

EFFECTIVENESS OF DENPASAR CITY REGIONAL REGULATION NUMBER 8 OF 2023 CONCERNING IMPLEMENTATION OF WASTE MANAGEMENT (SEGREGATING ORGANIC AND NON ORGANIC WASTE BEFORE THROWN INTO TEMPORARTY DISPOSAL)

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ABSTRACT

Waste is a type of material that is close to everyday life. through the relevant agencies and conducting outreach, it is time for clear sanctions to be implemented, that those who do not sort or sort it incorrectly will not have their waste transported. In the Waste Segregation it is very clearly stated about the waste transport schedule which will differentiate between organic and inorganic waste. The type of research that the author uses in this research is legal research with empirical aspects regarding the implementation of waste management. As for the formulation of whether the Denpasar City Regional Regulation Number 8 of 2023 is effective regarding the implementation of waste management in particular (Sorting organic and non-organic waste before being thrown into temporary disposal sites) then what is the legal basis regarding the implementation of waste management in particular (Sorting organic and non-organic waste before disposed of in a temporary disposal site. In Law Number 32 of 2009 concerning Environmental Protection and Management, it is contained in Article 3, in accordance with Article 1 point 14 explaining Law Number 32. of 2009 concerning protection of environmental management. Related to Law Number 32 of 2009 concerning Environmental Protection and Management contained in Article 3 of the 2009 UUPPLH to protect the Ecosystem from waste pollution and maintain its sustainability so that pollution does not occur due to waste and environmental damage in the Denpasar area from the results. violates Article 98 paragraph 1 of Law Number 32 of 2009 concerning Environmental Protection and Management.

Keywords: *Garbage, temporary disposal site*

1. INTRODUCTION

Heading Organic waste, and toxic hazardous waste (B3). Types of Environmental Pollution Water Pollution Water pollution is a change in the quality of water in a water area such as seas, rivers, lakes and groundwater. Causes of water pollution: (Barlin: 1994). which hinders or encourages environmental guidance and development in Indonesia. This cooperation is also needed to discuss problems and provide influence towards environmental management in a harmonious and integrated manner, in accordance with their abilities and knowledge for the success of sustainable development (Adik Wibowo: 2014).

Before determining the location, various feasibility studies must be carried out, to avoid things that do not actually provide benefits but instead cause losses and even new problems for the surrounding community. Very detailed arrangements related to implementation requirements must be carried out, but for the record it is more appropriate not to formulate them in law, but only in more operational technical regulations (Wayan Budiayasa Suyasa: 2015). Along with the development of modern society in facing globalization and the process of industrialization and modernization, there will be changes in social processes in society's way of life. The process of industrialization and modernization and especially forestry industrialization has had a major impact on the continuity of forests as a support for life and living creatures in the world. Forests are a very important natural resource, not only as a wood

resource, but more as a component of the living environment (Siswanto Sunarso: 2005). The demand for water use is increasing, water is needed for irrigation, industry, drinking water, recreation, etc. -other. Demand is increasing while water supply is decreasing. Other natural resources such as plants, trees, mineral sources are very dependent on their management. The problem that arises is that poverty and underdeveloped environmental appreciation emphasize the need to manage natural resources appropriately and effectively, so that there is less pay attention to environmental factors (Koesnadi Hardjasoemantri: 2005). Mangrove forests are being completely cleared for the sake of building luxury housing, industrial centers and economic centers, as a result the habitat that should be intended for marine species is increasingly narrow. Species that live in the air and on land are very dependent on the existence of mangrove forests (Rahmad K Dwi Susilo: 2008). As for the formulation of whether the Denpasar City Regional Regulation Number 8 of 2023 is effective regarding the implementation of waste management in particular (Sorting organic and non-organic waste before being thrown into temporary disposal sites) then what is the legal basis regarding the implementation of waste management in particular (Sorting organic and non-organic waste before disposed of in a temporary disposal site. In Law Number 32 of 2009 concerning Environmental Protection and Management, it is contained in Article 3, in accordance with Article 1 point 14 explaining Law Number 32. of 2009 concerning protection of environmental management. Related to Law Number 32 of 2009 concerning Environmental Protection and Management contained in Article 3 of the 2009 UUPPLH to protect the Ecosystem from waste pollution and maintain its sustainability so that pollution does not occur due to waste and environmental damage in the Denpasar area from the results. violates Article 98 paragraph 1 of Law Number 32 of 2009 concerning Environmental Protection and Management. letters.

2. RESEARCH METODOLOGY

The type of research that the author uses in this research is legal research with empirical aspects related to the effectiveness of Denpasar City Regional Regulation Number 8 of 2023 concerning the Implementation of Waste Management (Sorting organic and non-organic waste before disposing of it to temporary disposal sites).

1. Type of Research

The type of research that the author uses in this research is legal research with empirical aspects. Effectiveness of Denpasar City Regional Regulation Number 8 of 2023 concerning Implementation of Waste Management (Segregate organic and non-organic waste before disposing of it to temporary disposal sites).

2. Data and Data Sources

There are two types of data examined in this research, namely primary data and secondary data. This research comes from field research obtained directly through interviews and observations by respondents and informants. Meanwhile, secondary data was obtained from literature studies, literature and statutory regulations.

3. Data Collection Techniques

a. Document Study Technique Document study is the initial technique used in every legal research, which always starts from normative premises. The initial document used in this research is the Effectiveness of Denpasar City Regional Regulation Number 8 of 2023 concerning Implementation of Waste Management (Sorting organic and non-organic waste before disposing of it to temporary disposal sites).

b. Interview Techniques

The interview technique in this research was carried out by preparing questions that were relevant and related to the effectiveness of Denpasar City Regional Regulation Number 8 of 2023 concerning Implementation of Waste Management (Sorting organic and non-organic waste before disposing of it to temporary disposal sites).

c. Observation / Observation Techniques

Observation techniques are needed in this research with the aim of increasing the effectiveness of Denpasar City Regional Regulation Number 8 of 2023 concerning Implementation of Waste Management (Sorting organic and non-organic waste

before disposing of it to temporary disposal sites). collect data by making direct observations of problems

3. RESULTS AND DISCUSSION

1. Is the Denpasar City regional regulation number 8 of 2023 regarding the implementation of waste management in particular (separating organic and non-organic waste before being thrown into temporary disposal sites) effective?

Garbage is one of the biggest environmental issues in Bali. Every day, millions of tons of waste are generated, and most of it is not managed properly. This can cause various environmental problems, such as water, soil and air pollution. Types of Organic Waste and How to Manage It. One way to overcome the waste problem is to sort it based on type. Waste can be categorized into two main types: organic and inorganic. Organic Waste Organic waste is waste that comes from living creatures, such as food waste, dry leaves, and pieces of wood. This type of waste is easily decomposed and can be processed into compost. How to Manage Organic Waste, Composting, Organic waste can be processed into compost, which is organic fertilizer which is useful for fertilizing plants. How to process organic waste into compost, namely with a composter, biopore hole, and Biogas. Organic waste can also be processed into biogas, which is gas that can be used as fuel.

Reducing the volume of waste. can decompose organic waste quickly and efficiently, so that the volume of waste is reduced significantly. Produces cashgot. Kasgot is maggot feces which can be used as organic fertilizer. Types of Inorganic Waste and How to Manage It Inorganic Waste Inorganic waste is waste that comes from materials that do not decompose easily, such as plastic, glass and metal. This type of waste can be recycled into new products. How to Manage Inorganic Waste, Recycling, Inorganic waste such as plastic, paper and glass can be recycled into new products. Waste Bank: Inorganic waste can be sold to waste banks for recycling. Reuse: Inorganic waste such as plastic bottles can be reused into flower pots or pencil cases. Benefits of Good Waste Management Good waste management can provide many benefits, including: Reducing environmental pollution, Preserving natural resources Improving the quality of life of the community Creating jobs, Tips for Sorting Waste at Home Here are some tips for sorting waste at home: Provide two different trash cans for organic and inorganic waste. tell family members about the types of waste and how to sort it. organic waste before being thrown into the trash. Sort inorganic waste based on type, such as plastic, paper and glass. Dry inorganic waste before throwing it in the trash. Good waste management is everyone's responsibility.expand_more By sorting and managing waste properly, we can help preserve the environment and improve people's quality of life. Denpasar City Regional Regulation Number 8 of 2023 concerning the implementation of waste management in particular (Separating organic and non-organic waste before disposing of it to temporary disposal sites) next.

Cambell J.P in Dyah Mutiarin and Arif Zaenudin (2014). Management effectiveness is where effectiveness is the achievement or selection of the right goal from several other alternatives. So, if an activity or job can be completed by choosing the methods that have been determined, then that method is correct or effective. If it is related to the waste management process in particular (sorting organic and non-organic waste before sending it to a temporary disposal site), then effectiveness can be interpreted as choosing how to manage it and how to manage it so that it produces something useful. Program Success Program effectiveness can be carried out with operational capabilities in implementing work programs in accordance with previously determined objectives. The success of the program can be seen from the process and mechanisms of an activity carried out in the field, both through the knowledge of officers. Officers' understanding of waste management at the landfill is very important. Remembering the role of officers in carrying out work to maintain and

preserve a healthy, waste-free environment. Apart from that, officers are also an important part of waste handling to convert waste into a stabilized form so that it does not pollute the environment. Based on observations made by researchers in the field, then It can be concluded that the mechanism/flow of activities for waste management, in particular (sorting organic and non-organic waste before being thrown into temporary disposal sites) can be said to be running well, because it is in accordance with Denpasar City Regional Regulation Number 8 of 2023 concerning Implementation of Waste Management (Sortification). organic and non-organic waste before being thrown into temporary disposal sites). Target Success Effectiveness is viewed from the point of view of achieving goals by focusing on the output aspect, meaning that effectiveness can be measured by how far the level of output is in the policies and procedures of the organization to achieve the goals set out in Denpasar City Regional Regulation Number 8 of 2023 concerning the Implementation of Waste Management (Sort organic and non-organic waste before throwing it into temporary disposal sites).

2. The legal basis is regarding the implementation of waste management in particular (sorting organic and non-organic waste before disposing of it to temporary disposal sites.

The legal basis is regarding the implementation of waste management in particular (sorting organic and non-organic waste before being thrown into temporary disposal sites. Material offenses in the provisions of Law Number 32 of 2009 concerning Environmental Protection and Management are contained in Article 98 and Article 99, namely every person who intentionally or negligently commits:

- i. Actions that result in exceeding ambient air quality standards, water quality standards, sea water quality standards, or environmental damage standard criteria
- ii. Actions that result in exceeding ambient air quality standards, water quality standards, sea water quality standards, or environmental damage standard criteria and result in injury to people and/or danger to human health
- iii. Actions that result in exceeding ambient air quality standards, water quality standards, sea water quality standards, or environmental damage standard criteria and result in serious injury or death to people

Formal offense of criminal offense against the environment Article 100 paragraph (1) UUPPLH: Every person who violates waste water quality standards, emission quality standards, or nuisance quality standards shall be punished with a maximum imprisonment of 3 (three) years and a maximum fine of IDR 3. 000,000,000.00 (three billion rupiah). Criminal acts as referred to in Article 100 paragraph (1) can only be imposed if the administrative sanctions that have been imposed do not comply with the legal certainty required to guarantee legal certainty that regulates the management of natural resources clearly and can be understood and obeyed by all stakeholders;

From the research results, the legal basis regarding the implementation of waste management, in particular (sorting organic and non-organic waste before being thrown into temporary disposal sites. Law Number 32 of 2009 concerning Environmental Protection and Management is contained in Article 3 of the 2009 UUPPLH. Apart from that, it is related to ecosystems from pollution. The environment in the Mangrove Forest area must pay attention to the principle of certainty, the Principle of Openness, the Principle of Decentralization and the role of the Regional Government to regulate and maintain it so that pollution and environmental damage does not occur. through pollution or protection. Damage to the environment in the coastal area in the Badung area resulting from violating Article 98 paragraph 1 of Law Number 32 of 2009 concerning Environmental Protection and Management is threatened with imprisonment for a minimum of 3 years and a maximum of 10 years and a minimum fine IDR 3 billion and a maximum of IDR 10 billion.

Legal basis for legal protection of waste pollution which causes environmental damage in coastal areas. In Law Number 32 of 2009 concerning Environmental Protection and Management, it is stated in Article 3 that environmental protection and management aims to:

- a. protect the territory of the Unitary State of the Republic of Indonesia from environmental pollution and/or damage;
- b. guarantee human safety, health and life;
- c. ensure the continuity of life of living creatures and the preservation of ecosystems;
- d. maintain the sustainability of environmental functions;
- e. achieve environmental harmony, harmony and balance;
- f. guarantee the fulfillment of justice for present and future generations;
- g. guarantee the fulfillment and protection of environmental rights as part of human rights;
- h. controlling the wise use of natural resources;
- i. realizing sustainable development; The important role of Regional Government is to regulate and maintain so that environmental pollution and destruction does not occur due to waste pollution.

In accordance with Article 1 point 14 explaining Law Number 32 of 2009 concerning environmental management protection. Mitigating the effects of waste that impact pollution and damage to the sea, protecting sea water quality, determining sea quality status by referring to Sea Water Quality Standards (BMAL) and criteria for land damage due to waste. Prevention and environmental damage is carried out through the following steps, among others:

- 1) Prohibit actions that can cause damage to the sea.
- 2) Require business activities to prevent pollution and marine damage through the following steps to maintain water quality ecosystems and coral reef ecosystems
- 3) Require business activities to bear the costs of maritime management and payment of compensation for losses in the event of marine damage.

Every person has the right to play a role and obligation in the context of environmental management in accordance with Article 67 of Law Number 32 of 2009 concerning Environmental Management which states that every person is obliged to maintain the preservation of environmental functions and control environmental pollution and/or damage (Supriadi; 2010) The environment is a natural resource that has a very strategic role in the existence of God's creatures, including humans. Therefore, humans as environmental subjects also have an important role in environmental sustainability. The environmental management law has given humans a role to play in environmental management. This is in accordance with the provisions of Article 5 paragraph 1 of Law Number 23 of 1997 concerning Environmental Management. The legal politics of environmental processing is more concretely reflected in the objectives to be achieved from the issuance of the 2009 UUPPLH. The objectives of environmental protection and processing according to article 3 of the 2009 UUPPLH are: (Muhammad Akib. 2013).

The environment is a place for humans to live, do activities and has an important role in achieving and increasing prosperity. The environment in Indonesia is often also called the living environment. In Law no. 32 of 2009 concerning environmental management, the definition of the environment is the unity of space with all objects, forces, conditions and living creatures, including humans, and their behavior. Which affects the continuity of life and welfare of humans and other living creatures and can affect their lives. The interdependence relationship between all elements in this system is very important to know, especially by humans as the main managers in this system so that its sustainability. This relationship can continue to be maintained for the sustainability of living systems on the face of the earth. (Bimber.B: 2003) Caring for the environment is a category of environmental pollution which includes living things, substances, energy and/or other components into the environment by human activities so that they exceed the environmental quality standards that have been determined (Law of the Republic of Indonesia Number 32 of 2009) concerning

Environmental Protection and Management, Chapter I Article I Paragraph 14). The environment as a spatial unity with all objects, forces, conditions of living creatures including humans and their behavior greatly influences nature itself. Nature can be seen as a network of life systems that are interconnected or interconnected with each other. In article 28H of the 1945 Constitution of the Republic of Indonesia, it is stipulated that a good and healthy living environment is a human right of every Indonesian citizen.

In fact, the decreasing quality of the environment has threatened the survival of humans and other living creatures, so it is necessary to protect and manage the environment seriously and consistently by all stakeholders. Moreover, dealing with global warming which is increasing, resulting in climate change, thus worsening the decline in environmental quality, therefore it is necessary to protect and manage the environment. The environmental problem in essence is finding ways that must be carried out to guarantee and make the earth and the natural surroundings a habitable space for a peaceful, peaceful and prosperous life. Actions that pollute the environment are the same as killing life itself (Ninie Suparni: 1994). The ecosystem of an environment can be disrupted due to environmental pollution and destruction. The terms pollution and environmental destruction are often confused even though both have their own realities as follows:

- 1) Pollution is a situation in which a substance or energy is introduced into an environment by human activities or by natural processes themselves in such a concentration that it causes changes in the circumstances in question which result in the environment not functioning as before in terms of health and welfare. , and biosafety .
- 2) Environmental destruction is the actions of people who cause direct and indirect changes to the physical, chemical and biological characteristics of the environment so that they exceed the standard criteria for environmental damage.

From the results of research on Legal Protection against Garbage Pollution which causes Environmental Damage in the Badung Bali Coastal Area related to Law Number 32 of 2009 concerning Environmental Protection and Management contained in Article 3 of the 2009 UUPPLH apart from that it protects the Coastal Area Ecosystem from waste pollution and maintains its sustainability so that it does not pollution occur due to rubbish and environmental destruction, both through pollution and protection. Environmental destruction in the Badung coastal area results from violating Article 98 paragraph 1 Law no. 32 of 2009 concerning Environmental Protection and Management. threatened with imprisonment for a minimum of 3 years and a maximum of 10 years and a fine of at least Rp. 3 billion and a maximum of Rp. 10 billion. express objections to the management plan that has been announced in the term.

4. CONCLUSION

1. The effectiveness of Denpasar City Regional Regulation Number 8 of 2023 concerning the implementation of waste management in particular (Sorting organic and non-organic waste before being thrown into temporary disposal sites) can be concluded that the mechanism/flow of activities for waste management in particular (Sorting organic and non-organic waste before thrown into a temporary dump) can be said to be working well, because it is in accordance with Denpasar City Regional Regulation Number 8 of 2023 concerning Implementation of Waste Management (Segregate organic and non-organic waste before throwing it into the dump temporary). Target Success Effectiveness is viewed from the point of view of achieving goals by focusing on the output aspect, meaning that effectiveness can be measured by how far the level of output is in the policies and procedures of the organization to achieve the goals set out in Denpasar City Regional Regulation Number 8 of 2023 concerning the Implementation of Waste Management (Sort organic and non-organic waste before throwing it into temporary disposal sites).

2. The legal basis is regarding the implementation of waste management in particular (sorting organic and non-organic waste before being thrown into temporary disposal sites. Regarding material offenses in the provisions of Law Number 32 of 2009 concerning Environmental Protection and Management, it is contained in Article 98 and Article 99 relating to the Law -Law Number 32 of 2009 concerning Environmental Protection and Management contained in Article 3 of the 2009 UUPPLH protects the Ecosystem from waste pollution and maintains its sustainability so that it does not There is pollution due to waste and destruction of the environment in the Denpasar area as a result of violating Article 98 paragraph 1 of Law Number 32 of 2009 concerning Environmental Protection and Management, especially the implementation of waste management in particular (Segregating organic and non-organic waste before being thrown into temporary disposal sites.results.

REFERENCE

- Barlin. (1994). Laporan Akhir Tim Analisis dan Evaluasi Hukum Pencemaran Akibat Limbah Rumah Sakit, Badan Pembinaan Hukum Nasional, Departemen Kehakiman, Jakarta.
- Koesnadi, Hardjasoemantri. (2005). UU Pengelolaan Lingkungan. Yogyakarta: Universitas Gadjah Mada Press,
- Rahmad, K., dan Dwi Susilo. (2008). Sosiologi Lingkungan. Jakarta: Raja Grafindo Persada,
- Muhammad. Akib.(2013). Politik Hukum Lingkungan. Jakarta: Raja Grafindo Persada,
- Niniek, S.Pelestarian, (1994) Pengelolaan dan Penegakan Hukum Lingkungan (Jakarta: Sinar Grafik)
- Siswanto, S. (2005). Pidana Lingkungan Hukum dan Strategi Penyelesaian Sengketa. Jakarta: Rineka Cipta
- Supriadi. (2010). Hukum Lingkungan. Jakarta: Sinar Grafik
- Suyasa, Wayan, Budiayasa. (2015). Pencemaran Air dan Pengelolaan Air Limbah, Universitas Udayana Pra Denpasar