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# HOUSEHOLD WASTE GOVERNANCE AND ENVIRONMENTAL LAW IN NIGERIA: A CRITICAL EXAMINATION

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## I. INTRODUCTION

The collection, treatment and disposal of refuse generated within residential and commercial settings has long presented one of the most intractable challenges of environmental governance in Nigeria. Historically, environmental protection was regarded as the exclusive province of dedicated advocacy groups, and the legislative apparatus that existed was directed primarily at curbing pollution arising from petroleum extraction rather than addressing the day-to-day waste generated by communities and households. As one commentator has aptly observed, it has since become apparent that environmental protection is a concern that extends well beyond the narrow regulation of the oil industry.[1]

Domestic waste management, understood broadly, encompasses the collection, storage, treatment and disposal of refuse produced by households in a manner that is rendered harmless to human beings, animal life, the ecology and the wider environment.

In industrialised countries, Ovrawah has observed, substantial volumes of generated refuse are subjected to periodic recycling processes, and where recycling is not undertaken, the material is repurposed for other beneficial ends.[2] The situation in Nigeria stands in stark contrast: domestic waste is routinely mismanaged, with refuse cleared from residential areas frequently re-deposited in the same vicinity in an insanitary manner. The agencies charged by

[1]Guobadia Ameze, 'The Nigerian Federal Environmental Protection Agency Decree No 58 of 1988: An Appraisal' (1993) 5(2) African Journal of International and Comparative Law 409.
[2]OA Ovrawah, 'Environmental Protection: The Problem of Domestic Waste Management in Nigeria' (1995) 2(1) University of Benin Law Journal 181.

statute with overseeing the collection and disposal of household waste have consistently failed to ensure that waste is disposed of in a legally compliant and environmentally safe fashion. The cumulative consequence is widespread decomposition of refuse in public spaces, with attendant environmental contamination and the creation of ideal breeding conditions for the vectors of communicable diseases such as cholera, dysentery and malaria.

Contemporary international law recognises a clean and healthy environment as among the so-called third generation of human rights, and it is now widely accepted that States may incur international responsibility for conduct that endangers the preservation and conservation of the human environment.[3] The concept of 'environment' for these purposes is defined broadly to encompass water, air, land and all plant and animal life existing therein, together with the interrelationships subsisting among those elements.[4] Environmental stewardship is accordingly no longer a matter for specialist interest groups alone; it is a responsibility shared by individuals and governments at every level.[5]

The survival of human societies depends fundamentally on their capacity to manage waste in a manner consistent with ecological sustainability.[6] The aspiration for a clean environment has ceased to be a purely domestic concern; it now carries an unmistakable international dimension. Today, a substantial body of legislative and regulatory instruments bears upon environmental issues, of which the most significant for the purposes of this paper is the Federal Environmental Protection Agency Act.[7] This article examines the legal definition of waste, the rationale for the proper management of household refuse, the consequences of mismanagement, the relevant legislative framework, and concludes with concrete recommendations for achieving a cleaner and more sustainable Nigeria through reformed waste governance.

## II. THE CONCEPT AND LEGAL DEFINITION OF WASTE

In its ordinary signification, 'waste' denotes any liquid, gaseous or solid substance or material which, being surplus to requirements or having been discarded as unwanted or rejected, is

[3]DJ Harris, Cases and Materials on International Law (4th edn, Sweet & Maxwell 1991) 463–464.

[4]Federal Environmental Protection Agency Decree No 58 of 1988, s 38; Delta State Environmental Protection Agency (DELSEPA) Edict 1997, s 2.

[5]The growing international interest is evidenced by the United Nations Intergovernmental Conference on the Human Environment, Stockholm, 1972, and the United Nations Conference on Environment and Development, Rio de Janeiro, June 1992.

[6]FEPA Guidelines on Waste Management (Federal Environmental Protection Agency, 1991) 11.

[7]Federal Environmental Protection Agency Act 1988, Cap 131, Laws of the Federation of Nigeria 1990.

disposed of by its holder. In the context of environmental law, the term is deployed in its literal, everyday sense,[8] in contrast to its technical usage in the law of real property, where it refers to an act or omission that causes a permanent and lasting change to land , such as the conversion of arable land to a timber plantation, or the neglect of premises resulting in dilapidation.[9]

**A. Statutory Definitions**

Section 31 of the Lagos State Environmental Sanitation Edict 1985[10] defines waste in expansive terms to include waste of all descriptions, as well as any substance constituting scrap material or an effluent or other unwanted surplus substance arising from the application of any industrial process. The United Kingdom Environmental Protection Act 1990,[11] re-enacting the earlier Control of Pollution Act 1974,[12] adopts a comparable formulation in section 75(2), covering any substance constituting scrap material or an effluent or other unwanted surplus, and any substance or article requiring disposal by reason of being broken, worn out, contaminated or otherwise spoiled. The World Health Organisation (WHO) defines waste as 'something which the owner no longer wants at a given place and time and which has no current or perceived market value.'[13]

**B. Interpretive Difficulties: The 'Unwanted' and 'Value' Elements**

A comparative reading of these definitions reveals that the first three contain no 'value' element: they do not suggest that waste is intrinsically devoid of value or utility. The word 'unwanted', which features in those definitions, does not necessarily import the absence of value , an item may be unwanted by its original holder whilst still retaining a discernible economic worth. The WHO definition is distinctive in that it incorporates a value element as part of its formulation.[14]

Both elements, 'unwanted' and 'value', create analytical difficulties for a coherent legal definition. Purdue has correctly observed that introducing the element of value would exclude

[8]Oxford English Dictionary (2nd edn, Oxford University Press 1989) , 'waste' defined as 'a superfluous, refuse or rejected material'.

[9]JG Riddall, Introduction to Land Law (Butterworths 1974) 57; Megarry, A Manual of the Law of Real Property (6th edn, Stevens 1982) 52; TO Ilegbune, 'Legal Regulation of Industrial Waste Management' in Environmental Law and Sustainable Development in Nigeria 83.

[10]Lagos State Environmental Sanitation Edict No 12 of 1985, s 31.

[11]Environmental Protection Act 1990 (UK), c 43, s 75(2).

[12]Control of Pollution Act 1974 (UK), c 40, s 39.

[13]Cited in Michael Purdue, 'Defining Waste' (1990) 2(2) Journal of Environmental Law 259.

[14]See the Kent County Council and R v Rotherham Metropolitan Borough Council cases discussed below.

from regulatory control the treatment of contaminated materials that may have residual worth for the operator carrying out the treatment.[15] Similarly, Ilegbune has noted that a requirement that waste must be 'unwanted' would exclude the activity of refurbishing or recycling broken or discarded materials where those materials are in fact desired by the person undertaking the recovery.[16] If either element becomes the operative test, systems of legal control may be circumvented where a new party claims the discarded material and puts it to productive use. As Purdue illustrates:[17]

*The odd newspaper blowing down the street may be gathered by boy scouts to be recycled or even used by a vagrant to keep warm. Even at the same moment in time, one person may regard an object as waste while another has use for it.*

**C. Judicial Approach to the Definition of Waste**

The courts have grappled with these difficulties in a number of decisions. In R v Rotherham Metropolitan Borough Council, ex parte Rankin,[18] Schiemann J held that 'waste' should be construed according to its ordinary meaning and that, on the facts of that case, the treatment and recycling of solvents could constitute the treatment of waste. He accepted, however, that the solvents might simultaneously be regarded as trade waste and as raw materials, a concession that left the precise boundaries of the concept unresolved.

In Kent County Council v Queensborough Rolling Mill Co Ltd,[19] the defendant argued that material salvaged from a cleared, disused site was not waste because it had been put to a useful purpose and was therefore not 'unwanted'. Pill J rejected this argument, holding that the purpose to which material is subsequently put is not the relevant consideration; what matters is the nature of the material at the moment of its original discarding.

In the joined Italian cases of Vessoso and Zanetti,[20] the defendants were charged with collecting, transporting and storing waste without authorisation. It was argued that the materials in question were not waste because they were destined for recycling. The Court,

[15]Michael Purdue (n 13) 259.
[16]TO Ilegbune (n 9) 84.
[17]ibid.
[18]R v Rotherham Metropolitan Borough Council, ex parte Rankin [1990] Journal of Environmental Law 250 (Schiemann J).
[19]Kent County Council v Queensborough Rolling Mill Co Ltd [1990] Journal of Environmental Law 257 (Pill J).
[20]Vessoso and Zanetti (Joined Cases C-206/88 and C-207/88) [1990] 2 LMLR 133 (Court of Justice of the European Communities).

adjudicating from a European legal perspective analogous to the United Kingdom statutory position, concluded that although recycling was to be encouraged as a matter of policy, this did not preclude the materials from being classified as waste.

Drawing together the judicial and academic commentary, the following principles may be distilled:[21] first, whether material is waste must be determined from the perspective of the person discarding it; second, once material has been discarded, it retains that character until it is positively reprocessed and thereby reconstituted as a product of value , mere sorting or collection being insufficient; and third, residue materials from industrial or domestic processes that are still regarded as valuable or wanted by their producer do not constitute waste.

**D. Harmful Waste Defined**

Section 15 of the Harmful Waste (Special Criminal Provisions, etc) Act 1988[22] provides the most comprehensive statutory definition of the concept, encompassing any injurious, poisonous, toxic or noxious substance , including nuclear waste emitting radioactive material , where the substance is present in a quantity sufficient to expose any person to the risk of death, fatal injury or incurable impairment of physical or mental health. Crucially, the Act provides that the placement of harmful waste in a container does not, of itself, negate the risk that would otherwise arise from it. This all-embracing formulation is appropriate to the gravity of the concern it addresses, and provides a sound foundation for the regulation of the most dangerous categories of domestic and industrial refuse.

## III. THE CONCEPT OF WASTE MANAGEMENT

Waste management, in its fullest sense, refers to the organised collection, storage, treatment and disposal of refuse in a manner that renders it harmless to human beings, animals, the ecology and the environment at large. It encompasses not merely the physical removal of refuse but also the adoption, by industry and government, of process technologies designed to achieve the highest practicable standards of environmental safety in the conduct of waste-generating operations.

Arene has described waste management as the organised and systematic channelling of refuse through land fills or designated disposal pathways, conducted with due regard for acceptable

[21] TO Ilegbune (n 9) 85–86.

[22] Harmful Waste (Special Criminal Provisions, etc) Act 1988, Cap 165 (1990), s 15.

public health and environmental standards.[23] This characterisation has, however, attracted criticism for its narrowness: by confining waste management to the dual activities of dumping and channelling into landfills, it excludes the broader spectrum of treatment technologies , including recycling, composting and waste-to-energy conversion , that a comprehensive waste management system must embrace.

## IV. THE IMPERATIVE OF SOUND DOMESTIC WASTE MANAGEMENT

The case for the proper management of household waste rests on both positive and negative grounds. On the positive side, effective waste governance provides substantial safeguards for human, animal and ecological health, and can generate significant economic benefits for the agricultural and manufacturing sectors. On the negative side , and more compellingly , the consequences of mismanaged household refuse are severe and, in certain respects, irreversible.

Domestic waste is inherently multi-component, comprising household refuse, trade waste, human waste, agricultural waste and clinical waste in varying proportions. That fraction of domestic waste which is derived from agricultural, food or wood-based materials may, if properly recovered, be composted and applied as an organic fertiliser, thereby reducing production costs in the agricultural sector and contributing to food security.

The economic potential of recycling is equally significant. It has been estimated that no fewer than 200,000 tonnes of plastic materials are discarded in Nigeria annually, with metal, glass and paper waste each amounting to approximately nine times that volume.[24] If these materials were systematically recovered and recycled, the demand for imported industrial inputs in the plastics, metals, glass and paper manufacturing sectors would fall substantially, producing considerable savings in foreign exchange. Greater access to domestically sourced raw materials would also stimulate industrial expansion, generating employment, improving incomes and enhancing the social welfare of the wider population. These economic benefits are not hypothetical: Vanguard has reported that improved waste management practices have already contributed a 3.2 per cent increment to Nigeria's GDP and created approximately 1.6 million jobs, while the Minister of Environment has acknowledged that the country generates

[23]EO Arene, 'Dumping of Hazardous Waste on the African Coast' in Proceedings of the One-Day Round Table Discussion on the Dumping of Toxic Waste in African Countries (NIALS, Abuja 1988) 31.
[24]OS Adegoke, 'Waste Management within the Context of Sustainable Development' in Federal Environmental Protection Agency, Environment and Sustainable Development in Nigeria (FEPA 1990) 104.

an estimated 32 million tonnes of solid waste annually , a volume that, properly managed, represents a significant economic resource.[25]

Lagos alone generates approximately 5.46 million tonnes of waste annually.[26] The Lagos Waste Management Authority (LAWMA) has committed to increasing recycling and organic waste conversion efforts, including the introduction of a two-bin household system and a buyback programme for recyclable materials, measures that illustrate the practical potential of reformed waste governance, while also underscoring how much remains to be done.[27]

## V. CONSEQUENCES OF INADEQUATE DOMESTIC WASTE MANAGEMENT

The improper storage, handling and disposal of household waste produces a cascade of environmental hazards, the harmful effects of which penetrate the human food chain through air, water and soil. Domestic refuse discarded indiscriminately on streets, in open spaces, valleys, stream banks and drainage channels accumulates as unsanitary waste deposits.[28] Regulatory agencies nominally charged with the control and disposal of such waste routinely fail to collect it, with the consequence that it decomposes in situ and generates environmental pollution. The resulting waste accumulations provide fertile breeding sites for the vectors of serious communicable diseases including cholera, typhoid fever, malaria and dysentery.

### A. Water Pollution

Water is indispensable to human existence, and the contamination of water sources through improper waste disposal is among the most serious public health hazards arising from

[25]Vanguard (Lagos, 15 November 2024) 'Nigeria's GDP Grows by 3.2%, 1.6m Jobs Created Through Waste Management , FG' <https://www.vanguardngr.com/2024/11/nigerias-gdp-grows-by-3-2-1-6m-jobs-created-through-waste-management-fg/> accessed 12 February 2025. The Minister of Environment, Balarabe Abbas, disclosed that Nigeria generates an estimated 32 million tonnes of solid waste annually, further acknowledging that improved waste management strategies have contributed a 3.2 per cent growth to the nation's GDP and created approximately 1.6 million additional jobs , evidence that properly managed waste generates significant economic benefits, consistent with the arguments advanced in this paper.

[26]Vanguard (Lagos, 18 October 2024) 'Lagos Generates 5.46m Tonnes of Waste Annually , LAWMA' <https://www.vanguardngr.com/2024/10/lagos-generates-5-46m-tonnes-of-waste-annually-lawma/> accessed 12 February 2025. The report reveals that Lagos State alone generates approximately 5.46 million tonnes of solid waste per year, a figure that underscores the acute inadequacy of existing domestic waste collection and disposal infrastructure across Nigeria's most populous urban centre.

[27]Vanguard (Lagos, 5 January 2024) 'LAWMA Vows to Step Up Waste Management, Recycling Efforts in 2024' <https://www.vanguardngr.com/2024/01/lawma-vows-to-step-up-waste-management-recycling-efforts-in-2024/> accessed 12 February 2025. The Managing Director of the Lagos Waste Management Authority disclosed plans to focus on plastic recycling and organic waste conversion to compost and biogas in 2024, while acknowledging that illegal dump sites, unsanitary markets and indiscriminate waste disposal remained persistent problems requiring regulatory enforcement , consistent with the enforcement deficit identified in this article.

[28]Lagos State Environmental Sanitation Edict No 12 of 1985, ss 9–16; Delta State Environmental Sanitation Edict 1984.

inadequate domestic waste management. Okediran has observed that without effective mechanisms to protect future water resources in the interests of consumers, millions will continue to die annually as a direct or indirect consequence of contaminated water supplies.[29]

The Minerals Act addresses this risk by prohibiting in section 48 the deposit of fouling substances in any natural watercourse in a quantity exceeding that prescribed by regulation,[30] though such deposits may be authorised by ministerial licence. The Act defines 'watercourse' to include any natural or artificial channel confining, restricting or directing the flow of water, and defines 'pollution' as contamination by any chemical or other substance in a quantity injurious to animal or vegetable life.[31]

Where domestic refuse and sewage are indiscriminately deposited near surface water bodies, contaminants are transported into water sources , especially during the rainy season , as runoff carries pollutants from dumps into rivers, streams and groundwater systems.[32] Water thus receives a broad spectrum of dissolved, suspended and floating contaminants, which pass directly or indirectly into crops and the human food chain. The consequences for human health include typhoid fever, dysentery, cholera and acute diarrhoeal illness.[33]

**B. Air Pollution**

Article 1 of the 1979 Convention on Long-Range Transboundary Air Pollution defines air pollution as the introduction by human activity of substances or energy into the atmosphere in concentrations that produce deleterious effects on human health, living resources, ecosystems, material property, and the legitimate enjoyment of the environment.[34] This definition appropriately recognises that the adverse consequences of air pollution are amplified in densely populated urban and industrial areas where human activity and atmospheric pollutant loads are highest.

[29]AY Okediran, 'An Appraisal of Environmental Sanitation Edicts in Nigeria' (Paper presented at the National Conference on Environmental Law, Faculty of Law, University of Ibadan, 1988) 8.
[30]Minerals Act, s 48(2).
[31]ibid s 2.
[32]World Health Organization, Rapid Assessment of Sources of Air, Water and Land Pollution, WHO Offset Publication No 62 (WHO 1982).
[33]KM Mowoe, 'Quality of Life and Environmental Pollution and Protection' in JA Omotola (ed), Environmental Laws in Nigeria Including Compensation (University of Lagos Press 1990).
[34]Article 1, Convention on Long-Range Transboundary Air Pollution 1979 (Geneva); see also Ovrawah (n 2) 183.

Air pollution is also a direct product of ill-managed household waste. The atmosphere is considered to be polluted when its natural capacity to dilute and disperse atmospheric pollutants is exceeded.[35] The emissions from festering refuse dumps must, as Nigerian environmental authorities have been urged to recognise,[36] be systematically analysed to identify the specific compounds that produce adverse effects on human health and other forms of life. The WHO has promulgated internationally recognised standards for acceptable atmospheric pollutant concentrations,[37] yet Nigeria, despite the obligation imposed by section 17(a) of the FEPA Act,[38] had as of the time of writing not defined national air quality standards. Ovrawah has rightly urged that any future standards must account not only for industrial and waste-dump emissions but also for pollution generated domestically through the use of petrol-powered electricity generators, firewood, kerosene, coal and sawdust[39] , sources that cumulatively constitute a significant and under-regulated contribution to ambient air pollution.[40]

The physiological consequences of this invisible daily exposure were graphically illustrated by Robert Arvill, who calculated that an average person requires over thirty pounds of air every day, drawing approximately 26,000 breaths in the course of a day , many of which, in highly polluted environments, involve the inhalation of contaminated air.[4142] Ilegbune has further observed that air, by virtue of its inherent fluidity, indivisibility and perpetual motion, is uniquely vulnerable to pollution: unlike solid or liquid waste, it is impossible to detect atmospheric contamination until it reaches harmful concentrations, and its constant circulation ensures that polluted air spreads across boundaries, leaving its victims , human beings and the natural environment alike , effectively defenceless.[43]

**C. Soil Pollution**

Soil contamination results from the introduction of liquid pollutants directly into the ground. Domestic waste is multi-component in nature, and when deposited on or in the earth, the

[35]Grad, Treatise on Environmental Law, vol 1 (Matthew Bender, New York) para 2.02(1).
[36]The Guardian (Lagos, 13 January 1994).
[37]Yvonne Scannell, The Law and Practice Relating to Pollution Control in Ireland (2nd edn, Graham and Trotman 1982) 64.
[38]Federal Environmental Protection Agency Decree No 58 of 1988, s 17(a).
[39]Ovrawah (n 2) 184.
[40]ibid.
[41]Robert Arvill, Man and Environment, cited in David Hughes, Environmental Law (Butterworths 1986) 279.
[42]ibid.
[43]Ilegbune (n 9) 90.

decomposition process releases a diverse array of chemical compounds into the soil profile. The use of poorly sited soak-away pits and the improper disposal of septic tank effluent in urban areas contribute materially to this process. Some of the pollutants released degrade soil structure and destroy plant life, while residues from pesticides applied in agricultural production may migrate through the food chain and ultimately reach human consumers.[44]

Taken together, these environmental hazards reveal that sound domestic waste management is integral to the wider objective of sustainable development , that is to say, development capable of meeting the needs of the present generation without impairing the ability of future generations to meet their own needs.[45] Sustainable development cannot be achieved under a regime of deficient domestic waste management; a sound and effectively administered legal framework is therefore the indispensable foundation of any credible environmental governance strategy.

## VI. THE LEGISLATIVE FRAMEWORK FOR DOMESTIC WASTE MANAGEMENT IN NIGERIA

### A. Establishment of a Central Environmental Authority

Prior to 1988, there was no central environmental authority in Nigeria with responsibility for coordinating a national response to environmental pollution. Regulatory effort was fragmented, state-based, ad hoc and severely limited in its reach. The Koko toxic waste dumping incident of June 1988, in which hazardous materials were illegally imported and deposited in a Nigerian community, acted as a catalyst for decisive federal action. The government's response was the enactment of Decree No 58 of December 1988,[46] which established the Federal Environmental Protection Agency (FEPA) as the apex central regulatory authority for the environment in Nigeria.[47]

The FEPA Act confers broad powers upon the Agency for the protection of the environment. Sections 16 and 17 mandate the Agency to protect, restore and preserve the entirety of Nigeria's eco-system. In pursuance of this mandate, FEPA published in 1991 the National Guidelines and Standards for Industrial Effluents, Gaseous Emissions and Hazardous Waste

[44]Ovrawah (n 2) 184.
[45]Adegoke (n 24) 103.
[46]Federal Environmental Protection Agency Act 1988, Cap 131, Laws of the Federation of Nigeria 1990.
[47]Ilegbune (n 9) 93.

Management in Nigeria.[48] The Agency was initially subject to the supervisory authority of the Federal Minister responsible for environmental matters, but a subsequent amendment decree[49] reconstituted it as an integral part of the Presidency.

The FEPA Act is a comprehensive consolidating instrument that draws together regulatory provisions previously scattered across diverse enactments. It contains penal provisions targeting persons who discharge hazardous substances in harmful quantities into the air, land or water, and vests FEPA with overarching statutory responsibility for environmental protection. Within the Delta State framework, a dedicated Waste and Pollution Management Department was established under section 18(2)(d) to give institutional expression to these objectives at the state level.

**B. International Impetus and the Stockholm Legacy**

As far back as 1972, the Stockholm Conference recognised that in developing countries, the most pressing environmental challenges arise principally from conditions of underdevelopment, with millions living below the minimum threshold for a dignified human existence and lacking access to adequate food, clothing, shelter, healthcare and sanitation.[50] The Conference accordingly urged developing country governments, at both local and national levels, to assume responsibility for formulating and implementing large-scale environmental policies within their respective jurisdictions.

In response to growing domestic and international pressure, the military administration of Major General Muhammadu Buhari in 1984 to 1985 introduced the 'War Against Indiscipline' (WAI) civic campaign, which placed particular emphasis on domestic waste management and the maintenance of aesthetically clean public spaces. The initiative made it compulsory for residents in all areas to clean and maintain their immediate surroundings, thereby instilling public environmental consciousness as a civic duty.[51]

**C. State Environmental Sanitation Legislation**

In the wake of these developments, various State Governments established legal frameworks designed to maintain environmental sanitation within their respective jurisdictions. These

[48]Federal Environmental Protection Agency, National Guidelines and Standards for Industrial Effluents, Gaseous Emissions and Hazardous Waste Management in Nigeria (FEPA 1991).
[49]Federal Environmental Protection Agency Act (Amendment) Decree No 59 of 1992.
[50]DJ Harris (n 3) 242–243.
[51]Ovrawah (n 2) 186.

instruments are commonly known as Environmental Sanitation Edicts.[52] Their promulgation was further stimulated by the Koko incident, which galvanised legislative activity across all tiers of government.[53]

In Delta State, the Delta State Environmental Protection Agency (DELSEPA) Edict 1997 empowers the Agency, in carrying out its statutory functions, to establish and administer , whether independently or in cooperation with Local Government Councils , an Environmental Sanitation or Waste Disposal Task Force.[54] The DELSEPA Edict designates the Delta State Waste Disposal Board as the body responsible for maintaining environmental health and creates an offence for any person, Local Government Council or Private Waste Disposal Organisation to store or dispose of waste in a manner likely to generate offensive odour or to provide harbourage for rodents, flies or other insect pests.[55] The Edict further prescribes specific offences and penalties in relation to improper waste and refuse disposal, including quantified fines and terms of imprisonment.[56]

Environmental sanitation programmes have been integrated into the regular rhythm of civic life. The final Saturday of each month from 7:00 a.m. to 10:00 a.m. has been designated a national environmental sanitation period,[57] during which all residents are required to clean and maintain the immediate environment. Participation is compulsory and movement is restricted during the exercise, save for those engaged in essential duties who have obtained the requisite exemption from the relevant Local Government Council.[58] In Lagos State, every Thursday morning between 7:00 a.m. and 10:00 a.m. is similarly declared an environmental sanitation period within market areas, with a view to ensuring the cleanliness of commercial spaces.

Manufacturers and industry bodies have also been called to account in this regard. Vanguard has reported calls by the Manufacturers Association of Nigeria (MAN) and environmental specialists for manufacturers to develop specific waste management plans aligned with

[52]For example, Lagos State Environmental Sanitation Edict No 12 of 1985; Lagos State Environmental Sanitation Edict No 4 of 1987 (Amendment).
[53]SK Mokidi, 'The Role of Customary Laws and Practices in Environmental Protection in Nigeria' (Seminar Paper presented to the 1997 LL.M Class, Faculty of Law, Edo State University, Ekpoma, 1997).
[54]Delta State Environmental Protection Agency (DELSEPA) Edict 1997, s 8(m).
[55]ibid s 36.
[56]ibid s 38.
[57]Delta State Environmental Protection Agency (DELSEPA) Edict 1979, s 2 , 'Environmental Sanitation Days' are defined to include the second and last Saturdays of every month and any other day so designated.
[58]ibid s 37.

regulatory requirements, and to introduce eco-friendly alternatives to hazardous materials in production processes.[59] These calls reflect the continuing gap between the aspirations of the legislative framework and the reality of industrial compliance on the ground.

## VII. CONCLUSION AND RECOMMENDATIONS

The foregoing analysis demonstrates that the legislative framework governing domestic waste management in Nigeria, while exhibiting commendable breadth on paper, suffers from two fundamental deficiencies that undermine its effectiveness: inadequate substantive content and chronic under-enforcement arising from insufficient financial and human resources. The environment receives negligible financial backing for domestic waste management programmes; where budgetary provision exists, it is typically wholly disproportionate to the scale of the problem.

Indiscriminate domestic waste disposal is unquestionably a primary driver of environmental pollution in Nigeria. The current regulatory framework, as constituted under the various Environmental Sanitation Edicts, is insufficiently equipped to address the full spectrum of domestic waste disposal challenges. The following reforms are accordingly recommended.

First, national standards for the treatment, recycling, storage and disposal of domestic waste should be enacted and incorporated into the waste management system at all levels of government. The Federal Government should actively incentivise the formation and capitalisation of refuse recycling enterprises, thereby creating an institutional infrastructure for the conversion of waste into valuable raw materials and energy.

Second, statutory provision for environmental clean-up, ecosystem restoration and victim compensation funds should be introduced into the primary legislation governing domestic waste management, ensuring that the costs of pollution are borne by those responsible for generating it rather than by affected communities.

Third, a uniform national legal definition of domestic waste should be adopted, one that is sufficiently broad to capture the full range of materials requiring regulated disposal, and

[59] Vanguard (Lagos, 23 September 2024) 'Manufacturers Charged on Effective, Sustainable Waste Management' <https://www.vanguardngr.com/2024/09/manufacturers-charged-on-effective-sustainable-waste-management/> accessed 12 February 2025. Dr Leslie Adogame, Executive Director of Sustainable Research and Action for Environmental Development, Nigeria, urged manufacturers to develop waste management plans tailored to their organisations in line with existing regulations, including the replacement of harmful chemicals with eco-friendly alternatives , a call that highlights the continuing gap between legislative aspiration and operational compliance in Nigeria's industrial sector.

greater legal responsibility should be assigned by statute to the generators of waste , including both individual households and corporate producers.

Fourth, State Governments must substantially increase environmental funding, recognising that domestic waste management is inseparable from broader questions of public health, sustainable development and economic productivity. The Federal Government's own data demonstrate that improved waste management already contributes measurably to GDP growth and employment creation; the economic case for investment in waste infrastructure is therefore compelling as well as legally necessary.

Fifth, the issue of domestic waste management should be treated at both State and Federal levels as an integral component of the national development agenda, rather than a peripheral administrative concern. FEPA , and its successor institution , should implement sustained public education programmes designed to shift civic attitudes towards responsible refuse disposal, building on the momentum generated by sanitation campaigns such as WAI and current monthly environmental sanitation days.

If these measures are implemented with commitment and adequately resourced, Nigeria will be substantially better placed to address the long-standing challenge of domestic waste mismanagement, to protect the health of its citizenry and to fulfil its obligations under both domestic and international environmental law.