



8th January 2020

The Director,
Department of Petroleum Resources
7, Kofo Abayomi Street
Victoria Island
Lagos

Dear Sir



**REQUEST BROUGHT PURSUANT TO THE FREEDOM OF INFORMATION ACT, 2011 FOR
DETAILED INFORMATION ON THE QUANTITY OF GAS FLARED BY INDIVIDUAL OIL AND
GAS COMPANIES AND RECORD OF PENALTY PAID FOR GAS FLARING**

The above subject matter refers.

Vanguard News in a report of the 31st December 2019, titled "Despite the paucity of funds, Nigeria flares N461bn gas in 2019". As stated in the report, the Data obtained from the Nigerian Gas Flare Tracker, hosted by the National Oil Spill Detection and Response Agency, NOSDRA, showed that of the 425.9 billion SCF of gas flared between January and November 2019, 22.6 million tonnes of carbon dioxide was emitted into the environment, while the volume of gas flared is capable of generating 42,600 megawatts of electricity.

In addition, NOSDRA stated that the defaulting companies are liable of paying \$851.8 million in penalties to the Federal Government, an equivalent of N261.5 billion

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According to the report, the data obtained from the Nigerian National Petroleum Corporation, NNPC, stated that between September 2018 and September 2019, oil and gas companies operating in the country flared 276.04 billion standard cubic feet of gas, representing 8.92 percent of total gas production of 3.09 trillion cubic feet produced in the country between September 2018 and September 2019. Using the average gas price of \$4 per 1,000 SCF, this translates to a loss of \$1.104 billion, and the equivalent of N338.93 billion, using the CBN's official exchange rate of N307 to a dollar. Based on the report under reference, specifically, from September to December 2018, the NNPC stated that 20.54 billion cubic feet, BCF, 20.51 BCF, 23.78 BCF and 21.89 BCF of gas was flared respectively; while from January to May 2019, 18.30 BCF, 21.22 BCF, 24.95 BCF, 24.82 BCF and 19.84 BCF was flared respectively. From June to September 2019, oil and gas firms flared 18.12 BCF, 20.47 BCF, 21.66 BCF and 19.94 BCF of gas respectively.

According to these report, the Director-General of NOSDRA, Mr. Idris Musa declared uncertainty of the actual volume of gas flared in the country; while the Ministry of Petroleum Resources had last year stated that hundreds of gas flare sites were yet to be identified by the government and that efforts are ongoing to identify these sites, especially for its Nigerian Gas Flare Commercialisation Programme, NGFCP.

¹ <https://www.vanguardngr.com/2019/12/despite-paucity-of-funds-nigeria-flares-n461bn-gas-in-2019/>

Based on the above-relayed report, over the years, the Federal Government had set various deadlines for the discontinuation of routine gas flaring in crude oil and gas exploration but had consistently shifted the timeline, without cogent reasons.

We write this request based on provisions of the Freedom of Information Act, 2011, Section 1 states that notwithstanding anything contained in any other Act, law or regulation, the right of any person to access or request information, whether or not contained in any written form, which is in the custody or possession of any public official, agency or institution howsoever described, is established. The Act also provides in Section 1(2) that an applicant need not demonstrate any specific interest in the information being applied for. Section 2 also provides that a public institution shall ensure that its records and keeps its information about all its activities, operations and businesses. And Section 3 provides that an application for access to a record or information shall be made in accordance with Section 1 of the Act.

Owing to the adverse effect of gas flaring on the nation and also in the light of the above media report, and also based on the provisions of the Flare Gas (Prevention of Waste and Pollution) Regulations 2018 and provisions of the Freedom of Information Act, 2011 we hereby demand the following;

1. Detailed information on the quantity of gas flared by individual oil companies from January 2015 to date.
2. The Records of penalties paid by the oil and gas companies for gas flaring from January 2015 till date

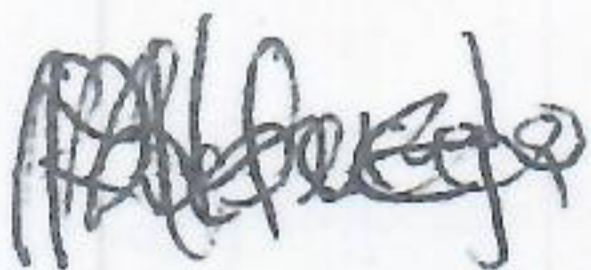
At HEDA Resource Centre, this request falls in line with our mandate as a non-governmental organization and non-partisan human rights and development league to protect and promote universally recognized human rights, accountability and environmental justice in Nigeria and Africa, in accordance with international standards.

Section 20 of the Freedom of Information Act provides that any applicant who has been denied access to information or a part thereof, may apply to the court for a review of the matter within 30 days after which the public institution denies or is deemed to have denied the application, or within such further time as the court may either before or after the expiration of the 30 days fix or allow.

We look forward to your utmost cooperation and the prompt response to this requested information and in any event, within seven (7) days of the receipt of this application in as provided for under the Freedom of Information Act.

Thank you.

Yours faithfully,



Rebecca David (Miss)
Legal Officer

CC: The President of the Federal Republic of Nigeria
Muhammadu Buhari, GCFR
Aso Villa
Abuja

