



Mining Permits and Supervision Implementation Policy Within the Framework of Environmental Management in Bandar Lampung

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Small-scale mining activities are associated with damage to the environment. The negative impact of mining in Indonesia allegedly caused by the not optimal mining governance conducted by Regency/City Government, therefore the set of Act No. 23 Year 2014 on Regional Government states that the Government management of energy and mineral resources field are divided between The Central Government and The Province, without involving the Regency/City. This study aimed to analyze the implementation of the mining management policy conducted by the Department of Mining and Energy related to environmental sustainability in Bandar Lampung. This study used a qualitative approach. The results showed that permits and supervision implementation policy

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authority change in the mining sector, is actually still in the actors and instruments transition phase as well as accessories until October 2, 2016, but this policy already had implications for the environment such as the emergence of illegal mining which causes damage to the environment. The setup of the Lampung Province Mining and Energy Department Organization needs to be done so manifest a proper function and proper size as well as the effective and efficient of Government Organization.

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Keywords: Environment, Implementation, Management, Mining, Policy.

1. INTRODUCTION

Hilson in Bhatasara¹ opine that the activities of small-scale mining are associated with environmental degradation and can cause health and safety issues for workers and the societies around the pit, although mining activities can similarly fetch benefits both socially and economically for millions of people in Africa, Latin America, and some countries in Asia. Mining operations, moreover contributed significantly to national revenue in some developing countries.¹

Mining activity characters have a different range of impacts and life cycle for general infrastructure development.² The mining policy associated toward environmental issues in the international is reflected in the research conducted by Zhu and Cherni³ in China. The results presented that the coal industry in China has significantly led to environmental degradation such as soil subsidence, sea water intrusion and has a poor record on occupational safety and health of mine workers. The study found that the existing policy fails to integrate environmental considerations into the decision-making process because still a priority to economic aspects.³

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The adverse impact of mining activities in Indonesia allegedly caused by the carelessness of mining governance conducted by Regency/City Government, it is addressed with the issuance of Act No. 23 Year 2014 on Regional Government, therefore the set of Act No. 23 Year 2014 on Regional Government states that the Government management of energy and mineral resources field are divided between The Central Government and The Province. The mining sector included in the Energy and Mineral Resources fields, which the management authorized is shared between the Central Government and the Provincial Government, deprived of involving the Regency/City Government.

Bandar Lampung is the capital city of Lampung Province, which is the epicenter of government activities, social, political, education and culture as well as a center of economic activity in Lampung.⁴ This city has a problem in mining management. From the administrative side, there is still a Nonclean and Clear mining permit and returned rampant illegal miners.

Implementation becomes important as no matter how good regulations made would only be a 'paper tiger' if the implementation cannot be realized, as described by Adiwisatra in Tachjan.⁵ Moreover, in the local/regional level, low capacity of implementers, and lack of financial support to be a factor affecting

the implementation.⁶ Kelly in Nordtomme et al.⁷ stated that the policy implementation is easier said than done. There are a variety of barriers that prevent the policy can be implemented or work as it should, although the strategies and the various policy measures have been identified.

This study aimed to analyze mining management policy implementation process within the framework of environmental management in Bandar Lampung.

2. METHODS

The data used in this study consisted of primary and secondary data. The primary data obtained from interviews and direct observation against the Lampung Province Mining and Energy Department, and also Bandar Lampung City Management and Environmental Protection Agency. While secondary data obtained from the literature. This study used a qualitative approach.

3. RESULTS AND DISCUSSION

3.1. Mining Permit Aspect

Transitioning mining license policy begins with the activities of mining permit national reconciliation floriculture which was initiated by the Ministry of Mineral Resources in 2011. From this

activity, it is known that licensing process conducted by local governments has not been going well, seen from the number non-clean and clear mining permit to reach 61% of the mining permit total in Indonesia.⁸ The mining evaluation continues and managed to lower the percentage number the non-clean and clear mining permit became 38% by 2016.

The implementation of such activities, especially in the province of Lampung is not running smoothly, because the

Regional Governments contemned due to assume there is no legal basis to implement them.

After the Act 23/2014 about local governance put in place in October 2014, may not necessarily be the provincial Government dared to evaluate the existing licensing process at the Regency/City Government and at the same time a new permit application processing that comes from entrepreneurs as well as the community. After numerous attempts of consultation with the Central Government, eventually published Circulars by the Home Ministry and the Ministry of Mineral Resources that provide assurance against mining license process post Act 23/2014 on local governance.

The first action undertaken by the provincial government Lampung via the Lampung Province Mining and Energy Department is doing the evaluation of non-clean and clear mining permit published by Regency/City Governments, including the Government of the City of Bandar Lampung.

The granting of a permit in accordance with the provisions will become the forerunner to sustainable mining, otherwise a permit with violating various regulations will cause many problems, especially the losses for the community, region and the environment.

3.2. Mining Permit Aspect

There are interesting things in the supervisory management that

activities of oversight on a transition period until October 2, 2016 is done by the provincial government. For it needs to be examined how the actions taken by the Government of the province of Lampung in addressing this policy. (a) The transition period

The Lampung provincial government on November 16, 2015 form a Monitoring and law enforcement of Mining Illegal Mining Team. The formation of this team was caused by the issue of illegal mining, which is seen as an act of panic to address such issues.

The establishment of a monitoring team can be categorized as a method of reactive, ad hoc approach and end of pipe which is the lowest level of environmental management and proven to be ineffective.⁹

(b) The post transition period

The journey to good mining governance and oversight aspects of sustainable mining initiated with the paradigm of the independent mine Inspector. As the spearhead of good mining practice, the mine inspector should free from the pressures of power in the region, and this is expected to occur through the implementation of Act 23/2014 about local government that instructed the management of mining inspectors by the Central Government.

From the mining supervision aspect, the journey towards good governance and sustainable mining initiated by the paradigm of the mine inspector's independence as a supervisor area in a mining environment. Prasodjo¹⁰ research results showed that one of

the attributes levers towards sustainable mining management is the professional and independent mine inspectors. As the spearhead of the implementation of the rules of good mining practices should a mine inspector freed from the pressures of power in the area, and it is expected to occur through the implementation

management of the mine inspector by the Center Government. Based on the description it appears that the implementer, in this case, the Lampung Province Mining and Energy Department is not ready to implement the policy of Act 23/2014 on Local Government.

Implementation of the changes permits policy authority and supervision of mining Act No. 23/2014 on Local Government is actually still in the actors and instruments as well as accessories until October 2, 2016, transition phase, but the implications of this policy already have an impact on the environment. The emergence of illegal mining is damaging to the environment cannot be tolerated as it is still in the transition phase. As has been revealed by Levenson and Antipas in Kalaba states that the no optimal policy implementation is a key issue in the environmental management. A greater efforts should be made by the Provincial Government as the main implementer of this policy.¹¹

4. CONCLUSION

This paper attempt to give the present mining implementation process toward the sustainability mining environment. The result shows that the Permits and Supervision Implementation Policy Authority Change in Mining Sector by the Lampung Province Mining and Energy Department are not optimal. There is a gap between expectations and implementation, with indications of the

stated in the Circular letters of the Ministry of Mineral Resources illegal mining emergence which impacted poorly on the environ-
number 04. E/30/DJB/2015 about Conducting the Affairs of the ment in Bandar Lampung. Although this implementation actu-
Government in the field of Mineral and Coal Mining that the ally still in the actors and instruments transition phase as well

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