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

January-June 2022

SDN

CEHRD

Published 2023

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.

This project is implemented in partnership with the Centre for Environment, Human Rights and Development (CEHRD), with support from the Ministry of Foreign Affairs of the Netherlands. Please note that the information and analysis contained in this report do not necessarily represent the views or policies of the government of the Netherlands.

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Funded by:

Ministry of Foreign Affairs of the Netherlands

Acknowledgements

We would like to convey our deepest thanks to the dedicated network of individuals and civil society organisations who are part of the independent civil society monitoring team, and to all the residents of Ogoniland who have volunteered their time to participate in this monitoring initiative. We would also like to place on record our appreciation of the agreement by the Hydrocarbon Pollution Remediation Project (HYPREP), the National Oil Spill Detection and Response Agency (NOSDRA) and wider government stakeholders to cooperate with this initiative. We look forward to their constructive engagement to address problems where they exist, to recognise good practice, and to ensure that the rights of the people of Ogoniland are met through a high quality clean-up of hydrocarbon pollution, the restoration of the environment and livelihoods, and steps to address the health crisis caused by decades of oil spill pollution.

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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.

1 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 first phase of the clean-up at simple sites is nearing completion. Contractors report they have completed clean-up at 46 out 50 of 'simple' sites. Of these, 16 sites have been government-certified as complete - a reduction of 3 from our last report, after lots 3, 20 and 43 were placed back under monitoring. This reduces the number of government-certified sites where we found contaminants above threshold levels from five to two.
- However, we continue to have several quality concerns that have not been addressed, including the potential for secondary contamination at biocells; reduced suitability of clean-up sites for agriculture due to mixing of top- and sub-soil; lack of water quality testing at new water projects; and the need for clarity and transparency over the new risk-based approach to setting appropriate contaminant levels.
- In addition, we sent 20 duplicate soil samples to an internationally accredited laboratory. On average, Total Petroleum Hydrocarbon levels were twice that of levels found at the local laboratory we use. While this is not yet enough data to reach firm conclusions, it is possible that our reporting to date has underestimated the level of remaining contamination at clean-up sites. We will conduct further testing to assess this.
- The certification process for the remaining sites, which are reportedly complete, appears to be encountering significant delays; none of the 17 sites we reported as being ready for inspection in our last report have been closed out.
- Anecdotally, the new HYPREP Project Coordinator appears to have made positive changes to community engagement and communications. However, levels of community satisfaction with HYPREP and clean-up contractors still remain mixed. Dissatisfaction in communities continues to relate to the poor quality of opportunities offered by the clean-up (e.g. low pay in clean-up jobs), and management of complaints and potential conflict 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. One out of six water projects are in operation. While some medical testing activities have now taken place, we are concerned by reports from community members who say they are not aware what they were for or what the results of these were, suggesting that informed consent was not properly secured.
- Land has been donated for the Centre of Excellence for Environmental Remediation (CEER) and the Integrated Contaminated Soil Management Centre (ICSMC), but the construction is yet to commence.
- During the reporting period, the bidding process for (medium complex) sites was still ongoing. There is very limited public information about this process, such as the number of sites under consideration and timeline for bid assessment, contractor selection and deployment.

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 third bi-annual independent Civil Society Monitoring of the Ogoniland clean-up project report summarising data from January to June 2022. This report builds on the findings of the second edition, covering the period July to December 2021. Data for this edition was collected between January and June 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 January - June 2022

Oil pollution clean-up sites:

- During the reporting period, we took 424 soil and water samples at 13 clean-up lots where contractors reported they had completed remediation work. Results of the laboratory analyses showed that approximately 10% of these samples had Total Petroleum Hydrocarbon (TPH) levels that exceeded the target thresholds for the clean-up. Out of the 13 lots, we found samples with contaminants above thresholds at 8, with 6 of these having more than one sample with contaminants above thresholds. Lot 48 and Lot 54 are of particular concern, with contaminants above threshold levels in 18 and 9 samples respectively.

- At the 50 'simple' sites contracted for clean-up so far, active remediation is taking place at 4 lots, 30 are awaiting NOSDRA close-out and certification processes (including three lots which had previously been certified as complete, but which have now been placed under monitoring: lots 3, 20 and 43), and 16 have been certified as complete (the drop of three since our last report is due to the lots that have been placed back under monitoring). This means no new lots have been certified and closed out since our last report, suggesting a significant slow down in activity.

- Action is yet to be taken to conduct soil sampling at biocell locations, or to enable SDN and CEHRD to do this. We continue to believe there is a significant risk that these locations could be contaminated due to poor practices including: leaving contaminated soil exposed for extended periods of heavy rain, which is likely to wash contaminants from the soil which then overflow from the biocell to the surrounding environment; and reuse of High-Density Polyethylene (HDP) liners from one lot to another, which poses a risk of secondary contamination.

- We remain concerned about the use of Nitrogen Phosphorous and Potasium (NPK) fertiliser for bioremediation, which is not a suitable soil amendment nutrient for remediation, and the soil backfilling process, where topsoil and subsoil are being mixed together, which leads to lower quality topsoil to support agriculture.
- The bidding process for complex sites is still ongoing, and therefore no work has commenced in these locations.

Concerns about reliability of water and soil sample analysis and data previously published by SDN

During this reporting period, we sent 20 duplicate samples for analysis to a laboratory with the ILAC (International Laboratory Accreditation Cooperation) accreditation.

For the 16 duplicate samples where TPH levels were found above detection thresholds, we found TPH levels which were on average twice that reported by the laboratory we have been using in Port Harcourt. A certain level of variation in the level of contaminants found is normal and would be expected due to unequal distribution of contaminants between duplicate samples. However, we are concerned that our reporting to date 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 no significant change to our overall findings since our last report:

- Community awareness of basic aspects of the clean-up remains relatively high, although levels of awareness among women are significantly lower than men, and there remains widespread misunderstanding about the role of clean-up contractors, leading to unrealistic expectations and potential conflict.

- Community satisfaction with HYPREP remains more-or-less neutral, but during our discussions with community representatives during our monitoring, there were indications that communities have welcomed the new Project Coordinator of HYPREP. Ongoing community concerns tend to relate to opportunities for participation in the clean-up, livelihood programmes, provision of emergency measures, handling of complaints, and conflict management.

Provision of emergency measures:

- Six water schemes are ongoing across the four Local Government Areas (LGAs) in Ogoniland. Of these six schemes, only that of Alesa community in Eleme LGA is operational although water reticulation/distribution facilities around the communities are yet to be completed. The scheme currently supplies water to Alesa, Alode, Agbonchia, Aleto, and part of Ogale communities. Plans for how this infrastructure will be maintained are not yet in place, and water quality testing is yet to take place at these water schemes to ascertain the potability of the water.

- There is a high-level of confusion over the progress of the creation of health registries, which the UNEP report recommended be established to understand the health impacts of oil spill pollution on the people and how they can be responded to. The activities conducted so far appear to be more like medical outreach than a medical study. We are also very concerned that these activities appear to be taking place without the informed consent of participants; some community members have reported having had medical tests as part of a health outreach programme, without the purpose of this explained to them - nor the results of these tests shared with them.

Promotion of livelihoods:

- During the reporting period, livelihood needs assessment questionnaires were distributed to people with disabilities, but no further work was done with the 5,000 young people (1,250 per LGA) assessed for a skills training programmes reported in our previous report. As noted in our last report, we were concerned about the transparency of the selection process as it was likely to exclude those most in need, for example, because applicants had to pay to travel to the LGA headquarters to apply. Therefore, efforts to work with those with disabilities are welcomed.

Set-up of key HYPREP infrastructure:

- HYPREP has created a unit within it, the National Center of Excellence for Environmental Restoration, to coordinate the activities leading to the establishment of the Centre of Excellence for Environmental Remediation (CEER) and the Integrated Contaminated Soil Management Centre (ICSMC). Land has been donated by Wiakara community in Khana LGA for the construction of the centres, but the construction work is yet to commence. As stated in our preceding report, the construction of the ICSMC is becoming increasingly urgent, as they have to be in place and functional prior to the commencement of the clean-up of complex sites.

HYPREP and NOSDRA's response to our previous report (June-December 2021)

As stated in our last biannual report, HYPREP and NOSDRA adopted a risk-based approach to contaminant levels after contaminants were found above threshold levels at some lots. While we do not object to a risk-based approach in principle, we are concerned about the lack of information and specifics about how it is to be implemented.

Research conducted jointly by Shell Petroleum Development Company (SPDC), NOSDRA and Department of Petroleum Resources (DPR), which HYPREP has adopted, states that a Total TPH level of 3,000mg/kg would be acceptable in uninhabited areas (which is already being applied in practice), areas which are not near water, or at depths more than five metres below ground level. However, we are concerned that the Niger Delta is a location where the water table is high, and where people do regularly visit uninhabited locations (e.g. for fishing), which require caution in applying a risk-based approach. Therefore, clarity is needed so that all stakeholders can assess and agree upon the criteria, standards, and decision-making process being applied. Related to this, in response to our second bi-annual report, NOSDRA explained that lots that are along the pipeline right-of-way could be closed out if the exceedances are slightly above the established threshold levels, 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 are published, to provide transparency to communities, enable scrutiny, and avoid the risk of clean-up standards appearing to be set in an ad-hoc fashion.

In our previous report, we highlighted concerns about lots:

- 15, which was closed out while contaminants were above thresholds, but reportedly satisfactorily within HYPREP's new risk based approach, for which we requested details of the approach to be published for the purposes of transparency and independent scrutiny.

- 44 and 45, which required further remedial action after contractors reported they had completed work but samples were found with contaminants above threshold.

- 3, 20 and 43, which had been closed out when contaminants were found above threshold, but which had also been placed under a six-month monitoring period (subsequent to our report, these three lots were removed from the list of certified lots and their status returned to awaiting certification following monitoring.

- And lot 6, which had been closed out, but for which SDN's data showed samples with contaminants above threshold levels, which HYPREP and NOSDRA's did not.

NOSDRA has written to us to provide us an update on the status of Lots 6, 34, 43, 44 and 45 (i.e. covering some of the lots mentioned above) in response to our last biannual report. According to their response, Lots 6 and 44 have been certified; further work on Lot 43 has been completed and it is now awaiting a laboratory report (as above, our sampling still found one sample with contaminants above thresholds); and Lot 45 requires further monitoring. The certification of Lot 44 was done after June 2022, and hence will be captured comprehensively in our next biannual report covering July – December 2022.

Recommendations

Most of our recommendations in the 1st and 2nd biannual reports for 2021 are yet to be implemented. As a result, a number of our recommendations for HYPREP within the next six months repeat or overlap with previous ones:

On site clean-up:

- Corrective actions should be taken at Lots 23, 27, 33, 34, 48, 50, 53, and 54 which have failed to meet the thresholds for clean-up to be certified, and inform us of remedial actions taken for these lots, and re-invite our monitors for a new round of sampling at the appropriate point.

- Re-invite our monitors for a new round of sampling at lots 3, 20, 43, 44 and 45 - where sampling was conducted during our previous report - upon completion of remediation and/or six-month monitoring period to ensure contaminants have fallen below thresholds.

- Provide a justification for disregarding our findings that lot 6 had contaminants above threshold levels.[2]

2. We acknowledge that NOSDRA and HYPREP sampling did not show contaminants above thresholds, however, there ought to be a process of investigation given that our data does.

- Publish the specific criteria to be applied as part of the Risk-Based Corrective Action approach and the justification for this. This will help enable external assessment of the decision to close-out lot 15 while contaminants were still above threshold levels, and any other future lots the Risk-Based Corrective Action approach may apply to.

- Publish, monitor and enforce Standard Operating Procedures for biocell construction and use, and for soil backfilling, and ensure these requirements are contained in contracts and in the remediation monitoring plan. In particular, requiring more stringent requirements for the speed of treatment and/or the roofing of biocells to ensure the sump does not overflow; ensuring that only approved soil amendment nutrients are applied; and to ensure uniform degradation of contaminants, and that topsoil is backfilled last to restore the agricultural potential of the remediated sites.

- NOSDRA, as the regulator, should include sampling at biocell locations and surrounding areas as a matter of urgency as part of the Agency's site closeout criteria to monitor soil quality parameters and prevent secondary pollution around biocells; and HYPREP should provide SDN with permission to sample at biocell locations.

- HYPREP should ensure that appropriate and alternative methods of remediation are identified in future contracts for respective clean-up lots. This will help to address the challenges associated with carrying out excavation near pipelines and related facilities (as was the case with lots 3 and 43), and ensure effective remediation irrespective of site peculiarities.

On community engagement:

- Learn lessons from communities where levels of awareness of the clean-up are high - such as B.Dere, Gio and Ueken, whose levels of awareness have remained high in the past six months - to establish best practice for further engagements with all communities. In particular, use this to engage in Botem, Buan, and Kpean, where records of awareness levels have remained relatively low since our last report.

- Develop a plan to ensure HYPREP's communications reach men and women equally, and to understand why awareness levels are still lower among women and how this can be addressed.

- Learn lessons from communities where levels of satisfaction with HYPREP are higher to understand the reason for the differences and to establish best practice for further engagements with communities. This includes Botem, K.Dere and Kpean, where we recorded low levels of satisfaction with HYPREP.

- Organise a forum for communities and contractors to address 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 of community workers on the remediation sites.

- Hold meetings between the communities and contractors for lots 12, 15, 17, 28, 30, 31, 43, 44, 45, 55, 56 and 57, to understand the reason for high levels of dissatisfaction with contractor performance and to put in place plans to address these.

- Publicise information on the membership of the Community Representative Advisory Committee, 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.

On emergency measures:

- Ensure no further health-related activities take place without the full, prior, informed consent of participants, and ensure those who have already had data collected are informed about how it is being used.

- 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.

- Fastrack and publish the timeframe for completion of potable water projects; conduct water quality testing for all new schemes; ensure all schemes are designed with a plan for maintenance and sustainability; and ensure water is piped to all parts of the communities to increase water access.

On livelihoods:

- 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.

- Publish the selection criteria and process for the proposed skills training programme for 5,000 young people previously assessed and communicate this to communities.

- Re-evaluate the design of the wider livelihoods programme. The current approach is focussed on training and start-up kits, which are high-cost and low-reach, and appear to be inadequate from the perspective of participants. A more holistic, market-systems approach would be a more effective use of HYPREP's resources, and more likely to result in sustained, wide-reaching economic opportunities for people living in Ogoniland.

On key infrastructure:

- Produce and publish a timetable for the construction and launch of the Integrated Contaminated Soil Management Centre and Centre of Excellence for Environmental Restoration.

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. 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 third bi-annual monitoring report of the Independent Civil Society Monitoring of the Ogoniland Clean-up project. It presents data collected from January to June 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.

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.

January - June 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 January - June 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: summary of clean-up status since inception

This section provides an overview of total progress under (of) the clean-up to June 2022 (i.e. not just for the six-month period January - June 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.

Months since clean-up commenced	**42 months since the first contractor was deployed to site in January 2019.**
Status of clean-up sites ('lots')	HYPREP continues to conduct clean-up at 'simple' sites, before commencing work at 'complex' sites. We do not currently have a start date or number of lots planned for the complex site clean-up. Of the simple sites, a total of 50 lots have been designated and assigned to contractors. Of these: As at June 2022: • 34 lots still had active clean-up activities, including 30 where the contractor reported they had completed work and were awaiting inspection and certification, or where further monitoring is ongoing. • 16* sites have been certified as complete by NOSDRA. Of these: • We were unable to assess progress at 7 lots as they were completed before this project commenced. • Our sampling at 7 of the remaining 9 lots returned no samples with Total Petroleum Hydrocarbon (TPH) or Benzene Toluene, Ethylbenzene and Xylene(BTEX) concentrations above thresholds • 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 * Note that in our last report (July - December 2021), we pointed out that three lots that had been certified as complete would be monitored for a further three months (lots 3, 20 and 43). These have been removed from the official list of certified lots, hence the number of certified lots has reduced by three since our last report, and increased by three for the number of active lots.

Status of 'emergency' measures (water provision and health assessments)	Construction of improved water sources is in progress in six locations: 1) Ogale-Eleme (Eleme Local Government Area (LGA), 2) Alesa-Eleme (Eleme 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. Of the six schemes, only the Alesa water scheme is operational at the reporting period, and it supplies potable water to about 5,000 people across three communities including Alesa, Agbonchia, and Alode, Aleto and parts of Ogale although, water supply is not consistent and thus insufficient for the communities. As at June 2022: • Alesa-Eleme water scheme is now operational and piping water to Alesa, Alode, Agbonchia, Aleto and part of Ogale communities. However, community members complained that the supply is not yet sufficient and there is an urgent need to undertake water quality testing. As of June 2022, the scheme supplies water about three times a week to the communities due to insufficient electricity to power the water station. • The remaining five water systems are not yet operational and remain under construction. Some health outreach activities have taken place, but we have not been able to obtain information from HYPREP in order to understand if these are part of the process of developing the health registry.
Number of community members employed in clean-up activities	1,057 individuals have been employed in clean-up activities, with 67 (6%) females. Note that we do not have data for the seven lots that were completed prior to the implementation of the independent monitoring project.
Number of community members that have benefited from livelihood support	400 Ogoni women have been trained in agricultural livelihoods.
Existence of Centre of Excellence for Environmental Restoration	Not yet established, but land has been donated for it in Wiakara community in Khana Local Government Area.
Existence of Integrated Contaminated Soil Management Centre	Not yet established, but land has been donated for it in Wiakara community in Khana Local Government Area.
Reported tonnes of soil remediated by Integrated Contaminated Soil Management Centre in the past quarter	0 - Not yet established.

3. Progress during January - June 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 June 2022.

Table 2: Summary of findings from our independent monitoring of the Ogoniland clean-up for January - June 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.	Thirteen lots were assessed during this period. Of these, 8 had at least one sample which exceeded thresholds (6 of which had multiple samples with contaminants above thresholds), where samples were taken after a contractor reported completion of clean-up.
2. Reported volume of soil remediated at individual sites (lots)	22,600 cubic metres.
3. Has the site clean-up been certified as complete by NOSDRA?	During the reporting period, no new lots were certified as complete (however, the certification status of lots 3, 15, 43 was reversed and they were placed under monitoring, pending another assessment and certification exercise).
4. Has the contractor been present and active on the active sites in the past month?	In June, we observed that contractors were active in all four remaining lots where a contractor was expected to be actively undertaking clean-up during the month (outside those awaiting certification process).
5. Clean-up stage at individual clean-up site	In June 2022, the status is follows: 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 = 2 lots (4%) Soil treament and remediation = 2 lots (4%) Inspection and certification = 30 lots (62 %) Demobilization from site = 0 lots (0%) Handover to HYPREP/closed out = 16 lots (32%)

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 June 2022, 79% of 1500 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= 3.7/5.0
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 = 2.9/5.0
8a. Existence of dispute and community engagement mechanism created by the contractor and effective management of complaints	Complaint mechanisms have been established at all of the clean-up lots (sites). However, of the communities that did make a complaint (representing 58% of communities) during the reporting period, 45% of these communities felt none of their complaints had been resolved, and only partially resolved at a further 20% 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), has been established in 100% of communities. However, there is limited knowledge about this structure and how to raise complaints. This has persisted even from the previous year.
9. Are all contaminated water sources clearly marked with sign posts?	Data remains unavailable. HYPREP is focused on provision of potable water to the communities, and stated they do not have any information on this.
10a. Community access to HYPREP's potable water schemes	Five communities have partial access to water. They are Alesa, Alode, Agbonchia, Aleto and part of Ogale.
10b. Health registry established in community	HYPREP concluded some health outreach activities, but it is not clear if this will lead to the creation of a health registry, and there are concerns about whether this activity has been done with the informed consent of community members.

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. People living with disabilities were captured under the livelihoods needs assessment during the reporting period. However, the number captured is yet to be made public.
13. Existence of Centre of Excellence for Environmental Restoration	Not yet established
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
16. Tonnes of soil remediated at soil management centre	0

4. Detailed analysis of data collected January - June 2022

This section of the report presents the data collected by our monitors between January and June 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, as well as from 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 United Nations Environment Programme (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

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

During this reporting period, we were able to send duplicate samples for analysis to a second laboratory. Unfortunately, in order to use a laboratory with ILAC (International Laboratory Accreditation Cooperation) accreditation, we had to send these samples overseas. This is because Nigeria's accreditation body does not have mutual recognition in place to assure that its own accreditation meets international standards. The ILAC accreditation ensures laboratories meet key internationally recognised standards, such as the International Standard ISO/IEC 17025 relating to calibration and testing laboratories. As a quality check, we sent 20 duplicate samples to ALS Laboratories (UK), all from lot 54. For the 16 samples for which ALS detected TPH levels above detection thresholds, on average their analysis detected TPH levels twice that of those found in sample analysis from the laboratory we use in Port Harcourt.

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 have found is large and we are concerned that this is not simply due to natural variation in contaminant levels at the sample locations. At present, we feel the number of duplicate samples is too low to reach firm conclusions, and we will aim to conduct analysis of a further 30 duplicate samples in our next report. Although our duplicate sample analysis found TPH levels twice that of samples tested in Port Harcourt, it is not easy to draw simple conclusions. For example, in some cases, levels of TPH detected by ALS Laboratories (UK) were lower than those reported by the laboratories in Port Harcourt.

For the time being, when interpreting the data we are sharing here and in past reports, we are concerned that there is a significant possibility that our analysis to date may have under-estimated the levels of remaining contaminants at clean-up sites. With specific reference to the duplicate samples we took at lot 54, the practical implication of the differences found is that analysis by the local laboratory identified 9 samples with TPH above thresholds (45% of the 20 samples) and ALS laboratories identified 14 samples with TPH above thresholds (70% of samples). In one case, a sample which was found to have TPH levels just below threshold by the local laboratory (991mg/kg), had a level more than three times the threshold found by ALS (3,270mg/kg). In both the local laboratory and ALS' results, it is clear that there is a systematic problem with clean-up at this site. But there is a risk that some heavily contaminated locations at the site might be missed, using only analysis from the local laboratory.

For reference, we have provided the detailed TPH results for the duplicate samples from lot 54 in Annex 6.

Our monitors visited 13 lots with NOSDRA, HYPREP and the Rivers State Ministry of Environment for soil and water sample collection, and sent these samples for analysis at a laboratory in Port Harcourt, for TPH . The lots assessed are noted in table 3.

HYPREP and NOSDRA have agreed to a close-out contaminant level of 1,000mg/kg of TPH for soil for areas close to farms and human habitation and 3,000mg/kg of TPH for soil in areas far from farms and human habitation, 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. We will continue to conduct random checks for BTEX to ensure our above approach continues to be valid.

Table 3: Lots where soil and water samples were taken for the period January - June 2022

Lots	Community	LGA
23	B.Dere	Gokana
26	B.Dere	Gokana
27	Bara-Alue	Tai
28	Bara-Alue	Tai
29	Korokoro	Tai
33	B.Dere	Gokana
34	B.Dere	Gokana
46	Akpajo	Eleme
48	Ogale (Okulu-ebo)	Eleme
50	Ogale (Okulu-ebo)	Eleme
53	Ogale (Okulu-ebo)	Eleme
54	Ogale (Okulu-ebo)	Eleme
57	Akpajo	Eleme

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

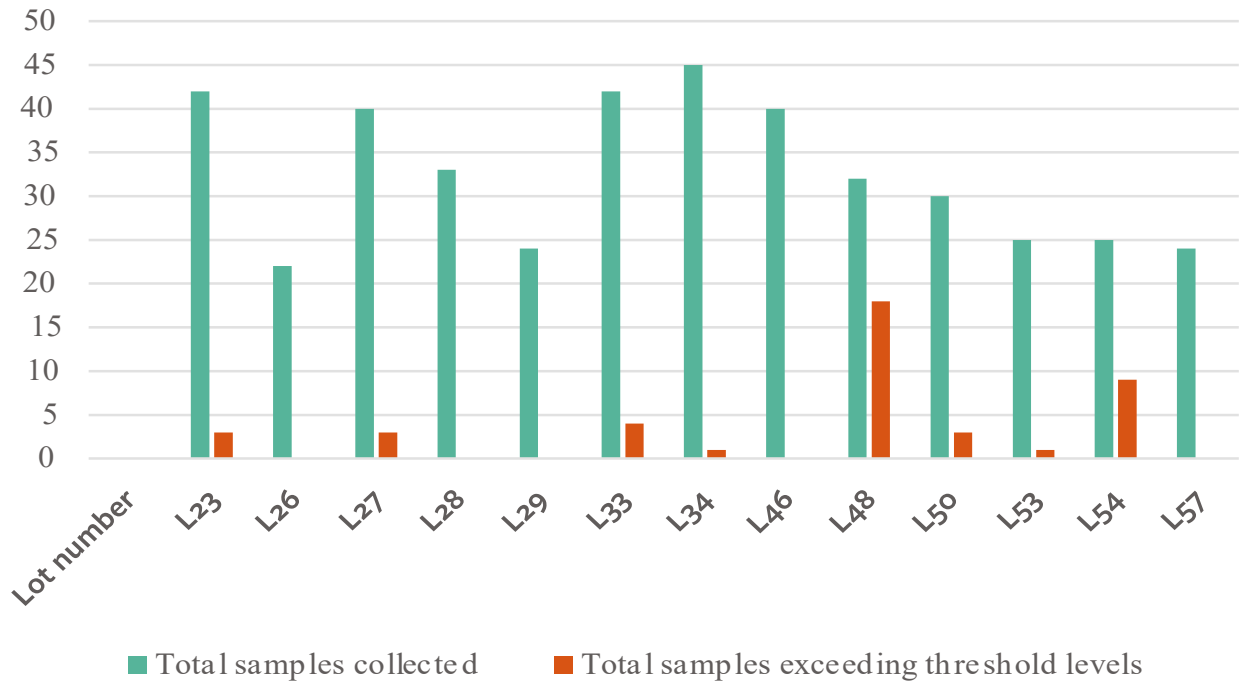


Table 4: Breakdown of sample data by lot (red highlights indicate concentration above target thresholds)

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
L23	42	42	0	3	1,762	N/A
L26	22	22	0	0	289	N/A
L27	40	40	0	3	1,791	N/A
L28	33	33	0	0	467	N/A
L29	24	24	0	0	731	N/A
L33	42	42	0	4	3,220	N/A
L34	45	45	0	1	1,056	N/A
L46	40	37	3	0	418	80

L48	32	30	2	18	2,066	3,139
L50	30	30	0	3	2,565	N/A
L53	25	25	0	1	1,128	N/A
L54	25	25	0	9*	2,873	N/A
L57	24	21	3	0	205	122
Total	424	416	8	42		

**Note that as per text box 1, under ALS laboratory analysis, this figure is 14, and the maximum TPH level found was 3,290ma/kg.*

90% of the 424 soil and water samples we collected, did not contain TPH concentrations above target thresholds for the clean-up. However, 10% of samples exceeded the thresholds, and 62% of the sites 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 33, 48 and 54, where 4, 18 and 9 samples respectively exceeded the threshold values for TPH. Outside this, twenty duplicate samples from Lot 54 sent to a UK laboratory returned TPH values above the threshold level in 70% of the samples (i.e. in 14 samples), affirming the presence of contaminants in that lot.

A note on limitations: In addition to concerns over laboratory analysis (as detailed in text box 1), as previously reported, there remain some potential limitations to our sampling approach. We are still seeking permission from HYPREP to be able to sample around biocells, where we are concerned there is a significant risk of secondary pollution. No sampling is taking place at these locations currently, and there is therefore a risk that the current sampling strategy results in sites being closed-out when there are locations which have not been sampled, where levels of contamination remain above thresholds.

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, and contractor, although seven of these were assessment lots that HYPREP has assessed and 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 2 shows the various lots by their current stage of remediation as of December 2021.

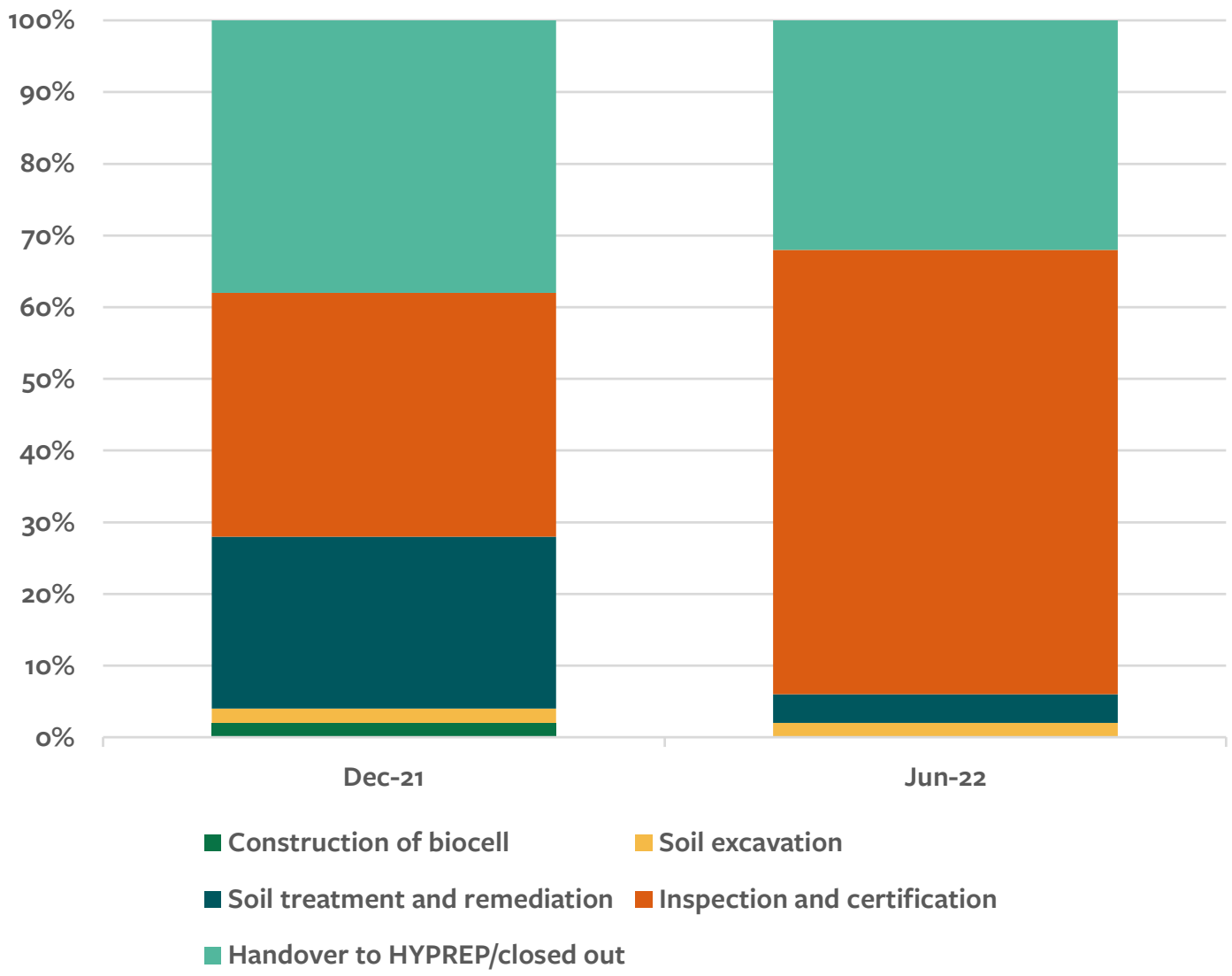
Note that following our report covering July-December 2021, which highlighted problems at lots 3, 20 and 43 which had already been certified as complete, these three lots have had their completion status reversed by HYPREP while they undergo further monitoring, and have been categorised as undergoing 'Inspection and certification'.

Table 5: Lots by remediation stage as at June 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.
Construction of biocell	-	-	The contractor has started the construction of the engineered biocell i.e. setting up bund walls, HDP liners etc.
Soil excavation	49 (n=1)	2%	The contractor is in the process of digging up contaminated soil that will be moved to the biocell for treatment.
Soil treatment and remediation	51, 52 (n=2)	4%	The contractor has started remediation by treating the soil in the biocell.
Inspection and certification	3, 11, 12, 13, 16, 20, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 42, 43, 44, 45, 46, 47, 48, 50, 54, 55, 57 (n = 31)	62%	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, 4, 5, 6, 7, 8, 9, 10, 14, 15, 17, 18, 19, 21, 56 (n = 16)	32%	The lot has been certified by NOSDRA

Figure 2 demonstrates how the overall status of lots has changed since our last report. Since December 2021, the proportion of sites either certified or awaiting certification has increased from approximately 70% to over 90%.

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



Concerns about clean-up techniques:

No change has taken place since our previous report, and so we are reiterating the concerns previously raised. During regular site visits since the start of this monitoring project, we have identified a series of concerns which are a threat to the quality of the clean-up. These include:

1. Contaminated soil is left for an extended period in biocells and exposed to heavy rainfall, which causes the sump to overflow. This is likely to discharge contaminants into the surrounding environment. HYPREP and NOSDRA are yet to conduct sampling at these locations. Community monitors are concerned that these lots have been recontaminated. SDN has written to NOSDRA to request access to these locations for sampling.

2. Top and subsoil are 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.

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 June 2022, we observed that the contractors working on active lots were all on site.

Although the deadline for the completion of the remediation of simple sites was May 2022, only 16 lots have been so far certified and closed out by NOSDRA. It is our understanding that these delays, and the regular extensions and amendments being made to contracts are 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 through 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

Contractor Presence	Lot Number (and total number)	% of Lots	Explainer
Contractor has been present and active	49, 51, 52, 53 (n = 4)	12.12%	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	3, 11, 13, 16, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 42, 43, 44, 45, 46, 47, 48, 50, 54, 55, 56, 57 (n=29)	87.88%	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.

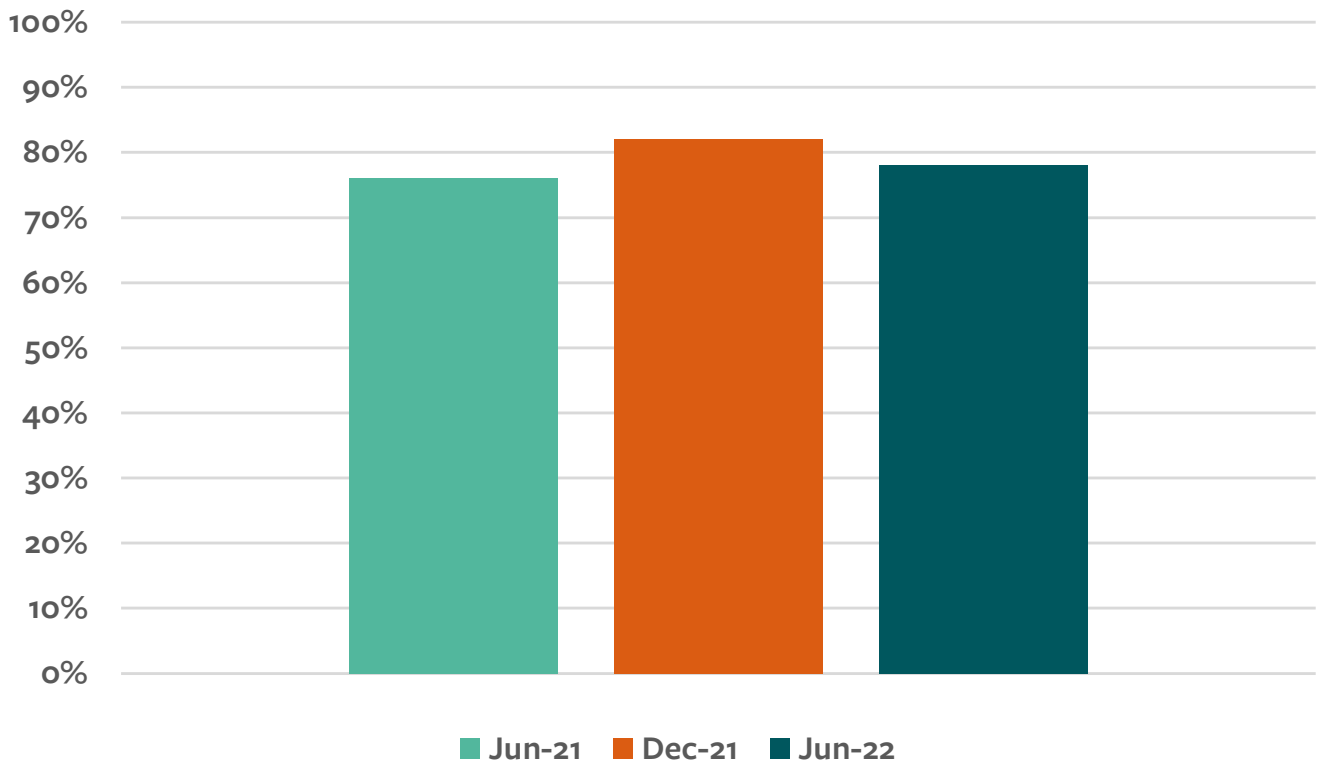
Community awareness

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

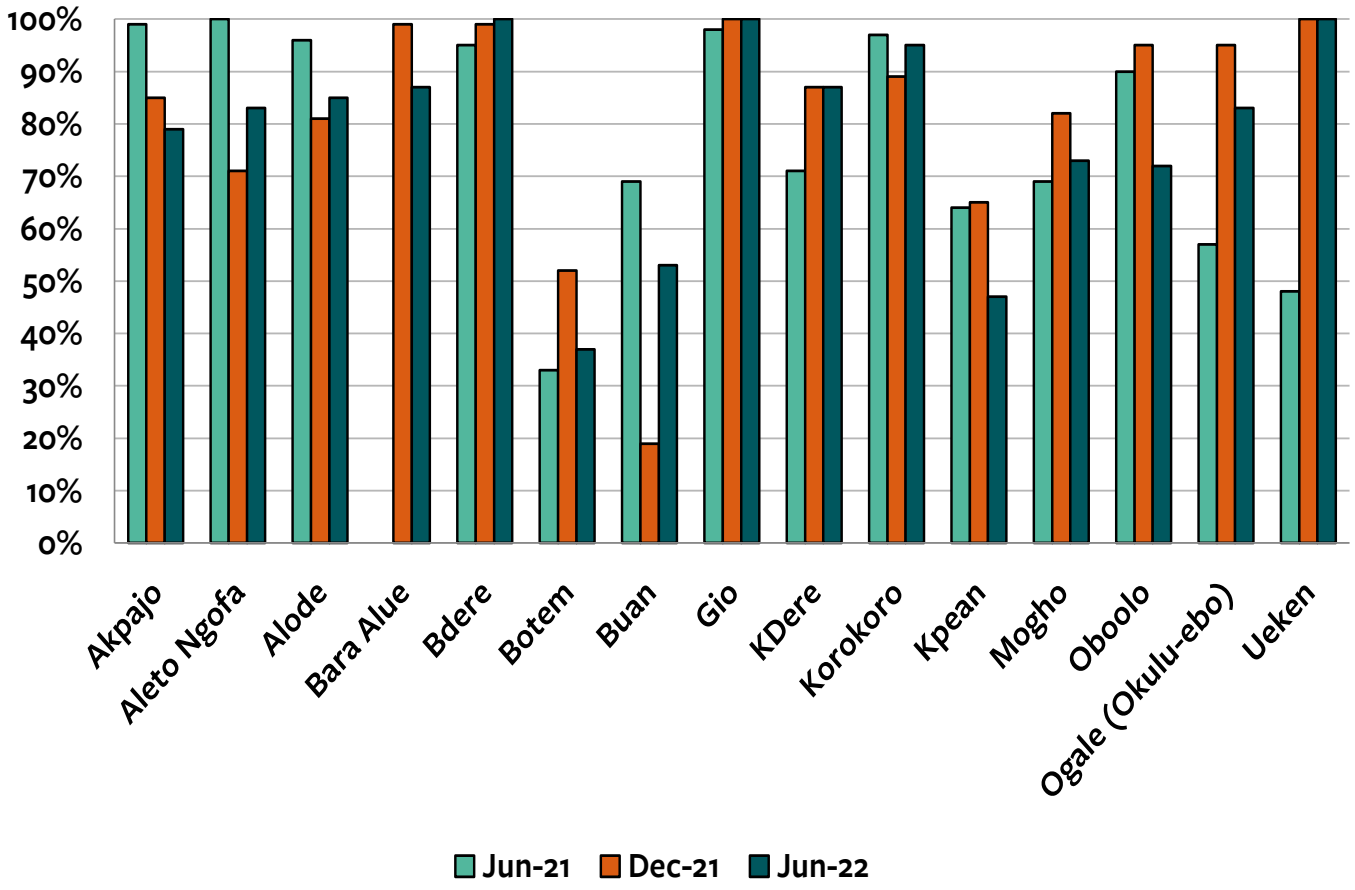
Figure 3: Average scores of community members deemed to have a good basic awareness of key information about clean-up in their communities in June 2021, December 2021 and June 2022 (defined by answering "yes" to at least three (3) of the four statements listed above).



As shown above, the overall level of community awareness decreased slightly, but is more-or-less comparable with previous months.

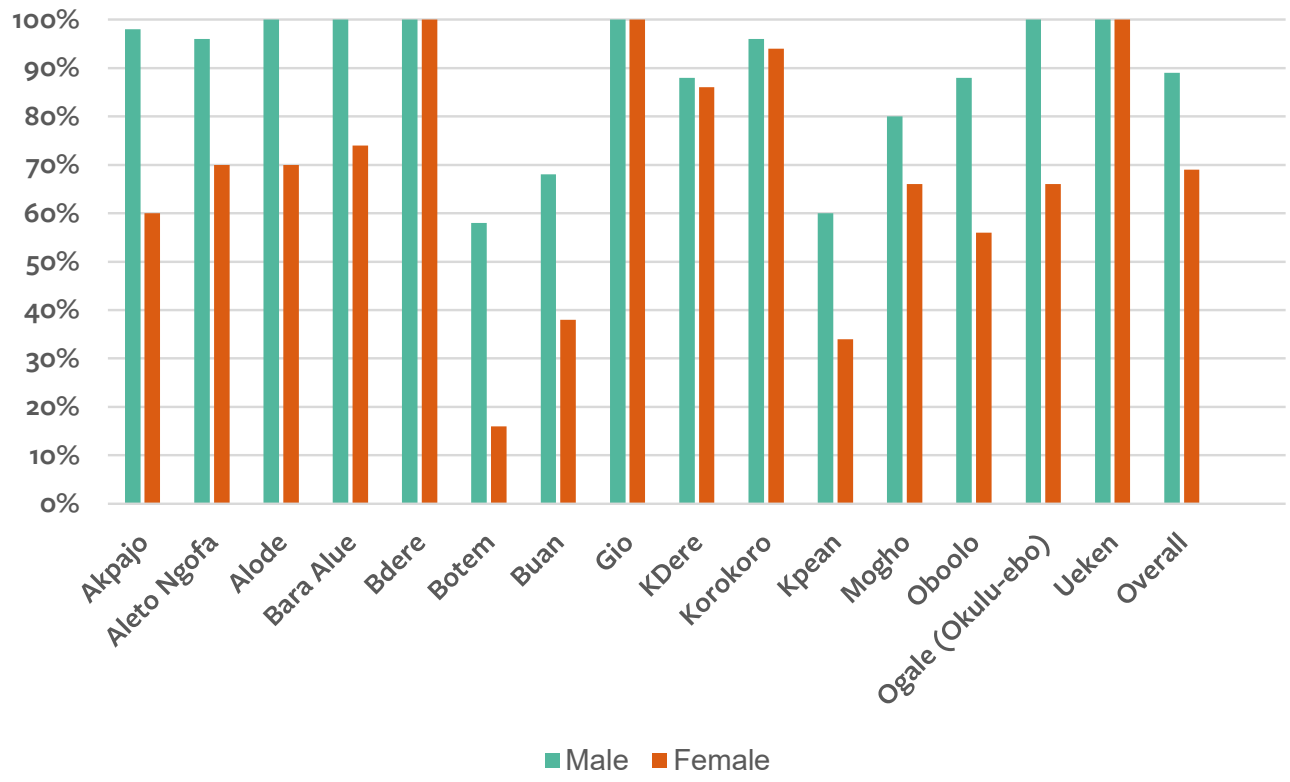
At the community level, there remain three communities where awareness levels are noticeably low: Botem, Buan and Kpean. As we reported previously, the low levels of reported awareness appear to be linked more to dissatisfaction with the clean-up process, rather than a lack of information. We reiterate our recommendation that HYPREP should increase its engagement in these locations and learn from communities where awareness is high, to help address challenges in these communities.

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



By gender, the level of awareness of the basic clean-up information in the communities shows that 89% of men and 69% of women in the four LGAs were considered to have good basic awareness of the clean-up. These figures were 88% and 76% respectively in December 2021, and so suggests that the gap in awareness between men and women is widening. This indicates greater urgency for HYPREP to strengthen communications 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 June 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 Annex 1, 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 measured 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 bi-annual report in December 2021 was 2.9, indicating there was neither overall dissatisfaction nor satisfaction with its performance. This score remained the same in June 2022 (see figure 6), indicating that no significant change or action was taken by HYPREP to address some of the issues highlighted in the last report that were responsible for the "neutral" score in December 2021.

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

Figure 6 a

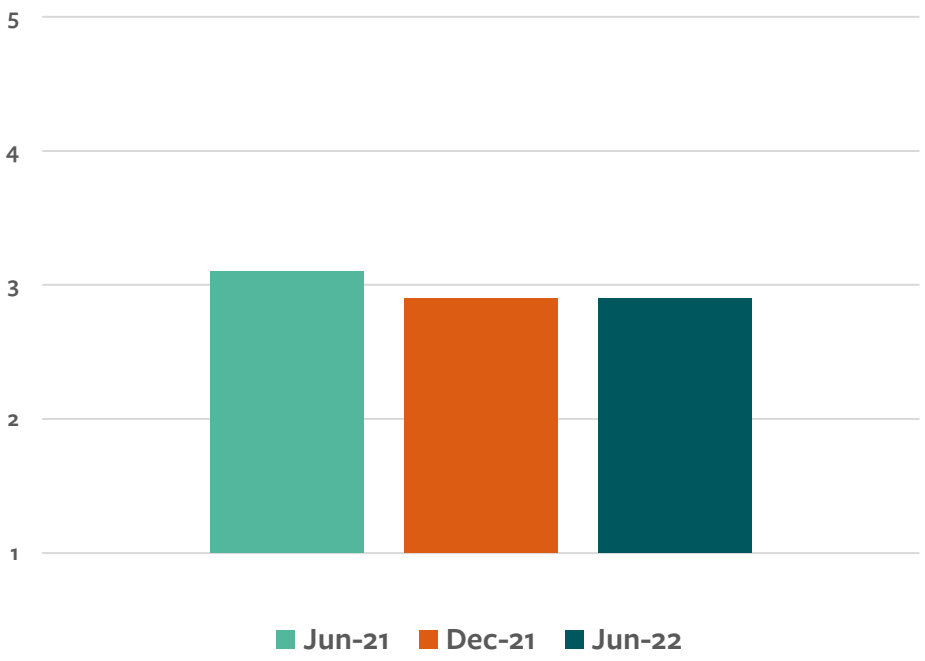
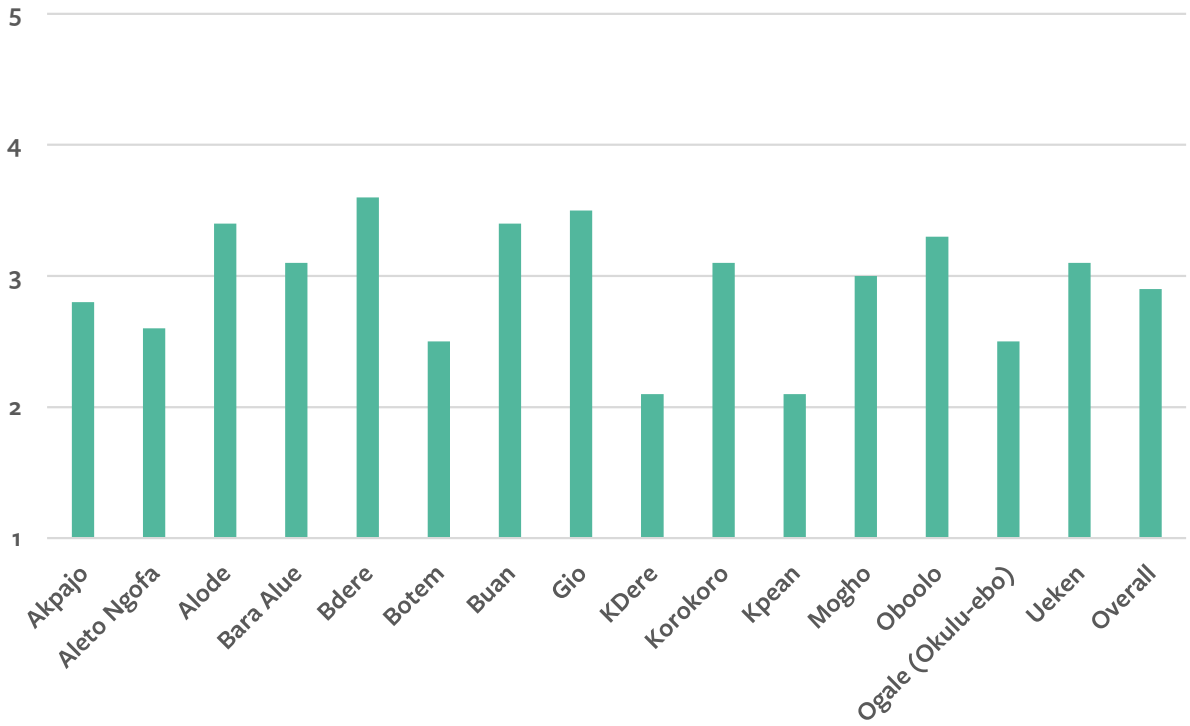
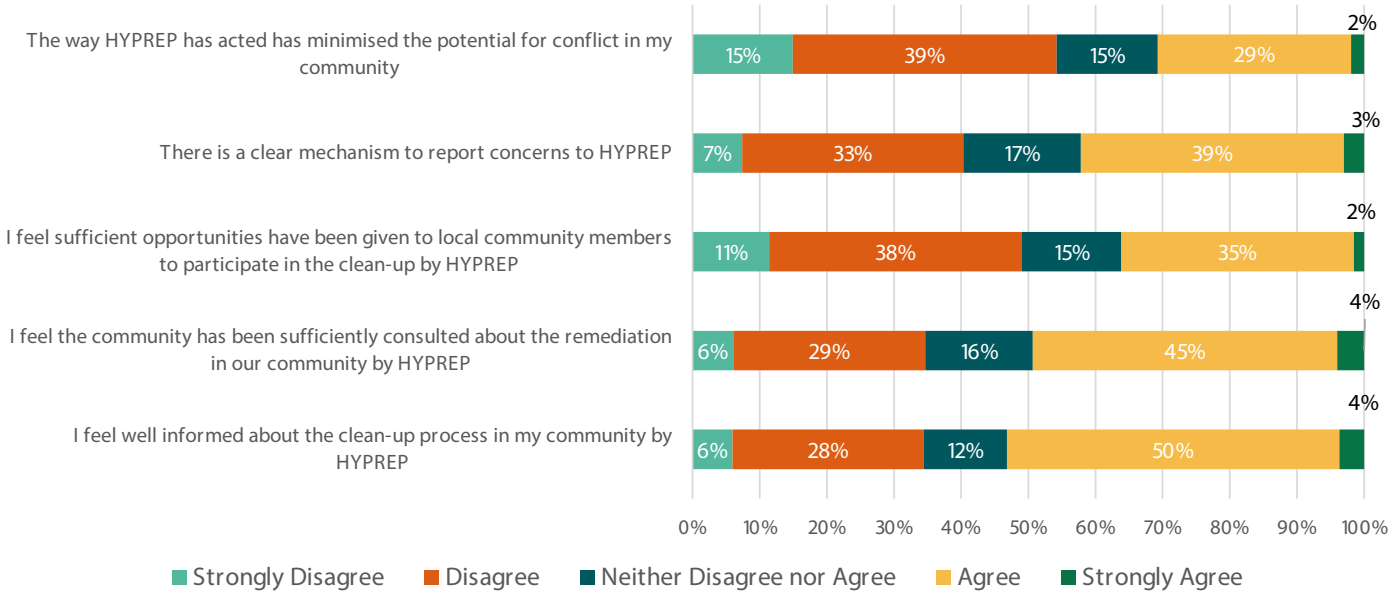


Figure 6 b



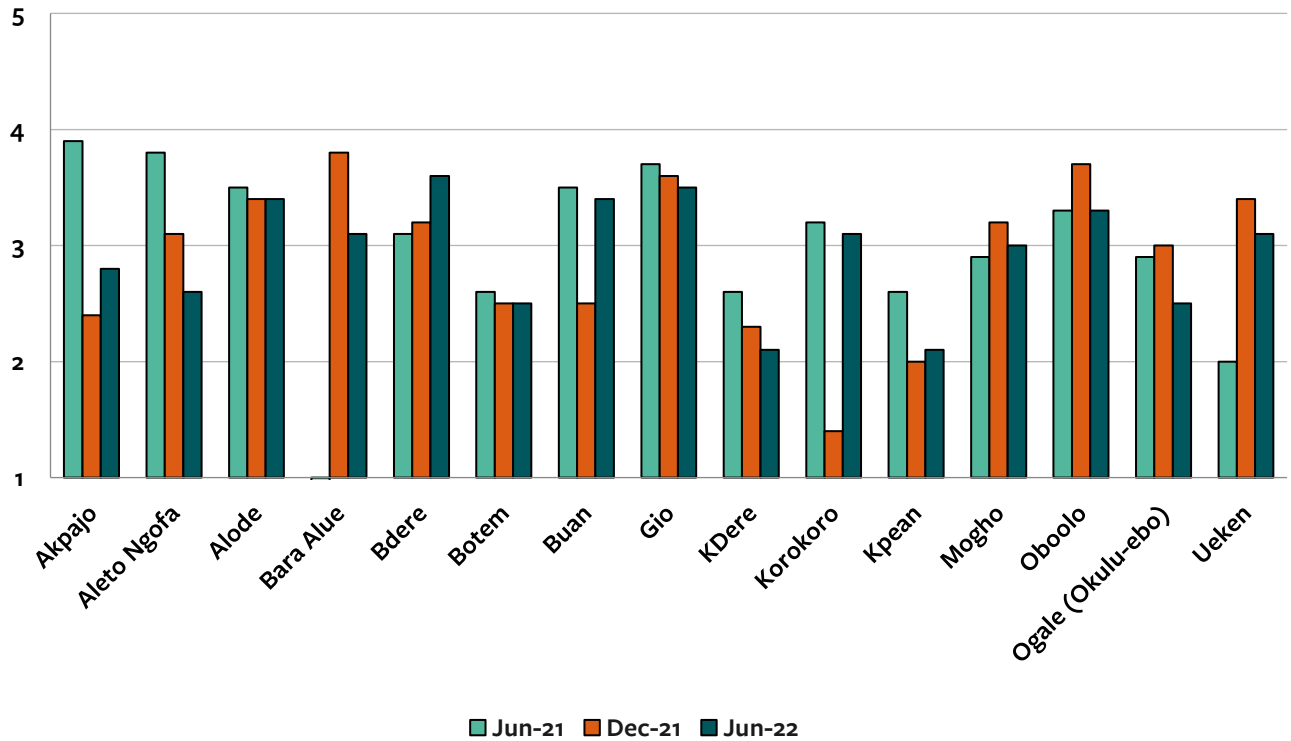
When broken down, figure 7 shows that HYPREP continues to score best on the provision of information and consultations, but less well when it comes to implementation, the provision of opportunities to participate in the clean-up, as well as dealing with complaints, and managing conflict. There are some small changes in all areas compared with December 2021, but the most noticeable is a marked improvement in those saying there is a clear mechanism in place to report complaints (42% agreed or strongly agree this was the case, against 31% in December 2021), suggesting some progress being made in this area.

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



The overall satisfaction score by community, over time, is shown below in Figure 8. A significant improvement has been seen in Korokoro since our last report. The improvement is due to the speedy progress of the water project at Korokoro and the news of HYPREP's intention to revitalise the cassava processing plant in the community, among others. However, satisfaction scores remain low in Botem and K-Dere, and significant drop in Ogale (Okulu-ebo).

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

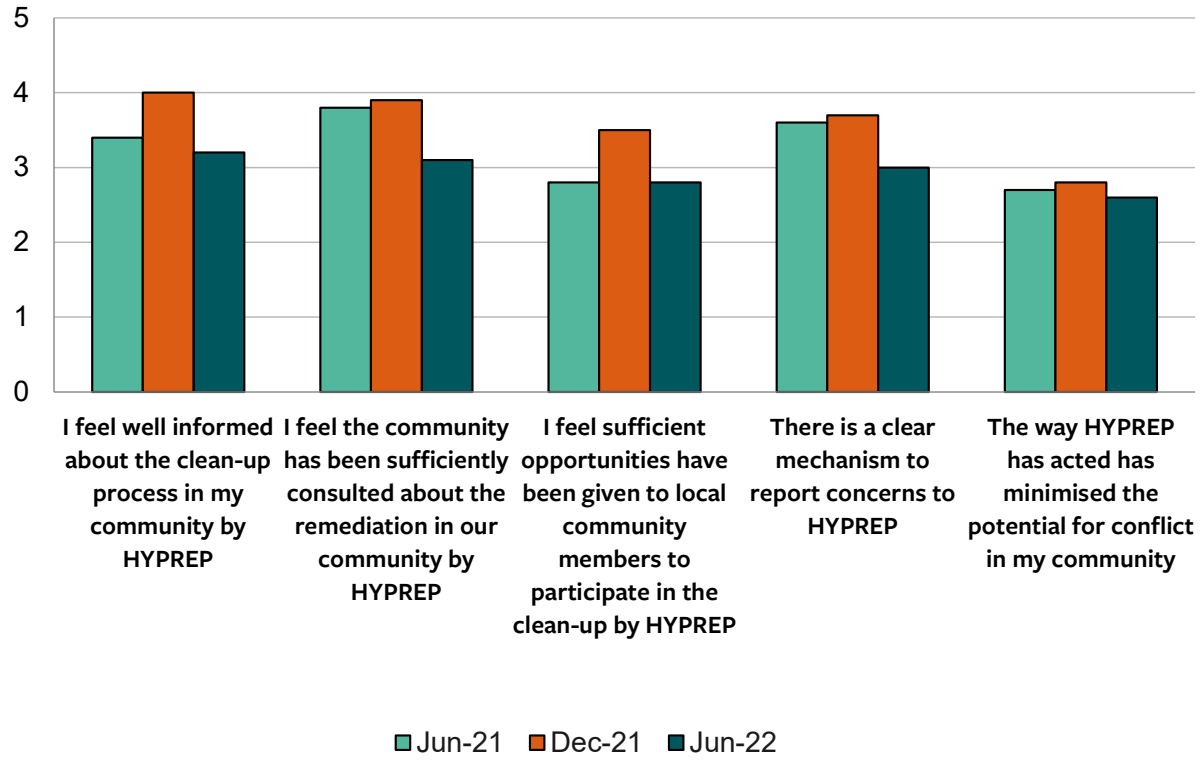


Satisfaction with contractors

Focus group discussions were conducted to measure the level of community satisfaction with the performance of contractors at individual sites in June 2022. 15 communities participated in the FGD and respondents included chiefs, community development committees (CDCs), women leaders and youth groups.

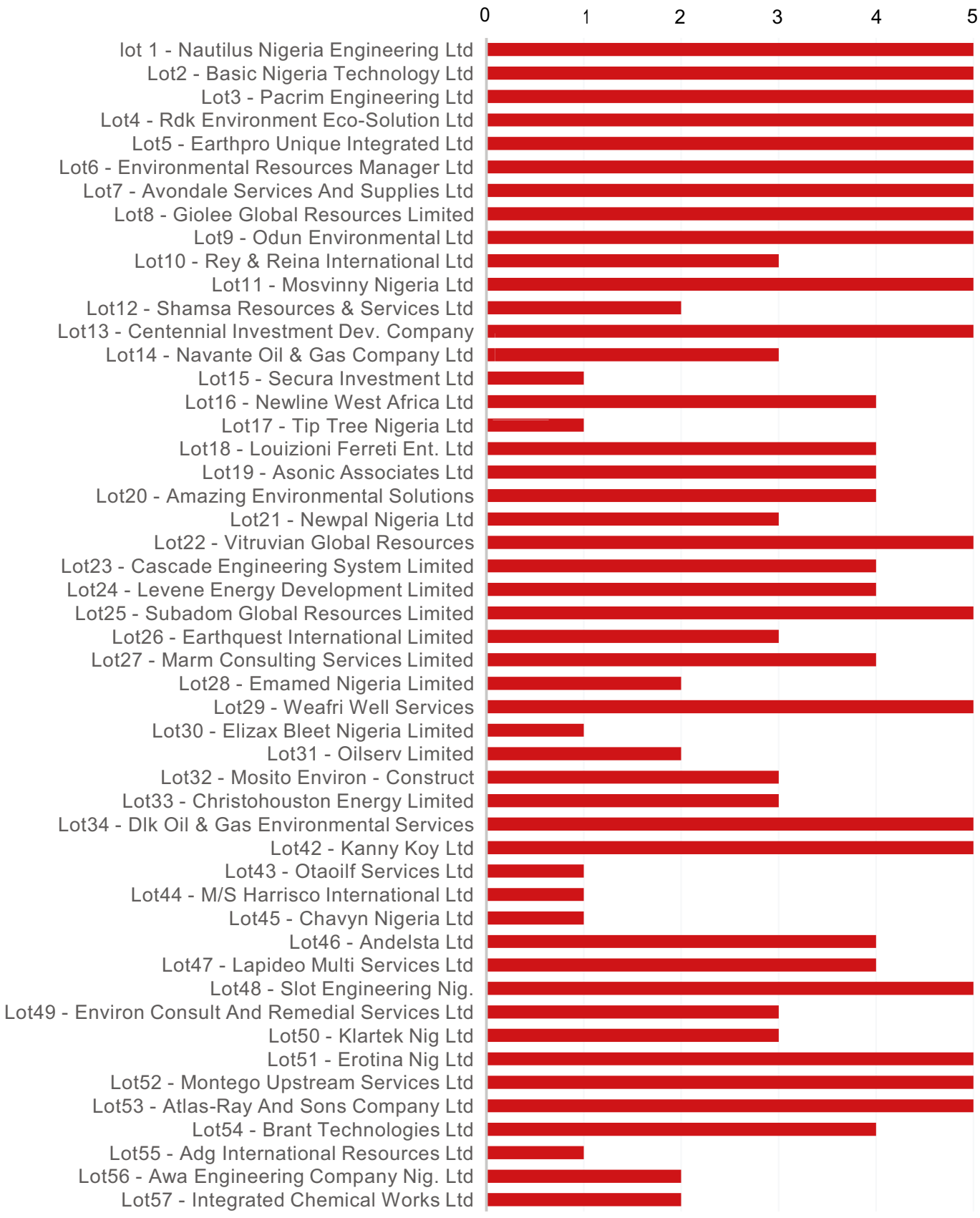
The overall satisfaction score for contractor performance at these lots was 3.3 in the first biannual report published in June 2021, 3.7 and 3.6 in September and December 2021 respectively. In June, 2022, this score significantly decreased to 2.9. Figure 9 shows this drop in satisfaction was a result of lower scores for all performance areas asked about. On further discussion with communities, we believe the major driver for this is that communities have a worsening perception of how they are benefitting from the clean-up process, including poor treatment of workers on site, such as non-, or partial, payment of wages and poor provisions for worker welfare, for instance, in refreshments at sites. Community members reported discrepancies in payments in Lots 9, 11 and 12 in Mogho where some workers were paid higher than others, and salaries for some months were skipped whereas the HYPREP contract stated that the community workers should be paid for six straight months. Also, security staff in Lot 55 in Okuluebo-Ogale were short-paid their salaries, and the security staff at Korokoro water station were owed by the contractor for more than three months.

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



However, 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.

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



Five lots and contractors listed below scored the minimum of 1 (indicating complete dissatisfaction), while a number of others also scored very low. Those of most concern are:

Lot 11: Mosvinny Nigeria Ltd	Lot 43: Otaoilf Services Ltd
Lot 15: Secura Investment Ltd	Lot 44: M/S Harrisco International Ltd
Lot 17: Tip Tree Nigeria Ltd	Lot 45: Chavyn Nigeria 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

Seven of these 12 companies were noted as low performers in our last report, suggesting there are systematic, ongoing concerns from communities about these contractors.

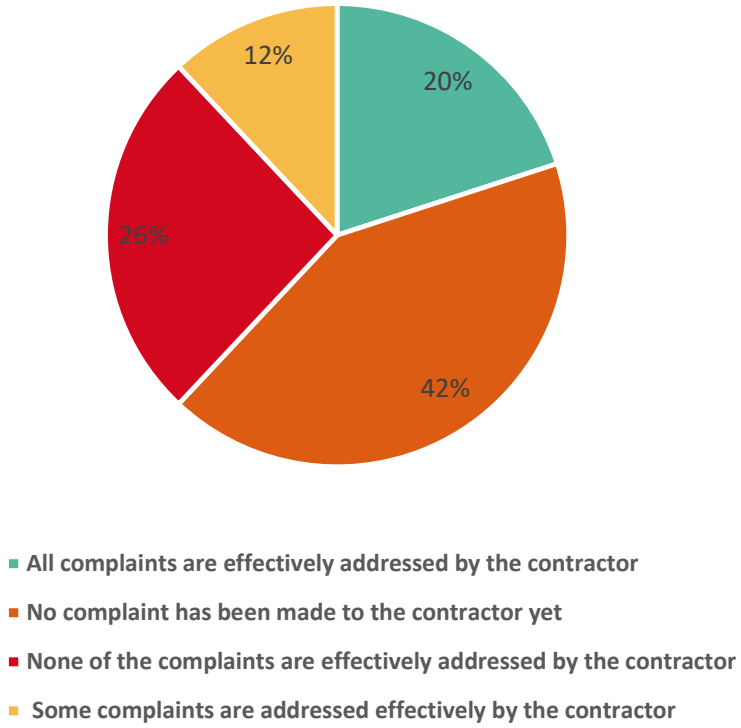
Unfortunately, among poorer performing contractors, there remains a lack of effort to include communities in the clean-up process and to address and resolve complaints where they arise. As we have in our previous two reports, we again recommend that HYPREP meets with contractors and communities to address 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 community.

Complaint mechanisms have been established in all communities. Our latest data suggests that there has been some improvement in complaint resolution. In December 2021, at 55% of clean-up lots, communities reported that they had made complaints which had either not been resolved at all, or only partially resolved. By June 2022, this had reduced to 38%. However, our latest data also shows that where complaints have been made, they have only been fully resolved in about a third of cases, meaning there is still significant room for improvement.

Figure 11: Contractor complaint resolution status a clean-up lots, June 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), received three complaints from communities with only one community reporting that their complaint had been at least partially resolved. CRAC's core functions have not been satisfactory due to delayed responses to complaints raised by communities.

Such complaints include, among others, non-payment of community workers by contractors, poor refreshment of community workers at sites, poor adherence to local content consideration for community members by the contractors, and recognition of factional leaders in communities, for instance, in Kpean and Akpajo, by HYPREP.

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, remains extremely slow.

Of the water projects commenced in September 2021, only the Alesa water scheme is completed and operational, but still requires reticulation to be extended round the communities, while the remaining five schemes are still under construction and not yet delivering water. As of June 2022, Alesa, Alode, Agbonchia, Aleto and part of Ogale communities have access to potable water supply from the Alesa water scheme. Community members complained that they get water supply about three times a week and it is thus insufficient. According to our findings, there has been insufficient electricity to power the water station.

On health, there is widespread confusion in communities about what HYPREP's plans are 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.

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.

HYPREP states that they have completed the first phase of the health situational analysis in Ogoniland. From speaking to communities, we have been told that community members were invited to health centres, where tests took place and some treatments were handed out. This included testing and treatment for conditions such as malaria - while important, this does not appear to be within the scope of what should be HYPREP's focus. At the time of reporting, we had also been told by a number of community members that the results of their medical tests had not been shared with them, and many also complained that the crowd at the health centres was so much that many people were discouraged from taking part in the exercise.

As we noted in our last report, there is an urgent need for HYPREP to clearly communicate the purpose of its current 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.

4.4. Livelihoods

Within the reporting period, persons with disabilities and ex-artisanal refiners were also included in the assessment which was conducted at the Local Government Headquarters. There are concerns that some applicants, particularly those most in need, might have been excluded from the process due to their inability to pay transport costs to the venue. At the time of writing, we have requested data on the numbers of those assessed, but this has not been shared yet. No further activity has taken place with the 5,000 young people who participated in a livelihood needs assessment reported in our last report.

We remain concerned that HYPREP has not set a target for female participation across its livelihood programmes, although new plans to specifically target people with disabilities are welcomed. 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.

4.5. HYPREP Infrastructure

HYPREP has completed the land and geotechnical surveys for the construction of the Centre of Excellence for Environmental Restoration (CEER). Land has been donated for these facilities in Wiakara community in Khana Local Government Area. Likewise, it is the expectation of stakeholders that the construction of the Integrated Contaminated Soil Management Centre (ICSMC), which will be housed at the CEER, should commence as well. These items 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 10% of the samples we collected from 13 remediated lots had Total Petroleum Hydrocarbon (TPH) levels that exceeded the target thresholds for the clean-up. Eight out of the 13 lots had at least one sample that exceeded target thresholds (lots: 23, 27, 33, 34, 48, 50, 53, 54). Of particular concern are Lots 33, 48 and 54 which have 4, 18 and 9[3] samples respectively that have above-threshold contaminant levels. All the affected lots 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.

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 having found TPH levels on average twice that of the analysis in Nigeria). 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, we are concerned that the level of variation we have found could indicate that our reporting to date has underestimated the level of TPH and BTEX remaining at clean-up sites. Through discussions internally and with external experts, we have decided the best course of action is to analyse a further 30 duplicate samples. At this point, we hope this larger dataset will give us the confidence to be able to provide a firmer conclusion on how these discrepancies might impact the data we have shared to-date, and our future approach to analysing soil and water samples. 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 (a concern raised previously and again below) to ensure that the hydrocarbon pollutants are removed from the environment in line with UNEP's recommendations.

As per our previous reports, we continue to have concerns about contractors' technical application of clean-up activities, and we are yet to see corrective action. Those problems that we have observed to date are:

- Contaminated soil is left for an extended period in biocells, exposed to heavy rainfall, which causes the sump to overflow, which is likely to be leaching contaminants into the surrounding environment. This means there is the potential for all lots to still be contaminated.

- Top and subsoil are mixed together during the backfilling process, meaning the new top layer of soil is suboptimal in areas which are used for agriculture. Communities are having land handed back to them in a significantly worse condition than pre-oil spill pollution.

3. Or 14, according to duplicate samples tested in ALS Laboratories.

- NPK (Nitrogen, Phosphorus and Potassium) fertiliser is being used for bioremediation, which is not a suitable soil amendment nutrient for remediation.

- Re-use of High-Density Polyethylene (HDP) liners at biocells from one lot to another, which poses a risk of secondary contamination.

- A blanket approach of excavation of soils and remediation in biocells has been used for all simple sites. Yet some of these sites are close to oil infrastructure which has prevented contractors from being able to excavate in all contaminated locations, without consideration of alternative approaches which could have supported clean-up, such as soil flushing.

Finally, HYPREP has not yet published details of its Risk-Based Corrective Action (RBCA) approach. In our previous report, we noted that HYPREP would consider closing out sites where contaminants still exceeded thresholds in certain situations (e.g. if it was felt that the risk was sufficiently low because the area is uninhabited, or further intervention could be more environmentally damaging). In the particular lots of concern which had been closed out (3, 15, 20, 43), three have now been placed back under monitoring (3, 20, 43) to determine whether contaminants will fall below thresholds through the bioremediation process. However, this issue remains important, and could become even more relevant during complex site clean-up: if a risk-based approach is to be adopted, the details should be published, and available to communities and all wider stakeholders to be able to assess these. As we stated previously, it is our view that until clear guidelines and standards for this are set out, all contaminants should be below the threshold limits, to ensure that impacted Ogoni communities are completely remediated, and we urge HYPREP to fully remediate all soil.

Recommendations to HYPREP:

- Corrective actions should be taken at Lots 23, 27, 33, 34, 48, 50, 53 and 54 which have failed to meet the thresholds for clean-up to be certified, inform us of remedial actions taken for these lots, and re-invite our monitors for a new round of sampling at the appropriate point.

- Re-invite our monitors for a new round of sampling at lots 3, 20, 43, 44 and 45 - where sampling was conducted during our previous report - upon completion of remediation and/or six-month monitoring period to ensure contaminants have fallen below thresholds.

- Provide a justification for disregarding our findings that lot 6 had contaminants above threshold levels.[4]

- Publish the specific criteria to be applied as part of the Risk-Based Corrective Action approach and the justification for this. This will help enable external assessment of the decision to close-out lot 15 while contaminants were still above threshold levels, and any other future lots the Risk-Based Corrective Action approach may apply to.

- Publish, monitor and enforce Standard Operating Procedures for biocell construction and use, and for soil backfilling, and ensure these requirements are contained in contracts and in the remediation monitoring plan. In particular, requiring more stringent requirements for the speed of treatment and/or the roofing of biocells to ensure the sump does not overflow; ensuring that only approved soil amendment nutrients are applied; and to ensure uniform degradation of contaminants and that topsoil is backfilled last to restore the agricultural potential of the remediated sites.

4. We acknowledge that NOSDRA and HYPREP sampling did not show contaminants above thresholds, however, there ought to be a process of investigation given that our data does.

- Provide SDN with permission to sample at biocell locations.

- Ensure that appropriate and alternative methods of remediation are identified in future contracts for respective clean-up lots. This will help to address the challenges associated with carrying out excavation near pipelines and related facilities (as was the case with lots 3 and 43), and ensure effective remediation irrespective of site peculiarities.

Recommendation to NOSDRA:

- NOSDRA, as the regulator, should include sampling at biocell locations and surrounding areas as a matter of urgency as part of the Agency's site closeout criteria to monitor and prevent secondary pollution.

5.2. Community engagement

The level of community awareness of HYPREP activities has held more-or-less the same, and we believe this could be increased further. Anecdotally, we have observed and heard positive reports about changes introduced by the new Project Coordinator to improve communications, engagement and openness with key stakeholders in Ogoniland. For example, where concerns were raised by a community about a new water project not reaching all parts of the community, this was quickly acknowledged and it is being responded to. However, awareness in Buan, Kpean and Botem, remains low, as was also reported in our previous report.

There has been no measurable change in overall levels of satisfaction with HYPREP, which remain average, although the level of variation in satisfaction scores between communities has reduced. There remain some communities with particularly low satisfaction, notably K.Dere and Kpean, which have had consistently low scores since we began this project - and therefore, HYPREP has had significant notice to act on. On the other hand, the satisfaction score given to contractors has dropped significantly and there remains a worrying level of variation in levels of satisfaction with the work of contractors. Seven contractors received the lowest possible score of 1 and several more received very low scores. Once again, we 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.

Unfortunately, under complaints management, this is an area where we have observed almost no progress since our monitoring project commenced. All communities visited lamented the absence of the Community Representative Advisory Committee (CRAC) or information on how to channel complaints to them. There is widespread feeling in communities 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 refuted that HYPREP has acted and minimised the potential for conflict in communities. Previously, HYPREP promised to take steps to ensure that CRAC sets up offices in all LGAs and monthly meetings are conducted to address community complaints, but we have not yet seen action and we hope to see improvements in our next monitoring round.

As indicated in our last report, a pattern also appears to be emerging of lower awareness and satisfaction levels among women compared to men, and HYPREP ought to ensure its communications effectively reach both men and women and that they are able to equally participate in and benefit from opportunities in the clean-up.

Recommendations to HYPREP:

- Learn lessons from communities where levels of awareness of the clean-up are high - such as B.Dere, Gio and Ueken, whose levels of awareness have remained high in the past six months - to establish best practice for further engagements with all communities. In particular, use this to engage in Botem, Buan, and Kpean, where records of awareness levels have remained relatively low since our last report.

- Develop a plan to ensure HYPREP's communications reach men and women equally, and to understand why awareness levels are still lower among women and how this can be addressed .

- Learn lessons from communities where levels of satisfaction with HYPREP are higher to understand the reason for the differences and to establish best practice for further engagements with communities. This includes Botem, K.Dere and Kpean, where we recorded low levels of satisfaction with HYPREP.

- Organise a forum for communities and contractors to address 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 of community workers on the remediation sites.

- Hold meetings between the communities and contractors for lots 12, 15, 17, 28, 30, 31, 43, 44, 45, 55, 56 and 57, to understand the reason for high levels of dissatisfaction with contractor performance and to put in place plans to address these.

- Publicise information on the membership of the Community Representative Advisory Committee, 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.

5.3. Emergency measures

Once again, the pace of the delivery of emergency measures has been slow.

Although one water scheme is functioning (with further improvements needed), none of the further five schemes have become operational since our last report. Most concerningly, 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. We intend to start our own limited testing to ensure that at least some data can be made available.

The situation regarding health activities and the creation of health registries is of increasing concern. The absence of communication and information from HYPREP about how they plan to create 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 happening. It is particularly disturbing to hear reports from community members that they have had medical tests and the results have not been 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).

At present, we are unable to judge whether health registries will be created and what progress, if any, has been made - we have asked HYPREP for further information on several occasions but have been unable to get a clear answer.

As we noted in this and our last report, our best understanding of the health activities that have taken place, is that they appear to have been a medical outreach exercise, to identify common health conditions and treat them. There is no indication that testing and checks have been carried out holistically 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:

- Ensure no further health-related activities take place without the full, prior, informed consent of participants, and ensure those who have already had data collected are informed about how it is being used.

- 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.

- Fastrack and publish the timeframe for completion of potable water projects; conduct water quality testing for all new schemes; ensure all schemes are designed with a plan for maintenance and sustainability; and ensure water is piped to all parts of the communities to increase water access.

5.4. Livelihoods

In addition to the 5,000 noted in our previous report, a further assessment was done targeting people with disabilities during this reporting period, however, HYPREP are yet to share the total number of people assessed during the reporting period. Livelihood activities for these groups are yet to commence.

HYPREP's plans continue to focus on skills training. As we have stated previously, 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. Concerns also continue about the lack of information in communities about who will benefit and how these decisions will be made. However, efforts to target groups at risk of being excluded, such as those with disabilities, are very welcome.

Recommendations to HYPREP:

- 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.

- Publish the selection criteria and process for the proposed skills training programme for 5,000 young people previously assessed and communicate this to communities.

- Re-evaluate the design of the wider livelihoods programme. The current approach is focussed on training and start-up kits, which are high-cost and low-reach, and appear to be inadequate from the perspective of participants. A more holistic, market-systems approach would be a more effective use of HYPREP's resources, and more likely to result in sustained, wide-reaching economic opportunities for people living in Ogoniland.

5.5. HYPREP infrastructure

HYPREP has completed the land and geotechnical surveys for the construction of the Centre of Excellence for Environmental Restoration (CEER) at the Ken Saro-Wiwa Polytechnic Bori. The design and plan for this work has been approved by the Federal Executive Council (FEC). Likewise, we expect work to also commence for the Integrated Contaminated Soil Management Centre (ICSMC) which will be housed in the CEER. As noted previously, this infrastructure is critical to HYPREP's success as the ICSMC is required for the clean-up of complex sites, while the CEER will develop the skills and expertise needed locally to ensure permanently improved capacity to deal with oil spill pollution across the Niger Delta region.

Recommendations to HYPREP:

- Produce and publish a timetable for the construction and launch of the Integrated Contaminated Soil Management Centre and Centre of Excellence for Environmental Restoration.

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:

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
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 NOTE: as of 1st January 2022, samples are only tested for TPH to enable us to maximise the number of samples we can test.	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 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.
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
3. Has the site clean-up been certified as complete by NOSDRA?	"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
4. Has the contractor been present and active on the clean-up site in the past month?	"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.

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5. Clean-up stage at individual clean-up site	Note of the stage of the clean-up at a site, based on the HYPREP milestones: - Not yet assigned to a contractor - Handover of site to contractor -Site set up -Construction of bio-cell -Soil excavation -Soil treatment and remediation -Inspection and certification -Demobilise from site If any issue identified at each stage (as per checklists – see database) this is noted
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	"yes" or "no" answers, based on survey responses to the following: - I am aware the contractor(s) were introduced and formally handed over to my community - We have been informed of the number of clean-up lots in my community - We have been informed that the contractor(s) will be employing some persons from my community - We have been informed that the contractor(s) will compensate landowners for access to lot - We have been informed that the contractor(s) will compensate landowners for access to lot
7a. Average community satisfaction score with clean-up site	A composite indicator, where a series of Focus Group Discussion questions are rated 1-5 (1 = completely disagree, 5 = completely agree): - I feel well informed about the clean-up process in my community by [CONTRACTOR] - I feel the community has been sufficiently consulted on community worker selection, access to site and waste management by [CONTRACTOR] - I feel sufficient opportunities have been given to local community members to participate in the clean-up by [CONTRACTOR] - There is a clear mechanism to report concerns to [CONTRACTOR] - The way and manner [CONTRACTOR] has acted has minimised the potential for conflict in my community Participant scores are averaged for a lot to provide an overall perception index between 1-5.

7b. Average community satisfaction score with overall HYPREP clean-up	A composite indicator, where a series of survey questions are rated 1-5 (1 = completely disagree, 5 = completely agree): - I feel well informed about the clean-up process in my community by HYPREP - I feel the community has been sufficiently consulted about the remediation in our community by HYPREP - I feel sufficient opportunities have been given to local community members to participate in the clean-up by HYPREP - There is a clear mechanism to report concerns to HYPREP - The way HYPREP has acted has minimised the potential for conflict in my community These scores are averaged across participants from individual communities to provide an overall perception index between 1-5.
8a. Existence of dispute and community engagement mechanism created by the contractor and effective management of complaints	″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. Also ″Yes/no″ response by key community members on how effective the compliant mechanism has been, followed with a comment.
8b. Existence of dispute and community engagement mechanism created by HYPREP and effective management of complaints	″Yes/no″ response on check of whether HYPREP has set up the Central Representative Advisory Council (CRAC) to deal with community issues. Also ″Yes/no″ response by key community members on how effective CRAC is in resolving compliant. Followed with a comment.
9a. % of contaminated water sources clearly marked with signposts	Total number of contaminated water sources in the community against number of sources that are clearly marked.
9b. Community access to HYPREP's potable water schemes	This is specifically for communities where emergency water measures were proposed. To be recorded as: -HYPREP has not yet started improved water provision -HYPREP is constructing an improved water source -HYPREP has installed an improved water source but it is insufficient for community needs -HYPREP has installed an improved water source and it is sufficient for community needs -HYPREP has installed an improved water source but it is not functioning

10. Health registry established in community	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″.
11. Reported total number of people employed to date from local community in clean-up work (disaggregated by sex and age)	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.
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	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.
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	Elelenwo/Akpajo
57	INTEGRATED CHEMICAL WORKS LTD	Elelenwo/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						
	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 community 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	Ave-rage
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	NEWLINE WEST AFRICA LTD	1	5	5	5	5	4
17	TIP TREE NIGERIA LTD	1	1	3	1	1	1
18	LOUIZIONI 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
HYPREP's KPIs
1. Number of contaminated sites and lots successfully remediated/closed out
2. Total volume of soil (m3) and areas of land (m2) 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

SAMPLE ID	TPH (Local laboratory) (mg/kg)	TPH (Internationally-accredited laboratory) (mg/kg)
LT 54 – SS2 – 0.5m	838	1,650
LT 54 – SS2 – 2.5m	1,099	2,060
LT 54 – SS2 – 5.0m	773	2,770
LT 54 – SS2 – 7.0m	524	2,590
LT 54 – SS2 – 9.0m	449	2,380
LT 54 – SS3 – 0.5m	991	3,270
LT 54 – SS3 – 2.5m	1,970	2,590
LT 54 – SS3 – 5.0m	1,054	1,890
LT 54 – SS3 – 7.0m	1,496	2,680
LT 54 – SS3 – 9.0m	537	313
LT 54 – SS4 – 0.5m	1,639	1,740
LT 54 – SS4 – 2.5m	2,092	3,290
LT 54 – SS4 – 5.0m	2,873	2,170
LT 54 – SS4 – 7.0m	1,491	2,300
LT 54 – SS4 – 9.0m	1,315	1,590
LT 54 – SSC– 0.5m	242	<10
LT 54 – SSC – 2.5m	212	<10
LT 54 – SSC – 5.0m	191	<10
LT 54 – SSC – 7.0m	219	78.8
LT 54 – SSC – 9.0m	213	<10