



THE PROBLEMS OF WASTE MANAGEMENT IN PEMALANG REGENCY

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Abstract: *This study aims to determine the implications of Pemalang Regency Regulation Number 13 of 2012 on implementing waste management. Garbage is an environmental problem that until now has received serious attention in Indonesia. In implementing waste management, local governments have the authority to formulate regional regulations and provide waste management facilities how the success of waste management in Pemalang Regency can be known through the implementation of waste management based on Pemalang Regency Regulation Number 13 of 2012. The research method used in this study is an empirical juridical method by examining the applicable legal provisions and what happens in reality on the ground. The sources used to consist of primary and secondary sources. The results of this study indicate that Pemalang Regency Regulation Number 13 of 2012 substantially regulates the technical and responsibilities of each individual or institution in waste management, as well as sanctions for waste management violators. Implementing waste management based on Pemalang Regency Regulation No. 13 of 2012 still found many obstacles in the form of a limited budget, human resources, and low public awareness. The authority for waste management given to the village government is also still limited. In general, the background of the emergence of these obstacles is caused by the limitations of the government in providing facilities and local regulations that do not give authority to the village government ideally.*

Keywords: *Facility; Waste management; Local regulation.*

Abstrak: *Penelitian ini bertujuan untuk mengetahui implikasi Peraturan Daerah Kabupaten Pemalang Nomor 13 Tahun 2012 terhadap pelaksanaan pengelolaan sampah. Sampah merupakan permasalahan lingkungan yang sampai saat ini mendapat perhatian serius di Indonesia. Pelaksanaan pengelolaan sampah, pemerintah daerah memiliki kewenangan untuk menyusun peraturan daerah dan menyediakan fasilitas pengelolaan sampah. Bagaimana keberhasilan pengelolaan sampah di Kabupaten Pemalang dapat diketahui melalui pelaksanaan pengelolaan sampah yang didasarkan pada Peraturan Daerah Kabupaten Pemalang Nomor 13 Tahun 2012. Metode penelitian yang digunakan dalam penelitian ini adalah metode yuridis empiris, dengan mengkaji ketentuan hukum yang berlaku serta apa yang terjadi dalam kenyataan di lapangan. Sumber yang digunakan terdiri dari sumber primer dan sekunder. Hasil penelitian ini maenunjukkan bahwa Peraturan Daerah Kabupaten Pemalang Nomor 13 tahun 2012 secara substansi mengatur teknis dan tanggung jawab masing-masing individu atau lembaga dalam pengelolaan sampah, dan juga sanksi bagi pelanggar pengelolaan sampah. Pelaksanaan pengelolaan sampah yang didasarkan pada Peraturan Daerah Kabupataen Pemalang Nomor 13 Tahun 2012 masih ditemukan banyak kendala berupa keterbatasan anggaran, sumber daya manusia, dan rendahnya kesadaran masyarakat. Kewenangan pengelolaan sampah yang diberikan kepada pemerintah desa juga masih terbatas. Secara umum latar belakang munculnya kendala-kendala tersebut disebabkan oleh keterbatasan pemerintahan dalam menyediakan fasilitas dan peraturan daerah yang tidak memberikan kewenangan terhadap pemerintah desa secara ideal.*

Kata Kunci: *Fasilitas; Pengelolaan Sampah, Peraturan Daerah.*

A. Introduction

Today's environmental problems are serious problems faced by countries around the world. The increase in the volume of waste and environmental pollution continues to occur along with the rise in population. Pollution is something in the human environment that threatens human existence caused by human actions' consequences. (Fuad Amsyari, 1977) Various ways are done to overcome these environmental problems, especially related to waste. As a country with a relatively large population, (Indraswari & Yuhan, 2017) constitutionally pays attention to environmental problems. Article 28H of the Amendment to the 1945 Constitution of the Republic of Indonesia mandates that the government is obliged to create a good and healthy living environment for Indonesian citizens to achieve a prosperous society. (Yusa & Hermanto, 2018)

The government's attention to the environment as contained in hierarchical regulations or laws is regulated by the central government and local governments in each province and regency/city. (Ismanto & Syam, 2020) The authority and participation of local governments in waste management are based on the Law of the Republic of Indonesia Number 32 of 2009 concerning Environmental Protection and Management, which states that regional autonomy is one of the principles in environmental protection and management. (Dermawan et al., 2018)

Pemalang Regency, located in Central Java Province's administrative area, carries out waste management based on Regional Regulation Number 13 of 2012 concerning Waste Management. Therefore, the relevance of the substance of the regional regulation to its implementation in the field is very interesting to study more deeply as a basis for the effectiveness of the regulations that have been made in waste management in the Pemalang Regency.

According to Munadjad Danusaputra, 4 (four) main factors cause environmental problems in developing countries which are abbreviated as 4K/4P, namely: 1) population factors, 2) poverty factors (poverty), 3) environmental damage or pollution factors (pollution), 4) Government policy factors (policy). (Muhammad Sood, 2019) Government policies, as mentioned above, are one of the important factors in creating a good living environment. In the context of the Pemalang Regency, the Regional Regulation Number 13 of 2012 is one of those included in the policies made by the regional government.

According to Muhammad, a good policy or regulation has four characteristics, namely 1) not multiple interpretations because the nature of multiple interpretations can lead to conflicts of interest; 2) do not overlap, which means that there should be no regulations that negate the law; 3) there is no legal vacuum, and 4) can be implemented, or in this case is that the regulations made are rational so that they can be implemented and do not cause new problems. (Muhammad, 2020) Therefore, in addition to finding out how far the relevance of regulations to implementing waste management is, it is also necessary to examine the values of Pemalang Regency Regulation Number 13 of 2012.

Based on the explanation above, the urgency of regulation in implementing waste management can be seen, in this case, the Pemalang Regency Regulation Number 13 of 2012. Regional regulations are instruments for implementing regional autonomy as determinants of regional development directions and policies and supporting facilities. Therefore, Regional Regulations must contain a regulation that the community can obey. To support this, it is very necessary to understand the wishes and social conditions of the community so that they can be applied in the long term. (Suharjono,

2014) This study is important to investigate the effectiveness of Regency Regulation Number 13 of 2012 in implementing waste management to create a good living environment.

Based on the background of the above problems, this research will focus on discussing the issue of waste management, which is focused on answering two problem formulations, namely how the substance of the Regency Regional Regulation Number 13 of 2012 concerning Waste Management and how the implementation of waste management in Pemalang Regency based on Regional Regulation Number 13 of 2012.

B. Research Method

The research method used in this study is the empirical juridical method, by reviewing the applicable legal provisions (Adiyanta, 2019) and what happens in reality in the field. (Benuf & Azhar, 2020) The research object in this study is implementing Pemalang Regency Regulation Number 13 of 2012 on implementing waste management. The sources used to consist of primary and secondary sources. Primary data was obtained through field research conducted through observations and interviews, supported by secondary data in laws and regulations, books, and journal articles related to solid waste management.

C. Discussion

1. Waste Management Regulation in Pemalang Regency

Regulations regulate waste management in Indonesia. Regulation means regulation, a term derived from English, regulation. In a more detailed sense, regulation is a regulation made to help control a group, institution or organization, and society to achieve certain goals in living together, community, and socializing. (Muhlizi, 2017) There are two main elements in the sense of regulation, namely control and controlled individuals or groups. Therefore, regulations are binding and accommodate all issues that focus on the formation of a regulation.

Regulations on waste management at the level of norms exist at the central government, provincial government, and local government levels. Local governments can formulate regulations and implement waste management directly through assigned Local Bureaucracy (OPD). In Pemalang Regency, waste management regulations are regulated in Pemalang Regency Regulation Number 13 of 2012 concerning Waste Management.

Based on Pemalang Regency Regulation No. 13 of 2012, waste management aims to improve public health and environmental quality and make waste a resource. The types of managed waste are household waste, household-type waste, and specific waste, including waste containing hazardous and toxic materials, waste containing hazardous and toxic waste materials, waste arising from disasters, and building demolition debris. The amount and type of waste produced depend on the lifestyle and the type of material consumed by the community. The more the household economy increases, the more varied the amount of waste produced. (Subekti, 2010) However, the waste generated from human activities includes 60-70% organic waste and 30-40% non-organic waste. (Purwaningrum, 2016)

The local government is tasked with ensuring the implementation of waste management. In addition, the community and the private sector are also responsible for waste management. Local governments handle waste by a) sorting, b) collecting, c) transporting, d) processing, and e) final waste processing. In addition, the Regional

Government facilitates the establishment of waste management institutions as referred to in Article 19 at the RT (Neighbourhood), RW (Hamlet), Village/Kelurahan (Urban village) levels, commercial areas, industrial areas, public facilities, social facilities, and other facilities, according to needs. In more detail, based on Article 21, the waste management agency, as referred to in Pemalang Regency Regulation Number 13 of 2012 Article 20 that the Rukun Tetangga (RT/Neighbourhood) has the task of:

- a. facilitating the availability of household trash cans in each household and means of transportation from household trash bins to garbage dump; and
- b. ensuring the realization of orderly waste sorting in each household.

The Rukun Warga (RW/Hamlet) level waste management institution has the task of:

- a. coordinating waste management institutions at the RT (Neighbourhood) level; and
- b. proposing the need for temporary shelter to the village/kelurahan (Urban village).

The village/kelurahan (Urban village) level waste management agency has the task of:

- a. coordinating waste management institutions at the RW (Hamlet) level;
- b. supervising the orderly implementation of waste management from the RT (Neighbourhood) to RW (Hamlet) levels; and
- c. proposing the need for temporary shelters and integrated waste management sites to the sub-district head.

The sub-district level waste management agency has the task of:

- a. coordinating village/kelurahan (Urban village) level waste management institutions;
- b. supervising the orderly implementation of waste management starting from the level of the community unit to the kelurahan (Urban village) and regional environment; and
- c. propose the need for TPS (garbage dump) and TPST (Integrated Waste Disposal Place) to the agency that handles waste.

These institutions are structurally under the regency/city government and have limitations in waste management. However, the authority given to these institutions is still limited, only for coordination, supervision, and proposals. The sub-district and village governments do not have the authority to regulate management independently in a wider context. However, amid the limited authority, the Regional Government is obliged to facilitate the establishment of waste management institutions as referred to in Article 19 at the RT(Neighbourhood), RW (Hamlet), Village/Kelurahan (Urban village) levels, commercial areas, industrial areas, public facilities, social facilities, and other facilities, following the needs based on Article 20.

Waste management efforts in Pemalang Regency are carried out with two strategies, namely "Reduction" and "Handling," as stipulated in Article 9 and Article 10. Waste reduction strategies include activities to limit waste generation, reuse waste and recycle waste. The success of these three strategies is largely determined by the support and participation of waste producers from waste sources, namely individuals, institutions and communities, and/or the business world in implementing the 3R (Reduce, Reuse, Recycle) program.

Handling waste in the form of transportation is the responsibility of the local government, including waste from public facilities, social facilities, and other facilities from waste sources and/or from TPS/TPST to TPA (Landfill). In the transportation process, the means of transporting waste must meet the requirements of safety,

environmental health, comfort, and cleanliness. However, the quantity of garbage trucks is still a serious problem in most regencies/cities in Indonesia because it is not proportional to the volume of waste. If the waste has exceeded the maximum limit of the fleet used, then the transport fleet cannot transport the waste optimally, resulting in a buildup of garbage. (Widyastiti & Kamila, 2019) Therefore, it is also necessary to pay attention to the transportation fleet in terms of quantity and quality and other facilities such as public trash bins, TPS, and TPA.

2. The Implementation of Waste Management in Pemalang Regency

As described above, implementing waste management in Pemalang Regency is based on Pemalang Regency Regulation Number 13 of 2012. However, there is a possibility that its implementation is not following applicable regulations. Therefore, it is necessary to investigate the implementation of waste management in the Pemalang Regency and the implications of Pemalang Regency Regulation Number 13 of 2012 on waste management.

In handling waste, the Pemalang Regency Government is supported by the facilities and infrastructure owned, including 50 units of Garbage Cart, 2 (two) units of open trucks, 26 units of Dump Trucks, 6 (six) units of Arm Roll, 2 (two) units of Excavator, 2 (two) units of Bulldozers, 114 (one hundred and fourteen) TPS, 7 (seven) TPST scattered in Pemalang Regency, 64 (sixty-four) units of Waste Banks throughout Pemalang Regency, and 1 (one) TPA Controlled landfill. Budget support for waste management in 2018 amounted to IDR 7,406.500.000, increased in 2019 to IDR 8,142,080,000, and decreased in 2020 to IDR 7,884,040,000. The budget decline in 2020 was due to a budget refocusing to deal with the COVID-19 pandemic. Based on the results of the FGD and observations in the field, the Pemalang Regency DLH can only handle waste in the Urban Area, which includes Pemalang and Taman Regencies and provide services at the Regional Market.

Waste management facilities for waste reduction at the source are managed by the community in the form of recycling businesses (commonly called junk businesses) as many as 17 recycling businesses with a total of 2,088 tons of waste managed per year. The community in schools also carries out efforts to manage waste in the form of composters as many as 6 (six) schools and 1 (one) Pemalang fruit and vegetable market, as well as 3 (three) housing in Paduraksa Village, Sugihwaras Village, and Widodaren Village, 3R TPS (Kompos), managed by 4 (four) units of Non-Governmental Organizations. Waste management is also carried out by chopping up the plastic waste used as raw material for making recycled plastic, carried out by 2 (two) community groups in Pelutan Village and Sewaka Village. Organic waste can also be used for magot feed which also has economic value as fish feed.

The Pemalang Regency Environmental Office as the role holder in waste management activities, is still faced with several problems or obstacles. Waste management officers are still experiencing obstacles in terms of facilities and infrastructure. According to the results of an interview with Slamet Sugisto, the garbage collection fleet is still limited and has not been able to reach all areas in Pemalang Regency.¹ Rusmanto also stated that the lack of a garbage collection fleet in carrying out his work as a garbage rickshaw officer had not been supported by proportional

¹Results of an interview with Slamet Sugisto, Head of UKP Environmental Office Pemalang Regency, 21 November 2020.

garbage rickshaw facilities. The lack of waste management facilities and infrastructure in the Pemalang Regency also hampers officers' performance in carrying out their duties.

The limitations of facilities and infrastructure have implications for the range of waste management services which are still limited to the Pemalang and Taman sub-districts, as stated by Agus Harto Wibowo based on interviews that the Pemalang Regency Environmental Office has not been able to cover all sub-districts in Pemalang Regency.² The limited reach of waste management in the Pemalang Regency also occurs in Tuban Regency. Based on an article by Agung Prasetya Mayangkara that 9 (nine) villages/sub-districts do not yet have a TPS/Transfer Depo, which shows that the reach of waste transportation services from household sources to the Gunung Panggung landfill is still not available. (Mayangkara, 2016)

The lack of waste management facilities and infrastructure is in line with the budget owned by the Pemalang Regency Environmental Office. Based on the results of interviews with RR. Ida Komaria Setianingsih, there is no balance between needs and the budget owned by the Pemalang Regency Environmental Office.³ Therefore, the fulfillment of waste management facilities and infrastructure in the Pemalang Regency is still limited.

Although there are many shortcomings and obstacles in waste management in Pemalang Regency, the Pegongsoran TPA facility already has a controlled landfill, which can cover the waste with soil every 7 (seven) days to reduce the smell of garbage. These facilities are sufficient to help waste management in Pemalang Regency.

The provision of waste management facilities is not only the responsibility of the Environment Agency alone. Regional waste is the responsibility of area managers under the coordination of the relevant agencies. So far, Pemalang Regency has not seen any synergy between the local bureaucracies (OPD) in charge of certain areas in waste management. According to Agus Harto Wibowo, regional waste management is still dominated by the role of the Pemalang Regency Environmental Office.⁴ The OPD (local bureaucracies) has not yet managed the area's waste through sorting and reduction. Garbage is only collected and then transported by the waste officer of the Pemalang Regency Environmental Office.

In addition to the Pemalang Regency Environmental Office, the Pemalang Regency Public Works Office is also an actor holding the role of waste management. DPU (Public Works Office) plays a role in developing waste management facilities, including constructing a new TPA, 3R TPS, TPST, and others. However, the task of Pemalang Regency DPU in developing waste management in Pemalang Regency has not run optimally. This is based on the results of interviews with RR. Ida Komaria

²Results of an interview with Agus Harto Wibowo, Head of Waste and Hazardous Waste Management Pemalang Regency Environmental Office, 21 November 2020.

³Results of interviews with RR. Ida Komaria Setianingsih, Head of Environmental Control and Conservation Division of the Pemalang Regency Environmental Office, 21 November 2020.

⁴*Ibid.*

Setianingsih stated that the construction of a new TPA (Landfill) in the Pemalang Regency has not yet been realized due to various factors such as land, refusal of residents around the ground, and also land acquisition for the TPA (Landfill).⁵ Sri Subekti also stated in his research article that no community would want the environment to be used as a garbage disposal site. In addition, it was not easy to find land outside its administrative area in the era of regional autonomy. (Subekti, 2010)

Actors who have social power in waste management in Pemalang Regency are the community but have not shown a pro-active attitude towards waste management. The community's attitude that has not fully supported the waste sorting and reduction program has also hampered waste management progress in the Pemalang Regency. Agus Harto Wibowo stated that public awareness in Pemalang Regency regarding waste management is still low.⁶ Public awareness in waste management related to creating a sustainable living environment is very necessary, as stated by Titi Antin in her dissertation, that related to sustainable community life, it is essential to be aware of the importance of protecting the environment or ecological literacy (*eco literate*). (Setianingtias et al., 2019)

Law enforcement actors in waste management in Pemalang Regency are Municipal Police (Satpol PP) and Indonesian National Police (POLRI). Violations that occur against waste management regulations in Pemalang Regency have not been explicitly implemented by law. According to Agus Harto Wibowo, no person or community group has been penalized for littering as long as he works in the waste management section.⁷ In addition, the regulations governing waste management have not comprehensively reached the community level. The Pemalang Environmental Office, to minimize the occurrence of indiscriminate waste disposal, is carried out preventively through the installation of banners or boards with an appeal not to litter.

As law-making actors, the Regional Government and Regency DPRD have not involved sub-district and village governments in waste management regulations based on Pemalang Regency Regional Regulation Number 13 of 2012 concerning Waste Management. This is in line with the results of an interview with Agus Harto Wibowo that waste management regulations in the Pemalang Regency have not yet reached the village level. Most of the waste management activities are still carried out by the Environmental Agency of the Pemalang Regency. Therefore, the absence of waste management regulations at the sub-district and village levels can lead to solid waste problems. This is in line with what was stated by Sri Wahyuning, Sunarto, and Wiryanto in their research article that the issue of waste does not only occur in urban areas. In rural areas, waste has become a complex problem as well. (Wahyuning et al., 2017) In this case, Sri Wahyuning, Sunarto, and Wiryanto reflect on the results of their research located in Kalibeber Village, Wonosobo.

⁵Results of interviews with RR. Ida Komaria Setianingsih, *op.cit.*

⁶Results of interviews with Agus Harto Wibowo, *op.cit.*

⁷Results of interviews with Agus Harto Wibowo, *op.cit.*

The Pematang Rejency Environmental Office as the role holder in carrying out its duties, still faces many obstacles due to limited budget and human resources. This has an impact on waste management services that have not been maximized. In addition, it is accompanied by regulations on waste management that have not been fully implemented due to various factors. In addition, the handling of waste, which the Environmental Office still centralizes, is one of the factors why waste in the Pematang Rejency has not been handled optimally.

According to Wahmu, the village government needs to be given wider authority.⁸ More authority on the village government for waste management is required because each village has its own waste problem. The village government knows better how to solve the waste problems they face. In addition, rural/kelurahan (Urban village) communities often face urgent waste problems that require quick handling. If coordination and proposals are made to the local government first, it will take a long process.

Agus Harto Wibowo also expressed that villages need to be given technical authority in waste management. For example, you can allocate funds for waste management, set up TPS, TPST, and collect user fees. The village/kelurahan (Urban village) independence in waste management is also hampered because regulations hamper it. This was shown when a village in Ulujami Sub-district submitted a village recycling regulation through Bumdes (Village-Owned Enterprises). However, nothing in the regulation regulates the transfer of authority from the Regent to the Village.

The village government needs to be involved in managing canoes, especially through the provision of ideal authority. However, in Pematang Rejency Regulation Number 13 of 2012, the village government is only mandated to coordinate, supervise, and propose. Of course, with the limited reach of DLH, waste will be difficult to handle optimally without the participation of the village government in waste management in the Pematang Rejency.

D. Closing

Waste management in Pematang Rejency is based on Pematang Rejency Regulation Number 13 of 2012. Substantially, the regional regulation regulates the technical and responsibilities of each individual or institution in waste management. In addition, it also regulates sanctions for waste managers who violate the law. In implementing waste management in Pematang Rejency, there are still many obstacles, so that the implementation of waste management based on Pematang Rejency Regulation Number 13 of 2012 has not run optimally. These constraints are motivated by a limited budget, human resources, and low public awareness. The village government, which is not given ideal authority in waste management, is also one of the factors why waste management in the Pematang Rejency is still limited to certain areas. The Pematang Rejency Regulation Number 13 of 2012 does not give the village

⁸Results of an interview with Wahmu, Head of Bojongnangka Village, Pematang Rejency, Pematang Rejency, 23 November 2020.

government the ideal authority in waste management. Based on the regulation, the village government in waste management is limited to coordination, supervision, and proposal activities.

On this basis, there is a suggestion that the village government needs to be given the ideal authority in waste management in Pemalang Regency. The perfect authority for the village government can ease the burden on the related OPD (Local Bureaucracy) in waste management. In addition, it can also expand the reach of waste management in Pemalang Regency. There is also a need for regulations governing communities that focus on waste reduction, such as the maggot cultivation community. Therefore, there is a need for a more comprehensive legal reform and giving authority to the village level in waste management in Pemalang Regency.

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