

## An Overview of Environmental Management Regulations in the Bogor City, West Java, Indonesia

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### Info Artikel

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### Abstract

*The Bogor City Government seeks to regulate the implementation of environmental protection and management in accordance with the principles of environmental protection and management and is guided by higher statutory regulations as stipulated in regional regulations. Re-examine Regional Regulation Number 1 of 2014 to ensure that these regional regulations are in accordance with established standards, plans, and norms. The approach used in this research is the evaluation of statutory regulations, which includes an inventory of materials, the evaluation of statutory regulations using six dimensions in which there are several variables and assessment indicators, and formulating recommendations to provide solutions to existing problems in statutory regulations. The assessment of Bogor City Regional Regulation Number 1 of 2014 concerning Environmental Protection and Management refers to several dimensions of evaluation of statutory regulations resulting in a recommendation, namely that this statutory regulations is urgently revoked and needs to be included in the long list of the 5-year Prolegda for its replacement statutory regulations. Several statutory regulations have become material for evaluating Bogor City Regional Regulation Number 1 of 2014 concerning related environmental protection and management, especially since the Central Government issued a policy regarding job creation. It is recommended that an academic manuscript be prepared on the Draft Regional Regulations for the City of Bogor concerning the Implementation of Environmental Protection and Management.*

### Abstrak

*Pemerintah Kota Bogor berupaya mengatur pelaksanaan perlindungan dan pengelolaan lingkungan hidup sesuai dengan prinsip-prinsip perlindungan dan pengelolaan lingkungan hidup dan berpedoman pada peraturan perundang-undangan yang lebih tinggi sebagaimana diatur dalam peraturan daerah. Menelaah kembali Peraturan Daerah Nomor 1 Tahun 2014 untuk memastikan bahwa peraturan daerah tersebut telah sesuai dengan standar, rencana, dan norma yang telah ditetapkan. Pendekatan yang digunakan dalam penelitian ini adalah evaluasi peraturan perundang-undangan yang meliputi inventarisasi bahan, evaluasi peraturan perundang-undangan dengan menggunakan enam dimensi yang di dalamnya terdapat beberapa variabel dan indikator penilaian, serta merumuskan rekomendasi untuk memberikan solusi terhadap permasalahan yang ada dalam peraturan*

*perundang-undangan. Penilaian terhadap Peraturan Daerah Kota Bogor Nomor 1 Tahun 2014 tentang Perlindungan dan Pengelolaan Lingkungan Hidup mengacu pada beberapa dimensi evaluasi peraturan perundang-undangan sehingga menghasilkan rekomendasi yaitu peraturan perundang-undangan tersebut segera dicabut dan perlu dimasukkan dalam daftar panjang 5 tahun Prolegda untuk peraturan perundang-undangan penggantinya. Beberapa peraturan perundang-undangan menjadi bahan evaluasi Peraturan Daerah Kota Bogor Nomor 1 Tahun 2014 tentang terkait perlindungan dan pengelolaan lingkungan hidup, apalagi Pemerintah Pusat mengeluarkan kebijakan tentang penciptaan lapangan kerja. Disarankan agar disusun naskah akademis mengenai Rancangan Peraturan Daerah Kota Bogor tentang Penyelenggaraan Perlindungan dan Pengelolaan Lingkungan Hidup.*

## 1. Introduction

Efforts to protect and manage the environment are an obligation for the state, government, and all stakeholders in implementing sustainable development so that the environment can remain a source and support for life for society and other living creatures (Bonilla et al., 2018; Cai & Ye, 2020; Oláh et al., 2020; Rokhman Habibi & Alfi Salam Z UIN Sunan Ampel Surabaya, 2023; Zhai et al., 2020). Sustainable development is a conscious and planned effort that combines environmental, social, and economic aspects into development strategies to ensure the integrity of the environment as well as the safety, capabilities, welfare, and quality of life of present and future generations (Lozano Lazo et al., 2023; Najicha, 2022; Riruma et al., 2021; Thahira, 2020).

The city of Bogor is one of the buffer cities for the capital city of Jakarta (Debora et al., 2023; Yazid et al., 2023). This can cause increased pressure on the environment because population demands also increase, such as land, water, transportation, and other needs (Angelakis et al., 2021; Arif Hidayat et al., 2020; Idilia et al., 2023; Pambudi, 2020). The rapid development of Bogor City activities, especially in the trade and service sectors, has triggered regional economic movements (Ihsani & Araswati, 2023; Pambudi, 2022). This development should be accompanied by efforts to protect and manage environmental conditions so that the carrying capacity and carrying capacity of the environment run synergistically with the development of trade and service activities in the City of Bogor because the development of these activities is always accompanied by an increase in domestic waste and hazardous and toxic materials, both liquid and solid (Feng & Chen, 2018; Liu et al., 2022; Ramdhan & Hermawan, 2022; Xing et al., 2019).

Apart from that, the Bogor City Government is following up on Law Number 11 of 2020 concerning Job Creation, which was most recently amended by passing Law Number 6 of 2023 concerning the Determination of Government Regulations in lieu of Law Number 2 of 2022 concerning Job Creation into law. and Republic of Indonesia Government Regulation Number 22 of 2021 concerning Implementation of Environmental Protection and Management to propose a Draft Regional Regulation for the City of Bogor concerning Environmental Protection and Management by revoking Bogor City Regional Regulation Number 1 of 2014 concerning Environmental Protection and Management. Therefore, the Bogor City Government seeks to regulate the implementation of environmental protection and management in accordance with the principles of environmental protection and management and is guided by higher statutory regulations as stipulated in regional regulations.

Based on these considerations, in the context of environmental protection and management in Bogor City, it is necessary to re-examine Regional Regulation Number 1 of 2014 concerning Environmental Protection and Management to ensure that these regional regulations are in accordance with established standards, plans, and norms. Therefore, the purpose of writing this journal is to prepare a draft regional regulation for the City of Bogor concerning the implementation of environmental protection and management that is imperative and does not conflict with higher laws and regulations.

## 2. Method

The approach used in this research is the evaluation of statutory regulations, which includes the following steps (Pedoman Evaluasi Peraturan Perundang-Undangan Nomor PHN-HN.01.03-07, 2020; Setyawan, 2021):

1. Inventory of materials, namely the collection of laws and regulations related to the issue and/or laws and regulations, including colonial regulations that currently exist and are in effect, as well as other supporting data.
2. Evaluation of statutory regulations using six dimensions in which there are several variables and assessment indicators. The six dimensions are the Pancasila Dimension, the Dimension of Accuracy in Types of Legislative Regulations, the Dimension of Regulatory Disharmony, the Dimension of Clarity of Formulation, the Dimension of Conformity to the Principles of the Legal Field of the Relevant Legislative Regulations, and the Dimension of Effectiveness of Implementation of Legislative Regulations.
3. Formulating recommendations to provide solutions to existing problems in statutory regulations in the form of what follow-up actions should be taken based on the results of the analysis of a statutory regulation.

## 3. Result and Discussion

### 3.1 Material Inventory

This activity aims to review or evaluate Bogor City Regional Regulation Number 1 of 2014 concerning Environmental Protection and Management (Bogor City Regional Gazette of 2014 Number 1 Series E). Based on related issues, namely environmental protection and management, a number of related laws and regulations have been collected, especially since the Central Government issued a policy on job creation, which began to be stipulated through Law Number 11 of 2020 concerning job creation. Has been amended by Law Number 6 of 2023 concerning the Stipulation of Government Regulations in Lieu of Law Number 2 of 2022 concerning Job Creation into Law. Based on these policies and legal products, several related laws and regulations were collected, including:

- Law Number 32 of 2009 concerning Environmental Protection and Management (State Gazette of the Republic of Indonesia of 2009 Number 140, Supplement to State Gazette of the Republic of Indonesia Number 5059)
- Republic of Indonesia Government Regulation Number 22 of 2021 concerning Implementation of Environmental Protection and Management
- Law Number 6 of 2023 concerning the Determination of Government Regulations in Lieu of Law Number 2 of 2022 concerning Job Creation into Law (State Gazette of the Republic of Indonesia of 2022 Number 238, Supplement to the State Gazette of the Republic of Indonesia Number 5587)
- Government Regulation Number 22 of 2021 concerning Implementation of Environmental Protection and Management (State Gazette of the Republic of Indonesia of 2021 Number 32, Supplement to State Gazette of the Republic of Indonesia Number 6634)
- West Java Province Regional Regulation Number 4 of 2023 concerning Environmental Protection and Management Plans (West Java Province Regional Gazette of 2023 Number 4 Noreg West Java Province Regional Regulation (4-95/2023), Supplement to West Java Province Regional Gazette Number 266).

### 3.2 Review Results

The results of the review of Bogor City Regional Regulation No.1/2014 show that the articles explaining the principles, objectives, and authority, as well as various articles in the regulated material numbering more than 10 articles, are in accordance with Pancasila values and are related to environmental issues. However, there are several principles that form the basis of statutory regulations, which have a higher hierarchy, are references that have not been included, and actually strengthen the urgency of enacting these statutory regulations. Many articles in Bogor City Regional Regulation Number 1 of 2014 no longer have content that is in accordance with higher statutory regulations, especially since the regime for

implementing environmental protection and management refers to Law 1/2023 with its derivative product, namely Government Regulation Number 22 of 2021 concerning the Implementation of Environmental Protection and Management, which is enforced by the Central Government. This misalignment is found at all stages of environmental protection and management, except at the planning stage.

For example, currently, environmental permits are no longer valid and have been replaced by environmental approvals, which are part of the process for every person who plans or carries out a business and/or activity to obtain a business permit or government approval. Apart from that, many things have changed regarding administrative sanctions, and there have been additional details regarding several regulated materials, such as regional environmental information systems, management of hazardous and toxic waste and non-hazardous and toxic waste, as well as monitoring and guidance systems. In the end, this condition can lead to regulatory disharmony, which can have an impact on (1) the emergence of legal uncertainty; (2) the fact that legislative regulations cannot be implemented effectively and efficiently; and (3) the occurrence of legal dysfunction, namely that the law cannot function and provide behavioral guidelines, dispute resolution, and/or a means of social change in society.

This condition also has the potential to cause inconsistencies regarding several things that have now changed, both terms and content that are regulated. In the end, this condition also has an impact on the suitability of the legal principles of Bogor City Regional Regulation No. 1/2014, especially those related to control, supervision, and development, as well as law enforcement, which is the area of environmental law currently in force. In the end, there is inaccuracy in the material regulated by statutory regulations, which have a hierarchy above them, which has the potential for disharmonization, unclear formulations, and a lack of conformity with principles, which have an impact on the potential ineffectiveness of these statutory regulations in their implementation.

### 3.3 Recommendation

The assessment of Bogor City Regional Regulation Number 1 of 2014 concerning Environmental Protection and Management refers to several dimensions of evaluation of statutory regulations resulting in a recommendation, namely that this statutory regulations is urgently revoked and needs to be included in the long list of the 5-year Prolegda for its replacement statutory regulations. The detailed results of the assessment recapitulation are presented in **Table 1**.

**Table 1** Recapitulation of assessment dimension values of Bogor City Regional Regulation Number 1 of 2014 concerning Environmental Protection and Management

	Pancasila	Accuracy in Types of Legislative Regulations	Regulatory Disharmony	Clarity of Formulation	Conformity to the Principles of the Legal Field of the Relevant Legislative Regulations	Effectiveness of Implementation of Legislative Regulations	Total
Percentage (%)	30	10	20	10	10	20	100
Point	4	5	5	5	5	5	
Score	12	5	10	5	5	10	47

## 4. Conclusion

Several statutory regulations have become material for evaluating Bogor City Regional Regulation Number 1 of 2014 concerning related environmental protection and management, especially since the Central Government issued a policy regarding job creation, namely:

- Law Number 6 of 2023 concerning the Stipulation of Government Regulations in Lieu of Law Number 2 of 2022 concerning Job Creation into Law (Law 6/2023)
- Government Regulation Number 22 of 2021 concerning Implementation of Environmental Protection and Management (State Gazette of the Republic of Indonesia of 2021 Number 32, Supplement to State Gazette of the Republic of Indonesia Number 6634) (Government Regulation 22/2021)
- West Java Province Regional Regulation Number 4 of 2023 concerning Environmental Protection and Management Plans (West Java Province Regional Gazette of 2023 Number 4 Noreg West Java Province Regional Regulation (4-95/2023), Supplement to West Java Province Regional Gazette Number 266) (West Java Province Regional Regulation 4/2023).

The assessment of Bogor City Regional Regulation Number 1 of 2014 concerning Environmental Protection and Management refers to several dimensions of evaluation of statutory regulations resulting in a recommendation, namely that this statutory regulation is urgently revoked and needs to be included in the long list of the 5-year Prolegda for statutory regulations his replacement. For future research, it is recommended that an academic manuscript be prepared on the Draft Regional Regulations for the City of Bogor concerning the Implementation of Environmental Protection and Management.

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