

Legal Analysis Related To The Implementation Of Government Regulation Number 22 Of 2021 Concerning The Implementation Of Environmental Protection And Management For The B3 Waste Management Company Pt Dame Alam Sejahtera

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Article Info

Received: 2022-09-12

Revised: 2023-08-02

Accepted: 2023-10-20

Keywords:

Hazardous Waste Management;
Hazardous Waste Collection;
Determination of
Administrative Sanctions;

Abstract

Article 28H paragraph 1 of the Constitution contains the right of everyone to live with happiness in birth and mind and to get a good and healthy environment which means free from pollution, safe from the dangers of hazardous waste. The presence of derivative regulations of Government Regulation No. 22 of 2021, which regulates the Implementation of Environmental Protection and Management (P3LH) creates even clearer rules, especially related to B3 Waste management. The presence of the B3 Waste management industry is needed as a party that manages B3 Waste from waste producers, especially when these producers do not have the ability or facilities to manage it themselves. One of the industries managing B3 Waste, PT Dame Alam Sejahtera, has implemented Government Regulation No. 22 of 2021 concerning P3LH that has environmental approval that has been determined by the Central Government, in this writing using an empirical legal research method. The conclusion in this study is that the implementation of Government Regulation No. 22 of 2021 concerning P3LH is considered more complex than previous regulations, especially related to the change of management permits to technical approvals according to B3 Waste management activities, and administrative sanctions as per article 508 paragraph 1 Government Regulation No. 22 of 2021 concerning PP3LH, such as written reprimands to revocation of permits, is a strategic step to uphold environmental justice and responsibility in a preventive and persuasive manner, without directly applying criminal sanctions.

1. Introduction

From a legal point of view, Indonesia's environment includes the entire area that exists under the sovereignty and legal power of the state. The Indonesian region is located at the meeting point between two continents and two oceans, having a tropical climate with variations in weather and seasons that create unique geographical characteristics. This geographical position provides a very important strategic value as a place for the Indonesian people and nation to carry out social, national, and state activities in various sectors. The increase in population density resulted in an increase in the number of individuals in each area unit. This has an impact on increasing the volume of waste generated per unit area. In other words, areas with high population density experience concentrated waste production accumulation. Pollution due to waste causes various negative impacts. A special characteristic of industrial pollution is the presence of certain pollutants that cannot be decomposed naturally, such as heavy metal and radioactive material contamination. . In order to support environmental conservation efforts, the government has established various regulations related to environmental management and conservation. (Widodo, 2023)(Rahmatiar & Guntara, 2021)

In accordance with this article, everyone has the right to live a prosperous life both physically and mentally and to have a good and healthy living environment. This includes freedom from pollution, protection from hazardous waste hazards, as well as access to clean air, decent water, and pollution-free green open spaces. If examined more deeply, both according to the 1997 Environmental Law and Article 1 Paragraph 1 of Law No. 32 of 2009 concerning PPLH, it can be understood that the environment is a unit of space that includes objects, forces, conditions, and living organisms—including humans with all their behaviors—that have a comprehensive effect on nature, survival, and prosperity of humans and other living organisms.

Day-to-day management of solid waste is a complex and costly undertaking. The direct activities that must be considered and coordinated on a daily basis include waste generation rates, on-site storage, collection, transfer and transport, processing and recovery, and final disposal. The indirect activities that are associated with the management of solid waste. (MA Karim & John Taylor Wetterhan , 2020)

The right to a good and healthy environment is not only part of human rights, but also an important foundation in sustainable development. A clean, safe, and sustainable environment has a direct impact on people's quality of life, ranging from health, productivity, to social welfare. Policy breakthroughs are needed to adjust development so that the concept of welfare is not only seen as an economic problem, but also sees the relationship between humans and the environment in which they are located (Soetopo, 2022) Therefore, the state has an obligation to ensure the protection of the environment through effective policies, regulations, and law enforcement. On the other hand, the community also has a strategic role in protecting the environment, both through

environmentally friendly behavior, participation in supervision, and through wise use of resources. Considering that the community is not only an object but a subject in the pursuit of development, all aspects of society must be aware and foster an attitude of care and willingness to maintain natural resources to sustain sustainable development for the sake of common welfare. (Felisia Mega Sri Ayu, 2020) In this context, the environment is not just a setting in which life takes place, but is a vital element that is integrated with the rights, responsibilities, and future of future generations.

The B3 Waste Management Industry has an important role in dealing with toxic waste generated by waste producers, especially industrial waste which is a serious problem in the era of globalization, especially (Fajar Hidayat, 2023) when they do not have the means or ability to manage their waste independently and also do not understand or realize that the waste it produces belongs to the category of B3 Waste (Dias Rahmadanti, 2022). The hazardous and toxic characteristics of B3 waste carry irrefutable risks to the environment and human health. With the potential to damage ecosystems and cause serious diseases, it is important to treat B3 waste management seriously. Therefore, the responsibility for waste management is often left to the specialized industry that handles B3 Waste. Waste is related to environmental pollution because it contains substances that have the potential to damage the ecosystem. If waste is not managed properly by business actors or the community, the impact can significantly pollute the environment. (Oktaviany Tiara, 2019)(Kirana Kaulika Pavitasari, 2022)

B3 Waste Managers are also required to have environmental insurance that aims to provide protection against potential environmental impacts caused by B3 Waste management activities, as well as as a form of risk transfer for environmental damage. This insurance also serves to ensure the availability of funds in the context of paying compensation to the affected parties due to incidents or failures in B3 Waste management. (Guntara, 2016)

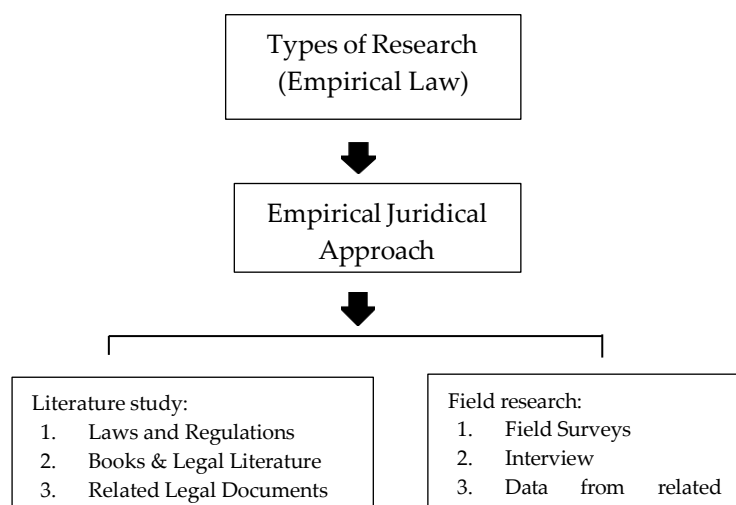
The issuance of Government Regulation No. 22 of 2021 concerning P3LH which replaces the previous regulation, namely Government Regulation No. 101 of 2014 concerning PLB3. bring updates in more firm and detailed arrangements, especially related to B3 Waste management, both in terms of environmental guarantee funds for B3 Waste management activities/or businesses, guidance and supervision of B3 Waste management activities/or businesses as well as related to the imposition of administrative sanctions as a reference for businesses/activities engaged in B3 Waste management. With stricter and systematic regulations, it is hoped that a healthier environment will be realized. Then, public awareness of the importance of B3 Waste management also needs to continue to be improved so that all elements of society can play an active role in preserving the environment for the sustainability of future generations' lives. (Widiani Agustien Wiguna Mukti, 2024)

In the implementation of Government Regulation No. 22 of 2021 concerning P3LH, there are still a number of obstacles in the field related to obtaining a B3 Waste management permit. One example occurred in the company PT Dame Alam Sejahtera, which experienced several obstacles, including:

1. With the existence of the Amdalnet service which is designed to facilitate the management of environmental approvals online, in its implementation there are still obstacles, one of which is a disruption to the system in the form of errors on the Amdalnet website
2. Online submission makes a lack of technical assistance and limited human resource knowledge regarding the supporting documents needed in the licensing application process in accordance with the provisions stipulated in Government Regulation No. 22 of 2021 concerning P3LH Lack of socialization from the Ministry of Environment regarding the latest regulations in the implementation of PP No. 22 of 2021 concerning P3LH

On this basis, the author is interested in discussing matters related to the implementation of Government Regulation No. 22 of 2021 concerning P3LH in B3 Waste collection activities by PT Dame Alam Sejahtera as the B3 Waste management company. Also how to apply administrative sanctions in suppressing violations of B3 Waste management in accordance with Government Regulation No. 22 of 2021 concerning P3LH

2. Research Method



This research uses a type of empirical legal research, which aims to assess the extent to which the law runs effectively and consistently in society. The approach used is the survey method, which is a data collection technique through the opinions or views of individuals who are directly involved with the phenomenon being studied. The main objective of this method is to obtain an overview through sampling from a number of

respondents.

In addition, the approach used in this study is an empirical juridical approach, which combines literature studies and field research. Literature studies are carried out by referring to laws and regulations, law books, related literature, and other documents relevant to the issue being studied. Meanwhile, field research is carried out by collecting data directly from the object or subject that is the focus of the research.

3. Results and Discussion

Implementation of Government Regulation No. 22 of 2021 concerning the Implementation of Environmental Protection and Management in B3 Waste Collection Activities by PT Dame Alam Sejahtera as a Waste Management Company.

In essence, waste is residual material produced from human activities or natural processes, which initially have no economic value. However, in certain situations, waste can also have the potential for beneficial economic value. Waste can have economic value if it is processed through the recycling process and proper utilization so that it becomes a new product that has a selling value. There are 4 fundamental concepts in waste management, namely Reduce (reducing materials so that the waste produced can be minimized), Reuse (reusing used materials), Recovery (taking back useful materials), Recycle (recycling waste that is discarded for reuse). In its management, waste is divided into 2 categories, namely B3 Waste and Non-B3 Waste. With the enactment of Government Regulation No. 22 of 2021 concerning P3LH, the regulatory framework has changed from the previous regulation. Based on the latest regulations regarding B3 Waste management, an environmental approval is required whose issuance basis is technical approval. (Adi Rahmadi, 2022) (Bakri, 2015)

The definition of a permit can vary depending on the context and type of permit discussed, as is the case with a business license. According to Sjafran Basah, a permit is a legal action from the state administration that is unilateral and produces a supervisory arrangement, based on the conditions and procedures that have been established in the applicable legal provisions. Before a business activity can officially begin operating, business actors are required to meet various licensing requirements. The business license application process is currently carried out in an integrated manner through the OSS system which can be accessed through the official website (Devara E, 2021) (Basah, 1995) <https://oss.go.id>. In this process, business actors must create an account and fill out a form that includes complete information about the company's identity. In addition, the form also includes data on industrial activity plans, land use, production processes, raw materials, types of businesses according to the KBLI classification listed in the deed of establishment, the number of workers both local and foreign, and the total investment value. To obtain a NIB, business actors must also complete the investment activity report

(LKPM) as one of the requirements to obtain the status of "business effective". (Rida, 2021)

The OSS system was formed to simplify and accelerate the business licensing process, which was previously spread across various government agencies, to be centralized in one digital system. This aims to make it not only easier for business actors to access licensing, but also to increase transparency and accountability in the process. With the existence of OSS, the government seeks to create a more conducive and efficient business climate, while suppressing convoluted bureaucratic practices. However, the fulfillment of permits is not just an administrative formality, but an indicator of legal compliance and operational readiness of a business activity. Therefore, understanding and implementing licensing procedures correctly is very important for the sustainability and legality of business activities in Indonesia.

The OSS system will verify the environmental provisions and documents that must be processed by business actors in business licensing. This is based on KBLI and environmental parameters. In a risk base:

1. Low Risk: Only requires NIB (Business Identification Number) as a business license.
2. Medium Risk: Requires additional permits such as Standard Certification.
3. High Risk: Requires a complete permit including AMDAL/UKL-UPL and Technical Approval.

High-risk-based business licensing requires environmental approval as outlined in Article 1 paragraph 4 of Government Regulation No. 22 of 2021 concerning P3LH. The term in this article is used after a change in nomenclature from what was previously known as an environmental permit to an environmental approval. The basis for issuing Environmental Approvals for business actors or activities is the obligation to prepare environmental documents in the form of UKL-UPL/AMDAL. With the existence of Government Regulation Number 22 of 2021, the requirements for the obligation to have a Pertek, the initiator of the activity is required to have detailed and mature planning on the environmental component, especially related to aspects of water and air pollution control, LB3 management and traffic, to be then integrated into environmental documents and environmental approvals. (H. Effendi, 2024)

UKL-UPL is one of the important tools in the environmental protection and management system that functions as a basis for granting business licenses also prevent and overcome environmental damage because it contains an impact identification study of a business plan and/or activity with the approval of the Central Government or the Government (Rakha Rafif Rivaldi, 2024)(Muhammad Ramdhan Olii, 2020)UKL-UPL is an obligation for every business actor or activity that is not categorized as having a large and important impact on the environment. The process of preparing UKL-UPL documents begins with collecting basic information, including a description of a business plan or activity and, if necessary, supporting technical approval documents. This document is

designed in standard form, covering measures for managing and monitoring potential environmental impacts, as stipulated in Annex III of Government Regulation No. 22 of 2021 concerning P3LH.

The existence of UKL-UPL is not only administrative, but also has a substantive function in ensuring that the business activities carried out do not ignore environmental responsibility. By compiling UKL-UPL, business actors participate in the planning process that considers environmental sustainability aspects from the initial stage. This is important as a form of control so that development activities do not cause environmental damage in the future. In addition, the UKL-UPL document is also a control tool for the government in supervising and evaluating business actors' compliance with environmental commitments that have been set. Therefore, the preparation and implementation of UKL-UPL must be carried out carefully, transparently, and based on accurate data to ensure environmental sustainability and support ecologically sound development.

Submission of an application for examination of the UKL-UPL form can be made to the authorities based on the location and type of licensing authority. If the activity or business is cross-provincial, in a sea area more than twelve nautical miles from the coastline, or a permit is issued by the Central Government, then the application is addressed to the Minister. If the activity is within a district/city within a province or in a sea area as far as twelve nautical miles, and the permit is issued by the provincial government, then the application is addressed to the governor. As for activities that are in one regency/city area and permits are issued by the regency/city government, an application is submitted to the regent or mayor.

In the process of preparing UKL-UPL, the public has the right to provide suggestions, opinions, and responses submitted through the environmental document information system. After the UKL-UPL form is prepared, an administrative inspection is carried out to ensure the suitability of the activities with the spatial plan, the existence of initial approval, technical approval, and the conformity of the contents of the form with the applicable filling guidelines. If the results of the substance examination find a discrepancy, the authorized official will provide correction directions through the environmental document information system. The person in charge of the business or activity is required to follow up on the directive and submit improvements within five working days of receipt of the direction given under this Agreement as part of the environmental approval which is an important prerequisite in the process.

After the environmental document is uploaded to the Amdalnet system and through the verification process and hearing, the initiator is required to continue the next stage by accessing the environmental approval service through filling out and checking the UKL-UPL form on the One-Stop Integrated Service (PTSP) website. The goal is to obtain an environmental approval letter which is the basis for issuing business licenses.

In the process, the initiator is required to include information related to the status of the investment (both Foreign Investment, Domestic Investment, and government agencies), the title and location of the business or activity, and attach a summary of documents from the amdalnet.menlhk.go.id website. Once the documents have been verified by PTSP and declared complete, the initiator must schedule validation on the same day as the verification date. After obtaining environmental approval, business actors are obliged to submit an application to obtain an SLO. This letter shows that the business or activity carried out has met the standards.

In the context of B3 Waste management, waste collection activities are important activities that function as temporary storage places for waste generated by various sources. This waste is stored using packaging, packaging B3 Waste must be appropriate and function as a protector from changes in circumstances that can affect the quality of B3 Waste (Eginta Marovid Tarigan, 2022) before being handed over to the authorities for utilization, processing, or hoarding. B3 Waste Collectors are fully responsible for the waste received, so it is mandatory to separate (segregate) and store them according to the type and characteristics of the waste, which can be flammable, explosive, reactive, infectious, corrosive, or toxic. Collectors are only allowed to store B3 Waste for a maximum of 90 days from the time it is received from the producer. If the deadline is passed, the waste must be immediately handed over to the licensed party to handle it.

The obligation to obtain an SLO is part of a control mechanism that ensures that business actors not only obtain environmental approval administratively, but also actually implement appropriate technical and operational standards in practice. The existence of SLO is an affirmation that business activities are feasible to be carried out ecologically, taking into account their potential impact on the environment.

In B3 Waste management, the provisions regarding waste collection and storage are not only technical, but also related to aspects of legal and social responsibility of business actors. Improper management has the potential to pose a major risk to human health and ecosystem balance. Therefore, in addition to technical obligations such as segregation and storage according to characteristics, business actors are also required to have a tracking, recording, and emergency response plan in the event of a leak or other incident involving B3 Waste. This shows that B3 Waste management not only focuses on final handling, but also on prevention efforts and preparedness for possible negative impacts that can arise.

The management of B3 Waste collection activities is also regulated in detail in Government Regulation No. 22 of 2021 concerning P3LH. Business actors who want to collect B3 Waste must have environmental approvals and a valid business license. This environmental approval is based on a technical approval submitted through a written application. Applications are addressed to the Minister for national-scale activities, to the

governor for activities at the provincial level, or to the regent/mayor if the activity is only within the scope of the district or city.

Waste that has been collected by business actors must be managed further, either by reusing or processed according to the provisions. However, if business actors do not have the ability to carry out treatment independently, then the waste can be handed over to a B3 Waste management company that has an official permit. This is a form of exception regulated in Government Regulation Number 22 of 2021 so that waste collection activities continue even though business actors have not been able to use it directly. (Marwa Daud Abada Robby, 2023)

In the event of changes related to the location, design, capacity, or scale of B3 Waste collection activities, business actors are required to make adjustments to the technical approvals that have been had. After obtaining technical approval for B3 Waste management, entrepreneurs are required to implement a number of technical provisions, including: collecting and packaging B3 Waste according to its characteristics; placing waste in an appropriate storage facility; attach identification symbols to the packaging; record the origin, type, and amount of waste received; and compile periodic reports on collection activities. In addition, employers are required to have emergency response system documents and competent labor in the field of B3 Waste management.

As an example of the implementation of these provisions, PT Dame Alam Sejahtera has fulfilled all the requirements for B3 Waste management licensing in collection activities. This company has obtained a Technical Approval for B3 Waste Collection through a decree dated August 31, 2021, equipped with a UKL-UPL document as an environmental document, and has an Environmental Approval dated July 26, 2022 and an Operational Feasibility Letter issued on January 25, 2023. All of these documents are the legal and technical basis for carrying out B3 Waste collection activities legally and in accordance with laws and regulations.

Based on the results of interviews with the Legal Team of PT Dame Alam Sejahtera, information was obtained that Government Regulation No. 22 of 2021 concerning P3LH is considered more complicated than previous regulations, thus posing special challenges for B3 Waste management companies, as experienced by PT Dame Alam Sejahtera. For comparison, in Government Regulation No. 101 of 2014 concerning PLB3, in the management of B3 Waste, it is known as the B3 Waste management permit. However, in Government Regulation No. 22 of 2021 concerning P3LH, the term changed to technical approval for B3 Waste management which is adjusted to the type of management activity, such as collection, utilization, or destruction, and is supplemented with the requirements of an Operational Feasibility Letter (SLO).

In addition, in Government Regulation No. 101 of 2014 concerning PLB3, the term environmental permit is used, while in Government Regulation No. 22 of 2021 concerning P3LH, the term environmental approval is used, which requires the preparation of UKL-UPL or EIA documents, depending on the type of activity and its impact on the environment.

Regarding the extension of permits or approvals, Government Regulation No. 101 of 2014 concerning PLB3 has clearly regulated the mechanism and procedures. However, in Government Regulation No. 22 of 2021 concerning P3LH, there are no provisions that explicitly regulate the validity period or procedure for extending technical approvals. Only in the event of a change or update to the technical approval (collection)

The implementation of Government Regulation No. 22 of 2021 in practice, as experienced by PT Dame Alam Sejahtera, shows that the transition from environmental permits to environmental approvals and from management permits to technical approvals is not only nomenclatural, but also has an impact on administrative complexity. Business actors have to adapt to new systems such as Amdalnet and OSS-RBA which are sometimes not fully synchronized, so they require more thoroughness and a deeper understanding of procedures.

In addition, the absence of explicit provisions regarding the validity period and procedure for extending technical approvals creates legal uncertainty. This requires the government to immediately issue derivative regulations or technical guidelines so that implementation in the field runs more consistently and does not make it difficult for business actors who have good faith to comply with environmental regulations.

The Implementation of Administrative Sanctions in Suppressing Violations of B3 Waste Management in accordance with Government Regulation No. 22 of 2021 concerning the Implementation of Environmental Protection and Management.

Sanctions are one of the important elements in the law that plays a role in causing a deterrent effect. In addition, sanctions also function as a preventive measure to remind every individual to think carefully before acting, because the existence of sanctions in the legal system has provided limits and consequences for every act committed. The basics of legal fiction theory (*presumption iures de iure*) is a principle that states that every individual is considered to have understood a law regulation if it has been officially announced, so that a person's lack of understanding of the

regulation cannot be used as an excuse to escape from obligations and Legal Accountability Because Sanctions Are A Matter Of Taking Action In The Form Of Punishment (Ranita Ivana Hottarulli, 2023) Understanding the applicability of a law includes a thorough knowledge of various provisions, obligations, rights, prohibitions, applicable procedures, and sanctions for violations of the law. Sanctions themselves play an important role in the implementation of the law, because the functional relationship between sanctions and the law affects the level of public compliance with the law. Ultimately, this is also a benchmark to assess the extent to which the law is effectively implemented. (Jamal, 2020)

The application of administrative sanctions in the management of Hazardous and Toxic Waste (B3 Waste) has an important role in suppressing and stopping environmental pollution due to violations committed by business actors. This step is not only an obligation of the government, but also requires active participation from the community to realize its effectiveness. The enforcement of these sanctions must be carried out based on the applicable laws and regulations (Zulkifli, 2019)

Corporate responsibility in this case includes civil, criminal, and administrative liability. (Novy Yandari Nurlaily, 2022) In the civil context, Law No. 32 of 2009 concerning PPLH, especially Article 88. This article provides strong legal protection for the community and the environment, as victims are not burdened with the burden of proof in civil proceedings. Simply by proving the existence of a relationship between business activities and the occurrence of pollution or environmental damage, business actors can be held legally liable.

On the other hand, criminal liability is imposed if the corporation is proven to have violated the provisions of environmental law that are prohibited, such as disposing of B3 Waste without a permit, clearing land by burning, or other actions that result in heavy pollution. In this case, the corporation as a legal subject can be subject to criminal sanctions, either in the form of fines, revocation of permits, or sanctions against the management who represents the corporation. The application of criminal sanctions against corporations aims to provide a deterrent effect and ensure that companies do not neglect their responsibilities to the environment.

Meanwhile, administrative accountability is a form of sanction that is more corrective and preventive. Administrative sanctions are usually applied when there is a violation of environmental permits, UKL-UPL documents, or other technical provisions, without having to wait for real environmental damage to occur. This form

of sanction can be in the form of a written reprimand, temporary suspension of activities, administrative fines, and revocation of business licenses. The primary purpose of administrative sanctions is to encourage compliance and correct mistakes before greater impacts occur.

Thus, the corporate accountability system in the environmental field, which includes civil, criminal, and administrative aspects, is a comprehensive approach designed to uphold ecological justice. This approach not only forces businesses to comply with regulations, but also instills awareness that preserving the environment is an integral part of responsible business practices. (Lidya Nuraeni, 2024)

Preventive efforts in law enforcement against B3 Waste are carried out through active supervision even though there have been no real incidents of violations. This kind of supervision is part of administrative law enforcement, where every business activity that produces B3 Waste from the beginning is required to carry out management in accordance with the provisions of the law. This includes the obligation to have a management permit before the activity is carried out. This is a tangible form of the application of normative provisions in administrative law. (Mardhatillah, 2016)

Administrative instruments in the field of environment are closely related to government supervision mechanisms to prevent environmental pollution, especially from B3 waste. In practice, the Minister can be directly involved in the application of administrative sanctions. The goal is to ensure the sustainability of the environmental function and its carrying capacity so that it can still be passed on to future generations in sustainable conditions.

The application of sanctions itself is based on the difference between administrative sanctions and criminal sanctions. According to H.G. de Bunt, the choice between these two types of sanctions must consider normative, instrumental, and opportunistic criteria. Criminal instruments should be used against violations that have a high ethical negative value. If the purpose of law enforcement is to restore or repair the damage, but the administrative apparatus does not carry out their functions properly or is actually involved in the violation, then criminal sanctions can be used to encourage the settlement of violations legally.

Administrative sanctions as stipulated in Article 508 paragraph (1) of Government Regulation No. 22 of 2021 include several types, namely written reprimands given if business actors violate the provisions of licensing or environmental approvals; government coercion applied if the perpetrator does not

follow up on the reprimand within a certain period of time; administrative fines for actors who do not have environmental approval but have carried out business activities; freezing of business licenses if the perpetrators continue to ignore the government's reprimands and coercion; and revocation of business licenses if all stages of previous sanctions are not carried out. The determination of this sanction is based on the minutes of the results of the supervision and official reports.

According to the author, the existence of administrative sanctions in the framework of environmental management is a strategic step to uphold the principle of ecological justice and strengthen environmental responsibility in business practices, especially in B3 Waste management. Administrative sanctions emphasize more on preventive and corrective approaches than criminal sanctions. This reflects the state's intention to provide space for business actors to correct mistakes before being subjected to heavier punishments. However, the effectiveness of administrative sanctions is largely determined by the integrity and firmness of supervisors in the field. If supervision is weak, violations that should be acted upon immediately are even allowed, thus opening up opportunities for the formation of a culture of impunity. Therefore, according to the author, the application of administrative sanctions must be complemented by a transparent, accountable, and professional law enforcement system. In addition, the integration between administrative sanctions and criminal sanctions needs to be built to create a holistic environmental legal system that is able to respond to the dynamics of environmental damage in real terms in the field.

To increase the effectiveness of administrative sanctions in B3 Waste management, it is necessary to integrate a digital-based supervision system that allows real-time monitoring of business actors' activities. This system can be developed through OSS-based electronic reporting and Amdalnet, so that data on the volume, type, and time of collection or processing of B3 Waste can be directly supervised by the authorized agencies. With this monitoring system, corrective actions can be taken more quickly and accurately before violations cause a wider environmental impact.

In addition, it is important to involve the public in the reporting mechanism of environmental violations through official complaint channels that are easily accessible and legally protected. Public involvement not only strengthens the function of external oversight, but also builds a collective awareness that B3 Waste management

is a shared responsibility. Collaboration between the government, the community, and business actors will be the main force in enforcing environmental laws in a more fair and sustainable manner.

Thus, administrative sanctions not only function as a tool of enforcement, but also as an instrument of legal guidance and education. This approach must continue to be developed so that business actors do not only comply with the rules for fear of being punished, but also because of the growing ethical awareness of the importance of preserving the environment.

4. Conclusion

The conclusions in this study are:

- 1) The implementation of government regulation no. 22 of 2021 concerning the implementation of environmental protection and management in B3 Waste collection activities by PT Dame Alam Sejahtera as the manager of B3 waste in collection activities is considered more complicated than previous regulations. This is a challenge for B3 Waste management companies, as experienced by PT Dame Alam Sejahtera. The most different thing is in Government Regulation No. 101 of 2014 concerning the Management of Hazardous and Toxic Waste Materials, in the management of B3 Waste is known as the B3 Waste management permit. However, in Government Regulation No. 22 of 2021 concerning the Implementation of Environmental Protection and Management, the term changes to technical approval for B3 Waste management that is adjusted to the type of management activity, such as collection, utilization, or destruction, and is supplemented by the requirements of an Operational Feasibility Letter (SLO).
- 2) In terms of the application of administrative sanctions to suppress violations of B3 Waste management in accordance with Article 508 Paragraph 1 of Government Regulation No. 22 of 2021 concerning the implementation of environmental protection and management in the form of written reprimands, government coercion, administrative fines, freezing of business licenses and revocation of permits.

According to the author, the existence of administrative sanctions is an important and strategic step to uphold the principles of ecological justice and environmental responsibility in business practices and/or B3 Waste management activities which are designed as a preventive and persuasive mechanism compared to criminal sanctions. This reflects that the state does not directly punish violators, but first provides an opportunity to remedy or recover the negative impact caused.

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