the solvent recovery process and technology employed; (ii) a site plan showing containment, storage, processing, and residue management areas; (iii) evidence of adequate secondary containment and vapour control; (iv) a staff competence register demonstrating relevant technical qualifications; and (v) a residue management plan specifying how still bottoms, off-specification recovered product, and other residues will be managed in compliance with Sections 10.3 and 10.4 of these Guidelines;
- (b) Obtain NESREA approval before commencing solvent recovery operations or accepting any waste solvent consignments;
- (c) Notify NESREA of any material change in technology, processing capacity, or waste categories accepted within thirty days of the change; and
- (d) Renew the Solvent Recovery Facility Licence every two years, providing updated documentation as required by NESREA.

B. Eligible Waste Streams and Acceptance Criteria

A licensed solvent recovery vendor may accept only the following categories of expired/obsolete chemicals under Section 10.1(b):

- (a) Pure expired non-halogenated solvents (Class 3 – Flammable): including ethanol, methanol, acetone, ethyl acetate, toluene, xylene, petroleum ether, and isopropanol;
- (b) Mixtures of non-halogenated solvents in concentrations and proportions that the vendor's process can technically handle, as specified in the vendor's NESREA licence; and
- (c) Selected Class 3/4 industrial solvents or process chemicals where the vendor demonstrates, to NESREA's satisfaction, technical capability and safe handling.

Halogenated solvents (chloroform, carbon tetrachloride, methylene chloride, perchloroethylene, and related compounds) may only be accepted by a vendor holding a specific NESREA licence extension for halogenated solvent recovery. POPs waste, mercury waste, and reactive/explosive waste may not be accepted under any solvent recovery licence.

C. Performance and Quality Standards

The vendor shall:

- (a) Recover a minimum of 70 percent (by mass) of usable solvent product from each accepted batch, with the recovered product meeting purity specifications agreed with the receiving end-user or defined in the vendor's NESREA licence;
- (b) Conduct and record quality analysis (purity, water content, flash point, colour) on each batch of recovered product before release for reuse;

- (c) Manage all still bottoms, off-specification product, and other residues as hazardous waste in accordance with Sections 10.3 and 10.4 of these Guidelines, providing chain-of-custody documentation to NESREA for all residue disposal; and
- (d) Maintain all process equipment in accordance with the manufacturer's maintenance schedule, with records available for NESREA inspection.

D. Documentation and Reporting Obligations

The licensed solvent recovery vendor shall:

- (a) Issue a Disposal Completion Certificate (substantially in the form of Annex VI) to each chemical waste generator from whom it accepts waste, upon completion of the recovery operation, within fourteen days of the date of treatment;
- (b) Submit to NESREA a quarterly Solvent Recovery Operations Report, by the 15th day of the month following each quarter-end, setting out: (i) total volumes of waste solvent accepted by chemical category; (ii) total volumes of recovered product produced and distributed; (iii) total volumes of residues generated and their disposal route and destination; and (iv) any incidents, accidents, or process failures during the quarter;
- (c) Submit an Annual Performance and Compliance Report to NESREA by 31 March of each year, incorporating cumulative annual data and a compliance self-assessment against the conditions of the NESREA licence; and
- (d) Retain all transaction records, quality analysis reports, and disposal completion certificates for a minimum of five years and make them available for NESREA inspection on demand.

E. Timeframes and Response Obligations

Obligation	Timeframe
Issue Disposal Completion Certificate to chemical waste generator	Within 14 days of treatment completion
Submit quarterly Solvent Recovery Operations Report to NESREA	By 15th of month following quarter-end (April 15, July 15, October 15, January 15)
Submit Annual Performance and Compliance Report to NESREA	By 31 March annually
Notify NESREA of incident, spill, or process failure	Within 2 hours of incident (initial notification); full report within 48 hours
Notify NESREA of material change in operations	Within 30 days of change
Licence renewal application	Not less than 60 days before licence expiry

F. Enforcement and Suspension

A licensed solvent recovery vendor that fails to comply with the conditions in this Annex shall be subject to the graduated enforcement framework in Section 15.2. NESREA may suspend a Solvent Recovery Facility Licence where the vendor: consistently fails to meet the 70 percent recovery performance standard; disposes of residues without chain-of-custody documentation; accepts waste streams outside the scope of its licence; or fails to submit two or more consecutive quarterly reports. Suspension of the licence means the vendor may not accept any new waste solvent consignments until the licence is reinstated.

NOTE: *The list of currently licensed solvent recovery vendors is maintained on the NESREA website and updated quarterly. Chemical waste generators should verify licence status before consigning waste to any vendor.*

— END OF FIRST EDITION —

*National Environmental Guidelines on Management and Disposal of Expired/Obsolete Chemicals in
Nigeria*

First Edition

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