



# Independent Monitoring of the Ogoniland Clean-up: Biannual Progress Report

July-December 2022





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SDN supports those affected by the extractives industry and weak governance. We work with communities and engage with governments, companies and other stakeholders to ensure the promotion and protection of human rights, including the right to a healthy environment. Our work currently focuses on the Niger Delta.

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# Table of Contents

Monitoring the Ogoniland clean-up: a quick explainer	1
Executive Summary	2
1. Introduction	12
2. Overall progress: summary of clean-up status since inception	13
3. Progress during July - December 2022: summary of data for this six-month monitoring period	15
4. Detailed analysis of data collected July - December 2022	18
4.1. Site clean-up	18
4.2. Community engagement	28
4.3. Emergency measures	38
4.4. Livelihoods	39
4.5. HYPREP Infrastructure	40
5. Discussion, conclusions and recommendations	40
5.1. Site clean-up	40
5.2. Community engagement	42
5.3. Emergency measures	44
5.4. Livelihoods	45
5.5. HYPREP infrastructure	46
6. Annexes	47

## List of Abbreviations

**BoT** - Board of Trustees

**BTEX** - Benzene Toluene, Ethylbenzene and Xylene

**CCP** - Community Contact Person

**CDC** – Community Development Committee

**CEER** - Centre for Excellence in Environmental Restoration

**CEHRD** - Centre for Environment, Human Rights and Development

**CRAC** - Central Representative Advisory Committee

**CSO** - Civil Society Organisation

**FGD** - Focus Group Discussion

**FGN** – Federal Government of Nigeria

**GBP £** - Great British Pound, exchange rate used is £1: N780

**GC** - Governing Council

**HYPREP** - Hydrocarbon Pollution Remediation Project

**ICSMC** - Integrated Contaminated Soil management Centre

**KPI** - Key Performance Indicators

**LGA** – Local Government Area

**NGN** – Nigerian Naira

**NOSDRA** - National Oil Spill Detection and Response Agency

**RBCA** - Risk Based Corrective Action

**SDN** - Stakeholder Democracy Network

**TPH** - Total Petroleum Hydrocarbon

**UNEP** - United Nations Environment Programme

**UNITAR** - United Nations Institute for Training and Research

**USD** – United States Dollars

**WHO** – World Health Organisation

## Monitoring the Ogoniland clean-up: a quick explainer

**Ogoniland is one of the most polluted areas of the Niger Delta**, following decades of oil and gas exploration and production by the Shell Petroleum Development Company (SPDC) joint venture, widespread oil spills, and ineffective clean-up of this pollution. In 2011, a United Nations Environment Programme report called for the urgent clean-up of the region, along with a series of associated emergency measures, such as clean water provision for communities whose drinking water has been contaminated.

**The Ogoniland clean-up is Nigeria's largest ever oil spill clean-up initiative.** It is implemented by the Hydrocarbon Pollution Remediation Project (HYPREP) - a project of the Nigerian Federal Ministry of Environment, and funded by the Shell Petroleum Development Company joint venture. HYPREP was established in 2016 but clean-up only commenced in January 2019, when the first set of contractors were deployed to clean-up sites. The clean-up has encountered numerous delays and problems. There have been serious concerns raised about the project, particularly relating to transparency and accountability, procurement processes and the quality of remediation techniques proposed and undertaken.

**The Independent Civil Society Monitoring of the Ogoniland Clean-up project is led by Stakeholder Democracy Network (SDN) and the Centre for Environment, Human Rights and Development (CEHRD)**, two non-governmental organisations based in the Niger Delta. We have trained over 30 civil society monitors, who conduct regular site visits to collect a range of data, from soil samples to community perspectives on the performance of contractors. We use this to increase the availability of information on the clean-up and its status, and to engage with HYPREP to ensure that where we find problems, they are corrected, and where we find good practice, this is built upon.

Data collected as part of this project is updated quarterly on our [website](#), with some key data displayed on our [dashboard](#), where the full database can also be downloaded to enable further detailed analysis.

**The situation is urgent, and the time for a proper clean-up of Ogoniland is long overdue:** People living in Ogoniland have now suffered the impacts of oil spill pollution for decades, which includes the loss of livelihoods, environmental damage and severe health impacts. For example, one study indicates that infant mortality rates double for children whose mothers lived near an oil spill prior to conception.

**This isn't just about Ogoniland:** There are many other areas across the Niger Delta affected by decades of oil spill pollution – a proper clean-up in Ogoniland would provide a template for clean-up across the Niger Delta, and build institutional experience to enable this to be done.

<sup>1</sup> Bruederle, Anna & Hodler, Roland. (2019), Effect of oil spills on infant mortality in Nigeria.

## Executive Summary

### Key messages on the progress of the Ogoniland clean-up to date

- The completion of the first phase of the clean-up at ‘simple’ sites is considerably delayed. These sites were scheduled to be completed in 2022. Contractors report they have completed clean-up at 47 out of 50 ‘simple’ sites. Of these, only 26 sites have been government-certified as complete. Of these 26 lots, 10 lots were certified within this reporting period covering July to December 2022.
- Presently, HYPREP report that they have commenced the process of recategorising a small number of simple sites to medium or high-risk sites, due to the presence of crude oil on the groundwater.
- During the reporting period we collected nearly 600 soil and water samples from 21 lots. Of the samples collected, 19% had Total Petroleum Hydrocarbon (TPH) levels that exceeded the target thresholds established by NOSDRA for closing out lots. Only 6 of the 21 lots that were assessed during the period did not exceed thresholds and therefore met the statutory requirement for close-out, meaning 15 of the assessed lots had at least one sample that exceeded the target thresholds. We recommended that these sites should be subjected to corrective actions and post-monitoring processes accordingly to ensure that they meet the recommended TPH requirements for close-out and certification.
- Twelve of the lots at which samples were taken were reassessments of sites that had already undergone corrective and post-monitoring action. Only half of these met the requirements for close-out. Appropriate corrective and post-monitoring actions should be applied for the last time on the remaining lots marked for reassessments, and if the exceedances persist, the affected lots should be reclassified as ‘Simple medium-risk’ or ‘complex’ sites, so that they can be effectively remediated in compliance with UNEP recommendations.
- The level of community awareness of HYPREP activities has improved since our last report, possibly as a result of better engagement between HYPREP leadership and the Ogoni communities during the reporting period. Although levels of community satisfaction with HYPREP have improved, dissatisfaction in communities continues in relation to the poor quality of works undertaken by some contractors, modest employment opportunities offered by the clean-up (e.g., low pay in clean-up jobs), and inadequate management of complaints and conflicts arising from the clean-up.
- The delivery of emergency measures (provision of clean water and the development of a health registry) continues to move slowly. Only one out of six water schemes is operational, with the other five failing to be completed on time or on budget (due largely to poorly crafted contract documents). Also, there are no established health registries, nor any clear timeline for delivering on this. However, during the reporting period, HYPREP are set to commence construction of a specialist hospital in Ogoniland as part of the effort to address the health issues associated with the long-term exposure of people to oil pollution.
- The process of setting up the Centre of Excellence for Environmental Remediation (CEER) and the Integrated Contaminated Soil Management Centre (ICSMC) has been generally slow and we encourage HYPREP to expedite action to establish of these facilities. However, some progress was made within the reporting period: line clearance, perimeter survey and beaconing activities were completed, and the enumeration of crops and trees of economic value on the donated land is ongoing. The federal government has approved a contract for the architectural design of the CEER and approval to carry out an environmental impact assessment (EIA) for its construction has been granted.

- The management of topsoil and subsoil during soil excavation, treatment at biocell, and backfilling continued to be a challenge in the remediation process. As a result, there is a poor revegetation process in most of the remediated lots. The remediation techniques should be reviewed and improved upon to correct this shortfall.
- During the reporting period, the bidding process for ‘simple medium-risk’ sites was completed. More details on the ‘simple medium-risk’ sites will be reported in our next biannual report covering our monitoring findings from January to June 2023.



*Soil sample collection at Lot 21 in Ueken community in Tai Local Government Area*



## Overview and background to the Independent Civil Society Monitoring of the Ogoniland Clean-up project

The Civil Society Monitoring of the Ogoniland Clean-up project is an independent monitoring initiative being implemented by Stakeholder Democracy Network (SDN) and Centre for Environment, Human Rights and Development (CEHRD), funded by the Dutch Ministry of Foreign Affairs.

Our aim is to provide systematic data on the progress of the clean-up, increase transparency of clean-up activities, and support improved engagement between civil society and HYPREP to ensure the Ogoniland clean-up is implemented to a high standard. Ultimately, what we want – and demand – to see, is an Ogoniland where oil spill pollution has been completely removed and the environment restored, so that its citizens can finally start to recover what they have lost from decades of oil spill pollution.

This is the fourth bi-annual independent Civil Society Monitoring of the Ogoniland clean-up project report summarising data from July to December 2022. This report builds on the findings of the [third edition](#), covering the period January to June 2022. Data for this edition was collected between July and December 2022.

The production of these biannual reports will continue until at least the end of 2024 (when current funding for this project is due to end). Data collected as part of this project is updated quarterly on our [website](#), with key data displayed on our [dashboard](#) and the full database available for download to enable detailed analysis.

### Overall findings from July - December 2022

Effectiveness of the oil pollution clean-up:

- Within the reporting period, we took 580 samples (561 soil and 19 groundwater) at 21 simple clean-up lots where contractors reported they had completed remediation work. Of these, 12 lots were those that were revisited for re-assessment sampling after extended monitoring due to detection of total petroleum hydrocarbon in the initial assessments beyond the approved threshold, and the remaining 9 lots were newly visited for first-time assessment during the reporting period.
- Laboratory analyses showed that a total of six lots (24, 29, 30, 34, 43 and 47) – all of which are among the revisited lots – had samples with contaminant levels below the established threshold levels, and hence meet the criteria for close-out and certification. 15 lots (11, 13, 16, 22, 25, 27, 31, 33, 45, 49, 50, 51, 53, 54 and 55) had samples with contaminants above the established thresholds. However, of these 15 lots, 6 lots (11, 13, 25, 31, 33 and 45) have only one sample each with TPH levels above the threshold, whereas the remaining 9 lots (16, 22, 27, 49, 50, 51, 53, 54 and 55) have multiple samples that exceed the threshold. (Please find the list of lots and their locations in Annex 2.)
- Of particular concern are: Lot 22, which had 29 samples that exceeded the threshold, with the highest TPH level recorded at 13,812 mg/kg; Lot 55 with 13 samples that exceeded the threshold; Lots 16, 49 and 51, with 5, 6 and 15 samples exceeding the thresholds respectively, and these lots also had high groundwater pollution, with the highest groundwater TPH levels detected at 7,362 ug/l, 1,192 ug/l and 5,021 ug/l respectively, which all exceed the threshold; Lots 27, 50, 53 and 54 which are revisited lots, but still have as high as 10, 11, 6 and 13 samples that exceeded the threshold respectively.

- At the 50 ‘simple’ sites contracted for clean-up so far, active remediation is taking place at 1 lot. 23 lots are awaiting NOSDRA close-out and certification processes, and 10 new lots were certified and closed out since our last report, bringing the total number of certified and closed-out lots to 26, representing 52% of the ‘simple’ sites – which were originally due for completion within 2022.
- The bidding process for the next batch of clean-up sites technically referred to as the ‘simple medium-risk sites’ has been completed, according to HYPREP. At the time of this publication, work had commenced at 39 of the new lots, but detailed updates on this will be provided in our future biannual reports.

### **Reliability of water and soil sample analysis**

To provide additional quality checks and validation of our findings, during this reporting period, we sent duplicate samples for TPH analysis to an ISO 17025 accredited international laboratory at the same time as the samples were analysed by a local laboratory. The local laboratory results have the same status under the International Laboratory Accreditation Corporation Mutual Recognition Arrangement (ILAC-MRA), which seeks to provide a global accreditation for the accuracy and reliability of analytical data.

However, our tests of samples from the same sites in both international and Nigerian laboratories returned with different findings. Of the 19 results received from the international laboratory, 14 samples exceeded thresholds, whereas only 9 were detected by the local laboratory. As noted in our last report, a certain level of variation in the level of contaminants found is normal and would be expected due to sampling uncertainty and heterogeneity between duplicate samples, especially soils. However, the variations in the findings between the laboratories suggest that previous monitoring reports may have underestimated levels of remaining contamination at clean-up sites, and we will be conducting further duplicate sample analysis in order to reach firmer conclusions. Further details on this issue can be found in the ‘Sample data’ section of the main report

Process of community engagement:

There has been an improvement in indicators related to community engagement since our last report:

- Community awareness of basic aspects of the clean-up remains relatively high, and levels of awareness among women have improved in the last six months, but remains lower than among men. Communities reported that they have an improved understanding of the clean-up process and the accompanying emergency measures and livelihoods programmes.
- Community satisfaction with HYPREP improved significantly, potentially as a consequence of new engagement strategies deployed by HYPREP, alongside progress in delivery of particular deliverables, such as the expansion of the potable water project. News of HYPREP’s newly approved projects such as the Ogoni power project and construction of a specialist hospital - which were announced during the reporting period – may also have contributed.
- Ongoing community concerns relate to the poor quality of remediation work undertaken by contractors, weak contractor-community relationships, the slow pace of livelihoods programs, delayed provision of emergency measures, poor handling of complaints and conflict management.

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## Provision of emergency measures:

- Little progress has been made in the provision of potable water since our last report. During the reporting period, the construction of six water schemes remained ongoing across the four LGAs in Ogoniland. Of these six schemes, only the Alesa water scheme was operational although it still requires water reticulation and distribution facilities around the communities to be completed. As stated in our last report, the only operational scheme currently supplies water, although intermittently, to Alesa, Alode, Agbonchia, Aleto, and part of Ogale communities. Plans for how this infrastructure will be maintained are not yet in place.
- We tested the quality of the potable water taken at three communities (Ogale, Alode and Alesa) and found it to be 'moderate' when compared to the World Health Organization (WHO) recommended standard for water quality, but requires improvements in the treatment to eliminate E. Coli. Periodic water quality testing is recommended at this point to ascertain and monitor the quality of the water provided.
- HYPREP have plans to construct a specialist hospital in Ogoniland as part of their efforts to address the health issues arising from long-term exposure to oil pollution. However, as mentioned in our last report, there is still a high-level of confusion over progress in the creation of health registries, which the UNEP report recommended to understand the health impacts of oil spill pollution on the people and how they can be responded to.
- Although no medical activity took place during the reporting period, the activities conducted so far by HYPREP fall short of the comprehensive medical study recommended by UNEP. We are also very concerned that these activities took place without the informed consent of participants. Some community members have reported that they had medical tests as part of a health outreach programme, without the purpose of this explained to them - nor have the results of these tests been shared with them.

#### Promotion of livelihoods:

- During the reporting period, delays were witnessed in HYPREP’s roll-out of a technical vocational skills acquisition programme, focusing on engineering skills (including mechatronics), aviation, seafaring, and the creative arts, as part of the livelihoods programme. Applications from interested candidates were received by HYPREP but details on the numbers that applied and the selection process have not been released. Likewise, during the reporting period, no further progress was made concerning the 5,000 young people (1,250 per LGA), as well as the additional people living with disabilities, who were asked to apply for a skills training programme, as reported in our previous reports. We reiterate our concern about the transparency of the selection process in general, and we therefore recommend that efforts to improve this should be made to avoid excluding people with special needs and ensure an appropriate gender balance.

#### Set-up of key HYPREP infrastructure:

- HYPREP have so far completed the land and geotechnical surveys for the construction of the Centre of Excellence for Environmental Restoration (CEER) and the Integrated Contaminated Soil Management Center (ICSMC) at Wiakara community in Khana Local Government Area (LGA), and have, during the reporting period, carried out line clearance, perimeter survey and beaconing activities at the sites. Inventory of crops and trees with economic value on the sites is ongoing as of December 2022. A contract for the architectural design of the CEER was approved by the federal government, and approval to carry out an environmental impact assessment for the construction of the centre was granted. We urge HYPREP to expedite the establishment of these facilities as they are prerequisites for the remediation of complex sites.



*Groundwater sample collection at Lot 19 in Korokoro community in Tai LGA*

## **HYPREP and NOSDRA's response to our previous report and engagements**

- HYPREP committed to allow SDN to take soil samples at biocell areas within lots following our recommendation that secondary pollution should be monitored. SDN will provide data on the findings from this monitoring in the next report. However, in relation to its own monitoring efforts, NOSDRA informed SDN during the reporting period that the Agency is only assessing and certifying lots, not biocell areas, and hence would not be taking samples to monitor secondary pollution. SDN will continue to engage NOSDRA on this. Biocells or 'bioremediation cells' refer to constructed systems used for the ex-situ treatment and restoration of excavated contaminated soils using biological processes. The areas around biocells need to be monitored because of perceived poor practices by contractors that could lead to secondary pollution.
- HYPREP re-visited about 12 lots during the reporting period in response to a combination of findings by stakeholders, including SDN. HYPREP improved on their engagement strategy with the Ogoni people, holding separate engagements with every LGA in Ogoniland. This strategy increased the awareness among communities on the clean-up exercise, and improved perceptions regarding the clean-up and the accompanying emergency measures, and livelihood programmes. During a stakeholder meeting on the clean-up exercise (which was convened by SDN during the reporting period), HYPREP resolved the lingering issues of water stations in K-Dere and Botem by approving an additional two potable water booster stations, one for each of the communities. Also, HYPREP begun to recognize the widely acknowledged traditional ruler at Kpean, and this led to relative satisfaction in the community. It is important that HYPREP continues to listen, engage and actively respond to the complaints made by communities to ensure an uninterrupted clean-up exercise.
- SDN previously raised concerns over lots being closed out, even when samples exceeding pollution thresholds had been identified. In response to SDN's enquiries, NOSDRA stated that lots along the pipeline right-of-way (ROW) could be closed-out if the levels are slightly above the established threshold, given the risks associated with excavating soil on the right-of-way. However, they added that post-close-out monitoring would continue on such lots to ensure that the contaminants drop below the threshold since the biodegradation of contaminants progresses with time. We continue to believe it is important that a set of standardised criteria for such instances are published, to provide transparency to communities, enable scrutiny, and avoid the risk of clean-up standards appearing to be set in an arbitrary or ad-hoc fashion.

## **Recommendations**

Some of our recommendations in the 1st, 2nd and 3rd biannual reports are yet to be implemented. As a result, a number of our recommendations for HYPREP to address within the next six months remain important and relevant:

### **On site clean-up:**

- I. Corrective actions should be taken at Lots 16, 22, 27, 49, 50, 51, 53, 54 and 55, which failed to meet the thresholds for clean-up to be certified. We request that we be informed of any remedial actions taken for these lots, and that our monitors be invited for a new round of sampling at the appropriate points.
- II. There is suspected hydrocarbon pollution from the underground pipeline(s) at Lot 22, as indicated by the high TPH levels recorded in the samples taken at the lot. The operator of the pipeline should be urgently alerted and instructed to carry out necessary assessments and repairs, before corrective actions are taken at the lots. Following this, our monitors should be invited for another round of sampling.

- III. Revisited lots that still show very high levels of pollutants above thresholds (Lots 27, 50, 54 and 55) should not be closed out, but should instead be extensively assessed to determine if there is an underground pollution source. Thereafter, appropriate corrective actions should be applied one further time, and if the exceedances persist, the affected lots should be reclassified as 'simple medium-risk' or 'complex' sites depending on the level of contamination. This is to ensure that the clean-up is conducted effectively and to the set standard.
- IV. Groundwater pollution should be remediated further at Lots 16, 49 and 51. HYPREP should closely monitor the contractors to ensure that appropriate technologies are applied in the process. This should be followed by a joint reassessment including our monitors, and if the pollution levels persist, the three sites should be reclassified for further clean-up.
- V. Ensure that groundwater remediation is carefully mapped out, scheduled, and timed to happen all at once across groups of proximate lots in order to maximise effectiveness and prevent re-pollution from directional groundwater movement.
- VI. Take appropriate action to avoid re-pollution at Lots 48, 50, 53 and 54 by oil theft and artisanal refining activities. There are already high levels of pollution at these lots, and in November 2022, there was an incident of crude oil pollution, reportedly caused by oil theft, about 50 metres away from these lots, thus placing them at high risk of re-pollution and further complication for remediation.
- VII. NOSDRA, and other relevant authorities, should urgently apply a multistakeholder approach to intervene in the growing challenge of oil theft and refining activities around clean-up lots, and take proactive steps to prevent foreseeable re-pollution of remediated sites in Ogoniland after lots are certified
- VIII. NOSDRA and the NUPRC should alert pipeline operators on the condition of the oil pipelines crossing clean-up sites, and demand that integrity checks be carried out on them, and thereafter instruct them to carry out necessary maintenance to rule out any eventualities of re-pollution of lots after close-out.

On community engagement:

- I. Contractors of clean-up Lots 11, 12, 25, 45, 46 and 55, and of the water station at Korokoro, should address all outstanding payments to community workers and security staff. Additionally, contractors' payments of community workers should be monitored to ensure they comply with the guidelines set by HYPREP in the contracts.
- II. HYPREP should hold separate forums with each of the impacted communities to engage with them and clearly understand their complaints and individual experiences with contractors. In particular, at lots 12, 15, 17, 28, 30, 31, 43, 44, 45, 55, 56, and 57, which have the highest levels of dissatisfaction. Afterwards, the findings should be used to further improve HYPREP's engagement plans and strategies. This will help to set best practice standards for engaging clean-up communities, even in the next phases of the exercise.
- III. HYPREP should then organise a forum for communities and contractors to address their issues, resolve the unrealistic expectations on contractors from communities, and hold contractors to account for the role they should be fulfilling, including ensuring proper treatment and remuneration of community workers on the remediation sites.

- IV. HYPREP should give the contractors of the ‘simple sites’ an ultimatum to address every pending community relations issue before commencing the next phase of the clean-up. This will help to arrest potential conflicts which could impede the progress of the exercise as it progresses to phase 2 soon.
- V. HYPREP can learn lessons from communities where levels of awareness of the clean-up have remained very high over the past eighteen months - such as B.Dere, Gio and Ueken - to establish best practice for further engagements with all communities. In particular, this can be used to engage Kpean, Mogho and Oboolo, where records of awareness levels have remained relatively low since our last report.
- VI. Sustain and improve on their communication strategy to ensure information reaches men and women equally, and make particular efforts to address the lower awareness among women.
- VII. Publicise information on the membership of the Community Representative Advisory Committee (CRAC), how they can be contacted, and what the complaints process is (e.g. via posters in public locations in communities) and consider the possibility of expanding CRAC membership to include representatives from each of the impacted communities, especially those who reside in the communities.

On emergency measures:

- I. Establish a potable water quality monitoring system that makes provision for periodic testing of water samples from the water schemes.
- II. Fast-track and publish the timeframe for completion of potable water projects and impose fines on those contractors failing to comply.
- III. Ensure all schemes are designed with a plan for maintenance and sustainability
- IV. Ensure water is piped to all parts of the communities to increase water access.
- V. Ensure that the health registries recommended by UNEP are urgently established across all LGAs in Ogoniland. Communicate and share a detailed plan for the health registry, so that its aims and activities are understood by all stakeholders, and explain how activities already conducted will contribute towards this.
- VI. Ensure the full, prior, informed consent of community members before any further health-related activities take place in Ogoniland, and ensure those who have already had data collected are informed about how it is being used. In addition, the data is sensitive and must be stored in line with data protection principles.

On livelihoods:

- I. Livelihoods programmes should be expanded to include businesses such as welding, fabrication, and mini-factories, which can maximize the opportunities presented by the proposed Ogoni power project, which is expected to take off in 2023.
- II. Set a quota for female participation in clean-up and livelihood activities of 50%, and continue to work to ensure other marginalised groups are supported to have an equal opportunity to benefit. Work with community leadership structures to implement this.

- III. Publish the selection criteria and process for all the proposed skills acquisition programmes that have been rolled out so far and communicate these to the communities.
- IV. Continue to expand the scope of the wider livelihoods programme to include a more holistic, market-systems approach, as this will result in more sustained, wide-reaching economic opportunities for people living in Ogoniland.
- V. Develop a strategy and timeline for livelihood activities to ensure greater transparency and compliance.

On key infrastructure:

- I. Produce and publish a timetable for the construction and launch of the Integrated Contaminated Soil Management Centre and Centre of Excellence for Environmental Restoration.
- II. Ensure that local content provisions are made for equitable involvement of host communities and Ogoni people in the design, construction and management of the infrastructures.

### **Audience for this report and how you can help**

Our biannual reports are written with a wide audience in mind, including: HYPREP staff, management and members of the Governing Council and Board of Trustees; citizens of Ogoniland; civil society; the media; wider stakeholders in relevant federal government ministries, departments and agencies, such as the National Oil Spill Detection and Response Agency (NOSDRA); and political representatives.

We aim to keep this report accessible for all, while also providing a level of detail necessary for HYPREP to be able to take action on specific problems. We welcome your feedback, questions and suggestions, which can be sent to: [info@stakeholderdemocracy.org](mailto:info@stakeholderdemocracy.org). Equally, while we have taken every effort to ensure the accuracy of our data and the integrity of the monitoring database, if you have any concerns about the data, please bring these to our attention.



# 1. Introduction

This is the fourth bi-annual monitoring report of the Independent Civil Society Monitoring of the Ogoniland Clean-up project. It presents data collected from July to December 2022 by a network of trained civil society representatives and community members who act as the project monitors.

For introductory information on oil spill pollution in Ogoniland, the initiation of the Ogoniland clean-up, and our initiative to monitor the clean-up, please refer to the introduction section of our first [bi-annual report](#), covering January-June 2021. An overview of our independent monitoring process and methods can be found in Annex 1, which provides information on the data that we are collecting and how, as well as a full list of indicators used.

In summary, we collect soil and water samples from clean-up sites, and test these in laboratories for two main pollution indicators – Total Petroleum Hydrocarbons (TPH), and Benzene, Toluene, Ethylbenzene, and Xylene (BTEX). These are compared with the official thresholds set by HYPREP and NOSDRA for completing clean-up. We also engage with communities in all the local government areas (LGAs) where the clean-up is taking place, to hear their experiences with the clean-up process, and to generate further recommendations for HYPREP.

The remainder of the report is structured as follows:

Overall progress: summary of clean-up status since inception: providing data on overall progress of the clean-up.

July - December 2022: summary of clean-up progress and monitoring data for the six-month monitoring period: providing an overview of data and progress against each indicator for the specified six-month period.

Detailed analysis of data collected July - December 2022: a more detailed breakdown and analysis of data for the specific six-month period grouped under the following activity areas: 1) site clean-up, 2) community engagement, 3) emergency measures, 4) livelihoods, and 5) HYPREP Infrastructure. Note that even this analysis heavily summarises the data available. Anyone wanting to analyse the data in further detail can do so by downloading the latest available dataset on our [website](#). We welcome and encourage others to make use of this data.

Discussion, conclusions and recommendations: a final summary of the findings under each of the five areas above and our recommendations to HYPREP for action in the next six months.

## 2. Overall progress January 2019 – December 2022: summary of data on the clean-up since inception

This section provides an overview of total progress under the clean-up to December 2022 (i.e. from when our monitoring began, not just for the six month period July - December 2022). We aim to provide a holistic understanding of clean-up progress and challenges here, which can also be compared against the progress for the past six months, which are covered in the next section.

**Table 1: Summary of overall status of the Ogoniland clean-up against key performance areas.**

<b>Months since clean-up commenced</b>	<b>48 months since the first contractor was deployed to site in January 2019.</b>
<b>Status of clean-up sites ('lots')</b>	<p>HYPREP continues to conduct clean-up at 'simple' sites, with a total of 50 lots designated and assigned to contractors. Of these:</p> <ul style="list-style-type: none"> <li>• 24 lots still had active clean-up activities, including 23 where the contractor reported they had completed work and were awaiting inspection and certification, or where further monitoring is ongoing.</li> <li>• 26 sites have been certified as complete by NOSDRA. Of these: <ul style="list-style-type: none"> <li>I. We were unable to assess progress at 7 lots as they were completed before this project commenced.</li> <li>II. Our sampling at 13 of the remaining 19 lots returned no samples with TPH or BTEX concentrations above thresholds.</li> <li>III. Our sampling found that at least one sample at lots 6 and 15 where TPH and/or BTEX was above threshold, indicating that these lots did not meet the appropriate standards</li> </ul> </li> </ul> <p>As at December 2022, preparations were being made to commence work at 39 'simple medium risk' sites.</p>
<b>Status of 'emergency' measures (water provision and health assessments)</b>	<p>Construction of improved water sources was in progress in six locations: 1) Ogale-Elleme (Elleme LGA), 2) Alesa-Elleme (Elleme LGA), 3) Terabor (Gokana LGA), 4) K-Dere and B-Dere (Gokana LGA), 5) Nonwa and Korokoro (Tai LGA), and 6) Bori and Kpean (Khana LGA), with water due to be supplied to communities across all the four LGAs of Ogoni.</p>

	<p>Of the six schemes, only the Alesa water scheme was operational, and was supplying potable water to about 5,000 people across five communities, including Alesa, Agbonchia, and Alode, Aletu and parts of Ogale. Water was reportedly only supplied three times a week due to insufficient electricity to power the water stations, indicating that there was no improvement in the supply since our last report. The water quality for over 90% of the assessed parameters was ‘moderate’ according to WHO standards, but required improved treatment to eliminate microorganisms in the water (for Ogale and Alesa) and improve its turbidity (its clarity). HYPREP needs to begin regular water testing of the potable water it provides for the people.</p> <p>Some health outreach activities took place, but HYPREP did not clearly communicate if these are part of the process of developing the health registry as recommended by the UNEP. According to HYPREP, the federal government approved the construction of a specialist hospital at Sakpenwa community in Tai LGA to serve the Ogoni people. The procurement process for consultants for its architectural and structural design was ongoing.</p>
<b>Number of community members employed in clean-up activities</b>	Out of 1,057 individuals employed in clean-up activities, 67 (6%) were females. Note that we do not have data for the seven lots that were completed prior to the implementation of the independent monitoring project.
<b>Number of community members that have benefited from livelihood support</b>	400 Ogoni women were trained in agricultural livelihoods.
<b>Existence of Centre of Excellence for Environmental Restoration (CEER)</b>	Not yet established. Land was donated for the CEER in Wiakara community in Khana LGA; approval for the award of contract for its design was given by the Federal Executive Council and the architectural design was in progress; line clearance, perimeter survey and beaconing activities were completed at the site; enumeration of crops and trees of economic value on the donated land was ongoing; and approval to carry out an environmental impact assessment for the construction of the Center was also granted by the Minister of Environment.
<b>Existence of Integrated Contaminated Soil Management Centre (ICSMC)</b>	Not yet established. However, just as the CEER, land was donated for the ICSMC in Wiakara community in Khana LGA. Line clearance, perimeter survey and beaconing activity had been completed. Enumeration of crops and trees at the site was ongoing. These activities are to be completed before the construction begins.
<b>Reported tonnes of soil remediated by Integrated Contaminated Soil Management Centre in the past quarter</b>	0 - Not yet established.

### 3. Progress during July - December 2022: Summary of data for this six-month monitoring period

The table below provides a summary of indicator data for our 16 indicators on the Ogoniland clean-up for the six-month period ending December 2022.

**Table 2: Summary of findings from our independent monitoring of the Ogoniland clean-up for July - December 2022.**

Indicator	Summary of data/findings
1. Level of TPH and BTEX at individual lots, disaggregated by soil, surface water, groundwater and sediment samples  NOTE: As of 1st January 2022, samples are only tested for TPH to enable us to maximise the number of samples we can test.	Twenty-one lots were assessed during this period. Of these, 15 lots had at least one sample which exceeded thresholds (9 of which had multiple samples with contaminants above thresholds), where samples were taken after a contractor reported the completion of clean-up. Six lots showed no levels that exceeded thresholds.
2. Reported volume of soil remediated at individual sites (lots)	Approximately 705,250 cubic metres.
3. Has the site clean-up been certified as complete by NOSDRA?	During the reporting period, 10 lots were certified as complete, bringing the total number of certified sites to 26.
4. Has the contractor been present and active on the active sites in the past month?	In December, we observed that one contractor was active in the remaining lot where a contractor was expected to be actively undertaking clean-up during the month (outside those awaiting the certification process).
5. Clean-up stage at individual clean-up site	Out of 50 lots for 'simple' sites:  Not assigned to a contractor = 0 lots (0%)  Handover of site to contractor = 0 lots (0%)  Site setup = 0 lots (0%)  Construction of biocell = 0 lots (0%)  Soil excavation = 0 lots (0%)  Soil treatment and remediation = 1 lot (2%)  Inspection and certification = 23 lots (46%)  Demobilisation from site = 0 lots (0%)  Handover to HYPREP/closed out = 26 lots (52%)

6. Level of community awareness of basic clean-up information, measured as % of community survey respondents that are aware of at least three out of the four survey items of basic information about clean-up	In December 2022, 89% of 1,500 survey respondents answered yes to at least three out of four survey questions.
7a. Average community satisfaction score with clean-up site  (NB: 1 = very low levels of satisfaction, and 5 = very high levels of satisfaction)	Overall score in June 2022 = 4.0/5.0
7b. Average community satisfaction score with overall HYPREP clean-up  (NB: 1 = very low levels of satisfaction, and 5 = very high levels of satisfaction)	Overall score in June 2022 = 3.0/5.0
8a. Existence of dispute and community engagement mechanism created by the contractor and effective management of complaints	Complaint mechanisms were established at all communities with clean-up lots (sites). However, of the communities that did make a complaint (representing 58% of communities) during the reporting period, 26% of these communities felt none of their complaints had been resolved, and only partially resolved at a further 16% of lots.
8b. Existence of dispute and community engagement mechanism created by HYPREP and number of issues raised and resolved	The HYPREP-level complaint management process, managed by the Central Representative and Advisory Committee (CRAC), had been established in 100% of communities. However, there was limited knowledge about this structure and how to raise complaints. This persisted even from the previous year. It had become increasingly difficult for communities to access the members of CRAC because they were unavailable to the community members who wished to make complaints to them.
9. Are all contaminated water sources clearly marked with signposts?	Data remains unavailable.
10a. Community access to HYPREP's potable water schemes	No new communities received improved access to water during the reporting period.
10b. Health registry established in community	HYPREP previously conducted some health outreach activities such as providing medical check-ups and administering of drugs, but it was not clear if this would lead to the creation of a health registry, and there were concerns about whether this activity was done with the informed consent of community members. However, the Federal Executive Council gave approval for the construction of a specialist hospital for Ogoni people situated in Sakpenwa community in Khana LGA.

11. Total number of people employed to date from local community in clean up (disaggregated by sex)	1,057 (6% female = 67)
12. Number of individuals that have completed livelihood training, received grants, or scholarships provided by HYPREP (disaggregated by sex)	0
13. Existence of Centre of Excellence for Environmental Restoration	Not yet established, although land had been secured and plans were being drawn up.
14. Number of people successfully trained at CEER (disaggregated by sex and age)	0
15. Existence of Integrated Contaminated Soil Management Centre (ICSMC)	Not yet established, although land had been secured and plans were being drawn up.
16. Tonnes of soil remediated at soil management centre	0

## 4. Detailed analysis of data collected July - December 2022

This section of the report presents the data collected by our monitors between July and December 2022. This data is from laboratory analysis, observations of contractors' work at the respective lots by community-based monitors, public perception surveys and Focus Group Discussions (FGDs) conducted in impacted communities, and HYPREP data.

To structure our data and analysis, our indicators are grouped into five areas, which align with the core mandate of HYPREP:

1. Site clean-up: data related to the actual clean-up process being carried out at lots, such as site sample data, and the stage of clean-up at each lot.
2. Community engagement: data related to the process of engaging communities, such as the reported quality of communication, consultation, and levels of satisfaction in communities.
3. Emergency measures: data related to the implementation of water provision and health assessments as recommended in the UNEP Environmental Assessment of Ogoniland report.
4. Livelihoods: data related to efforts to support the restoration of livelihoods as part of the clean-up process
5. HYPREP Infrastructure: data related to some of the initiatives which are expected to provide key infrastructure to enable the clean-up to take place and build the capacity for clean-up of legacy oil spill pollution across the Niger Delta.

### 4.1. Site clean-up

#### Sample data

##### **Text box 1: Reliability of water and soil sample analyses and how to interpret the data we have published to date**

In our previous report, we reported on the results of 20 duplicate samples sent to an International Laboratory Accreditation Cooperation (ILAC) accredited laboratory, which returned TPH levels on average twice that of local laboratory analysis. During this reporting period, we received results on 19 duplicate soil samples (from Lot 55) for TPH analysis from an ILAC- accredited laboratory in the UK (ALS Laboratories, UK). The result from the international laboratory showed 14 examples of target TPH levels that exceeded thresholds (70% of samples), whereas the local laboratory results showed 9 examples (45% of samples). On average, the ILAC accredited laboratory reported TPH levels 83% higher than the local laboratory – although there is a high degree of variation between individual duplicate samples (as can be seen in annex 6). This is a similar result to our previous duplicate sample analysis, where TPH levels were nearly twice that of the local laboratory.

As noted in our last report, a certain level of natural variation would be expected. For example, because TPH contaminants will be unequally distributed in a soil sample core, even duplicate samples from the same core may return different results in the analysis. However, the level of variation we found is large, and a consistent pattern appears to be emerging. We are therefore increasingly confident that this is not simply due to natural variation in contaminant levels in the duplicate samples.

Given the emerging pattern of results, there is a significant possibility that our earlier reporting, which relied exclusively on local laboratory results, may have underestimated the levels of remaining contaminants. We will continue to use duplicate samples to provide quality checks going forward. We have provided the detailed TPH results for the duplicate samples from lot 55 in Annex 6.

The results used in this report are from the local laboratory.

Our monitors visited 21 lots with NOSDRA, HYPREP and the Rivers State Ministry of Environment for soil and water sample collection, and sent these samples for analysis at laboratories in Port Harcourt, for Total Petroleum Hydrocarbon (TPH) the result of which is summarized in Table 4, in addition to the 19 duplicate samples analysed by ALS Laboratories (as per text box 1). The lots assessed are noted in Table 3.

HYPREP and NOSDRA have agreed to a close-out lots where the contaminant level does not exceed of 1,000mg/kg of TPH for soil and 600µg/l of TPH for water. The results are summarised in Figure 1 and Table 4 below.

### Removal of BTEX laboratory analysis

In the first year of our monitoring project, we tested soil and water samples for benzene, toluene, ethylbenzene and xylene (BTEX). We have stopped testing for BTEX from 1st January 2022. BTEX is an important and very toxic group of pollutants, but they are also volatile organic compounds, which means they are less likely to be present in significant concentrations over time. Analysis of almost all our samples to date has not detected BTEX above detection limits, and where we have found BTEX levels above target thresholds, we have also found TPH levels were exceeded. Therefore, on the balance of costs and benefits, we have decided that the limited resources we have for laboratory testing are better used to enable us to test more samples (including sending duplicate samples to an ILAC-accredited laboratory) for TPH only.

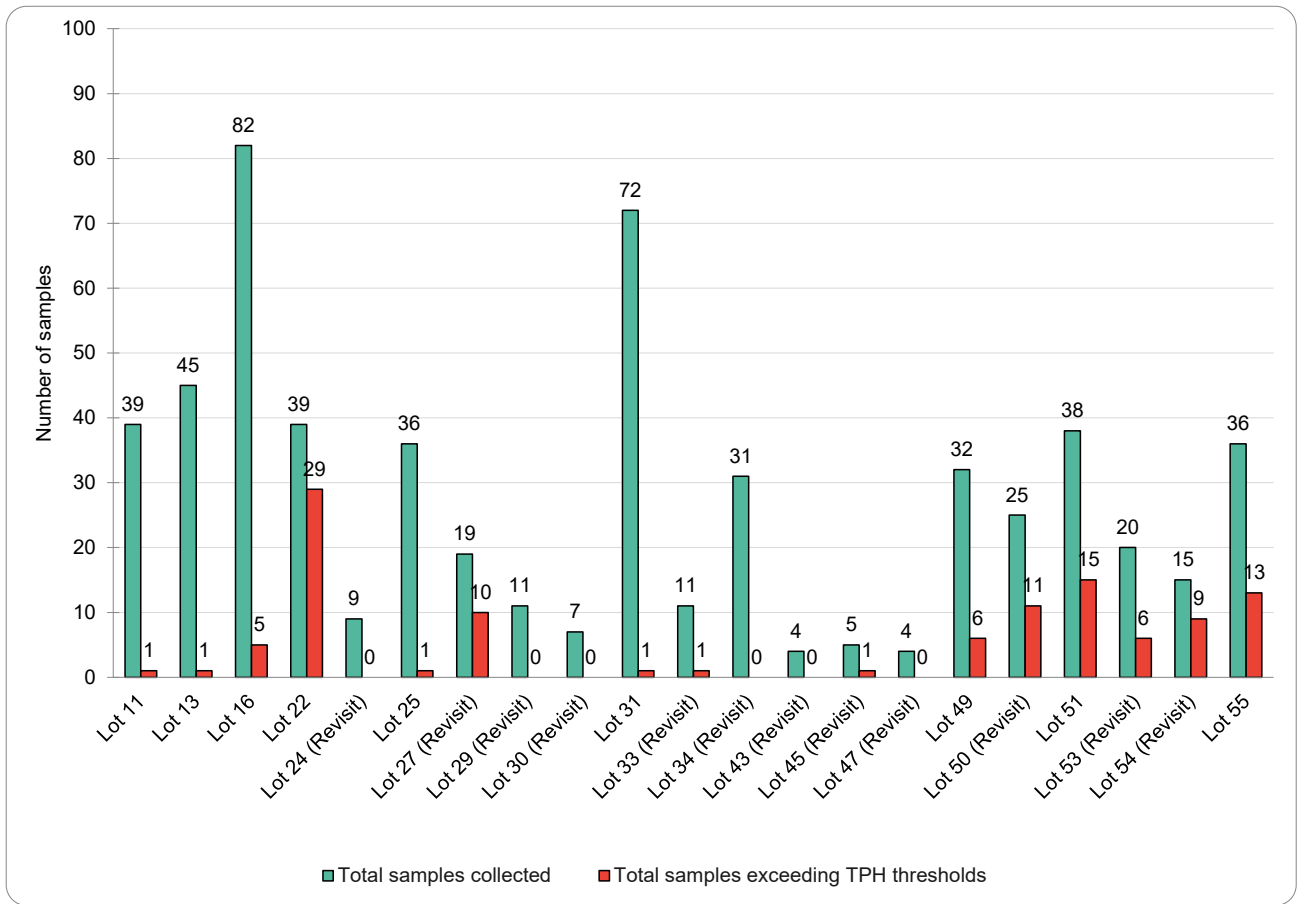
**Table 3: Lots where soil and water samples were taken for the period July - December 2022**

Lots	Community	LGA
11	Mogho/Debon	Gokana
13	Mogho/Debon	Gokana
16	Korokoro	Tai
22	Gio/B-Dere	Gokana
24	Gio/B-Dere	Gokana



25	Gio/B-Dere	Gokana
27	Bara-Alue	Tai
29	Korokoro	Tai
30	Korokoro	Tai
31	Gio/B-Dere	Gokana
33	Gio/B-Dere	Gokana
34	Gio/B-Dere	Gokana
43	Aleto Ngofa	Eleme
45	Aleto Ngofa	Eleme
47	Okuluebu	Eleme
49	Okuluebu	Eleme
50	Okuluebu	Eleme
51	Okuluebu	Eleme
53	Okuluebu	Eleme
54	Okuluebu	Eleme
55	Okuluebu	Eleme

**Figure 1: Total soil and water samples and number exceeding target thresholds for TPH, by lot**



**Table 4: Breakdown of sample data by lot (red highlights indicate concentration above target thresholds)**

Lot where sample was collected	Total # samples	# soil samples collected	# water samples collected	# samples exceeding TPH thresholds	Max TPH mg/kg (soil)	Max TPH (water) ug/l
L11	39	36	3	1	1,797	0.00016
L13	45	42	3	1	1,679	0.00014
L16	82	75	7	5	4,693	7,362
L22	39	39	0	29	13,812	NA
L24 (Revisit)	9	9	0	0	701	NA
L25	36	36	0	1	346	NA
L27 (Revisit)	19	19	0	10	4,215	NA
L29 (Revisit)	11	11	0	0	409	NA

Lot 30 (Revisit)	7	7	0	0	250	NA
Lot 31	72	72	0	1	1,237	NA
Lot 33 (Revisit)	11	11	0	1	3,983	NA
Lot 34 (Revisit)	31	31	0	0	559	NA
Lot 43 (Revisit)	4	4	0	0	379	NA
Lot 45 (Revisit)	5	5	0	1	4,642	NA
Lot 47 (Revisit)	4	4	0	0	637	NA
Lot 49	32	29	3	6	1,359	1,192
Lot 50 (Revisit)	25	25	0	11	3,704	NA
Lot 51	38	35	3	15	4,063	5,021
Lot 53 (Revisit)	20	20	0	6	5,905	NA
Lot 54 (Revisit)	15	15	0	9	4,048	NA
Lot 55	36	36	0	13*	4,919	NA
<b>TOTAL</b>	<b>580</b>	<b>561</b>	<b>19</b>	<b>110</b>		

\*Note that as per text box 1, 20 of these samples were sent for duplicate analysis by ALS laboratories, where 70% of samples contained TPH above the threshold level and the maximum TPH level found was 5,100mg/kg.

Approximately 81% of the 580 soil and water samples we collected did not contain TPH concentrations above target thresholds for the clean-up. However, this means approximately 19% of samples exceeded the thresholds. Also, 71% of the lots sampled had at least one sample where thresholds were exceeded. This represents a significant number of locations where clean-up activities did not reduce the level of contamination to an acceptable level and where further action is needed. This is particularly true at lots 16, 22, 27, 33, 45, 49, 50, 51, 53, 54 and 55, all of which either had multiple samples which exceed thresholds, or one or more samples which exceeded target thresholds by many times. Outside this, 19 duplicate samples from Lot 55 analysed by an international laboratory returned TPH values above the threshold level in almost 70%, of the samples, affirming the significant presence of contaminants in that lot. Even if our laboratory analysis results are underestimating the level of remaining hydrocarbon pollution, it is clear that very significant interventions are needed to ensure proper clean-up at these sites.

## Clean-up Status

We have broken down the process of clean-up at each site into nine stages to help track the progress of remediation activities by contractors, as detailed for indicator five in Annex 1.

Annex 2 contains a list of all 57 lots by their lot number, community, LGA, and contractor, although seven of these were assessment lots that HYPREP noted do not require remediation (these are lots 35, 36, 37, 38, 39, 40, and 41). Therefore, the assessment and monitoring of the clean-up is currently based on 50 lots. Our environment monitors use a checklist (see Annex 4) to assess the clean-up status of individual lots. Table 5 shows the various lots by their current stage of remediation as of December 2022.

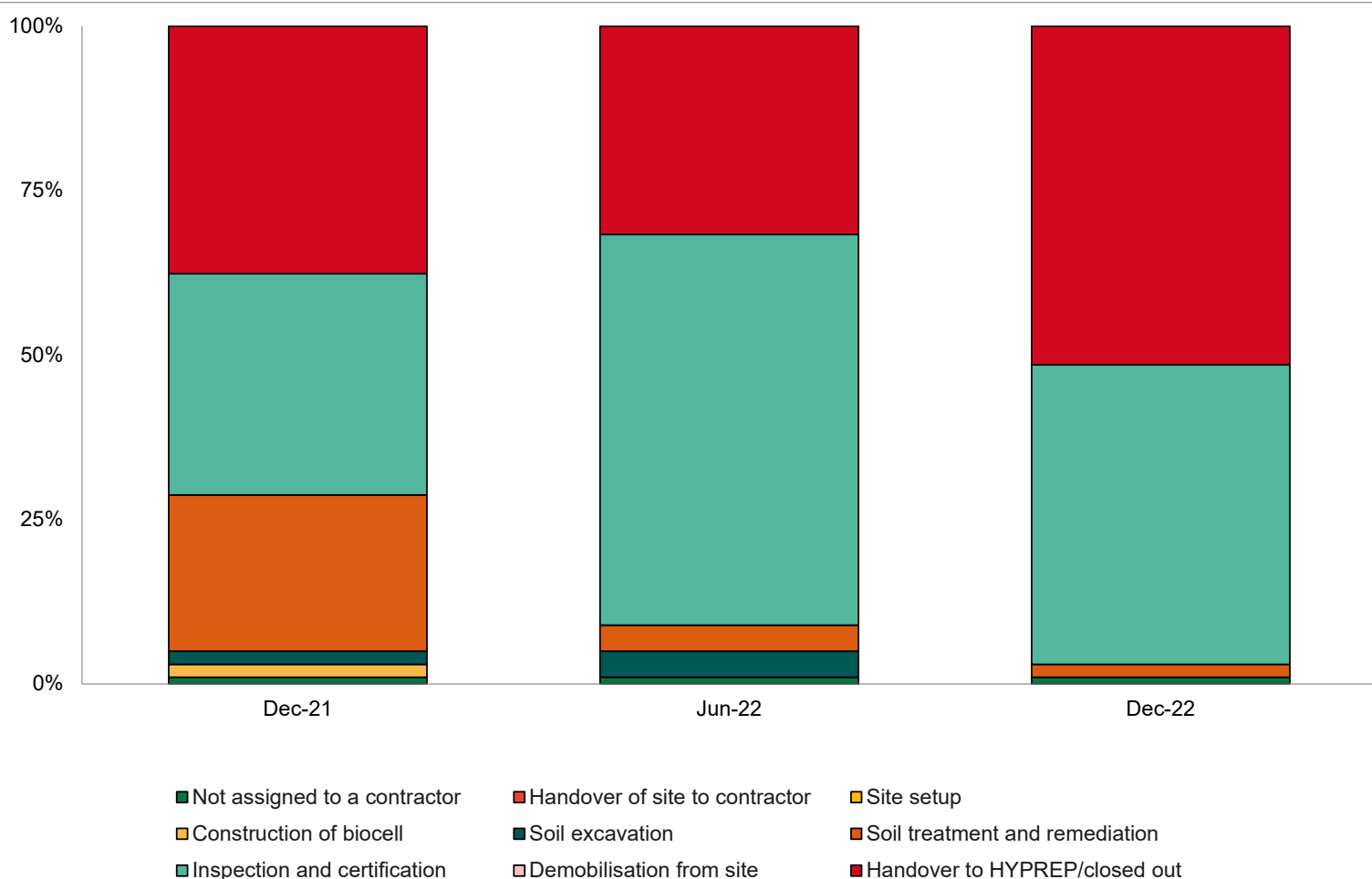
**Table 5: Lots by remediation stage as at December 2022**

Remediation Stage	Lot Number (and total number)	% of Lots	Explainer
Not assigned to a contractor	-	-	This refers to lots that are yet to be awarded.
Handover of site to contractor	-	-	This refers to lots that have been awarded to contractors and communities are aware of the contractor, but work is yet to commence.
Site setup	-	-	These are lots where the contractor has commenced initial preparatory work such as bush clearing, perimeter fencing and site office.
Construction of biocell	-	-	The contractor has started the construction of the engineered biocell i.e. setting up bund walls, HDP liners etc.
Soil excavation	-	-	The contractor is in the process of digging up contaminated soil that will be moved to the biocell for treatment.
Soil treatment and remediation	52 (n=1)	2%	The contractor has started remediation by treating the soil in the biocell.
Inspection and certification	11, 16, 22, 23, 24, 25, 27, 29, 30, 31, 32, 33, 34, 43, 45, 47, 48, 49, 50, 51, 53, 54, and 55 (n = 23)	46%	The contractor has reportedly completed remediation, and NOSDRA has commenced the process of sample collection for analysis, closeout and certification.
Demobilisation from site	-	-	Remediation work has been completed, landscaping has been done and all structures have been removed from site.
Site certified and closed out	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 12, 13, 14, 15, 17, 18, 19, 20, 21, 26, 28, 42, 44, 46, 47 and 56 (n = 26)	52%	The lot has been certified by NOSDRA

Figure 2 demonstrates how the overall status of lots changed since our last report. Since December 2021, the proportion of sites either certified or awaiting certification increased from approximately 70% to over 98%.

During this reporting period, 10 lots were newly certified by NOSDRA as complete. These were lots: 3, 12, 13, 20, 26, 28, 42, 44, 46, and 47. Of these, only Lot 13 were reassessed within the reporting period while the others had already been assessed and were awaiting NOSDRA’s final decision. Our data on the newly certified lots shows that five lots (12, 26, 28, 42, and 46) did not exceed thresholds, three lots (13, 20 and 47) only exceeded the threshold in one sample, one lot (44) exceeded the threshold in two samples and was sampled in the second half of 2021, and one lot (3) had three samples that exceeded thresholds, and was accessed in the first half of 2021. Based on SDN monitoring results, we believe that lots where exceedances were still significantly present should be re-evaluated and their classification as ‘complete’ reconsidered.

**Figure 2: Change in the stages of clean-up reached at clean-up lots from December 2021 to June 2022, by percentage of lots.**





*Manual augering for soil sample collection at Lot 27 in Bara-Alue in Tai LGA.*

#### **Concerns about clean-up techniques:**

Poor practice and inadequate management continue to hamper clean-up with many questionable techniques still being deployed. SDN has raised concerns on several fronts in previous reports but continues to observe concerning behaviours. During regular site visits since the start of this monitoring project, we have identified a series of practices which are a threat to the quality of the clean-up. These include:

1. Contaminated soil was left for an extended period in biocells and exposed to heavy rainfall, which caused the sump to overflow. This is likely to discharge contaminants into the surrounding environment. HYPREP and NOSDRA were yet to conduct sampling at these locations. Community monitors were concerned that these lots have been re-contaminated.
2. Top and subsoil were mixed together during the backfilling process. This means that the new top layer of soil at some of the simple sites might not be suitable for growing crops as the land is likely to be in a significantly worse condition than it was before it was remediated.
3. NPK fertiliser is being used for bioremediation, which is not a suitable soil amendment nutrient for remediation, and not approved.
4. Re-use of High-Density Polyethylene (HDP) liners at biocells (for treatment of contaminated soil) from one lot to another, which poses a risk of secondary contamination.
5. A blanket approach of excavation of soils in the lots and remediation of excavated soils in the biocells has been used for all simple sites. Yet some of these sites are close to oil infrastructure such as pipelines which has prevented contractors from being able to excavate adequately in all contaminated locations. Alternative approaches such as soil flushing should be adopted to support clean-up.

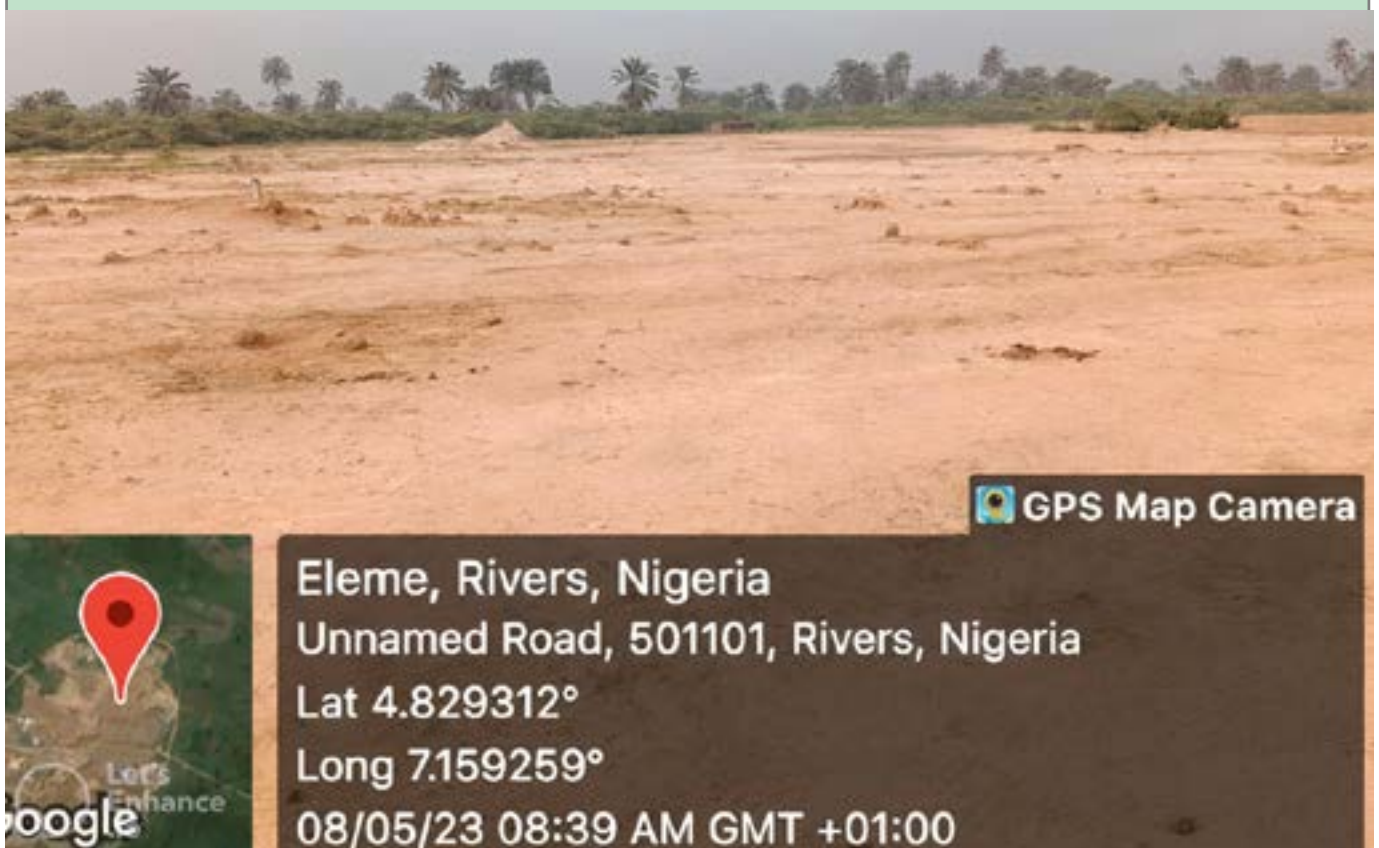
## Mismanagement of the soil backfilling process and the destruction of soil fertility

On a number of completed simple sites, it has been observed that the top-soil was almost completely absent – making it impossible to reinstate agricultural practices, the stated objective of the clean-up. Accordingly, soil management and backfilling processes should be systematically carried out after ex-situ remediation at a biocell. This ensures that the original soil horizon is maintained and that the top soil supporting vegetation is not lost after backfilling is completed. This is key for optimal post-remediation revegetation. Standard practice requires that during excavation, soil from distinct layers/ depths/horizons must be excavated, treated and handled separately at the biocell, and thereafter backfilled in the order they were excavated (i.e., after treatment and decontamination at a biocell).

We raised concerns about the implementation of the soil backfilling process in all of our reports to date, but poor practice is observed to be continuing. The below image shows a remediation lot in Okuluebo in Eleme LGA where soil was replaced in 2022 following the bioremediation process. This image shows how a location that was previously fertile now lacks any form of vegetative growth. This problem can be observed at several clean-up sites. We believe this to be the result of the mixing of top and sub-soil, possibly combined with the replacement of soil originally from one location, not suitable for cultivation, to another location, previously suitable for cultivation.

This represents severe environmental damage being caused through poor practice by clean-up contractors coupled with poor levels of supervision by HYPREP – a situation that must be urgently addressed.

A major purpose of the clean-up is to restore the environment to enable activities such as agriculture to resume. The below image is a demonstration of one location where the viability of agriculture has actually been damaged, rather than improved.



In addition to looking at the current stage of progress as part of their quarterly monitoring visits, our project monitors also checked whether contractors had been on site and active in the past month. Table 6 below summarises this data. In December 2022, we observed that the contractor working on the remaining active lot was on site.

Although the deadline for the completion of the remediation of simple sites was May 2022, only 26 of 50 lots had been certified and closed out by NOSDRA. It is our understanding that these delays and the regular extensions and amendments being made to contracts were leading to regular cost overruns across HYPREP, although we do not have access to data and so cannot verify this. These cost overruns, however, could be significantly limited by ensuring robust contracts are drawn up, which provide a reasonable balance of risk between contractor and HYPREP, to ensure contractors carry financial risk where delays and poor practice are a result of their own actions.

**Table 6: Contractor presence for active Lots in June 2022**

<b>Contractor Presence</b>	<b>Lot Number (and total number)</b>	<b>% of Lots</b>	<b>Explainer</b>
Contractor has been present and active	52 (n = 1)	2%	Contractor is actively on site engaged in various remediation works.
Contractor has not been present and active	-	-	There is no physical presence of the contractor on site. Site office and perimeter is locked.
Contractor has completed work on lot and is awaiting certification	11, 16, 22, 23, 24, 25, 27, 29, 30, 31, 32, 33, 34, 43, 45, 47, 48, 49, 50, 51, 53, 54, and 55 (n = 23)	46%	Contractor has reported that it has completed remediation work and is undergoing inspection and certification by NOSDRA, and therefore, activity on site in the past month is not necessarily expected.



## 4.2. Community engagement

This part of our monitoring project assesses levels of community awareness and satisfaction with the clean-up process, and whether adequate processes have been put in place to manage complaints and potential conflict. We have now reduced the frequency of surveys from quarterly to bi-annual, as it was felt that quarterly was too frequent and that our resources could be better spent on increasing the number of soil and water samples taken.

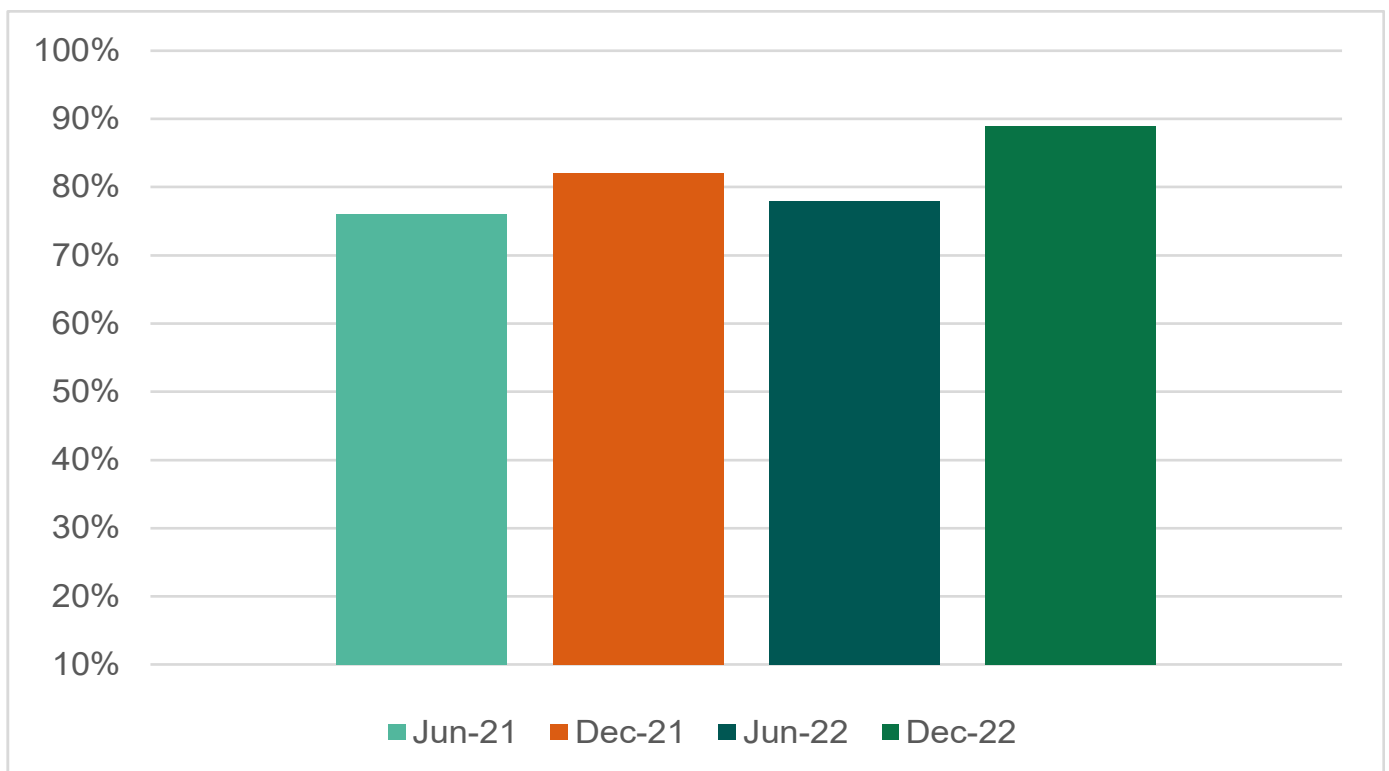
### Community awareness

We surveyed a total of 1,500 community members (50% female) in 15 communities across Ogoniland to assess the level of their awareness of the clean-up process, based on how many of them that responded “yes” to at least three of the questions below:

1. We have been informed that the contractor(s) will compensate landowners for access to lots.
2. I am aware that contractor(s) were introduced and formally handed over to my community.
3. We have been informed that the contractor(s) will be employing some persons from my community.
4. We have been informed of the number of clean-up lots in my community.

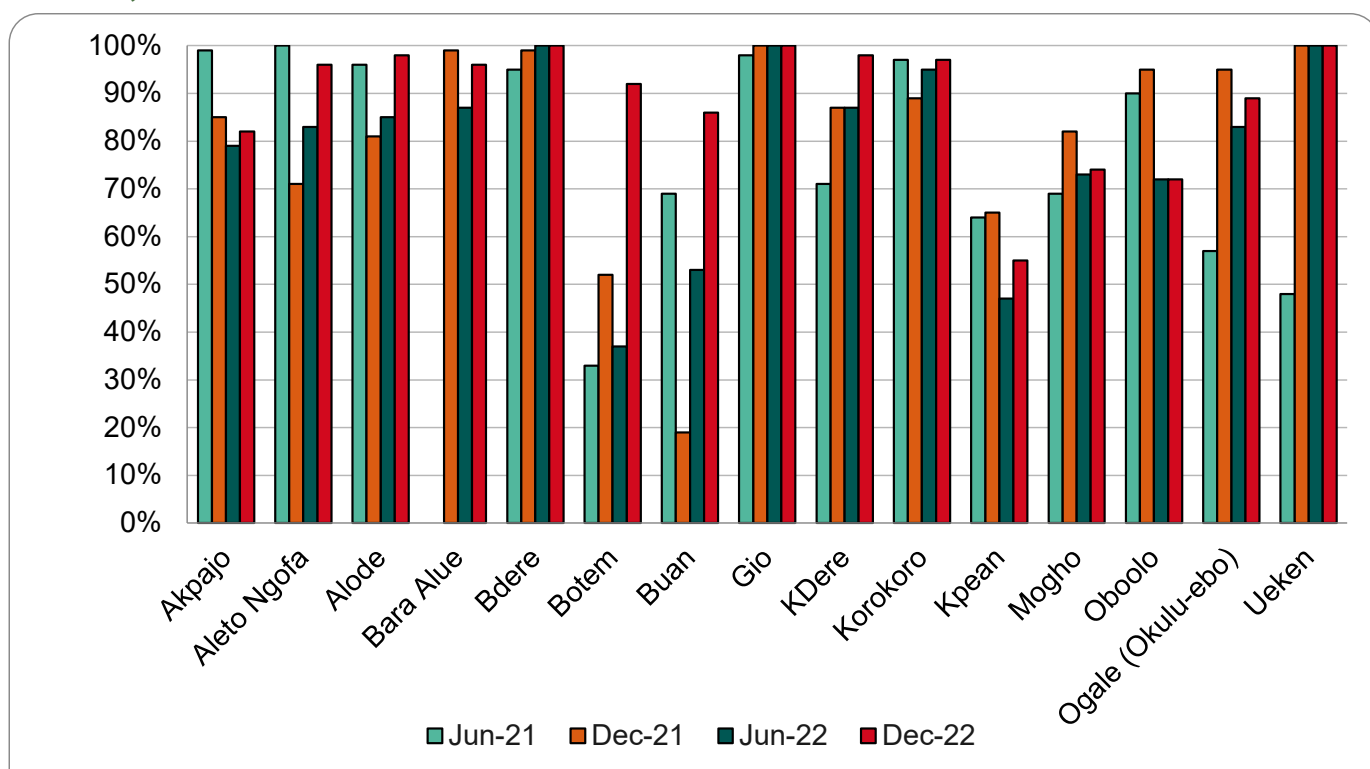
Figure 3 below shows the overall percentage levels of awareness in communities in December 2022, compared to June 2021, December 2021 and June 2022 data shared in our last report, and figure 4 below makes this comparison across the communities.

**Figure 3: Average scores of community members deemed to have a good basic awareness of key information about clean-up in their communities in June 2021, December 2021, June 2022 and December 2022 (defined by answering “yes” to at least three (3) of the four statements listed above).**



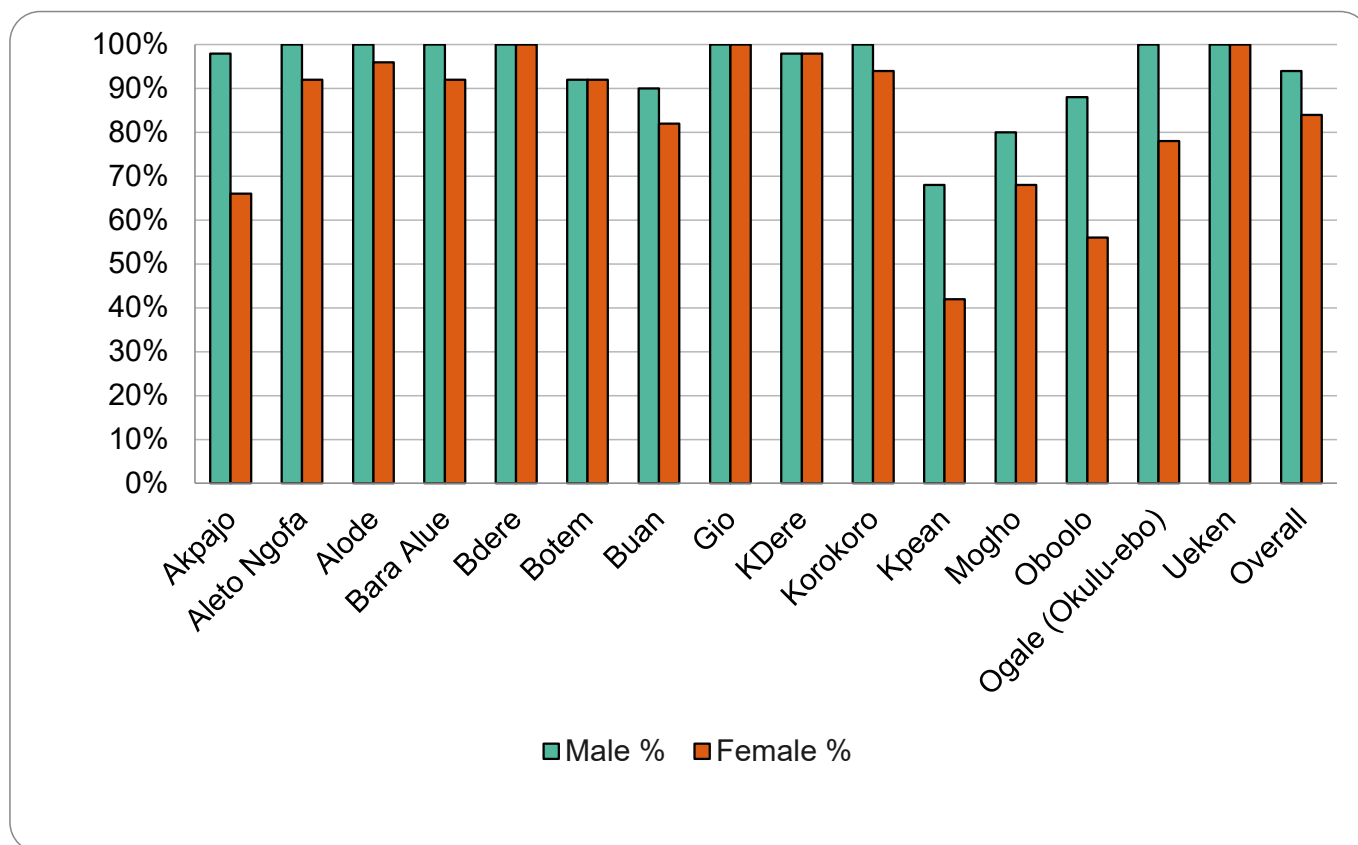
As shown in Figure 3 above, the overall level of community awareness increased in the reporting period, indicating that there was an improvement in community awareness of the clean-up exercise compared to our last report. This is the highest score for community awareness since the exercise began. HYPREP heeded SDN’s recommendation for increased community engagements in the target communities, especially in Botem, Buan and Kpean where awareness levels were noticeably low in our last report. In Botem for instance, the awareness level increased by 149% and this could be attributed in part to the community’s potable water complaint that was addressed by HYPREP. In December 2022, HYPREP approved the construction of a water booster station in Botem community, and we recommend that HYPREP begins to conduct regular water quality testing to monitor the quality of potable water provided for the communities. Similar approval (for water stations) was given for K-Dere. With the improvement in HYPREP’s response to some of the complaints of communities among others, the scores for community awareness increased uniformly across the communities as seen in Figure 4 below. This is encouraging and when sustained will lead to increased participation and involvement of communities in the exercise. These will also help to ensure that the exercise is uninterrupted and conducted in line with best practices.

**Figure 4: Percentage of community members deemed to have a good basic awareness of key information about clean-up in their communities in December 2022, compared against June 2021, December 2021 and June 2022 from our previous reports (defined by answering “yes” to at least three of the four statements listed above).**



By gender, the level of awareness of basic clean-up information in the communities shows that 94% of men and 84% of women in Ogoni were considered to have a good basic awareness of the clean-up as shown in Figure 5. These figures were 89% and 69% respectively in June 2022, indicating an improvement by 5% and 15% for men and women respectively, and a significant closing of the gap between men and women’s levels of awareness. Very large improvements were recorded in Botem and K-Dere where the gap in levels of awareness between men and women have been closed completely. As previously mentioned, the levels of awareness in Botem and K-Dere improved significantly following HYPREP’s approval for separate water booster stations for the two communities in addition to the improvements made by the new HYPREP leadership on community engagement. However, there is a need for HYPREP to continue to strengthen communication activities across its work to ensure they are reaching women and men equally.

**Figure 5: Average percentage of community members, by gender, deemed to have a good basic awareness of key information about clean-up in their communities in December 2022 (defined by answering “yes” to at least three of the four statements listed above)**



### Community satisfaction

Community satisfaction with HYPREP and the individual clean-up contractors is monitored by asking community members to rate HYPREP’s performance on a scale of 1 (“strongly disagree”) to 5 (“strongly agree”) against five different statements. The exact statements can be seen in Figure 7, and they relate to whether community members feel they have been well informed about the clean-up; if they feel consulted; if sufficient opportunities exist for participation; if it is possible to report concerns; and if measures are being taken to minimise conflict.

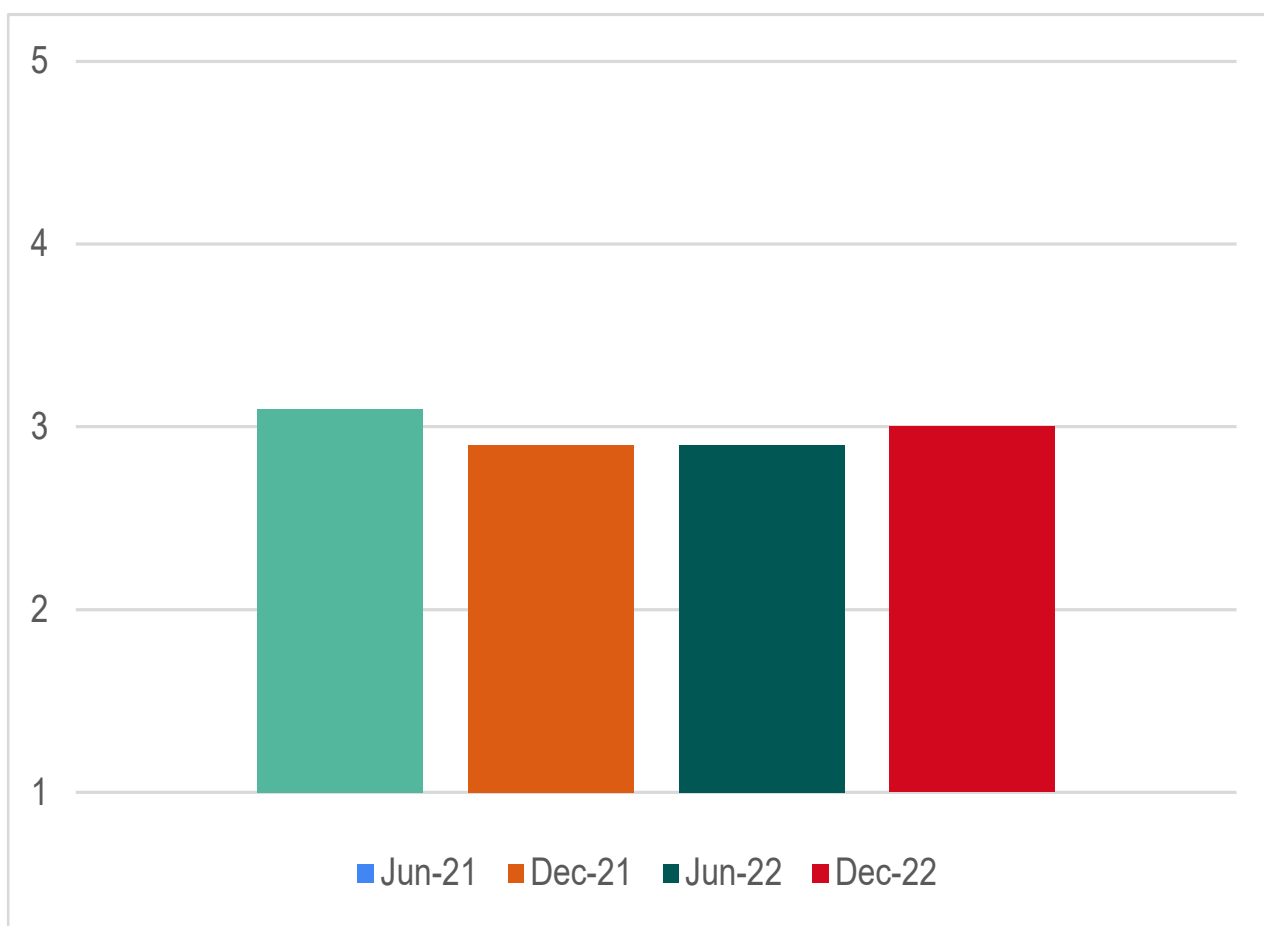
These scores are averaged to provide an overall “satisfaction score,” where a score of 1 would represent complete dissatisfaction and 5 complete satisfaction with the activities of HYPREP and the contractors. This is a proxy indicator, which aims to systematically measure satisfaction and enable comparability over time and across communities. Because we only use these five statements and a quantitative score, there is a risk of missing other key issues which are causing dissatisfaction or satisfaction. However, these issues tend to come up in discussions during surveys and focus group discussions, and where they do we note this in our findings below.

### Satisfaction with HYPREP

We measure community satisfaction with HYPREP by conducting a survey of 1,500 respondents (100 in each of the current target communities, 50% female). HYPREP’s overall satisfaction score in the second and third bi-annual reports in December 2021 and June 2022 remained at 2.9, indicating there was neither overall dissatisfaction nor satisfaction with its performance. However, in December 2022, the overall score increased slightly to 3.0 (see figure 6), still indicating there was neither overall dissatisfaction nor satisfaction with its performance. While satisfaction scores increased significantly in Botem and K.Dere primarily due to the approval for the construction

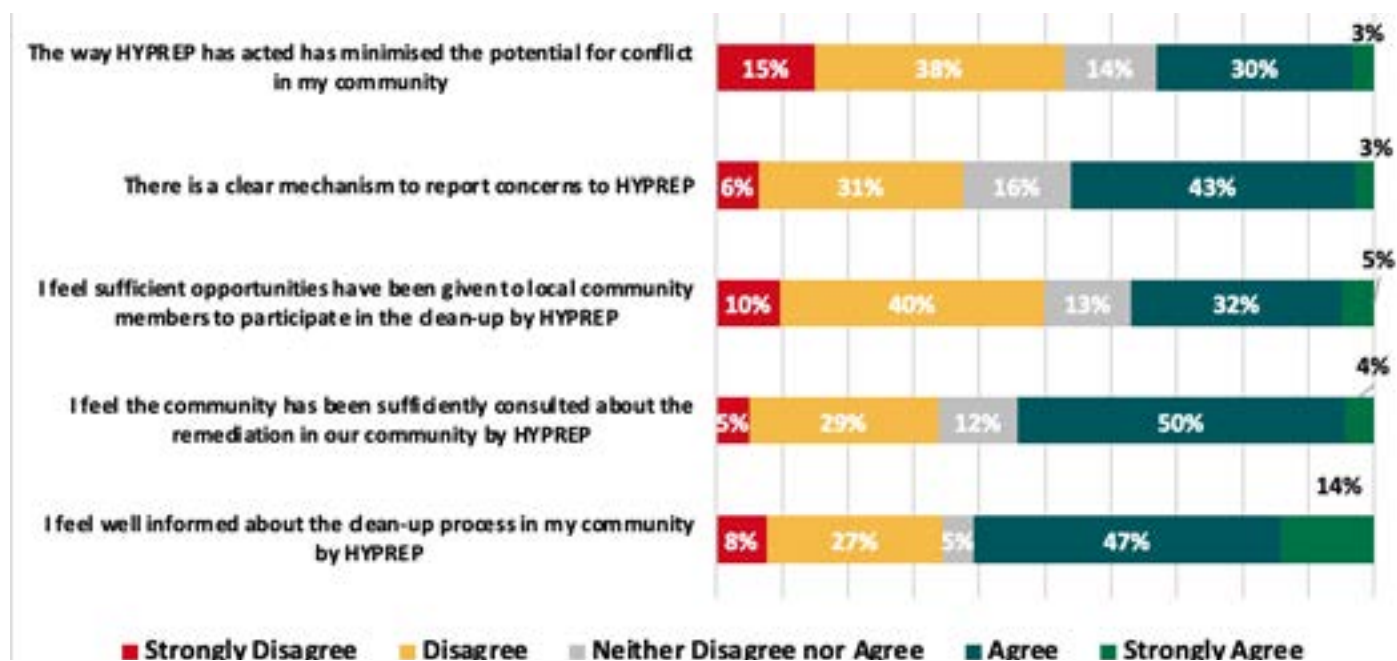
of water booster stations, the scores reduced significantly in Akpajo, Bara Alue and Gio, and remained the same for the rest of the communities. The reduction is attributed to the overall slow pace at which the emergency measures prescribed by the UNEP are delivered by HYPREP, coupled with the poor corporate social responsibility of the clean-up contractors in the communities, with little or no action taken by HYPREP to address the shortfalls over time.

**Figure 6: Overall satisfaction score by community for HYPREP's performance by December 2022 (1 = complete dissatisfaction, 5 = complete satisfaction)**



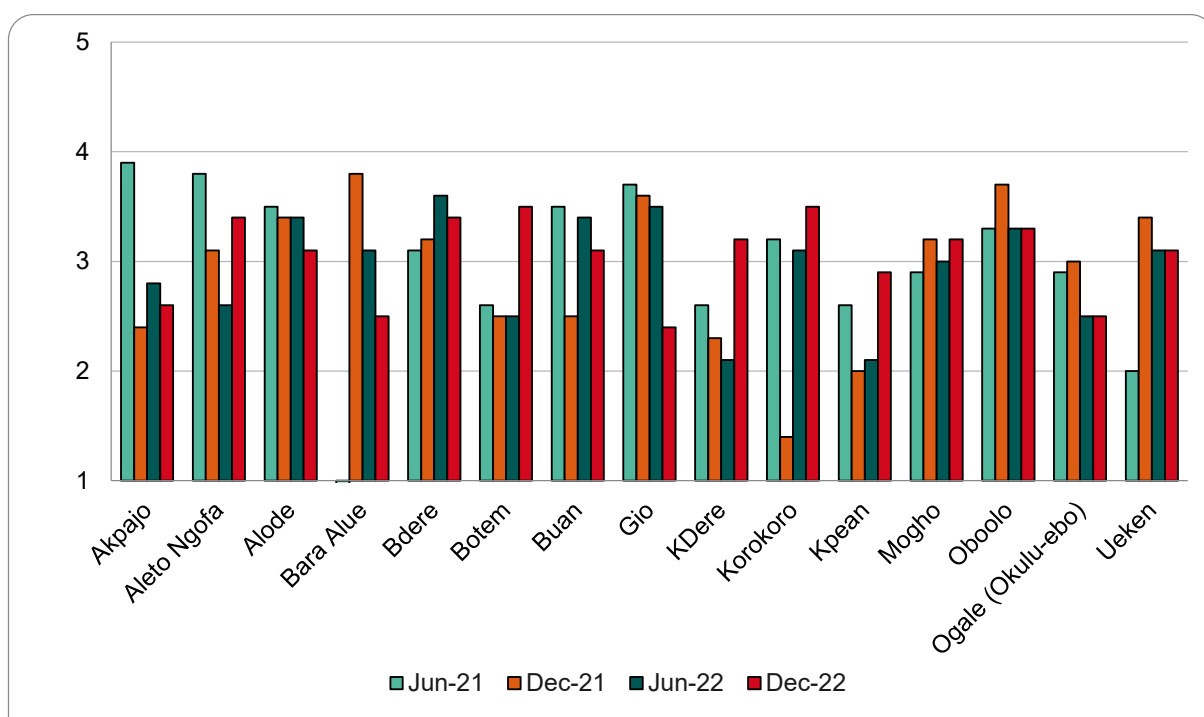
When broken down further as shown in Figure 7, HYPREP continues to improve and score best on the provision of information and consultations, but less well when it comes to implementation: the provision of opportunities to participate in the clean-up, dealing with complaints and managing conflicts. However, there were some improvements in all areas compared with June 2022, but the most noticeable is the marked increase in those saying they feel well informed about the clean-up process (61% agreed or strongly agreed this was the case, against 54% in June 2022), suggesting some progress was being made in the area of information dissemination about the clean-up process, but not on resolving complaints.

**Figure 7: Breakdown of responses to individual questions comprising the basis for the community satisfaction score for HYPREP’s performance, December 2022 (N=1500)**



The overall satisfaction score by community, over time, is shown below in Figure 8. A significant improvement was seen in Aleto Ngofa, Botem, K.Dere and Kpean since our last report. The improvement was due to the news of the approved water booster stations at Botem and K.Dere, the speedy progress of the water projects at Kpean and Korokoro, and the news of HYPREP’s power project for Ogoniland, and the allocation of more sites for the next clean-up phase. However, satisfaction scores dropped significantly to low scores in Akpajo, Bara Alue and Gio, while it remained low in Ogale. Apart from the news of the power project which gladdened the Ogoni people, there was widespread dissatisfaction with the slow pace of HYPREP works, delivery of potable water, and provision of livelihood support in Ogoniland.

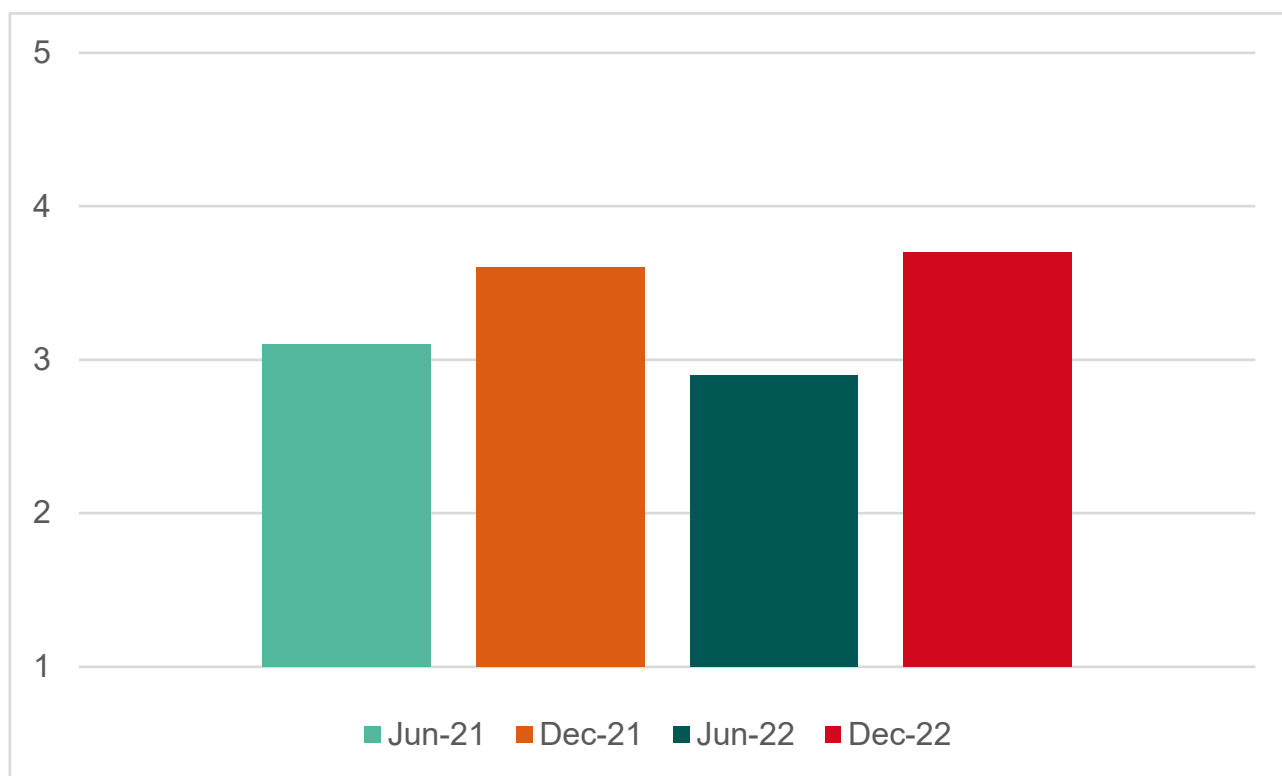
**Figure 8: Overall satisfaction score by the communities for HYPREP’s performance in June 2021, December 2021, June 2022 and December 2022 (1 = complete dissatisfaction, 5 = complete satisfaction)**



## Satisfaction with contractors

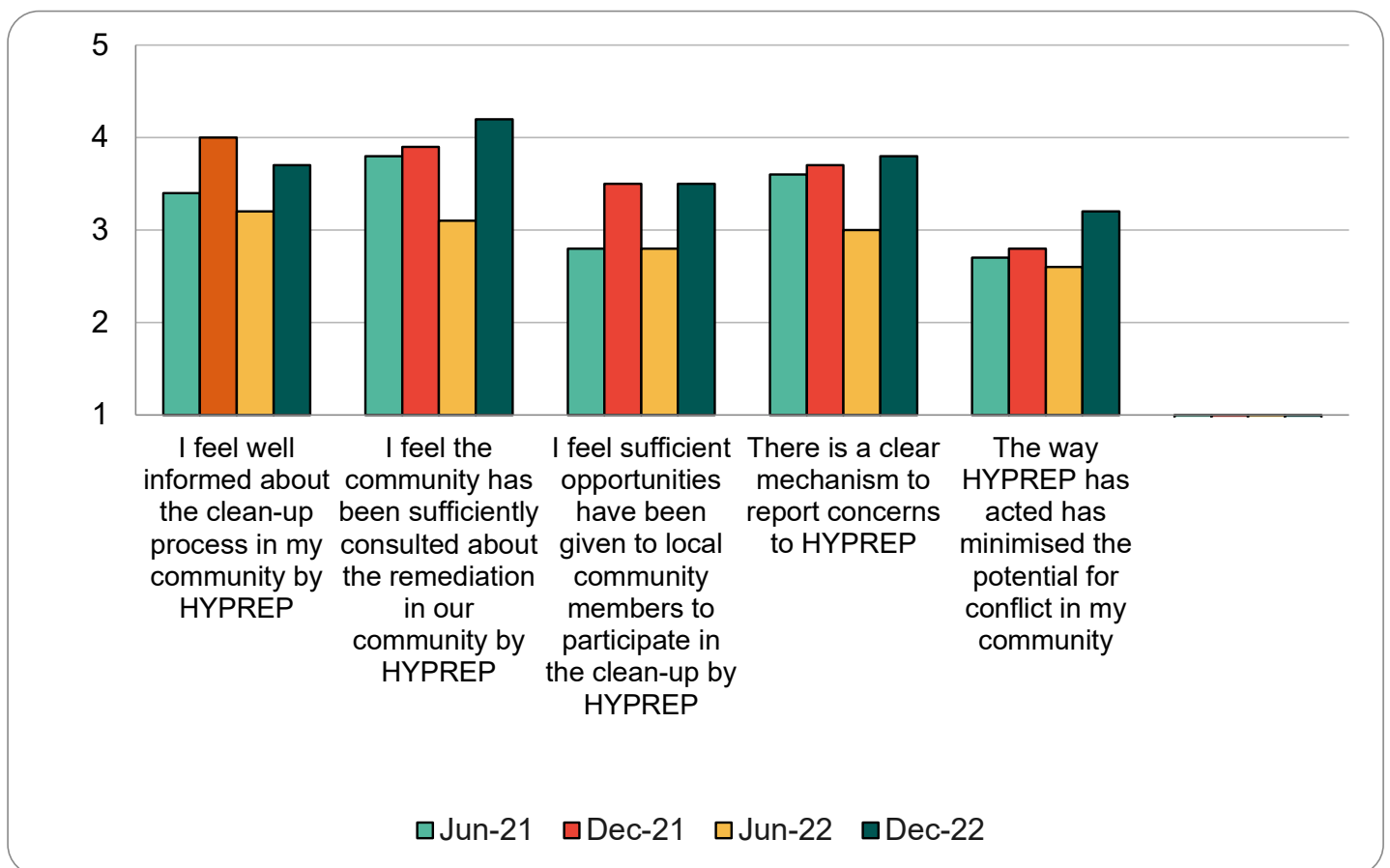
Focus group discussions were conducted to measure the level of community satisfaction with the performance of contractors at individual sites in December 2022. Fifteen communities participated in the focus group discussions and respondents included chiefs, community development committees (CDCs), women leaders and youth groups. As shown in Figure 9(a) below, the overall satisfaction score for contractor performance at these lots was 3.3 in the first biannual report published in June 2021. The score increased to 3.6 in December 2021 as the clean-up activities intensified and contractors were active on clean-up lots and with community members engaged as workers at the lots. In June 2022, the figure dropped significantly to 2.9 reflecting the poor performance of the remaining contractors, poor corporate social responsibilities, poor quality of the remediation work which are verifiable by the relatively high number of sites that did not meet the statutory requirement for close-out on first assessments, poor treatment of community workers on site and in June 2022, and poor conflict resolution mechanism, amongst some others. In December 2022, this score significantly increased to 3.7. The observed increase reflects the new measures being taken by the new HYPREP leadership to address the observed challenges and to ensure that the clean-up is delivered in line with the recommendations of the UNEP. The new measures include fairly improved contractor monitoring and community engagement.

**Figure 9(a): Overall satisfaction score for contractor performance at lots in June 2021, December 2021, June 2022 and December 2022**



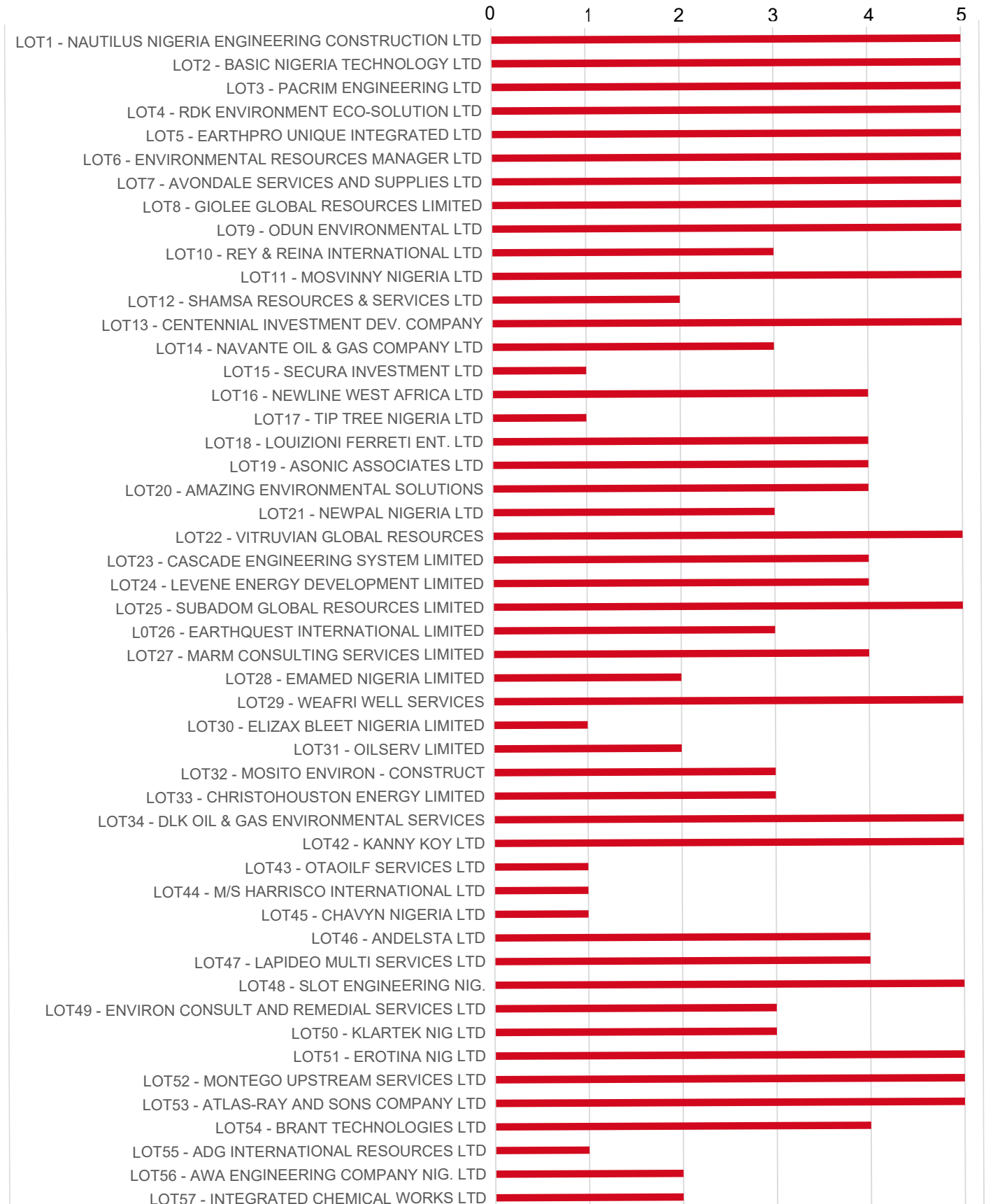
Breaking down the satisfaction scores by the five topics asked about contractor performance, as shown in Figure 9(b) below, indicates that this increase in satisfaction was a result of higher scores for all performance areas asked about. On further discussion with communities, we found out that the major driver for this is that communities now have improved awareness of the remit of the clean-up exercise and measures being taken by the new HYPREP Project Coordinator to improve on the gaps in the remediation and community engagement process among others. HYPREP improved their communication and community engagement strategies. During the reporting period, we learnt that HYPREP held separate stakeholder engagements with all four LGAs in Ogoni. The engagements were held in the LGAs with the HYPREP Project Coordinator in attendance to interact with the communities on clean-up issues and on the way forward. Also, 12 clean-up lots were revisited for reassessments after extended monitoring and further corrections, and this raised communities' confidence in the process being followed to ensure that the lots are remediated to standard. Notably, the communities expressed confidence in the new Project Coordinator, believing that HYPREP leadership would fulfil their renewed promise of improving the clean-up process in the next phase. Despite the improvements, however, communities still repeated the complaints about the poor treatment of community workers on sites, such as non-, or partial, payment of wages/salaries as in Lot 55 in Okuluebo-Ogale for instance; poor provisions for community workers' welfare, for instance, in refreshments at sites; discrepancies in payments in Lots 9, 11 and 12 in Mogho; and owing of salaries of security staff at Korokoro water station. It is important that these issues are addressed by HYPREP without further delay.

**Figure 9(b): Average ratings across all contractors on satisfaction sub-components, in June 2021, December 2021, June 2022 and December 2022 (1 = strongly disagree, 5 = strongly agree)**



The breakdown of these scores by community (see figure 10), shows that there remains a very high level of variation in community satisfaction with contractors. When compared with our data in June 2022, it shows that contractors that scored low and very low made no improvements as their scores remained the same in December 2022.

**Figure 10: Average contractor satisfaction score by lot and contractor in December 2022 (1 = complete dissatisfaction, 5 = complete satisfaction)**





Seven lots and contractors listed below scored the minimum of 1 (indicating complete dissatisfaction), whereas a further five lots and contractors were scored an average of 2 indicating dissatisfaction. These twelve companies were noted as low performers in our last report, suggesting there are systematic, ongoing concerns from communities about these contractors. Appropriate measures must be taken by HYPREP to ensure that these contractors are held to account in all areas of their deliverables including community engagements.

Lots & contractors with very low performing scores	Lots & contractors with low performing scores
Lot 12: Shamsa Resources & Services Ltd	Lot 43: Otaoilf Services Ltd
Lot 15: Secura Investment Ltd	Lot 45: Chavyn Nigeria Ltd
Lot 17: Tip Tree Nigeria Ltd	Lot 44: M/S Harrisco International Ltd
Lot 28: Emamed Nigeria Limited	Lot 55: ADG International Resources Ltd
Lot 30: Elizax Bleet Nigeria Limited	Lot 56: Awa Engineering Company Nig. Ltd
Lot 31: Oilserv Limited	Lot 57: Integrated Chemical Works Ltd

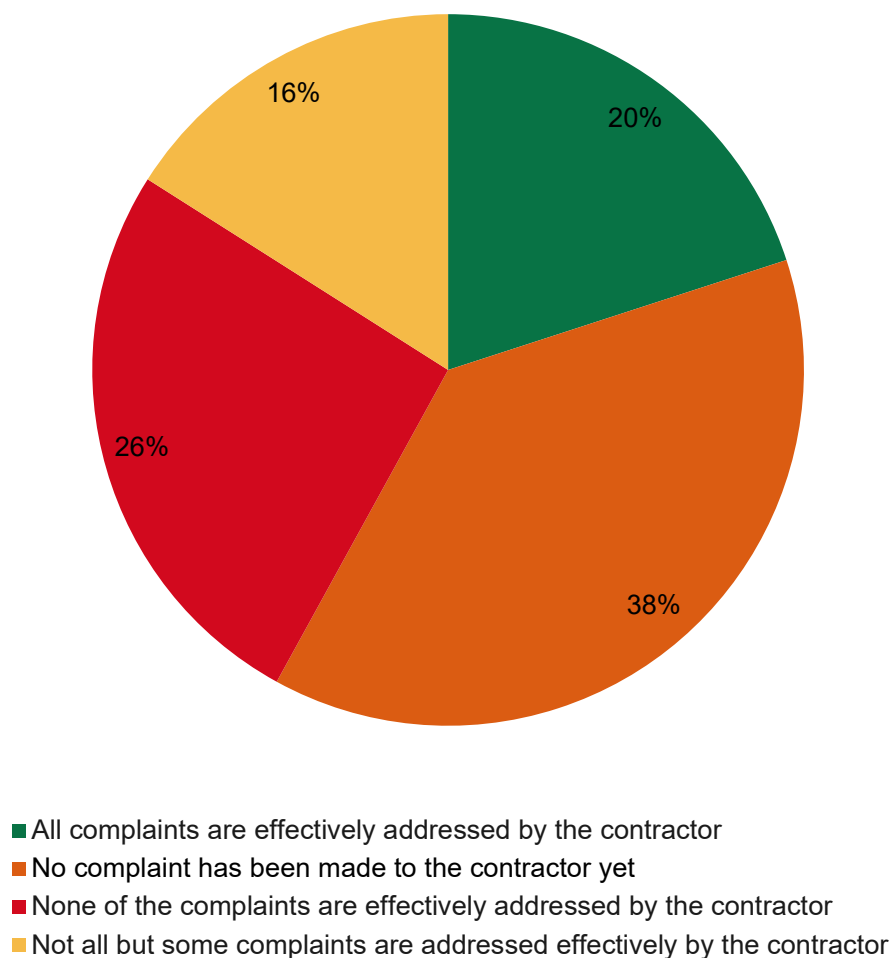
**Unfortunately, among poorer performing contractors, there remains a lack of effort to include communities in the clean-up process and to address and resolve complaints where they arise and this is the reason why there have been no improvements in the last 6 months. As we have noted in our previous three reports, we again recommend that HYPREP meets with contractors and communities to address problems with the clean-up process in those areas.**

### **Conflict Management**

At the start of the remediation process, HYPREP issued a document ‘Guideline and Rules for Conflict Resolution, Community Engagement and Contract Administration’ to each of their contractors. This document was developed to facilitate easy access to sites for the implementation of the clean-up process in host communities. The document sets out the process for conflict management between the contractor and the community.

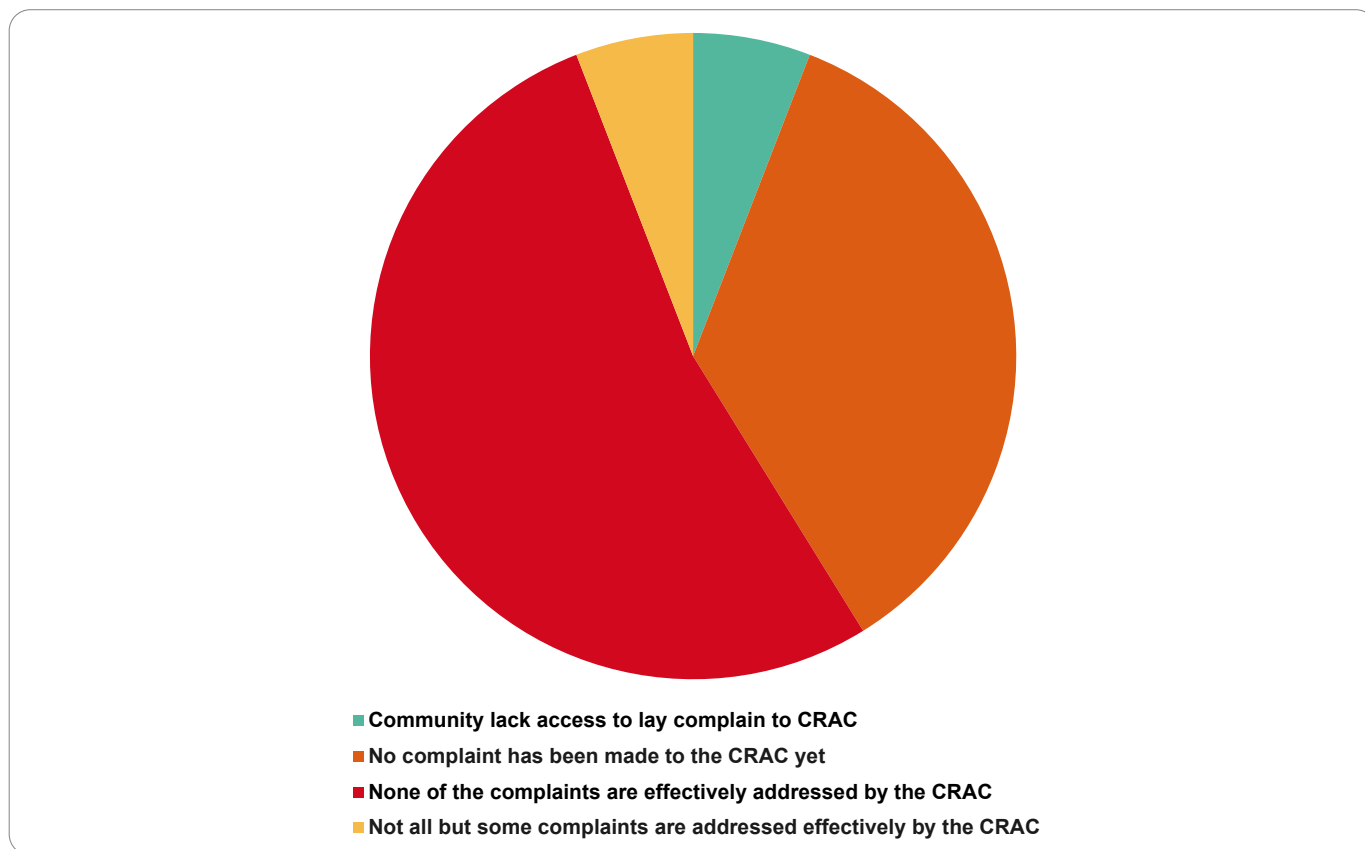
Complaint mechanisms were established in all communities. Our latest data suggests that there was some improvement in complaint resolution. In June 2022, in the surveyed clean-up lots, 12% of communities reported that they had made complaints which were only partially resolved. Also, the percentage of communities who reported that no complaint was made to the contractor yet reduced from 42% in June 2022 to 38% in December 2022. However, the percentage of communities that reported that all complaints are effectively addressed by the contractor remained the same as our last report (June 2022 data). These figures indicate that communities keep making efforts to report issues to the contractors only for the issues to be only partially addressed. This reflects the issues lingering in some lots (55 in Okuluebo-Ogale, 45 and 46 in Aletto-Ngofa, 25 in B-Dere, and 11 and 12 in Mogho) where community workers and security staff have complained severally to the contractors over short-payments but the contractors are yet to address the complaints. These workers were not paid by the contractors according to HYPREP’s approved guidelines, and to them, this was unfair. As reported in our third biannual report and as shown by our latest data, there is room for improvement in contractor-community relations. This will ensure that the right relationships are in place in the communities to promote an uninterrupted delivery of the exercise and the provision of the recommended emergency measures.

Figure 11: Contractor complaint resolution status a clean-up lots, December 2022



The Central Representative and Advisory Committee (CRAC), which is the central body which deals with complaints to HYPREP (as opposed to clean-up contractors), became increasingly non-responsive to the complaints of the communities. Nearly 53% of the communities we surveyed reported that none of the complaints were effectively addressed by CRAC, whereas about 40% reported either having no access to CRAC or not reporting any issues to CRAC. On further discussions with the communities, we found that CRAC members are almost faceless in the communities, and this has led to the accumulation of issues that should have ordinarily been resolved. Hence, CRAC's core functions have not been satisfactory due to their unavailability, as well as delayed responses to complaints raised by communities. Such complaints include, among others, non-payment and poor treatment of community workers by contractors, poor adherence to local content consideration for community members by the contractors, and lingering traditional leadership tussles such as the case in Kpean and Akpajo where HYPREP have been reported to be recognizing factional community leaders. It is therefore very imperative that CRAC membership is reviewed and expanded to have representation of all focus groups. This will promote speedy resolution of issues and hence the peaceful implementation of the clean-up exercise.

Figure 12: CRAC's effectiveness at managing complaints made by communities in December 2022



### 4.3. Emergency measures

Implementation of emergency measures, such as the provision of clean water and an assessment of, and response to, the health problems caused by exposure to extensive oil spill pollution, remained extremely slow.

Of the six water projects commenced in September 2021, only the Alesa water scheme was completed and operational, but still required reticulation to be extended around the communities, while the remaining five schemes were still under construction and not yet delivering water. As of June 2022, Alesa, Alode, Agbonchia, Aleto and part of Ogale communities had access to potable water supply from the Alesa water scheme. The situation was still the same in December 2022 and community members complained that they got water about three times a week and thus insufficient. This insufficiency stemmed from a poor power supply to the water stations, according to community members.

During the reporting period, we conducted water quality testing on samples of potable water taken at Ogale, Alode and Alesa which are supplied by the Alesa water scheme. The parameters tested include pH, temperature (°C), specific gravity (g), sulphate (mg/l), turbidity (NTU), total dissolved solids (TDS) (mg/l), conductivity (µS/cm), total hardness (mg/l), chlorides (mg/l), carbonates (mg/l), bicarbonates (mg/l), oil-in-water (mg/l), concentrations of some mineral elements - calcium (mg/l), magnesium (mg/l), potassium (mg/l), iron (mg/l), zinc (mg/l), copper (mg/l) - and E. coli count (MPN/100ml).

The results were compared to World Health Organization (WHO) standards as shown in Annex 7. Results showed that all the parameters tested, except turbidity and E. coli count, were within the WHO standard. We recommend that water treatment should be improved so that microbial loads (e.g., E. coli) for instance could be reduced to zero (especially in Ogale and Alesa) and maintained accordingly. Applying the appropriate hypochlorite for instance is recommended as well as putting in place the necessary maintenance system at the water stations.

On health, the communities reported there was no health-related activity during the reporting period. However, there was still widespread confusion in communities about what HYPREP's plans are, regarding the establishment of health registries, and what the purpose of health activities undertaken so far is. Even from our regular engagements with HYPREP, we have been unable to ascertain this, and so we are unable to say whether these activities will ultimately result in the production of a health registry for each community. As we keep reiterating, the original recommendation in the 2011 UNEP report was to develop a health registry as a prerequisite to understanding the health impacts of oil spill pollution on people in Ogoniland and how they can be responded to.

The Federal Executive Council gave HYPREP approval to construct a specialist hospital in Sakpenwa in Khana LGA for the entire people of Ogoniland. According to the project coordinator of HYPREP, the existence of a hospital of such a class will help to address the health challenges of the Ogoni people, especially with respect to long-term exposure to oil pollution. Whilst this may be the case, we are unclear how this falls within the remit of HYPREP and its core purpose, to clean-up hydrocarbon pollution in Ogoniland, and we are concerned that efforts to fulfil the core purpose of the clean-up are being diluted.

As we noted in our two previous reports, regarding the collection of people's health data undertaken during previous reporting periods, there remained an urgent need for HYPREP to clearly communicate the purpose of these activities, and for there to be full, prior, informed consent for those participating - including understanding how their data will be used; and to communicate about the wider process for the development of a public health registry to communities, and how this data will be made public and used in future. Beyond this, we encourage HYPREP to expedite actions to establish structures for the proper orientation of the Ogoni people on HYPREP's schedules for the delivery of the healthcare programmes in line with the proceedings of the clean-up exercise.

#### **4.4. Livelihoods**

In August 2022, HYPREP rolled out a technical vocational skills acquisition programme for Ogoni youths as part of its livelihoods programme. The skill areas in the programme include mechatronics, aviation, seafarers, and creative arts. Web links were released to Ogoni people for applications for the programme. In December 2022, we learnt that the selection process for successful applicants was ongoing. However, during our focus group discussion in December, some communities (Gio, Mogho, Ueken etc) complained that they are not happy with the design of the selection process. According to them, the selection should have been done by impacted communities or carried out at the LGA levels, and in that way, it would be more transparent than the process being applied.

In December, HYPREP carried out a sensitization programme for ex-artisanal refiners to give them orientation on the health, environmental and socio-economic impacts of artisanal refining of crude oil, and also on the need to embrace alternative livelihood options. In our third biannual report, we reported that ex-artisanal refiners were included in the needs assessment conducted by HYPREP. As of December 2022, there was no update from HYPREP on the number of these ex-artisanal refiners that have been selected for the livelihood program after the assessments. Likewise, no further activity had taken place with the 5,000 young people who participated in a livelihood needs assessment reported in our second biannual report. We are concerned about the pace of these livelihood programmes and recommend that HYPREP should expedite actions to ensure the people of Ogoniland begin to massively and equitably benefit from the planned programmes.

As noted in our last report, we remain concerned that HYPREP has not yet set a target for female participation across its livelihood programmes to ensure gender mainstreaming. This should be attended to by HYPREP. We also continue to recommend that HYPREP pursue a more holistic approach to supporting economic recovery and development in Ogoniland, rather than just skills training for individuals - this would enable HYPREP to reach more people and to invest in growing and developing existing areas of the Ogoni economy, which would be more likely to create jobs and have a sustainable impact. The Ogoni power project is a welcome development, and we encourage HYPREP to design livelihood programmes that will build on power availability to ensure that the initiative is sustainably maximized.

#### **4.5. HYPREP Infrastructure**

During the reporting period, line clearance, perimeter survey and beaconing activities were completed at the land which was donated for the construction of the Center of Excellence for Environmental Restoration (CEER) at Wiakara community in Khana Local Government Area. As of December 2022, the enumeration of crops and economic trees on the donated land is ongoing. The Federal Executive Council has approved the award of a contract for the architectural design of the CEER. Also, the statutory approval to carry out an environmental impact assessment for the construction of the centre has been granted. Likewise, line clearance, perimeter survey and beaconing activity have been completed in Wiakara community in Khana Local Government Area where the Integrated Contaminated Soil Management Center (ICSMC) will be constructed as part of the CEER facility. Enumeration of crops and economic trees at the site was ongoing as of December 2022. It was the expectation of stakeholders that the construction of the infrastructures will be expedited so that they will be completed before the remediation of the complex site begins. The two facilities are required to help ensure complex site clean-up can take place effectively and are also intended to leave a lasting legacy for hydrocarbon pollution clean-up across the Niger Delta. The CEER is a training institute on remediation and other environmental courses whereas the ICSMC is for the safe treatment (off-site) of contaminated soil from impacted sites.

### **5. Discussion, conclusions and recommendations**

This section of the report provides some further discussion of the findings above and recommended actions to be taken. HYPREP and NOSDRA have already been engaged on a number of these issues and have reacted positively to some of the findings in the previous reports. We look forward to further constructive engagement on the conclusions and recommendations and, where appropriate and relevant, we are ready to do what we can to support their implementation.

#### **5.1. Site clean-up**

Our findings in the reporting period show that approximately 19% of the samples we collected from 21 clean-up lots had Total Petroleum Hydrocarbon (TPH) levels that exceeded the target thresholds for the clean-up. Fifteen out of the twenty-one lots had at least one sample that exceeded target thresholds (lots: 11, 13, 16, 22, 25, 27, 31, 33, 45, 49, 50, 51, 53, 54 and 55). Of particular concern among these lots are eight lots (16, 22, 27, 49, 50, 51, 53, 54, 55) which have high above-threshold contaminant levels: Lot 22 has 29 exceedances with maximum TPH detected being as high as 13,812 mg/kg; Lot 55 has 13 exceedances; Lots 16, 49 and 51 have 5, 6 and 15 exceedances respectively and also have high groundwater pollution with maximum groundwater TPH levels of 7,362 ug/l, 1,192 ug/l and 5,021 ug/l respectively which are above the established thresholds for groundwater; Lots 27, 50, 53 and 54 are revisited lots, but still have as high as 10, 11, 6 and 13 exceedances respectively. Our data shows that only six lots (24, 29, 30, 34, 43 and 47) had no exceedances and therefore have met the statutory requirement for close-out – at least based on the results of local laboratory analysis.

All the affected lots including the revisited lots that still show exceedances should be subjected to corrective actions and post-monitoring processes accordingly to ensure that they meet the recommended TPH requirements for close-out and certification. It is important that the contaminants are removed as low as possible to promote quicker revegetation. At this point of the clean-up exercise, re-pollution should be urgently addressed. Relevant statutory authorities should step up their oversight functions to tackle pollution as it is a threat to the sustainability of the clean-up project.

During the reporting period, 10 lots (3, 12, 13, 20, 26, 28, 42, 44, 46, and 47) were certified as complete. Of these, only Lot 13 was reassessed within the reporting period while the others had already been assessed and were awaiting certification. Our data shows that five lots (12, 26, 28, 42, and 46) had no exceedances, four lots (3, 13, 20 and 47) had only one exceedance each while one lot (44) had two exceedances and was sampled in the second half of 2021.

The discrepancies we have found in data from samples analysed in a Nigerian laboratory and at an internationally accredited laboratory are concerning. Analysis in the internationally accredited laboratory found TPH levels above target levels in five more samples than that found in the local laboratory, and across all samples the average TPH level was 83% higher. As noted, we would expect to see some level of natural variation in the levels of contaminants found, even from the same sample core. However, having conducted two sets of duplicate sample analyses, we are increasingly confident that the level of variation we have found indicates that our reporting to date has underestimated the level of TPH and BTEX remaining at clean-up sites. We will conduct more duplicate and triplicate analyses for quality checks. Overall, there is a need to ensure appropriate and standard bioremediation technologies are deployed in the remediation of the lots to ensure effective degradation of hydrocarbon contaminants by stimulated microorganisms, including the use of appropriate nutrients for remediation to ensure that the hydrocarbon pollutants are removed from the environment in line with UNEP's recommendations.

#### **Recommendations to HYPREP:**

- I. Corrective actions should be taken at lots (16, 22, 27, 49, 50, 51, 53, 54 and 55) which have failed to meet the thresholds for clean-up to be certified. We request that we be informed of any remedial actions taken for these lots, and that our monitors be re-invited for a new round of sampling at the appropriate points.
- II. There is suspected hydrocarbon pollution from the underground pipeline(s) at Lot 22 as indicated by the TPH levels recorded on the samples taken at the lot. The operator of the pipeline should be urgently alerted and instructed to carry out necessary assessments and repairs before corrective actions are taken at the lots. Following this, our monitors should be re-invited for another round of sampling at the lot.
- III. As repollution from pipelines may also be occurring at other lots, and poses a wider risk to the clean-up, we recommend a thorough asset integrity assessment for all infrastructure across the four LGAs where the clean-up is taking place.
- IV. Revisited lots that still show very high levels of TPH beyond the threshold (Lots 27, 50, 54 and 55) should not be closed out, but should instead be extensively assessed to determine if there is underground pollution at the lots. Thereafter, appropriate corrective actions should be applied one further time, and if the high pollution levels persist, the affected lots should be reclassified as 'simple medium-risk' or 'complex' sites depending on the level of contamination. This is to ensure that the clean-up is conducted effectively and up to standard.

- V. Groundwater pollution should be remediated further at Lots 16, 49 and 51. HYPREP should closely monitor the contractors to ensure that appropriate technologies are applied in the process. This should be followed by a joint reassessment including our monitors, and if the pollution persists, the three sites should be reclassified.
- VI. Ensure that groundwater remediation is carefully mapped out, scheduled, and timed to happen all at once across groups of proximate lots in order to maximise effectiveness and prevent re-pollution from directional groundwater movement.
- VII. Take appropriate action to avoid re-pollution at Lots 48, 50, 53 and 54 by oil theft and refining activities. There are already high levels of pollution exceeding thresholds at these lots, and in November 2022, there was an incident of crude oil pollution caused by oil theft about 50 metres away from these lots, thus placing the lots at high risk of re-pollution and complicating their remediation.

**Recommendation to NOSDRA and NUPRC:**

- I. NOSDRA, NUPRC and other relevant authorities, should urgently apply a multistakeholder approach to intervene in the growing challenge of oil theft and refining activities around clean-up lots so as to take proactive steps to prevent foreseeable re-pollution of remediated sites in Ogoniland after lots are certified.
- II. NOSDRA and other oil industry regulators (NUPRC, etc) should alert pipeline operators on the condition of the oil pipelines crossing clean-up sites, and demand that integrity checks should be carried out on them, and thereafter instruct them to carry out necessary repairs to rule out any eventualities of re-pollution of lots after close-out

**5.2 Community engagement**

The level of community awareness of HYPREP activities has improved since our last report, and we believe this could be due to the way and manner with which HYPREP leadership has engaged and interacted with people in Ogoniland during the reporting period. In our last report, we heard positive reports about changes introduced by the new Project Coordinator to improve communications and engagement with key stakeholders in Ogoniland. During the reporting period, we noted that the new strategy had been sustained and has led to some improvements in awareness of the clean-up process in some of the impacted communities. However, of all the communities assessed, Kpean had the lowest average awareness score even though there was improvement when compared to our last report. The scores remained the same in Oboolo and only increased slightly in Akpajo and Mogho. HYPREP should intensify efforts to ensure awareness of the clean-up exercise and activities improves significantly and speedily in these communities. There has also been an improvement in the dissemination of information to women as the gap between the average overall awareness scores of men and women halved in the last reporting period.

There has been only a slight increase in overall levels of satisfaction with HYPREP, which remains average. When broken down into communities, significant improvements are seen in Botem, K-Dere and Kpean which have had consistently low scores since we began this project as reported in our third biannual report. The reason is that HYPREP approved the construction of potable water booster stations in Botem and in K-Dere, thus responding to the complaints they had been making to HYPREP. In Kpean where conflicts due to factional disputes over rightful traditional leadership had been impacting the clean-up progress, HYPREP acted by recognizing the recognised traditional leader and this calmed the tension and created relative peace in the community. Also, Kpean was informed about the allocation of more polluted sites in the community for the next phase of clean-up which will begin in 2023.

Furthermore, the water project in Kpean was progressing significantly during the reporting period. These positive developments led to a significant improvement in the satisfaction score for HYPREP in Kpean. In Aleto Ngofa, they were particularly impressed by the improved engagement strategy of the leadership of HYPREP and also about the promises of addressing the bottlenecks beclouding the delivery of potable water and the livelihoods component of the exercise to Ogoni people generally. However, in Gio, the satisfaction score dropped significantly due to their utter dissatisfaction with the clean-up of Lot 22 with little or nothing done by HYPREP to address it. According to them, the clean-up at the lot wasn't carried out effectively and the contractor was not steady on site. They also complained that the contractor underpaid community members who worked for the contractor on the lot.

The overall satisfaction score given to contractors had dropped significantly in June 2022 with a worrying level of variation in levels of satisfaction with the work of contractors. In December 2022, there was an improvement in the score. This is primarily due to the observed corrective actions being carried out by some contractors after their lots failed to meet the statutory requirements for close-out. Some of the impacted communities were aware of the poor quality of remediation work and were thus happy seeing that the lots were placed for further monitoring and technical corrective actions. However, the scores for individual contractors show that the contractors which were flagged for poor performance in our last report have not improved. In June 2022, seven contractors received the lowest possible score of 1 and several more received very poor scores. In December 2022, these same contractors still received the lowest scores indicating that the low-performing contractors have done nothing to address the underlying issues leading to the low scores. We continue to call on HYPREP, as a matter of urgency, to investigate the performance of these contractors and take appropriate measures to improve the clean-up process. This is very imperative as the clean-up of the simple sites winds down soon.

Unfortunately, under complaints management, this is an area where we have observed little or no significant progress since our monitoring project commenced. All communities visited in December 2022 still lamented the absence of the Community Representative Advisory Committee (CRAC) or information on how to channel complaints to them. There is a widespread feeling in communities that CRAC is faceless in the communities. It is highly recommended that there should be more public information on the CRAC, clear ways to contact them, and a potentially expanded membership to include members of all impacted communities, which would help make this group more accessible. Most communities complained that HYPREP has not acted accordingly to improve on or expand CRAC's structure. HYPREP are yet to take productive steps to address this lingering issue despite their promise to ensure that this is done. Hence, we reiterate that addressing this would obviously complement the efforts of the new HYPREP leadership to minimize the potential for conflict in communities.

### **Recommendations to HYPREP:**

- I. Contractors of clean-up Lots 11, 12, 25, 45, 46 and 55 and the water station at Korokoro should address all outstanding payments of community workers including security staff. Additionally, contractors' payments of community workers should be monitored to ensure they comply with the guidelines set by HYPREP in the contracts.
- II. HYPREP should hold separate forums with each of the impacted communities to engage with them and clearly understand their complaints and individual experiences with contractors. Afterwards, the findings should be used to further improve HYPREP's engagement plans and strategies. This will help to set best practice for engaging clean-up communities even in the next phases of the exercise.



- III. Issue the contractors of the simple sites an ultimatum to address every pending contractor-community issue before the commencement of the next phase of the clean-up. This will help to arrest potential conflicts which could impede the progress of the exercise as it progresses to phase 2 soon.
- IV. Learn lessons from communities where levels of awareness of the clean-up have remained very high over the past eighteen months - such as B-Dere, Gio and Ueken – to establish best practice for further engagements with all communities. In particular, use this to engage Kpean, Mogho and Oboolo, where records of awareness levels have remained relatively low since our last report.
- V. Sustain and improve on HYPREP’s communication strategy to ensure information from HYPREP reaches men and women equally, to sustainably address the lower awareness among women.
- VI. Organise a forum for communities and contractors to address issues of corporate social responsibilities of the contractors, to resolve the unrealistic expectations on contractors from communities, to maximise the direct benefit to the communities and hold contractors to account for the role they should be fulfilling, including ensuring proper treatment and remuneration of community workers on the remediation sites.
- VII. Hold meetings between the communities and contractors for lots (12, 15, 17, 28, 30, 31, 43, 44, 45, 55, 56 and 57) with high levels of dissatisfaction with contractor performance and put in place plans to address these.
- VIII. Publicise information on the membership of the Community Representative Advisory Committee (CRAC), how they can be contacted, and what the complaints process is (e.g. via posters in public locations in communities), and consider the possibility of expanding CRAC membership to include representatives from each of the impacted communities, especially those who reside in the communities.

### **5.3. Emergency measures**

The pace of the delivery of emergency measures has been generally slow since the project began. Only one water scheme is so far functioning although it still requires further improvements to ensure sufficient potable water supply to communities. None of the other five schemes has become operational yet meaning that many communities are yet to have access to potable water. We have still not been able to verify if water quality testing has taken place at these sites, to ensure the water being supplied is safe for human consumption, but we have started conducting water quality tests ourselves. During the reporting period, we conducted tests on potable water samples taken from three water stations connected to the Alesa water scheme. The results show the quality is ‘moderate’ according to WHO water quality standards, but require improvements to reduce the microbial load (E. coli) in water (especially in Ogale and Alesa) to conform to the set standard of the World Health Organization (WHO). We intend to continue our own regular but limited testing to ensure that at least some data from the functional water facilities can be made available.

During the reporting period, HYPREP received approval from the Federal Executive Council to construct a specialist hospital for Ogoni people. The hospital which will be situated in Sakpenwa in Khana LGA will serve to respond to the health challenges suffered by the people of Ogoniland due to the accumulative and diversifying impacts of long-term oil pollution across the four LGAs. However, the situation regarding health activities and the creation of health registries recommended by UNEP is of increasing concern. The absence of communication and information from HYPREP about how they plan to create the health registries, the associated activities and timeframe, and the purpose of activities they have already carried out, means neither we, nor communities know what is exactly happening.

It is particularly disturbing to hear reports from community members that they have had medical tests and the results were not shared with them - and that these activities appear to be taking place without informed consent from participants (something which should be a very basic prerequisite for such activities). Because of the ambiguities surrounding the creation of health registries, we are still unable to judge whether health registries will be created and what progress, if any, has been made in this regard - we have asked HYPREP for further information on several occasions but have been unable to get an explicit answer.

During the reporting period, no health-related activities were carried out by HYPREP. As noted in our preceding reports, our best understanding of the health activities that have taken place so far is that there appears to have been some medical services provided in the communities, to identify common health conditions and treat them. There is no indication that testing and checks have been carried out systematically to monitor and assess health conditions in relation to prolonged exposure to hydrocarbon pollution, which we understand was the intention behind the recommendations raised in the original UNEP report.

### **Recommendations to HYPREP:**

- I. Establish a potable water quality monitoring system that makes provision for periodic testing of water samples from the water schemes.
  - II. Fast-track and publish the timeframe for completion of potable water projects and impose fines on those contractors failing to comply.
  - III. Ensure all schemes are designed with a plan for maintenance and sustainability.
  - IV. Ensure water is piped to all parts of the communities to increase water access.
  - V. Ensure that the health registries recommended by UNEP are urgently established across all LGAs in Ogoniland. Communicate and share a detailed plan for the health registry, so that its aims and activities are understood by all stakeholders, and explain how activities already conducted will contribute towards this.
- Ensure the full, prior, informed consent of community members before any further health-related activities take place in Ogoniland, and ensure those who have already had data collected are informed about how it is being used and stored.

## **5.4. Livelihoods**

During the reporting period, HYPREP received applications from Ogoni people who indicated interests in HYPREP's technical vocational skills which were advertised in August 2022. In December 2022, successful candidates were yet to be shortlisted. HYPREP are also yet to publicise the total number of successful candidates for the various livelihoods programmes after assessing 5,000 people, and an additional set of people with disabilities as noted in our previous reports. Consequently, livelihood activities for these groups are yet to commence. Some communities have complained that they are not comfortable with the selection process for the livelihood programmes, especially the recently advertised vocational skills acquisition program. According to them, the process should be made more transparent by making selections based on impacted communities or at the LGA-level. There is generally a lack of information in communities about who will benefit from the programmes and how these decisions will be made. HYPREP should ensure that the process is simplified and publicized to reduce any potential for conflicts. Importantly, efforts to target groups at risk of being excluded, such as those with

disabilities, are very much encouraged.

As stated in our preceding reports, while HYPREP's plans continue to focus mainly on skills training, we strongly recommend that a more holistic approach to supporting economic recovery and development in Ogoniland should be adopted. While skills acquisition may be an important part of livelihood development, a market systems approach should be followed, looking at opportunities, for example, to increase private sector investment, access to finance, supporting value addition for existing industries, and access to markets. Such efforts would be complemented by the positive impacts of the proposed Ogoni power project.

#### **Recommendations to HYPREP:**

- I. Livelihoods programmes should be expanded to include businesses such as welding, fabrication, mini-factories which are major users of electricity so as to maximize the gains of the proposed Ogoni power project which is expected to take off in 2023.
- II. Set a quota for female participation in clean-up and livelihood activities of 50% and continue to work to ensure other marginalised groups are supported to have an equal opportunity to benefit. Work with community leadership to implement this.
- III. Publish the selection criteria and process for all the proposed skills acquisition programmes that have been rolled out so far and communicate these to the communities.
- IV. Continue to expand the scope of the wider livelihoods programme to include a more holistic, market-systems approach as this will result in more sustained, wide-reaching economic opportunities for people living in Ogoniland.
- V. Develop a strategy and timeline for livelihood activities to ensure greater transparency and compliance.

### **5.5. HYPREP infrastructure**

HYPREP had completed the land and geotechnical surveys for the construction of the Centre of Excellence for Environmental Restoration (CEER) and the Integrated Contaminated Soil Management Center (ICSMC) at Wiakara community in Khana Local Government Area as reported in our preceding report. The two facilities are required before the clean-up of the complex site begins. The CEER is a training institute on remediation and other environmental courses; it will also serve to develop the skills and expertise needed locally to ensure permanently improved capacity to deal with oil spill pollution across the Niger Delta region. The ICSMC will be used for the safe treatment (off-site) of contaminated soil from impacted sites. During the reporting period, line clearance, perimeter survey and beaconing activities were completed, but the inventory of crops and economic trees on the donated land was ongoing. A contract for the architectural design of the CEER has been approved by the federal government and likewise, approval to carry out an environmental impact assessment (EIA) for the construction of the centre has been granted. It is the expectation of stakeholders that the construction of the infrastructure will be expedited so that they will be completed before the remediation of the complex site begins.

The process of setting up these infrastructures has been slow. It was the expectation of the stakeholders that these facilities would be in place as part of the first set of activities to be implemented with the kick-off of the exercise. It is therefore important that actions should ensure the fast-paced establishment of these two facilities.

#### **Recommendations to HYPREP:**

- I. Produce and publish a timetable for the construction and launch of the Integrated Contaminated Soil Management Centre and Centre of Excellence for Environmental Restoration.
- II. Ensure that local content provisions are made for equitable involvement of host communities and Ogoni people in the design, construction and management of the infrastructures.

## **6. Annexes**

### **Annex 1: Overview of our Independent Monitoring Process and Methods**

The project is led by the Port Harcourt-based civil society organisations, SDN and CEHRD, working in close collaboration with National Coalition on Gas Flaring and Oil Spills in the Niger Delta (NACGOND), Kabetchace Women Resource and Development Centre, the Youth Advocacy and Environment Centre (YAEC), Gender and Development Action (GADA), Society for Women and Youth Advocacy (SWAYA), Lokiaka Women Centre and trained Local Environment Monitors across Ogoni communities. At present, a total of 31 monitors from civil society have been trained to support us in this monitoring exercise.

We have established 16 Key Performance Indicators (KPIs) listed in the table at the end of this section, which we will monitor throughout the project. The design of our KPIs was based on HYPREP's ten KPIs (see the annexes). Almost all of our KPIs are informed by our own primary data collection. However, it is important to note that a small number captures data as reported by HYPREP (e.g. indicator 2) and contractors, and we have been explicit where this is the case. We have done this where it is beyond our means to produce independent data (e.g. to measure volumes of soil remediated), but we feel it is still important to report this information, to provide easy access to this data. Further detail on the indicators (such as the specific method for data collection for each indicator) can be viewed by downloading the database on the dashboard page, and accessing the "database indicators" worksheet.

These indicators are monitored using a range of methods, including laboratory analysis of soil and water samples collected from remediation sites; site observation visits; visits to HYPREP's offices; Focus Group Discussions (FGDs) with the leadership in communities, including women and youth groups; and public perception surveys conducted with over 1,500 respondents. Our Monitors were previously trained by UNEP on contaminated site assessment techniques, and observed stringent quality assurance and quality control protocols while collecting the same soil and water samples with the joint team. Samples from clean-up lots are collected after a contractor informs HYPREP they have concluded clean-up activities – this exercise should be repeated at individual lots if laboratory analysis indicates target thresholds have not been reached, as the contractor should be instructed by HYPREP to return to site to take corrective action. All other indicators are collected on a quarterly basis.

To understand our data, it is useful to note we have two different ways of categorising our indicators. First, in the database, we have structured the data according to whether the indicator is tracking progress at the level of a lot, a community, or for HYPREP as a whole:

To understand our data, it is useful to note we have two different ways of categorising our indicators. First, in the database, we have structured the data according to whether the indicator is tracking progress at the level of a lot, a community, or for HYPREP as a whole:

1. Lot: these are indicators that measure progress and perspectives at a specific site where a company has been contracted to conduct clean-up and remediation of oil pollution. For example, this includes data from soil and water samples taken at a clean-up site (lot), as well as community perspectives on how the contractor is performing.
2. Community: these are indicators that measure progress and perspectives for aspects of the clean-up which relate to a whole community. For example, whether clean drinking water sources have been installed, or how the community feels about the performance of HYPREP overall.
3. HYPREP: these are indicators which measure progress on initiatives which relate to the “whole project” for the Ogoniland clean-up. For example, this includes the infrastructure that needs to be established for the whole project to succeed, such as a Centre of Excellence for Environmental Restoration, and the number of people subsequently trained at this centre.

The data for this second bi-annual report is collected at the end of each quarter – September and December 2021 and analysed per indicator according to different sets of activities/processes under the clean-up. As already described, these are: 1) the actual process of clean-up at lots, 2) the process of community engagement, 3) the provision of emergency measures, 4) livelihood support, and 5) the set-up of critical HYPREP infrastructure to enable the clean-up.

This is a complex and large-scale clean-up. We cannot monitor every single aspect of it, but our indicators have been selected to provide data on a range of some of the most important aspects, to enable a balanced and broad assessment of the clean-up project.

**Table 7: Key Performance Indicators use by the Independent Civil Society Monitoring of the Ogoniland Clean-up project**

Indicator	Description
<p>1. Level of Total Petroleum Hydrocarbons (TPH) and benzene, toluene, ethylbenzene and xylene (BTEX) at individual clean-up sites, disaggregated by soil, surface water, groundwater and sediment samples</p> <p>NOTE: As of 1st January 2022, samples are only tested for TPH to enable us to maximise the number of samples we can test.</p>	<p>A measure of the concentration of TPH and BTEX in soil, which is the main indicator of whether hydrocarbon pollution has been removed to a sufficient level</p> <p>HYPREP has set targets for TPH in soil of 1,000 milligrams/kilogram (mg/kg) for inhabited locations and 3,000 mg/kg for uninhabited locations, and 600 micrograms/litre (µg/l) for water. For BTEX, 0.05mg/kg for soil, and 0.2 µg/l for water samples.</p>
2. Reported volume of soil remediated at individual clean-up sites to date	This figure comes from HYPREP and contractor-reported figures and reports the total volume of soil remediated at a site to date

<p>3. Has the site clean-up been certified as complete by NOSDRA?</p>	<p>“yes/no” depending on whether certification has been received. This is a certification given to HYPREP by NOSDRA, (the National Oil Spill Detection and Response Agency) based on lab analysis conducted by NOSDRA. This means the Federal Government has formally approved completion of clean-up at this lot. Note that this is not an endorsement by our project, but data on the government’s own certification process.</p>
<p>4. Has the contractor been present and active on the clean-up site in the past month?</p>	<p>“yes/no” based on visual check, or “n/a” when clean-up is complete or not yet due to start. If “no”, a reason should be noted. Note that this is collected during quarterly visits, with monitors assessing if there has been activity within the past month.</p>
<p>5. Clean-up stage at individual clean-up site</p>	<p>Note of the stage of the clean-up at a site, based on the HYPREP milestones:</p> <ul style="list-style-type: none"> <li>- Not yet assigned to a contractor</li> <li>- Handover of site to contractor</li> <li>-Site set up</li> <li>-Construction of bio-cell</li> <li>-Soil excavation</li> <li>-Soil treatment and remediation</li> <li>-Inspection and certification</li> <li>-Demobilise from site</li> <li>-Site handover to HYPREP/Community</li> </ul> <p>If any issue identified at each stage (as per checklists – see database) this is noted</p>
<p>6. Level of community awareness of basic clean-up information, measured as % of community survey respondents that are aware of at least 3 out of the 4 survey items of basic information about clean-up.</p>	<p>“yes” or “no” answers, based on survey responses to the following:</p> <ul style="list-style-type: none"> <li>- I am aware the contractor(s) were introduced and formally handed over to my community</li> <li>- We have been informed of the number of clean-up lots in my community</li> <li>- We have been informed that the contractor(s) will be employing some persons from my community</li> </ul>

	<p>- We have been informed that the contractor(s) will compensate landowners for access to lot</p>
<p>7a. Average community satisfaction score with clean-up site</p>	<p>A composite indicator, where a series of Focus Group Discussion questions are rated 1-5 (1 = completely disagree, 5 = completely agree):</p> <ul style="list-style-type: none"> <li>- I feel well informed about the clean-up process in my community by [CONTRACTOR]</li> <li>- I feel the community has been sufficiently consulted on community worker selection, access to site and waste management by [CONTRACTOR]</li> <li>- I feel sufficient opportunities have been given to local community members to participate in the clean-up by [CONTRACTOR]</li> <li>- There is a clear mechanism to report concerns to [CONTRACTOR]</li> <li>- The way and manner [CONTRACTOR] has acted has minimised the potential for conflict in my community</li> </ul> <p>Participant scores are averaged for a lot to provide an overall perception index between 1-5.</p>
<p>7b. Average community satisfaction score with overall HYPREP clean-up</p>	<p>A composite indicator, where a series of survey questions are rated 1-5 (1 = completely disagree, 5 = completely agree):</p> <ul style="list-style-type: none"> <li>- I feel well informed about the clean-up process in my community by HYPREP</li> <li>- I feel the community has been sufficiently consulted about the remediation in our community by HYPREP</li> <li>- I feel sufficient opportunities have been given to local community members to participate in the clean-up by HYPREP</li> <li>- There is a clear mechanism to report concerns to HYPREP</li> <li>- The way HYPREP has acted has minimised the potential for conflict in my community.</li> </ul> <p>These scores are averaged across participants from individual communities to provide an overall perception index between 1-5.</p> <p>50</p>

<p>8a. Existence of dispute and community engagement mechanism created by the contractor and effective management of complaints</p>	<p>"Yes/no" response on check of whether the contractor has set up a complaint/feedback mechanism with the community, using the HYPREP issued 'Guidelines and Rules for Conflict Resolution, Community Engagement and Contract Administration' document.</p> <p>Also "Yes/no" response by key community members on how effective the compliant mechanism has been, followed with a comment.</p>
<p>8b. Existence of dispute and community engagement mechanism created by HYPREP and effective management of complaints</p>	<p>"Yes/no" response on check of whether HYPREP has set up the Central Representative Advisory Council (CRAC) to deal with community issues.</p> <p>Also "Yes/no" response by key community members on how effective CRAC is in resolving compliant. Followed with a comment.</p>
<p>9a. % of contaminated water sources clearly marked with signposts</p>	<p>Total number of contaminated water sources in the community against number of sources that are clearly marked.</p>
<p>9b. Community access to HYPREP's potable water schemes</p>	<p>This is specifically for communities where emergency water measures were proposed. To be recorded as:</p> <ul style="list-style-type: none"> <li>-HYPREP has not yet started improved water provision</li> <li>-HYPREP is constructing an improved water source</li> <li>-HYPREP has installed an improved water source but it is insufficient for community needs</li> <li>-HYPREP has installed an improved water source and it is sufficient for community needs</li> <li>-HYPREP has installed an improved water source but it is not functioning</li> </ul>
<p>10. Health registry established in community</p>	<p>Has HYPREP completed a comprehensive health registry for all those living in the community? Status to be noted as "Not Started", "In Progress", or "Completed".</p>
<p>11. Reported total number of people employed to date from local community in clean-up work (disaggregated by sex and age)</p>	<p>Count of those employed during the lifetime of a site clean-up. This is regularly updated, but is the total people employed up to that date. Note that this is cumulative. This figure comes from contractor and community records.</p>
<p>12. Reported number of individuals that have completed livelihood training, received grants, or scholarships provided by HYPREP (disaggregated by sex and age) in the past quarter</p>	<p>Count of those who, in the past quarter, have successfully completed training, received a grant or scholarship, broken down by support type, based on livelihood needs assessment. This figure comes from HYPREP records.</p>



13. Existence of Centre of Excellence for Environmental Restoration	Status to be updated: “not started/under development/completed but not operational/ completed and operational”
14. Reported number of people successfully trained at Centre of Excellence for Environmental Restoration (disaggregated by sex and age) in the past quarter	Count of those who have graduated from their training course in the past quarter. This figure comes from HYPREP records.
15. Existence of Integrated Contaminated Soil Management Centre	Status to be updated: “not started/under development/operational”
16. Reported tonnes of soil remediated by Integrated Contaminated Soil Management Centre in the past quarter	As per indicator. This figure comes from HYPREP records.

## Annex 2: HYPREP clean-up lots

Lot Number	Contractor	Community
1	NAUTILUS NIGERIA ENGINEERING CONSTRUCTION LTD	Nkeleoken Alode
2	BASIC NIGERIA TECHNOLOGY	Oboolo
3	PACRIM ENGINEERING LTD	Nkeleoken Alode
4	RDK ENVIRONMENT ECO-SOLUTION LTD	Nkeleoken Alode
5	EARTHPRO UNIQUE INTEGRATED	Nkeleoken Alode
6	ENVIRONMENTAL RESOURCES MANAGER	Nkeleoken Alode
7	AVONDALE SERVICES AND SUPPLIES LTD	Nkeleoken Alode
8	GIOLEE GLOBAL SERVICES	Nkeleoken Alode
9	ODUN ENVIRONMENTAL LTD	Mogho/Debon
10	REY & REINA INTERNATIONAL LTD	Mogho/Debon
11	MOSVINNY NIGERIA LTD	Mogho/Debon
12	SHAMSA RESOURCES & SERVICES LTD	Mogho/Debon
13	CENTENNIAL INVESTMENT DEV. COMPANY	Mogho/Debon
14	NAVANTE OIL & GAS COMPANY LTD	Mogho/Debon
15	SECURA INVESTMENT LTD	Kpean Well 13
16	NEWLINE WEST AFRICA LTD	Korokoro Well 5
17	TIP TREE NIGERIA LTD	Botem P/L
18	LOUIZIONI FERRETI ENT. LTD	Korokoro Well 9
19	ASONIC ASSOCIATES LTD	Korokoro Well 8
20	AMAZING ENVIRONMENTAL SOLUTIONS	Korokoro Well 8
21	NEWPAL NIGERIA LTD	Korokoro Well 6
22	VITRUVIAN GLOBAL RESOURCES	Gio/B-Dere
23	CASCADE ENGINEERING SYSTEM LIMITED	Gio/B-Dere

24	LEVENE ENERGY DEVELOPMENT LIMITED	Gio/B-Dere
25	SUBADOM GLOBAL RESOURCES LIMITED	Gio/B-Dere
26	EARTHQUEST INTERNATIONAL LIMITED	Gio/B-Dere
27	MARM CONSULTING SERVICES LIMITED	Bara-Alue
28	EMAMED NIGERIA LIMITED	Bara-Alue
29	WEAFRI WELL SERVICES	Aabue Korokoro
30	ELIZAX BLEET NIGERIA LIMITED	Aabue Korokoro
31	OILSERV LIMITED	Gio/B-Dere
32	MOSITO ENVIRON - CONSTRUCT	Gio/B-Dere
33	CHRISTOHOUSTON ENERGY LIMITED	Gio/B-Dere
34	DLK OIL & GAS ENVIRONMENTAL SERVICES	Gio/B-dere
35	DILEX LIMITED	Oboolo
36	GIOLEE GLOBAL RESOURCES LIMITED	Nkeleoken Alode
37a	LAMOR CORPORATION AB/ONE SPECIALTY P & S NIG LTD	Saanako Mogho
37b	LAMOR CORPORATION AB/ONE SPECIALTY P & S NIG LTD	Debon
38a	AMAZING ENVIRONMENTAL SOLUTION INTERNATIONAL LTD	Buemene Korokoro
38b	AMAZING ENVIRONMENTAL SOLUTION INTERNATIONAL LTD	Bara Akpor-Botem
39a	GEOTERRAIN NIG LTD	Buemene Korokoro
39b	GEOTERRAIN NIG LTD	Aabue/Ueken Korokoro
40a	PW NIGERIA LTD	Gio/B-Dere
40b	PW NIGERIA LTD	Bara-Alue
41a	RAIN FOREST LIMITED	Kebara-Kira
42	KANNY KOY LTD	Korokoro Well 4
43	OTAOILF SERVICES LTD	Aleto Ngofa
44	M/S HARRISCO INTERNATIONAL LTD	Aleto Ngofa
45	CHAVYN NIGERIA LTD	Aleto Ngofa
46	ANDELSTA LTD	Nsioken Akpajo
47	LAPIDEO MULTI SERVICES LTD	Okuluebu 2
48	SLOT ENGINEERING NIG.	Okuluebu 2
49	ENVIRON CONSULT AND REMEDIAL SERVICES LTD	Okuluebu 2
50	KLARTEK NIG LTD	Okuluebu 2
51	EROTINA NIG LTD	Okuluebu 2
52	MONTEGO UPSTREAM SERVICES LTD	Okuluebu 2
53	ATLAS-RAY AND SONS COMPANY LTD	Okuluebu 2
54	BRANT TECHNOLOGIES LTD	Okuluebu 2
55	ADG INTERNATIONAL RESOURCES LTD	Okuluebu 2
56	AWA ENGINEERING COMPANY NIG. LTD	Eelenwo/Akpajo
57	INTEGRATED CHEMICAL WORKS LTD	Eelenwo/Akpajo

### Annex 3: Checklists for Clean-up Status at Individual Lots

S/N	STATUS	CHECK LISTS
1	Handover of site	Evidence in media reports? YES or NO Has HYPREP done a Kick off meeting? YES or NO Has the contractor been issued 'Guidelines and Rule for conflict resolution'? YES or NO Has HYPREP paid homage to traditional institution? YES or NO Does the contractor have certificate of handover? YES or NO
2	Site set up	Has the site been cleared by the community? YES or NO Has contractor paid community for site clearing? YES or NO Has the community submitted list of community workers? YES or NO Has contractor paid for compensation for crops if any? YES or NO Has contractor set-up site office? YES or NO
3	Biocell construction	Is there High Density Plastic (HDP) liner? YES or NO Is there sharp sand on the floor of the HDP liner? YES or NO Does the biocell have bund walls? YES or NO Is there a drainage tank in the biocell? YES or NO
4	Soil excavation	Has soil excavation commenced? YES or NO. Are there signages warning people of the excavation to avoid accidents? YES or NO
5	Soil treatment and remediation	Has the contractor commenced moving soil to the biocell? YES or NO Has the contractor applied nutrients/chemical on the soil? YES or NO
6	Inspection and certification	Has the contractor and HYPREP commenced soil analysis? YES or NO Are there ground water wells for testing? YES or NO Has NOSDRA been to the site for certification? YES or NO
7	Demobilise from site	Are there still structures on site? YES or NO Has the contractor moved out of site? YES or NO Has grass tuft been planted on the remediated soil? YES or NO
8	Handover	Has the site been handed over to HYPREP? YES or NO Has HYPREP handed it over to community and landowners? YES or NO Is the site certified remediated by NOSDRA? YES or NO

## Annex 4: Community Satisfaction with individual Lot/Contractor June 2022

Lot ID/ Number	Indicator 7a: Average community satisfaction score with clean-up site						Average
	Name of contractor	I feel well informed about the clean-up process in my community by	I feel the community has been sufficiently consulted on worker selection, access to site and waste management	I feel sufficient opportunities have been given to local community members to participate in the clean-up	There is a clear mechanism to report concerns to the contractor	The way the contractor has acted has minimised the potential for conflict in my community	
1	NAUTILUS NIGERIA ENGINEERING CONSTRUCTION LTD	5	5	5	5	5	5
2	BASIC NIGERIA TECHNOLOGY	5	5	5	5	5	5
3	PACRIM ENGINEERING LTD	5	5	5	5	5	5
4	RDK	5	5	5	5	5	5
5	EARTHPRO UNIQUE INTEGRATED	5	5	5	5	5	5
6	ENVIRONMENTAL RESOURCES MANAGER	5	5	5	5	5	5
7	AVONDALE	5	5	5	5	5	5
8	GIOLEE GLOBAL RESOURCES LIMITED	5	5	5	5	5	5
9	ODUN ENVIRONMENTAL LTD	5	5	4	5	5	5
10	REY & REINA INTERNATIONAL LTD	3	5	3	3	1	3
11	MOSVINNY NIGERIA LTD	5	5	5	5	5	5
12	SHAMSA RESOURCES & SERVICES LTD	4	5	1	1	1	2
13	CENTENNIAL INVESTMENT DEV. COMPANY	5	5	5	5	5	5

14	NAVANTE OIL & GAS COMPANY LTD	3	5	1	5	1	3
15	SECURA INVESTMENT LTD	1	1	1	1	2	1
16	NEWLIN WEST AFRICA LTD	1	5	5	5	5	4
17	TIP TREE NIGERIA LTD	1	1	3	1	1	1
18	LOUZIONI FERRETI ENT. LTD	5	5	3	5	4	4
19	ASONIC ASSOCIATES LTD	3	5	5	5	4	4
20	AMAZING ENVIRONMENTAL SOLUTIONS	5	5	3	5	1	4
21	NEWPAL NIGERIA LTD	3	1	5	5	1	3
22	VITRUVIAN GLOBAL RESOURCES	5	5	5	5	5	5
23	CASCADE ENGINEERING SYSTEM LIMITED	3	5	5	5	1	4
24	LEVENE ENERGY DEVELOPMENT LIMITED	4	5	3	5	1	4
25	SUBADOM GLOBAL RESOURCES LIMITED	4	5	5	5	5	5
26	EARTHQUEST INTERNATIONAL LIMITED	1	5	5	1	1	3
27	MARM CONSULTING SERVICES LIMITED	5	5	5	5	5	4
28	EMAMED NIGERIA LIMITED	3	5	1	1	2	2
29	WEAFRI WELL SERVICES	5	5	5	5	5	5
30	ELIZAX BLEET NIGERIA LIMITED	1	1	1	1	1	1
31	OILSERV LIMITED	4	1	1	1	1	2
32	MOSITO ENVIRON - CONSTRUCT	5	5	1	5	1	3
33	CHRISTOHOUSTON ENERGY LIMITED	5	5	1	3	3	3
34	DLK OIL & GAS ENVIRONMENTAL SERVICES	5	5	5	5	5	5
42	KANNY KOY LTD	5	5	5	5	5	5
43	OTAOILF SERVICES LTD	1	1	1	1	1	1
44	M/S HARRISCO INTERNATIONAL LTD	1	1	1	1	1	1

45	CHAVYN NIGERIA LTD	1	1	1	1	1	1
46	ANDELSTA LTD	5	5	1	3	5	4
47	LAPIDEO MULTI SERVICES LTD	4	4	5	5	3	4
48	SLOT ENGINEERING NIG.	5	5	5	5	5	5
49	ENVIRON CONSULT AND REMEDIAL SERVICES LTD	4	3	3	4	3	3
50	KLARTEK NIG LTD	4	3	3	3	1	3
51	EROTINA NIG LTD	5	5	5	5	5	5
52	MONTEGO UPSTREAM SERVICES LTD	5	5	5	5	5	5
53	ATLAS-RAY AND SONS COMPANY LTD	5	5	3	5	5	5
54	BRANT TECHNOLOGIES LTD	4	5	5	4	3	4
55	ADG INTERNATIONAL RESOURCES LTD	1	1	1	1	1	1
56	AWA ENGINEERING COMPANY NIG. LTD	1	5	1	3	1	2
57	INTEGRATED CHEMICAL WORKS LTD	1	5	1	3	1	2

Annex 5: HYPREP's Key Performance Index for the Ogoni Clean-Up Project
<b>HYPREP's KPIs</b>
1. Number of contaminated sites and lots successfully remediated/closed out
2. Total volume of soil (m <sup>3</sup> ) and areas of land (m <sup>2</sup> ) remediated
3. Number of communities benefiting from HYPREP activities
4. Number of households in impacted communities with improved access to clean drinking water
5. Number of people within impacted communities identified and treated for hydrocarbon pollution related illnesses
6. Number of public awareness campaign on health and environmental issues related to oil-pollution developed and implemented.
7. Number of people within impacted communities provided with new employment and livelihood opportunities
8. Existence of a Centre of Excellence for Environmental Restoration (CEER) to conduct research, training etc ,
9. Establish an "Integrated Contaminated Soil Management Centre" for processing of contaminated materials.
10. Establish security frameworks, protocols awareness and sensitization for project implementation

**Annex 6: TPH levels reported in lot 54 duplicate samples by local and internationally-accredited laboratories**

<b>SAMPLE ID</b>	<b>TPH (Local laboratory) (mg/kg)</b>	<b>TPH (Internationally-accredited laboratory) (mg/kg)</b>
LOT 55 - SS1 - 0.5m	966	1,400
LOT 55 - SS1 - 2.5m	1,301	836
LOT 55 - SS1 - 5.0m	701	1,330
LOT 55 - SS1 - 9.0m	1,110	1,300
LOT 55 - SS2 - 0.5m	2,073	983
LOT 55 - SS2 - 2.5m	1,931	1,550
LOT 55 - SS2 - 5.0m	1,762	660
LOT 55 - SS2 - 9.0m	366	1,460
LOT 55 - SS3 - 0.5m	1,151	5,100
LOT 55 - SS3 - 2.5m	424	1,520
LOT 55 - SS3 - 5.0m	342	696
LOT 55 - SS3 - 9.0m	1,151	1,100
LOT 55 - SS4 - 0.5m	424	1,700
LOT 55 - SS4 - 2.5m	818	1,430
LOT 55 - SS4 - 5.0m	857	1,820
LOT 55 - SS4 - 9.0m	1,844	1,610
LOT 55 - SS5 - 0.5m	1,196	-
LOT 55 - SS5 - 2.5m	873	833
LOT 55 - SS5 - 5.0m	701	1,170
LOT 55 - SS5 - 9.0m	802	1,230



<b>Annex 7: Portable water quality evaluation of potable water samples taken at Ogale, Alode and Alesa in Ogoniland.</b>				
<b>Parameter</b>	<b>Ogale</b>	<b>Alode</b>	<b>Alesa</b>	<b>WHO Standards</b>
pH	6.8	6.97	6.55	6.5-8.5
Temperature °C	27.2	27.1	27.4	25
Specific gravity	1.02	1.01	1.03	1.00 -1.030
Sulphate (Mg/L)	1.23	2.81	4.57	400
Turbidity (NTU)	10	10	10	5
TDS (mg/L)	25	28.5	24.5	1000
Conductivity (µS/cm)	50	57	49	200-800
Total Hardness (mg/L)	22.6	37.6	30	500
Chlorides (mg/L)	15	18	20	250
Carbonates (mg/L)	<0.50	<0.50	<0.50	30 - 200
Bicarbonates (mg/L)	26	38	32	500
Oil in Water (mg/L)	<0.10	<0.10	<0.10	0.2
Ca (mg/L)	1.12	1.57	0.975	100-300
Mg (mg/L)	0.54	0.572	0.45	100
K (mg/L)	0.422	0.467	0.336	1.5
Fe (mg/L)	0.006	0.013	<0.002	0.3
Zn (mg/L)	<0.002	<0.002	0.003	5
Cu (mg/L)	<0.004	0.005	<0.004	2
E. Coli (MPN/100 ml)	45	<1.00	20	0**

\*\* According to the World Health Organization, a zero count of E. coli per 100 ml of water is considered safe for drinking. A count of 1-10 MPN/100 ml is regarded as low risk; 11-100 MPN/100 ml is medium risk; 100 MPN and above/100 ml is adjudged high risk.



*Excavation pit inspection at Lot 42 in Korokoro community in Tai Local Government Area*



*Joint soil sample collection by SDN at Lot 34 in B.Dere community in Gokana Local Government Area*