



Urgency of Post-issuance Supervision of Environmental Approval for Risk Activities

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Abstract

The issuance of environmental approvals for risky business activities in Semarang has created new problems, particularly with regard to environmental impacts. Although these permits are intended to regulate and minimize risks, the reality is that problems still arise, such as potential pollution, environmental degradation, and incompatibility between business activities and applicable regulations. Therefore, the purpose of this study is to analyze the urgency of post-issuance supervision of environmental approvals for risky business activities in Semarang Regency. This research uses a juridical sociological approach with qualitative data analysis. The results show that there is an urgency of supervision after the issuance of environmental approval for risky business activities in Semarang Regency, conducted by the Semarang Regency Environmental Supervisory Officer in 2022. Of the 94 people in charge of businesses and/or activities, 56 violations were found where they expanded their businesses without adjusting their permits. The larger the scale of a business, the greater the potential for environmental pollution and damage. Therefore, effective supervision is essential to avoid greater risks to the environment.

Keywords: Urgency; Supervision; Post-issuance; Environmental Approval

INTRODUCTION

The environment is a place of habitation for all God's creatures. The environment is a unity of space with all objects, forces, conditions and living things, including humans and their behavior, which affect the continuity of life and the welfare of humans and other living things (Article 1 Point 1 of Law Number 6 of 2023 concerning the Stipulation of Government Regulation in Lieu of Law of the Republic of Indonesia Number 2 of 2022 concerning Job Creation into Law, hereinafter referred to as the Job Creation Law of 2023).

The Constitution of the Republic of Indonesia has guaranteed that every citizen has the right to be able to live in physical and mental prosperity to live in and obtain a healthy environment (Article 28 H paragraph (1) of the 1945 Constitution of the Republic of Indonesia) (Mahardika, 2021). This means that the government and all elements of society have been given the mandate of the Indonesian State Constitution, to protect and manage the environment in the implementation of sustainable development, so that the Indonesian environment remains a resource and life support for the Indonesian people and other living things (Helmi, 2021).

Through the Job Creation Law 2023, the government seeks to protect and manage the environment for the greatest prosperity of the people that can be enjoyed by generations (sustainable development). The policies that have been issued by the government aim to realize one of them is to improve the investment ecosystem, and accelerate national strategic projects. The government's goal is very positive for the welfare of all Indonesian people. Therefore, the government has taken a policy to implement risk-based licensing, based on the determination of the level of risk and business scale rating of business activities, which is obtained based on an assessment of the level of danger and potential for harm to aspects of health, safety, environment and / or utilization and management of resources.(Amri, 2022).

The assessment of the level of hazard is carried out by taking into account the type of business activity, business activity criteria, location of business activities, limited resources and/or volatility risks (Luhukay, 2021). Based on the assessment of the level of hazard, as well as the potential for hazard occurrence, the level of risk and business scale rating of business activities are determined to be 3 (three), namely business licensing for low, medium and high risk business activities (Dewi Tuti Muryati, Dharu Triasih, 2022), as follows:

1. Business Licensing for Low-Risk Business Activities

Business licensing for low-risk business activities is in the form of granting a Business Identification Number (NIB) which is the legality of implementing business activities. NIB is a registration of business actors to carry out business activities and as an identity for business actors in carrying out their business activities (Article 8 of the Job Creation Law).

2. Business Licensing for Medium-Risk Business Activities

Business Licensing for Medium Risk Business Activities includes:

- a. Business Licensing for Low Medium Risk Business Activities, in the form of granting NIB and standard certificates
- b. Business Licensing for Medium Risk Business Activities, in the form of granting NIB and standard certificate

Standard certificate is a statement of business actors to meet business standards in the context of conducting business activities. Standard certificates are issued by the central government or regional governments in accordance with their authority based on the results of verification of the fulfillment of business activity implementation standards by business actors. In medium-risk business activities, product standardization is required before carrying out product commercialization activities (Article 9 of the Job Creation Law).

3. Business Licensing for High-Risk Business Activities

Business Licensing for High-Risk Business Activities is in the form of granting NIB and permits. A license is an approval from the central government or local government for the implementation of business activities that must be fulfilled by business actors before carrying out their business activities. In the event that high-risk business activities require the fulfillment of business standards and product standards, the central government or local government issues a business standard certificate and product standard certificate based on the results of verification of standard fulfillment (Article 10 of the Job Creation Law).

This policy was taken solely as a government effort to protect and manage the environment (Muhamad Bilal, Azhar Nur Fauzi, 2021), which is a systematic and integrated effort carried out to preserve environmental functions and prevent pollution and / or environmental damage which includes planning, utilisation, control, maintenance, supervision, and law enforcement (Article 1 Point 2 of Law Number 6 of 2023). One of the government's policies in the context of environmental protection and management requires a risky business activity to obtain an environmental approval. (Syahrudin, 2021).

Provisions regarding environmental approval are regulated more technically in Government Regulation of the Republic of Indonesia Number 22 of 2022 concerning the Implementation of Environmental Protection and Management (hereinafter referred to as Government Regulation Number 22 of 2022). Environmental approval is a decision on environmental feasibility or a statement of environmental management capability that has received approval from the central government or regional government (Article 1 Point 4). Every business and/or activity that has an impact on the environment is required to have an Environmental Impact Assessment; Environmental Management Efforts and Environmental Monitoring Efforts; or Environmental Management Affidavit (Article 4). Here are the procedures and procedures:

a. Environmental Impact Analysis (AMDAL)

Amdal is mandatory for every business plan and/or activity that has an important impact on the environment, such as those with a large scale, mandatory Amdal scale, or those located adjacent to protected forests. Amdal is a study of the important impacts on the environment of a planned business and/or activity, to be used as a prerequisite for decision-making on the implementation of business and/or activities and contained in Business Licensing, or Central or Regional Government approval (Article 1 Point 5 of Government Regulation Number 22 of 2021).

Amdal is prepared by the person in charge of the business at the planning stage, who can appoint experts who have a certificate of competence. The preparation of the EIA begins with the provision of data and information on the results of the screening of EIA authority, description of the business plan, initial environmental hue and the results of announcements and public consultations. Amdal consists of terms of reference, reliable and RKL and RPL forms. Mandal preparation goes through several stages, namely:

- 1) Implementation of community engagement on business plans
- 2) Completion, submission, examination, and issuance of minutes of agreement of the terms of reference form.
- 3) Preparation and submission of reliable, RKL-RPL
- 4) Reliable assessment, RKL-RPL (Article 27 of PP No. 22 of 2021).

b. Environmental Management Efforts and Environmental Monitoring Efforts (UKL-UPL)

The UKL-UPL form is filled out by the person in charge of the business, which begins with the provision of data and information about the business description and technical approval (fulfilment of wastewater quality standards, emissions, B3 waste management and traffic impact analysis), and is attached with SPPL (Article 57 of Government Regulation No. 22 of 2021). UKL-UPL is a series of environmental management and monitoring processes outlined in a standard form to be used as a prerequisite for decision-making and included in business licensing, or Central or Regional Government approval (Article 1 point 6 of Government Regulation No. 22 of 2021).

The person in charge of the business submits an application for examination of the UKL-UPL form to the official in accordance with his/her authority (Minister / Governor / Regent / Mayor), through an integrated electronic business licensing system. The examination is conducted on administrative and substantive completeness, which is the basis for the issuance of UKL-UPL.

c. Letter of Undertaking for Environmental Management and Monitoring (SPPL)

SPPL is a statement of the ability of the person in charge of the business and/or activity to carry out environmental management and monitoring of environmental

impacts from the business and/or activity beyond those that are required to be Amdal or UKL-UPL (Article 1 Point 9 of Government Regulation Number 22 of 2021). SPPL for businesses carried out by business actors is integrated into NIB which is carried out through an electronically integrated business licensing system. The basis for issuing SPPL is the recommendation on the results of the UKL UPL substance examination.

Based on the procedures and procedures regarding the mechanism for issuing environmental approvals mentioned above, it is classified as very easy compared to the previous regulation (Law Number 32 of 2009 concerning Environmental Protection and Management), where environmental approvals were integrated into business licences. This regulation places the government as a regulator and facilitator, and places the ease and acceleration of environmental approval facilitated by the government, without reducing the essence of environmental protection and management. (Kharisma, 2020).

In determining whether the business plan and/or activity has an important impact or not on the environment, the Job Creation Law 2023 uses the level of business risk used to determine the type of business licence that must be owned by business actors.(Al'afghani, 2021) The mechanism for issuing environmental approvals is relatively very easy compared to previous regulations, environmental approvals are integrated into business licences. This regulation places the government as a regulator and facilitator, and places the ease and acceleration of environmental approval facilitated by the government, without reducing the essence of environmental protection and management.

The impact of the ease and acceleration of environmental approvals facilitated by the government was a 10-fold increase in applications, from 108 applications to 1,127 applications for Environmental Approval at the Ministry of Environment and Forestry (M Farid Fahmi, 2023). Furthermore, based on an interview with Mr Surahman, AMKL as the Sub-Coordinator of Environmental Guidance and Supervision of Semarang Regency, during a pre-survey at the Semarang Regency Environmental Agency, he stated that in 2022, there were 19 (nineteen) persons in charge of businesses and/or activities who were sanctioned for violating the environmental licensing sector after the issuance of the permit (Surahman, 2023). Therefore, the urgency of monitoring post-issuance of environmental approvals for risky business activities is very important, so that environmental sustainability is maintained, and environmental pollution and damage are avoided. (Matthew Delvian Suyana, Fieldo Nurviyan Ferdinand, Renard Kananda, 2023)

Supervision according to Sondang P Siagian, is a process of observing the implementation of all organisational activities to ensure that all work being carried out is in accordance with a predetermined plan (P.Siagian, 2000). Meanwhile, Article

1 Point 98 of Government Regulation Number 22 of 2021 explains that supervision is an activity carried out directly or indirectly by environmental supervisory officials to find out and/or determine the level of compliance of the person in charge of business and/or activities with the provisions stipulated in business licensing or government approval and legislation in the field of environmental protection and management.

Supervision after the issuance of environmental approval for business activities that have risks, in accordance with Government Regulation Number 22 of 2021, is carried out by the Minister, Governor, Regent, or Mayor, in accordance with their respective authorities. In this study, the focus will be on Semarang Regency so that the authority in supervision is the Regent of Semarang, which in its implementation can be assigned an Environmental Supervisory Officer who is a functional official (Eduardus Gilang Ananta Yudiantoro, Waluyo, 2023).

The authority of the Environmental Supervisory Officer when supervising risky business activities includes: monitoring, requesting information, making copies of documents and/or making necessary records, entering certain places, photographing, making audio-visual recordings, taking samples, checking equipment, checking installations and/or means of transport, and/or stopping certain violations. When exercising their authority, Supervisors can coordinate with Civil Servant (PNS) investigators (Article 493-495 of Government Regulation Number 22 of 2021).

When conducting supervision, based on Government Regulation No. 22 of 2021, the Environmental Supervisory Officer can use 2 (two) supervision systems: First, direct supervision and Second, indirect supervision. Direct supervision is carried out by visiting the location of the business and/or activity on a regular or incidental basis. Meanwhile, indirect supervision is carried out by reviewing report data from the person in charge of the business and/or activity, data from the environmental information system. From the results of supervision, if a serious threat is found from the business activity, the supervisory official can stop it with the aim of preventing greater and more impacts and losses. Termination is carried out by installing signs and / or lines, followed by the issuance of minutes of termination of violations.

Based on the results of the supervision, the supervisory official shall prepare an official report and a supervisory report (stating the compliance status of the business) containing the facts and findings of the supervision. In the event that the supervisory report concludes that the business has not complied, the supervisory official shall provide recommendations for further enforcement, including administrative, civil and or criminal, to the Regent of Semarang.

The study of environmental approval is very interesting to study. Previous research, Amri Fauzi discussed changes in environmental permit arrangements in business activities. Initially, environmental permits in business activities were licence-based while currently they are risk-based. The change in concept creates two perceptions of the impact on environmental protection and management, namely

negative and positive impacts, due to further standardisation of the concept of environmental permits in risk-based activities that have not been clearly regulated. (Amri, 2022)

Furthermore, Evan, et al, discuss the concept of a risk-based approach in business activities that takes into account various aspects such as health, environment, potential, and threats that will be faced. In the risk-based concept, environmental approval must be considered from the planning, implementation to supervision stages, so that business activities that have risks can be prevented and controlled, the hope is also to provide a balance between economic development and environmental health. (Evan Devara, Maret Priyanta, 2021).

Fery Ardiansyah discussed the challenges of environmental supervision and law enforcement in the implementation of the Job Creation Law, including the lack of integration of the environmental supervision system with the Online Single Submission (OSS) system used for issuing business licences. In addition, the limited number of functional environmental supervisory officials makes many objects of supervision go unnoticed. In addition, the process of proving in court the guilt of unscrupulous entrepreneurs who destroy the environment, as a consequence of the amendment of Article 88 of Law Number 32 of 2009. These changes require environmental supervisors to have qualified legal competence, so that they can present evidence and convince judges in court. (Ardiansyah, 2020)

In contrast to Amri Fauzi's research which discusses changes in environmental permit arrangements in business activities and Evan, et al who discuss the concept of a risk-based approach in business activities, and Fery Ardiansyah who discusses the challenges of environmental supervision and law enforcement in the implementation of the Job Creation Law, this research will focus on discussing the urgency of post-issuance supervision of environmental approvals for risky business activities in order to preserve the environment from environmental pollution and damage, considering that many business actors who carry out risky business activities commit violations, so it is possible to have an impact on environmental pollution and damage.

METHODS

The approach method used in this research is juridical sociological, which is research in the form of empirical studies to find theories about the process of occurrence and about the process of operation of law in society. This means that the type of non-doctrinal legal research is a type of research that does not only look at the juridical aspects, but also looks at the practices that occur in the field or empirical (sociological) aspects (Setiono, 2010). This type of research is used because the object of this research is post-issuance supervision of environmental approvals for risky business activities in Semarang Regency. The specification of the research is descriptive analytical, with the aim of obtaining an overview of the object under

study. The data used is primary data and supported by secondary data, and then analysed by qualitative analysis method. Qualitative analysis in this case is an effort made by working with data, organising data, sorting it into manageable units, synthesising it, looking for and finding patterns, finding what is important and what is learned, and deciding what can be told to others (Moleong, 2007). After the analysis is carried out, conclusions will be drawn from general matters to specific matters related to the problem being discussed.

DISCUSSION AND RESULT

Regulation of Post-issuance Supervision of Environmental Approval for Business Activities

In the implementation of a business activity, especially risky business activities, whether low-risk, medium-risk, or high-risk, will inevitably cause negative impacts, in terms of environmental pollution and environmental damage (Setiarma, 2024). Therefore, supervision is an urgency in guarding environmental protection and management. The obedience of the person in charge of the business and/or activity related to awareness of preserving the environment must be continuously monitored. Supervision is an important matter to ensure that an activity and/or business carried out by the person in charge of the business and/or activity is in accordance with the stipulated laws and regulations, namely PP No. 22 of 2021.

According to Nurmayani, supervision is a very important activity so that the work and tasks assigned to the implementing apparatus are carried out in accordance with the established plan (Nurmayani, 2000). Similarly conveyed by Sondang P Siagian, supervision is a process of observation of the implementation of all organisational activities to ensure that all work being carried out is in accordance with a predetermined plan (P. Siagian, 2000). Furthermore, Saiful Anwar said that supervision or control of the actions of government officials is needed so that the implementation of predetermined tasks can achieve goals and avoid deviations. (Anwar, 2004)

Supervision in Article 1 Point 98 of Government Regulation Number 22 of 2021 is mentioned as an activity carried out directly or indirectly by environmental supervisory officials to find out and/or determine the level of compliance of the person in charge of business and/or activities with the provisions stipulated in business licensing or government approval as well as legislation in the field of environmental protection and management.

The post-issuance supervision of environmental approvals referred to in this study is the activity of supervising the post-issuance of environmental approvals issued by environmental supervisory officials in Semarang Regency, to determine and/or determine the level of compliance of the person in charge of the business and/or activity with the provisions stipulated in the business licence or government

approval as well as legislation in the field of environmental protection and management.

Environmental approval is a decision on environmental feasibility or a statement of environmental management capability that has been approved by the central government or regional government (Article 1 Point 4 of Government Regulation Number 22 of 2021). By looking at the definition of environmental approval in the article above, it can be seen that normatively environmental approval can be issued by the central government and local governments.

Based on the description above, it can be seen that there are 2 (two) products of environmental approval issuance, namely the issuance product of the central government and the issuance product of the local government, then in this study will take 1 (one) focus of supervision studies, namely product supervision after the issuance of environmental approval issued by the Semarang Regency Regional government. Based on data from the Semarang Regency Environmental Agency's Environmental Development and Supervision Division, in 2022 there were 94 (ninety-four) businesses and/or activities with Environmental Permits, and PPLH Permits issued by the Semarang Regency Government. of the 94 businesses and/or activities for which Environmental Permits and PPLH Permits are issued by the Semarang Regency Government, it is automatically the obligation of the Semarang Regency Government, in this case the Regent, to supervise after the issuance of environmental approvals in order to ensure that the businesses and/or activities carried out by those responsible for these businesses and/or activities continue to preserve the environment and ensure that there is no environmental pollution and environmental damage, as referred to in Article 492 Paragraph (1) of Government Regulation Number 22 of 2021.

Furthermore, it can be explained that the Regent can delegate supervisory authority to officials / technical agencies responsible for environmental protection and management. What is meant in this research is the Semarang Regency Environmental Agency. Furthermore, in conducting supervision, the Regent may appoint Environmental Supervisory Officers who are functional officials whose implementation is adjusted based on applicable laws and regulations governing the functional position of environmental supervisors (Article 494 Paragraphs (1) and (2) in conjunction with Article 496 Paragraph (1) of Government Regulation Number 22 of 2021).

The Environmental Supervisory Officer under the Sub Division of Environmental Development and Supervision of the Semarang Regency Environmental Agency, when conducting post-issuance supervision of environmental approvals, has the authority to conduct:

- a) Monitoring;
- b) Make copies of documents and/or make necessary notes;

- c) Entering certain places;
- d) Taking pictures;
- e) Making audio-visual recordings;
- f) Taking samples; g). Inspecting equipment;
- g) Inspecting installations and/or means of transport; and/or;
- h) Stopping certain violations.

When exercising its authority, the Supervisor also coordinates with Civil Servant investigators (Article 492-495 of Government Regulation Number 22 of 2021).

Urgency of Post-issuance Supervision of Environmental Approval for Business Activities

The supervisory executive in an activity has the task of being able to create conditions that support the smooth and accurate implementation of tasks, policies, laws and regulations carried out by direct superiors. Supervision is an attempt to determine what is being done by assessing performance based on a predetermined plan. Given that Semarang Regency is an industrialised area, and as previously described, there are 94 (ninety-four) Environmental Permits and PPLH Permits issued by the Semarang Regency Government, an adequate monitoring method or system is needed to preserve the environment and ensure that the implementation and management of the environment after the issuance of environmental approvals is safe and that no environmental damage or pollution occurs.

According to Victor M. Situmorang (Juhir, 1993) supervision can be classified into several types, namely:

1. Direct Supervision and Indirect Supervision

a. Direct Supervision

Direct supervision is supervision carried out personally by the leader or supervisor by observing, examining, inspecting, checking himself 'on the spot' at the place of work, and receiving reports directly from the implementer. This is done by inspection.

b. Indirect Supervision

Indirect supervision is carried out by studying reports received from implementers both oral and written, studying public opinions and so on without "on the spot" supervision.

2. Preventive Supervision and Repressive Supervision

Although the principle of supervision is preventive, when it comes to the time of work execution, a distinction can be made between preventive supervision and repressive supervision.

- a. Preventive supervision; Preventive supervision is carried out through preaudit before work begins. For example, by supervising the preparation of work plans, budget plans, plans for the use of manpower and other resources.

- b. Repressive Supervision; The repressive supervision is carried out through post audits, by examining the implementation on the spot (inspection), requesting implementation reports.
3. Internal Supervision and External Supervision
- a. Internal Supervision; Internal supervision is supervision carried out by officials within the organisation itself.
 - b. External Supervision; External supervision is supervision carried out by apparatus from outside the organisation itself. Supervision is held with the intention to:
 - 1) Knowing the course of work, whether it is smooth or not
 - 2) Correct mistakes made by employees and prevent the recurrence of the same mistakes or the emergence of new mistakes.
 - 3) Knowing whether the use of the budget set in the plan is directed to its target and in accordance with what has been planned
 - 4) Knowing the implementation of work in accordance with the programme (implementation level phase) as specified in the plan or not.
 - 5) Knowing the results of the work compared to what has been set in planning, namely the standard.

Based on the previous description, the classification of supervision consists of 3 (three) types, namely: First, direct supervision and indirect supervision; Second, preventive supervision and repressive supervision; and Third, internal and external supervision. Furthermore, related to the system of supervision of business activities and/or environmental management activities after the issuance of environmental approvals carried out by Environmental Supervisory Officers based on Article 496 of Government Regulation No. 22 of 2021, regulates that the post-issuance supervision system of environmental approvals to maintain environmental sustainability using 2 (two) systems, namely First, direct supervision; and Second, indirect supervision.

In Semarang Regency, the post-issuance supervision system of environmental approval for risky business activities in order to preserve the environment uses direct supervision and indirect supervision. The implementation can be described as follows (Surahman, 2023):

a. Direct Monitoring

The direct supervision system carried out by the Semarang Regency Regional Environmental Supervisory Officer on the compliance of the person in charge of the business and/or activity after the issuance of environmental approval is carried out in 2 (two) ways: *First*, visiting the location of the business and/or activity on a regular basis; and *Second*, incidental.

First, visiting the location of the business and/or activity on a regular basis, which is carried out in accordance with annual planning based on business licensing or government approval related to environmental approval and/or other

information. Regular supervision is carried out with stages of supervision planning, implementation and evaluation. Supervision planning is carried out in stages:

- 1) Inventory and identification of business licences, and government approvals related to environmental approvals and/or other information; and
- 2) Determination of business and/or activity priorities that are supervised by direct supervision.

Implementation of supervision, including supervision preparation activities, compliance checks and follow-up of supervision results. Evaluation of supervision is conducted to measure the level of success between the planning and implementation of supervision and to provide feedback to improve supervision of business licensing and government approvals related to environmental approval.

In connection with the previous description, it can be seen that the Semarang Regency Environmental Agency's Environmental Development and Supervision Division in 2022 has issued 94 (ninety-four) Environmental Permits, and PPLH Permits issued by the Semarang Regency Government, therefore after the issuance of environmental approval, supervision is still carried out to ensure whether there are violations after the issuance of environmental approval. The Environmental Agency regularly supervises businesses and/or activities that have obtained UKL UPL permits from Semarang Regency by setting a schedule for their implementation. Although in different locations, supervision is systematically scheduled every month, and all can be monitored directly.

Second, incidental supervision, conducted by the Semarang Regency Regional Environmental Supervisory Officer on the compliance of the person in charge of the business and/or activity after the issuance of environmental approval, is carried out if it meets the criteria:

- 1) There are indications of repeated violations and indications of detected violations.
- 2) Complaints from the public regarding allegations of environmental pollution and/or environmental damage; and/or
- 3) A report from the area manager on violations of RKL-RPL implementation by business actors in the area.

In connection with the above, in 2022 there were 43 (forty-three) complaints from the public about the implementation and management of businesses in the jurisdiction of Semarang Regency. Based on the complaints from the public, the Environmental Supervisory Officer immediately went to the location to check the truth of the complaints submitted by the public.

Based on the results of the research described above, it can be seen that direct supervision of the compliance of the person in charge of the business and/or activity after the issuance of environmental approval is carried out by the

Environmental Supervisory Officer of Semarang Regency by directly visiting the location of the business and/or activity on a regular basis; and by incidental means, namely the existence of complaints from the public which are followed up by checking the location of the business and/or business activity directly.

b. Indirect Monitoring

Indirect supervision of the compliance of the person responsible for the business and/or activity after the issuance of environmental approval is conducted by the Semarang Regency Environmental Supervisory Officer based on the review of data reported by the person responsible for the UKL UPL or Environmental Information System, annually based on business licensing or government approval related to environmental approval and/or other information. The reporting period in 1 (one) year is divided into 2 (two) semesters, namely the January-July and July-December periods.

In each semester report, the person in charge of the business and/or activity after the issuance of environmental approval must attach the company identity (company profile), list of permits, production aspects, UKL UPL matrix, and description of environmental management along with attachments of environmental quality testing laboratory test results. If there are irregularities in the reporting, a site check will be carried out, to match the report sent with the real situation and conditions in the field.

Based on the research results described above, it can be seen that indirect supervision of the compliance of the person in charge of the business and/or activity after the issuance of environmental approval is carried out by the Semarang Regency Regional Environmental Supervisory Officer through reviewing the data reported by the person in charge of the UKL UPL or Environmental Information System. If there are irregularities, a site check will be conducted to see the real conditions in the field, and guidance will be given to the business actor.

In the event that the business and/or activity has posed a serious threat to the environment, the Environmental Supervisory Officer shall cease the violation to prevent a greater and wider impact if environmental pollution and/or environmental damage is not immediately stopped and/or a greater loss to the environment if environmental pollution and/or environmental damage is not immediately stopped.

Termination of violations carried out by the Environmental Supervisory Officer in the form of:

- a. Sewage line closure
- b. Demolition of sewerage line
- c. Cessation of emission source operation
- d. Closure of the waste disposal site; and/or

- e. Other measures aimed at stopping a specific violation.

Termination of violations is carried out through the installation of violation termination signs and/or Environmental Supervisory Officer lines, accompanied by the preparation of minutes of termination of violations which at least contain:

- a. Identity of the person in charge of the business and/or activity
- b. Type of violation
- c. Location and coordinates of the violation
- d. Time of termination of the offence
- e. The form of the specific offence termination action.

The results of the supervision conducted by the Environmental Supervisory Officer are stated in the minutes of the supervision (containing facts and findings) and the supervision report (stating the status of business and/or activity compliance). In the event that the conclusion of the supervision report is declared non-compliant, the Environmental Supervisory Officer provides recommendations for follow-up law enforcement which includes administrative, civil and/or criminal to the regent. In the event that the results of indirect supervision of reporting data through the environmental information system automatically, continuously and in the network find violations, the Environmental Supervisory Officer provides recommendations for follow-up law enforcement to the regent.

The results of post-issuance monitoring of environmental approvals conducted by the Semarang Regency Regional Environmental Supervisory Officer in 2022 found 56 violations committed by the person in charge of the business and/or activity in the form of conducting development activities that have not adjusted the permit. The follow-up action taken by the Semarang Regency Government was to impose sanctions. A total of 37 persons in charge of businesses and/or activities were sanctioned with written warnings and 19 with administrative sanctions.

In 2022, the Semarang Regency government imposed 56 (fifty-six) sanctions on those responsible for businesses and/or activities that committed violations. This means that 59% (fifty-nine per cent) of those responsible for businesses and/or activities committed violations, considering that Semarang Regency has 94 businesses and/or activities that have been issued environmental permits and PPLH permits.

Of the 56 violations committed by the person in charge of the business and/or activity, the business and/or activity did not comply with the permit. The follow-up action taken by the Semarang Regency Government was to impose sanctions. A total of 37 persons in charge of businesses and/or activities were issued written warnings and 19 were issued administrative sanctions. Administrative sanctions are issued in the form of a decree that at least contains:

- 1. Name and address of authorised administrative officer
- 2. Name and address of the person in charge of the business and/or activity
- 3. Name and address of the company

4. Type of violation
5. The provision(s) violated
6. Description of obligations or orders that must be carried out by the person in charge of the business and/or activities
7. The period of arrangement of the obligation of the person in charge of the business and/or activity.

Administrative sanctions are applied based on the minutes of supervision and reports on the results of supervision. Officials authorised to apply administrative sanctions must consider several things, namely:

1. Effectiveness and efficiency towards preserving environmental functions.
2. The level or type of violation committed by the person in charge of the business and/or activity.
3. The level of compliance of the person in charge of the business and/or activity towards the fulfilment of orders or obligations specified in administrative sanctions.
4. History of obedience of the person in charge of the business and/or activity.
5. The level of influence or implication of violations committed by the person responsible for the business and/or activity on the environment.

Furthermore, the supervisory function is an activity carried out by the leadership or an agency in observing, comparing tasks or work that is differentiated to the implementation apparatus with predetermined standards in order to strengthen the sense of responsibility to prevent deviations and correct errors in the implementation of work.

The supervision carried out has a function in accordance with its objectives. Regarding this, Soerwarno Handayanigrat states 4 (four) things related to the supervisory function, namely:

1. Strengthen the sense of responsibility of officials who are entrusted with duties and authorities in carrying out their work;
2. Educate officials so that they carry out work in accordance with predetermined procedures;
3. To prevent deviations, omissions, and weaknesses from occurring unwanted losses;
4. To correct mistakes and irregularities so that the implementation of work does not experience obstacles and waste (Nurmayani, 2000).

Sule and Saefullah suggest that the supervisory function is basically a process carried out to ensure that what has been planned runs as it should. (Erni Tris Kurniawan, 2005). Included in the supervisory function is the identification of various factors that hinder an activity, and also taking the necessary corrective actions so that organisational goals can still be achieved. In conclusion, the supervisory function is needed to ensure that what has been planned and coordinated is running properly or

not. If it is not running properly, the supervisory function also carries out a process to correct ongoing activities so that they can still achieve what has been planned. The functions of supervision are:

1. Strengthen the sense of responsibility of employees who are entrusted with tasks and authority in the implementation of work.
2. Educate employees to carry out their work in accordance with established procedures.
3. Prevent negligence, weaknesses and irregularities from occurring so that unwanted losses do not occur.
4. Correct mistakes and irregularities so that the implementation of work does not experience obstacles and waste.

Based on the previous description, it can be said that the supervisory function is an activity carried out by the leader or an agency in observing, comparing tasks or work that is differentiated to the implementation apparatus with predetermined standards in order to strengthen the sense of responsibility to prevent deviations and correct errors in the implementation of work. Given the high percentage of violations committed by the person in charge of the business and/or activity, 59% (fifty-nine per cent), it is important for the Semarang Regent to improve the existing supervision mechanism and its implementation, in order to prevent an increase in the percentage of violations.

Based on the results of the research, it appears that the actual supervision system is good, but the human resources or personnel of the Environmental Supervisory Officer are far from ideal. In Semarang Regency Environmental Agency, there are 5 (five) supervisory sub-sections. Surahman, the Sub-Coordinator of Environmental Development and Supervision at the Semarang Regency Environmental Agency, stated that according to the regulations, supervision is conducted by at least 1 (one) supervisor and 1 (one) witness. However, due to the fact that Semarang Regency is an industrial area and there are 94 businesses, Surahman said that five officers are not able to reach or carry out supervision optimally. According to Surahman, in order to address the personnel shortage, the Semarang District Office has planned to hire at least 15 supervisors, including one intermediate expert supervisor, three expert supervisors, and eleven junior supervisors.

Currently, the findings of the post-issuance supervision of environmental approvals carried out by the Semarang Regency Regional Environmental Supervisory Officer in 2022 found 56 violations committed by the person in charge of the business and/or activity in the form of conducting development activities that have not adjusted the permit. This means that more than 50% of the 94 persons in charge of businesses and/or activities committed violations, even though the sanctions are mild because the sanctions are in the form of verbal warnings and administrative sanctions,

but it does not rule out the possibility of an increase in violations if the supervision system is not supported by adequate human resources.

Based on the results of the research and discussion previously described, it shows that the implementation of post-issuance environmental monitoring of risky business activities in Semarang Regency carried out by the Semarang Regency Regional Environmental Supervisory Officer in 2022 is guided by PP No. 22 of 2021, which uses a direct and indirect monitoring system or document review. The findings in the supervision were 56 violations committed by the person in charge of the business and/or activity in the form of conducting development activities that have not adjusted the licence. The follow-up action taken by the Semarang Regency Government was to impose sanctions. A total of 37 persons in charge of business and/or activities were issued written warnings and 19 were issued administrative sanctions.

CONCLUSION

The urgency of post-issuance environmental monitoring of risky business activities in Semarang Regency in 2022 shows how important the role of monitoring is in maintaining environmental sustainability. Based on the data obtained, out of 94 business and/or activity operators supervised, 56 of them committed violations in the form of developing activities without adjusting the permits that have been determined. This fact shows a significant negligence in complying with regulations that has the potential to cause greater negative impacts on the environment.

The larger the scale of the business, the greater the potential for pollution and damage that can be caused. This underscores the importance of strict and continuous supervision by the authorities, particularly the Environmental Supervisory Officers in Semarang Regency. The violations that occur not only indicate a lack of control on the part of the business, but also a need to increase the intensity and frequency of supervision. Ineffective monitoring can lead to an accumulation of negative impacts on the ecosystem, which are difficult to reverse in the long term.

Thus, the urgency of supervision serves not only to enforce compliance with licensing regulations, but also as a preventive effort to prevent more severe environmental damage. In this context, comprehensive supervision becomes an essential instrument to balance between economic interests and environmental preservation. Therefore, improving the quality and effectiveness of supervision, including increasing the capacity of human resources, technology, and regulations, is needed so that business activities can run without compromising environmental sustainability.

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