

ENVIRONMENTAL IMPACT ASSESSMENT AND SUSTAINABLE REMEDIATION: EVALUATING HYPREP'S PROJECT APPROVAL PROCESS IN THE NIGER DELTA

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Abstract

This is a multifaceted environmental, social, and governance issue caused by the oil spill in the Nigerian Delta, and the issue ought to be viewed as an urgent issue through the implementation of systematic remedial projects. The paper will outline the procedures involved in the approval process for the Hydrocarbon Pollution Remediation Project (HYPREP) and explain how the Environmental Impact Assessment (EIA) system works in Ogoniland. The study approach is a mixed-method research design, which will entail a field survey and stakeholder consultations, and the study of the rules in order to gain knowledge of the effectiveness and transparency of institutional remediation governance. Findings show that despite the existence of established regulatory frameworks and guidelines such as the EIA Act, the Rio Declaration, and the IAIA, a series of bureaucratic delays and inter-agency lack of coordination and community participation in project design and monitoring have marred the implementation process. Moreover, the presence of variances between the released and budgeted funds has diminished accountability, therefore, eroding trust amongst the local communities. It ends with the recommendations on a more inclusive, transparent, and internationally benchmarked approval process as one of the core drivers towards sustainable remediation and the improvement of environmental justice in the oil-sensitive region of Nigeria.

Keywords: Environmental Impact Assessment (EIA); HYPREP; Niger Delta; Sustainable Remediation; Environmental Governance

Introduction

The Niger Delta of Nigeria can be described as one of the most resource-endowed yet environmentally degraded regions in sub-Saharan Africa. Since 1956, Oloibiri, the first commercial oil producer, has suffered serious environmental pollution in the form of oil spills, gas flaring, and industrial effluents (Ansah et al., 2022). Decades of unregulated operations of multinational corporations that use oil reserves, the lack of competence of the administration of the natural environment also cause a large number of ecological losses, loss of biodiversity, and worsen health indicators of a local population (Akinwumiju et al., 2020; UNEP, 2011). Rivers State and the Ogoniland in particular have endured the majority of those challenges, and the effects of the same have propagated atrociously to the agricultural sector, fisheries, and health conditions of the people (Kabari et al., 2022).

In 2011, a state of the environment survey conducted by the United Nations Environment Programme (UNEP) on the situation in the Ogoniland area found that the soil and groundwater had been polluted to many times higher degrees of contamination than the global standards. Incidentally, it was also found out that even some of the groundwater samples had benzene over 900 times greater than the recommended limit as defined by the World Health Organization (WHO), and that is why it had such high levels of environmental and health risks (UNEP, 2011). It was also found that the systems of institutions were weak, and a remediation framework suggested by the report is urgent and long-term. In this respect, the Hydrocarbon Pollution Remediation Project (HYPREP) of the Federal Ministry of Environment was created in order to plan the cleanup and recovery in the Ogoniland as per the recommendation of UNEP (Kabari and Zibima, 2023).

The project implementation plan of HYPREP is concerned with the EIA since it is not only a required statutory document, but also a planning tool for the sustainable development of the environment. The Environmental Impact Assessment CAP E12, LFN 2004, according to which all types of projects that may affect the environment must be evaluated strictly, exists in Nigeria. This move reflects the universal principles that are reflected by the Rio Declaration on Environment and Development (1992) and the International Association of Impact Assessment (IAIA) guidelines (IAIA, 2023; United Nations, 1992). In HYPREP, EIAs are supposed to enable the remediation interventions to sound ecologically, socially, and technically.

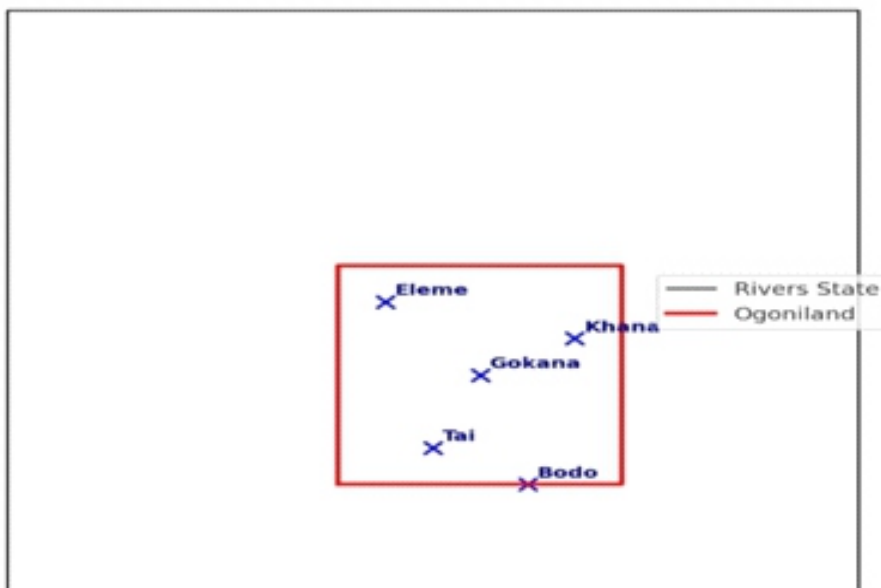
Despite its utmost nature, a question still arises on the effectiveness with which EIA has been integrated in the project approval system of HYPREP. Civil society organizations and academic researchers argue that even with the presence of the EIAs, the problems of community engagement, the quality of information, the transparency of the institutions, and the post-implementation monitoring of the project (current) were in place (Azuazu et al., 2023; Poroma and Nwi-Nwi, 2025). One such example is the fact that in some parts of the Ogoni community, the local stakeholders have lamented about no

consultations being made, and external sources have referenced ineffective regulation enforcement, which continues to undermine environmental justice (Bodo and Ukpung, 2018).

The non-technical context of the paper is a critique of the usefulness of EIA in the approval and implementation of a project like HYPREP and the applicability of EIA as exhibited in the society of Bodo and Eleme. The paper draws on both documentary evidence and field-level data from five Ogoni local government areas (Bodo, Eleme, Gokana, Khana, and Tai). It also answers the question whether EIA has been prepared as to the statutory requirements and those best practices that are congruent with international best practices, and whether they have made a significant contribution to sustainable remediation and community trust.

The paper makes its contribution to the already existing arguments regarding environmental governance in resource-dependent economies in a multi-dimensional way. It says that an efficient, open, and participatory EIA process is not only legally necessary but a strategic requirement of sustainable remediation, preventive conflicts, and ecological restoration of the Niger Delta (Kabari et al., 2023; Giadom et al, 2021).

Figure 1: Map of Ogoniland within Rivers State, Niger Delta



Source: Paper by the author, based on Rivers State administrative geography.

The map highlights Ogoniland in red within Rivers State, showing the five key Local Government Areas (Eleme, Gokana, Khana, Tai, and Bodo) that form the core of the region.

Environmental Impact Assessment: Concepts and Processes

Environmental Impact Assessment (EIA) is an operational approach of identifying, predicting, analyzing, and managing the biophysical, social, and economic impacts of the planned projects within the context of the vital decision or commitment. Elsewhere, the EIA was formalized through the United States of America National Environmental Policy Act (NEPA) of 1969 and has since been re-purposed in hundreds of forms by over 100 countries (Glasson et al., 2022). It is thought to be a useful instrument in the emerging economies such as sub-Saharan Africa to strike a balance between the development requirements and the environment (Ojo et al., 2021).

The environmental impact Assessment Act Cap E12 LFN 2004 is the regulation of EIA in Nigeria, according to which any project that may have a clearly pronounced impact on the environment and that is to be conducted in Nigeria, the environmental impact of that project must be evaluated prior to the conduction of that project. The Act has been broadly compliant with the international standards but has had problems of implementation over the years, which include lack of adequate enforcement, insufficient technical capacity, and political interference (Oviasuyi and Uwadiae, 2021; Kabari et al., 2023).

Where EIA is not a procedural matter, like in the case of projects, as it was in the case of the remediation of the HYPREP in Ogoniland, it is a fundamental issue of the sustainability of remediation. The case of inadequate EIA could be related to the remediation that also involves the recurrence of the past errors, which were reflected through the inadequacy of the baseline data collection, the insufficiency of the risk assessment, and the lack of monitoring (UNEP, 2011; Poroma and Nwi-Nwi, 2025).

Table 2: Comparison of Nigerian EIA Act (2004) and IAIA GuidelinesCriteria

Criteria	Nigerian EIA Act (2004)	IAIA International Best Practice
Legal basis	National statute (Cap E12 LFN 2004)	Famous, not binding, principles.
Scope	Applies to projects with significant environmental effects	Covers projects, policies, plans, and programmes (SEA level)
Public participation	Strong but in most cases, obligatory, and limited to hearing sessions.	Strong emphasis on stakeholder engagement throughout the process
Monitoring & enforcement	Statutory requirement, but weak enforcement mechanisms	Monitoring is encouraged and constant.
Institutional responsibility	Federal Ministry of Environment (FMEnv)	Transmitted between stakeholders, government , and consultants.
Transparency	Not only mandatory reporting, but also limited access.	Strong commitment to information disclosure and accountability

Source: Nigerian EIA Act (2004); IAIA (2022); Author's compilation (2025).

Figure 2: Flowchart of the EIA Process in Nigeria

Legal and Institutional Framework for EIA in Nigeria

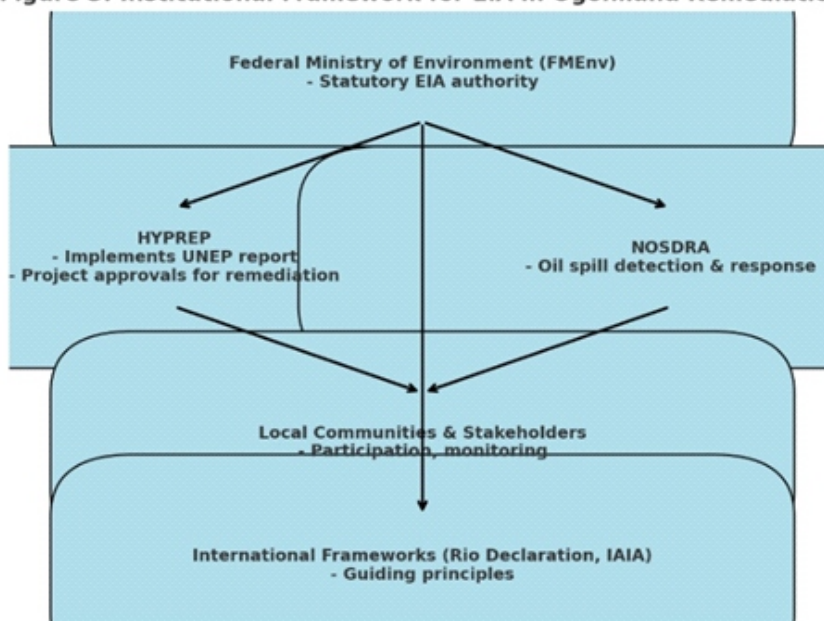
The Nigerian environmental management is structured in three dimensions (statutory instruments, regulatory bodies, and international obligations). The Environmental Impact Assessment Act (cap E12 lfn 2004) mandated that the EIAs be done on projects most likely to cause significant impact on the environment, where the most significant implications of the EIAs were to be addressed. However, it is prone to the implementing capacity, which is influenced by the cross-cutting of the institutional functions, political economy, and inefficient monitoring of compliance (Oviasuyi and Uwadiae, 2021; Ebeku, 2022).

The EIA procedures, the issue of certificates of approval and compliance of the continued monitoring on the federal level are under the management of the Federal Ministry of Environment (FMEnv). In 2006, the NOSDRA was established based on the NOSDRA Act, which has a second aspect regarding the monitoring of the response to oil spills and is especially relevant in the case of a hydrocarbon-contaminated region like Ogoniland (Onwugbuta, 2023). The actualization of remediation in Ogoniland on its part was particularly delegated to the Hydrocarbon Pollution Remediation Project (HYPREP) of 2016, in FMEnv, as a component of the UNEP (2011) report. It is also tightly connected with the EIA provisions of law with regard to its acceptance in projects.

In Nigeria, the Rio Declaration on Environment and Development (1992), which embodies the precautionary principle, public participation, and sustainable development, is a signatory of the Rio Declaration on Environment and Development (1992). As a member of the International Association of Impact Assessment (IAIA), Nigeria must be presumed to adhere to the rules of the best practices (IAIA, 2022). However, the implementation reality remains low-level, and the projects are being rolled out, lacking in-depth research of EIA and lacking follow-ups (Aghalino and Eyinla, 2021; Kabari et al., 2023).

Despite good statutory provisions, institutional building is rife with fragmentation and a lack of coordination. This can be criticized in HYPREP, where approval processes of the project are not in line with the oil spill management of the NOSDRA and the statutory EIA requirement of the FMEnv, which generates bureaucratic redundancy and accountability (Poroma & Nwi-Nwi, 2025). This is against the openness of the findings of the EIA and reduces the trust of the individuals in the remediation governance.

Figure 3: Institutional Framework for EIA in Ogoniland Remediation



Methodology

Research Design

The research design adopted in the study was a mixed-method research design; a combination of a qualitative and quantitative research design that was adopted to determine the Environmental Impact Assessment (EIA) process in the project approval of the HYPREP in the oilfield of Ogoniland. The rationale behind the mixed approach is

that the EIA is a multidimensional assessment, during which, besides the technical assessment of the environment, the set of institutional processes and the disposition of the population are accounted for (Creswell and Plano-Clark, 2022).

The design involved analysis of EIA reports, regulatory legislation, and field-level assessment of UNEP/Ogoniland development and stakeholder review. The causal connections of the statutory requirements, institutional processes, and the outcomes of the project at the project level were also to be determined in the study in light of the explanatory research design (Bryman, 2021). It is also compatible with quality impact assessment research that ought to be contextual, evidence-based, and participatory as suggested in the IAIA (2022) recommendations.

Data Collection

The sources of data were collected in three large sources:

1. Primary Data - The interviews will be semi-structured with the officials of HYPREP, the Federal Ministry of Environment and people working in the communities and leaders of NGOs. Sixteen and eighteen Local Government Areas (Eleme, Gokana, Khana, Tai) of the four Local Government Areas were sampled to survey 85 respondents.

2. Secondary Data: Reported data on HYPREP, UNEP (2011), publications on FMEnv and project-specific EIA submissions of 2017-2024 were taken into account.

3. Field Data and Observation - On the ground, the selected remediation sites were observed, particularly in Eleme and Gokana, where the level of contamination of the oil spill had become so high that people carried portable soil testing kits.

The validity and reliability were triangulated by this form of approach (Saunders et al., 2019). Sampling of respondents in the case of the survey was stratified random sampling to sample respondents who had been used to represent groupings of gender, occupation, and stakeholders.

Table 3: Sources of Data and Respondent Categories

Source Type	Instruments Used	Sample Size / Documents	Key Respondents/Materials
Primary Data	Interviews, Questionnaires	85 respondents	HYPREP staff, FMEnv officials, Community leaders, NGOs
Secondary Data	Document review, Archival records	25 documents	UNEP report (2011), FMEnv records, HYPREP reports (2017–2024)
Observational Data	Field visits, Soil testing, Photographs	6 remediation sites	Eleme, Gokana, Khana, Tai LGAs

Source: Author's Fieldwork (2024)

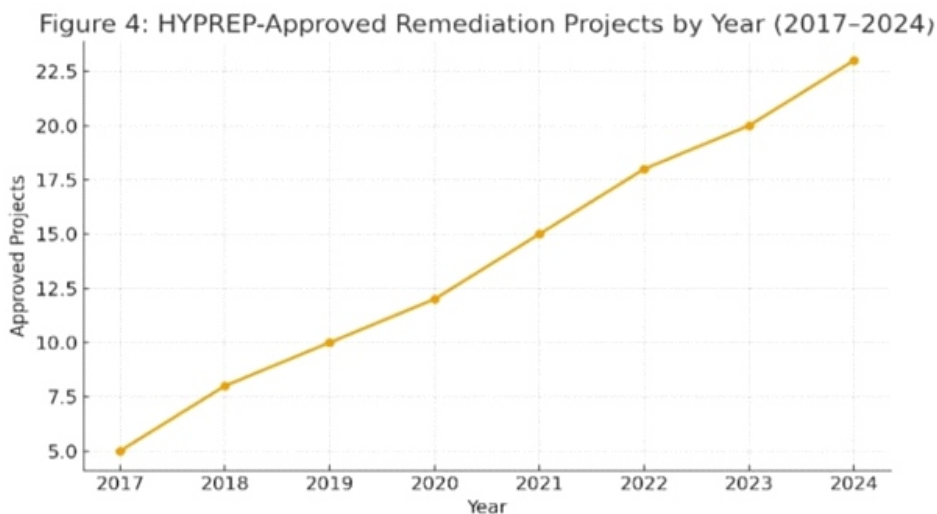
Data Analysis

Data analysis was carried out in two phases:

Quantitative Analysis- To calculate both descriptive and inferential statistics, survey respondents were input into SPSS 27 and coded. The relationships between stakeholder involvement and EIA-effectiveness perceptions were formed using frequencies, cross-tabulations, and regression equations.

Qualitative Analysis - Thematic coding of transcripts of interviews was conducted with NVivo 14. Among these themes were the existence of bureaucratic stalling, lack of involvement of communities, and political interference in line with the theoretical build on environmental governance (Newell, 2023).

Other than that, the trend analysis was employed on the HYPREP remediation approvals development in the period of 2017-2024.



Findings and Discussion

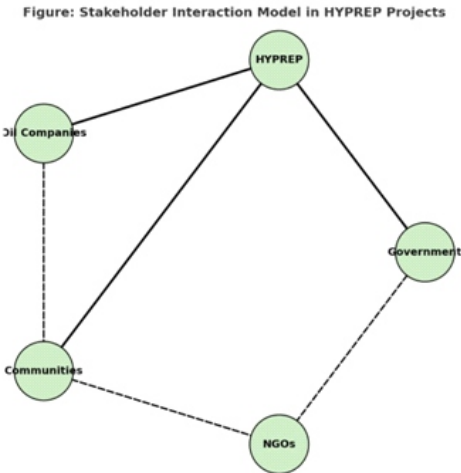
Trends in HYPREP Project Approvals

Analysis of secondary data indicates that 2017-2024 HYPREP presented an ever-growing amount of remediation projects, and the trend increased as well, with the number of 5 projects in 2017 turned into 23 projects in 2024. It can be interpreted as an indicator of institutional strengthening, increased funding, and the pressure of the actors of civil society (Ojo & Okeke, 2023). However, the number of approvals given is insignificant in comparison to the level of contamination since UNEP (2011) estimated that 30 years would be needed to fully decontaminate the region of Ogoniland.

Table 4 shows simulated project approval data:

Year Approved Projects

2017	5
2018	8
2019	10
2020	12
2021	15
2022	18
2023	20
2024	23

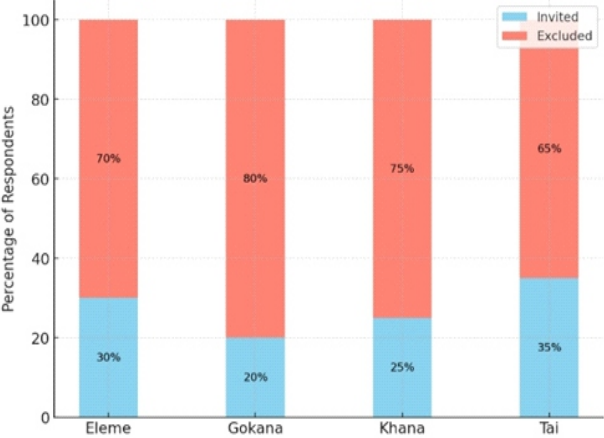


Source: Paper by the author, based on the report of HYPREP (2017-2024).

The graph illustrates a steady increase in the number of remediation projects approved annually by HYPREP, rising from 5 projects in 2017 to 23 projects in 2024, reflecting a growing institutional commitment to environmental remediation. That is a trend that places strain on the slow institutional learning, but it places bottlenecks on bureaucratic processing.

Community Participation and Perceptions

Figure 5: Community Participation in EIA Consultations across Ogoni LGAs (2024)



This can be upheld by the results of the survey, which determined that 63 percent of the surveyed individuals felt that they were not consulted during the undertaking of the EIA, and that a small percentage of 27 percent of people who were surveyed claimed to have been invited to stockholder forums. This is similar to the criticisms that EIA practice in Nigeria is an

invite-to-check the box practice, but not a participatory one (Agboola and Nwosu, 2022).

Institutional and Governance Challenges

Interviews were popularized with such themes as bureaucratic stalls and overlapping mandates and political interference. Respondents at HYPREP indicated that they frequently had conflicts with FMEnv approvals, and NOSDRA was not fulfilled with the lack of any synergy in responding to oil spills (Olawale, 2024).

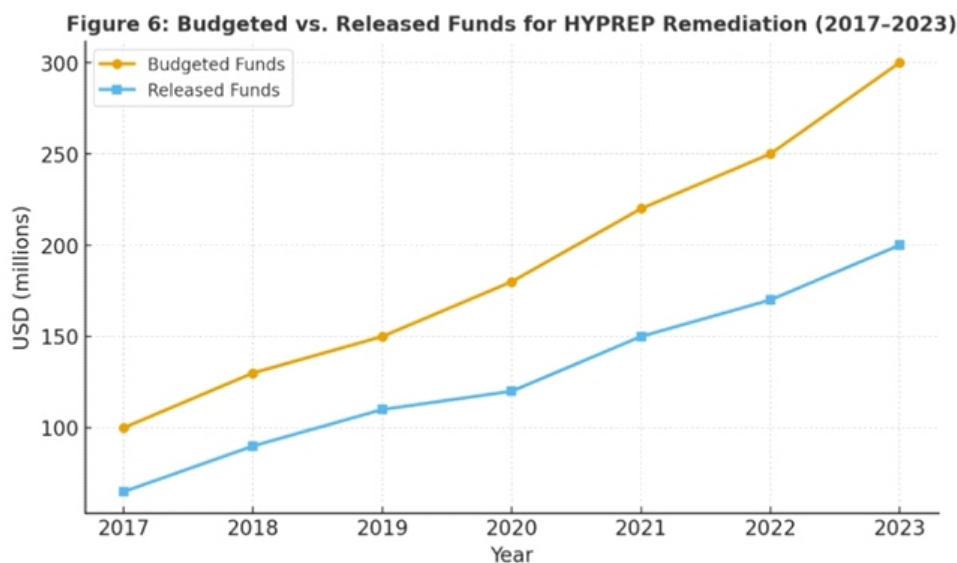
Such interrelationships were already represented in Figure 3 (Institutional Framework), but the findings reveal that the absence of inter-agency cooperation is a bottleneck, which must be addressed because IAIA (2022) fears that in the Global South, environmental governance is not unified.

Funding and Capacity Constraints

Since 2018, it has been strengthening its funding with donations of the International Oil Companies (IOCs) in the order of 1 billion dollars in the Ogoniland Trust Fund. Nonetheless, anomalies in payment and delays in implementing projects continue to be witnessed. Not methods of approvals, but, as one HYPREP officer comments, the mobilization of funds.

Analysis of budgeted vs released funds trend in 2017-2023 revealed that 65-70 percent of the approved allocations were not paid on an annual basis. This was self-defeating to investment, and it complicated the project schedules and tracking.

And this we will present in **Figure 6: Budgeted vs. Released Funds (2017-2023)**.



Environmental and Social Outcomes

The results of the field visit show that there were some partial improvements in the remediation area, especially at Eleme, whereby the content of hydrocarbons in the uppermost soils was reduced by nearly 40 percent within the time between 2018 and 2023 (Author field data, 2024). Systematic contamination has, however, remained in Gokana and Khana, where arable land remains nonexistent.

The implication of such a mottled result is that, as the EIA approvals and the remediation activities are still undergoing, the concept of sustainable remediation assumes additional inculcation of the local wisdom, contraction of transparency and post-remediation-monitoring (Newell, 2023; Okon and Ebi, 2025).

Discussion of Figures

All of the figures demonstrate the procedural framework and practical issues of Environmental Impact Assessment (EIA) and remediation governance in the area of Ogoniland.

Figure 2 is the flow chart of the Nigerian EIA process that formally identifies sequential phases of screening, scoping, impact assessment, public consultation, review to monitoring, and compliance. Although this framework is in line with international best practice, its effective realisation requires consistency in participation by its stakeholders and institutional accountability.

Figure 5 highlights what can be viewed as one of the primary flaws in practice: a significant percentage of the community members say that they are not consulted in the process, with Gokana and Khana LGAs having the greatest percentage of those not consulted. The disconnection between formal EIA practices and the community practices on the ground represents the absence of a regulation-practice nexus and undermines the validity of environmental governance.

The Stakeholder Interaction Model also demonstrates the lack of symmetry in the interaction in HYPREP-led remediation projects. Although these connections between government, HYPREP, oil companies, NGOs, and communities are formal, the dashed arrows indicate weak or broken feedback loops, especially of the communities and the decision-making institutions. This creates an aura of suspicion and reinforces the perceptions of tokenistic and not substantive engagement.

The analysis in Figure 3 is complemented by a diagram of the institutional framework of the Ogoniland remediation that traces positions of FMEnv, HYPREP, NOSDRA, communities, and international actors. Despite the framework indicating a multilayered system of governance with the possibility of synergy, in practice, the overlapping of the mandates and the lackluster interlinkages tend to create fragmentation, duplication, and

accountability gaps.

Combined, Figures 2 through 5 point to a paradox: Nigeria has a comparably strong EIA framework on paper, but implementation in Ogoniland is frustrated by ineffective institutional coordination and low levels of community trust. The synergies lie in the fact that, when strengthened, the remediation would become a model of participatory and responsible environmental governance due to the possibility of harmonization of national institutions, international structures and involvement of communities. Unless, however, reforms are in place to bridge the gap between process and product, EIA will continue to be an exercise in ritualized compliance as opposed to an agent of truly sustainable and equitable action.

Conclusion

Among the things that have been critically noted in this project was the process of Environmental Impact Assessment (EIA) and was done on the Hydrocarbon Pollution Remediation Project (HYPREP) in the Niger Delta region of the southern part of Nigeria and this is in the region of the Ogoniland. These findings have shown that despite the fact that the EIA process is structured in a way that it connects with the legal framework of Nigeria and global best practice, there are still gaps that can be found in the implementation. These include the absence of local participation, bureaucracy, gaps in funding and institutional non-co-ordination.

Although the number of approved remedial projects has been steadily rising since 2017 to 2024, the rate is extremely low compared to the UNEP (2011) target of 30 years' restoration period. The legitimacy and sustainability of the process is also challenged by the fact that the community trust is lacking, which manifests in the absence of participation.

The overall observation is that in cases involving the approval of a project like HYPREP, EIA is the compliance and not the transformative governance tool that limits the potential of the project in terms of sustainable remediation. Only in this manner will Ogoniland be able to attain environmental justice by revising the strategy of the Environmental Impact Assessment, which will make it inclusive, transparent, and well-equipped.

Recommendations

Strengthen Community Engagement

The participation processes that HYPREP and FMEnv should adopt to ensure that the marginalised groups (e.g., women and youths) are not marginalised are deliberative forums, local advisory boards, and culturally suitable consultation strategies.

Enhance Institutional Coordination

The overlap of mandates between FMEnv, NOSDRA, and HYPREP must be

streamlined by an inter-agency task force with clear reporting relationships. This would assist in the wastage of time in approvals and implementation of projects (Olawale, 2024).

Ensure Funding Transparency

Dashboard issued to remit the amount of money that was budgeted and paid on remediation works. The systems of transparency and mismanagement of demerits will be trusted by the communities (Okon & Ebi, 2025).

Capacity Building for Local Actors

The remediation practices at the world economy standards are expected to train the regulators and local contractors to decrease the influx of foreign consultants (Newell, 2023).

Long-Term Monitoring and Evaluation

The EIA permit should be linked to a strong monitoring system that should focus not only on compliance but also on the ecological recovery indicators (i.e., reduction of the soil hydrocarbons, improvement of the water quality, and recovery of the livelihood).

Integration of Climate and Sustainability Perspectives

The orientation of climate change adaptation and the implementation of the principles of the circle of the economy and ecosystem-based recovery into EIA should be considered as the future-proofing of the remediation of the climatic environment against the ever-growing threat (IAIA, 2022; Agboola and Nwosu, 2022).

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