

Appraisal of Compliance with Environmental Management Policies and Regulatory Framework in the Mining Sector, as Lessons for the Emerging Oil Industry: A Case Study on Selected Mining Companies in Tarkwa

Ashitey, Bertha.

2010

ABSTRACT

The Tarkwa-Nsuem Municipality has been one of the most heavily mined localities in Ghana and the continent. Despite its significant contribution to the Ghanaian economy, the industry has been associated with a number of socio-economic, health and environmental challenges. In view of this, the industry has attracted a lot of attention from NGOs, civil societies and organizations in the mining communities and the country at large. To contain these challenges, efforts have been made by government through the establishment of institutional structures and legal frameworks to monitor and enforce regulations to ensure good socio-cultural and environmental practices within the industry. Nonetheless, these structures seem not to have completely solved these problems. Currently, oil has also been discovered in the off-shores of the Western Region of Ghana and government is preparing to extract the crude oil. There have been a number of concerns raised with regards to social and environmental impacts of this emerging industry as the environmental management of the mining industry is still beset with challenges. The study examined the effectiveness of compliance and monitoring of environmental management policy and regulatory framework within three selected mining companies in Tarkwa as a lesson to the emerging oil industry. This was done by reviewing certain Acts governing sustainable environment management in the mining industry, water quality analysis, questionnaire surveys, interviews and focus group discussions to find out the socio-economic, health and environmental impacts of mining activities on the well being of the mining communities. Available draft policy on the environmental management on the emerging oil industry was also reviewed to ascertain its effectiveness as well as highlight grey/ gaps of this policy for attention. The study found out a number of weaknesses in the mining and environmental legislations and institutional structures which made it impossible to achieve clean environmental management in the mining communities. Some of these limitations are the lack of capacity, human and material resources on the part of statutory institutions to execute their responsibilities, flaws in legislations such as the lack of active participation of local communities in drawing up environmental guidelines

(EIA), the confidentiality of environmental audit reports, low penalties and fines imposed on companies, etc. This has led to the flagrant abuse of a number of mining and explosives regulations of 1970. The socio-economic, health and environmental ramifications of the lack of effectiveness of compliance and enforcement of the mining and environmental regulations include, air and water pollution, excessive noise and vibrations, displacement from farm lands, poverty, diseases, etc. The water quality analysis showed that, concentration levels of certain elements namely iron, cadmium, copper, cyanide, arsenic and zinc were beyond allowable limits of World Health Organization and Ghana Standards Board (GSB)/ Ghana Water Company (GWC) guidelines for drinking water confirming the people's perception that, their water resources were polluted due to the mining activities. The environmental and social issues of the oil industry are more challenging and some of the likely problems are the destruction of marine ecosystem, oil spills and leakages, gas flaring, resource use conflict between fishermen and the oil companies, compensation, etc. In the light of these challenges the reformation/amendment and enactment of some of the mining regulations and new ones are highly recommended. Among these are the establishment of strong oversight institutional structures to ensure compliance to the statutory regulations governing both the mining and the oil industry. Provision should be made to encourage and involve active community participation in the formulation of environmental and social regulations of the industries to promote accountability on the part of the local communities. It is also recommended that, the annual environmental audit report of mining companies should be made public to ensure transparency and accountability on the part of mining companies and the statutory institutions.

SUPERVISORS

Prof. Akbzaa, Thomas

Prof. Atta-Peters, David

Prof. Carboo, Derick