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Maya Setiawathi¹, Anwar Hidayat², Zarisnov Arafat³

¹Faculty Of Law, Buana Perjuangan Karawang University, Karawang.

²Faculty Of Law, Buana Perjuangan Karawang University, Karawang.

³Faculty Of Law, Buana Perjuangan Karawang University, Karawang.

* Correspondence email: hk20.mayasetiawathi@mhs.ubpkarawang.ac.id

Abstract: Law enforcement is the process of making efforts to uphold or function legal norms in real terms as a behavioral guideline in the legal relationship of community life. Mining crimes are acts that are prohibited by regulations that are subject to sanctions for perpetrators, in order to protect mineral and coal mining activities and businesses. Mining actors who do not have a permit are regulated in Article 158 of Law Number 3 of 2020 concerning Amendments to Law Number 4 of 2009 concerning Mineral and Coal Mining. This action in limestone mining causes environmental damage and also triggers various negative impacts. The results of this study discuss how law enforcement efforts carried out by the Pangkalan Police in overcoming mining that does not have a permit in Tamansari Village, Pangkalan District and discuss the impact of the cause of air pollution in Tamansari Village, Pangkalan District as a result of this limestone mining. The empirical juridical research method used to answer the problems in this study with primary data sources consisting of the surrounding community, mining workers, community leaders, and law enforcement officials such as the police. The conclusion that can be drawn is that law enforcement efforts have not been maximized in overcoming mining that does not have permits because of the many resistance from the community, so further efforts are needed so that the public is aware of the law in Indonesia.

Keywords: Law Enforcement, Mining, Air Pollution

1. Introduction

As a country based on law, there is no way to realize this other than to start with the regulatory process. The regulatory process should contain legal norms that show a commitment to carry out the desire, namely to manage a sustainable and environmentally friendly mining business. Article 33 paragraph (3) of the 1945

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Constitution of the Republic of Indonesia has explained that the earth and water and the natural resources contained in it are controlled by the State and used as much as possible for the prosperity of the people. This provision means that the state's control over natural resources is shown for the prosperity of the Indonesia people themselves. Mining management is expected to be able to improve the welfare of the people, including mining businesses managed by the people in the form of people's mining.

Indonesia is a country that has many active mountains as geothermal producers and rocks that carry minerals, because Indonesia is located in a strategic area in terms of geography and astronomy. This is because Indonesia's geographical location is passed by the world's mountain ranges, namely (Mediterranean Circular and Pacific Circumstance), while in its astronomical location Indonesia is on the equator. Indonesia is a tropical country that has a lot of diversity of flora and fauna since millions of years ago, in terms of geography and astronomy, it benefits Indonesia as a country producing mineral resources spread throughout Indonesia.¹

Natural resources in the form of minerals and coal above are a gift from God Almighty. The state is obliged to manage it so that it can provide benefits for the welfare of many people. The natural resources owned by the Indonesia nation only have meaning if they are managed and managed optimally.

Mining is a series of activities in the context of efforts to search, mine (excavation), processing, utilization and sale of excavated materials. Mining has several characteristics, namely non-renewable, has a relatively higher risk and the entrepreneur has a relatively higher environmental impact both physical and social

¹ Suryadi, *Production Function and Preparation of Economic and Environmental Balance in Land Resources in Indonesia*, Journal of Mineral and Coal Technology, Volume 9 Number 3, 2013, p.136.

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than other commodity businesses in general. The mining business has several stages of mining business activities²

In terms of the use of natural resources carried out by exploiting in the type of mine, a law has been stipulated to clarify and emphasize the forms between rights and obligations for every person who conducts a mining business. This mining is regulated in Law Number 3 of 2020 concerning Amendments to Law Number 4 of 2009 concerning Mineral and Coal Mining. Thus, environmental pollution and destruction are violations of other people's rights that have been regulated in Law Number 32 of 2009 concerning Environmental Protection and Management. Among them, Karawang Regency is an agricultural area that has the potential as an agricultural and plantation area, apart from agricultural potential, Karawang Regency also has the potential for mining.

The fact that I see that many mining businesses related to mining are carried out illegally (without permits). Mining that is carried out illegally has a great potential for pollution and environmental damage that results in the destruction of the future of the environment. This condition is the basis for consideration, the need for legal instruments that can provide affirmation for this type of activity, so that it is hoped that it can minimize the negative impact caused. The rule of law is an important thing that underlies all people's mining activities. If this mining is declared not illegal, the people of Tamansari Village, Pangkalan District will get facilities from the Government so that the people of Tamansari Village, Pangkalan District are not affected by the mining. Meanwhile, in reality, the people in Tamansari Village, Pangkalan District do not get any facilities.

² Salim Hs&Erles Septiana Nurbani, *Application of Law to Dissertation and Thesis Research*, PT Raja Grafindo Persada, Jakarta, 2014, p. 19.

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Miners who will carry out mining business in the context of mineral or coal business which includes the stages of general investigation activities, exploration, feasibility studies, construction, mining, management and refining, transportation and sales, and post-mining. Miners are required to have a Mining Business Permit (IUP), which is a permit to carry out a mining business. Every people's mining business in the People's Mining Area (WPR) can be carried out if it has obtained a People's Mining Permit (IPR). Meanwhile, community-owned mining in Tamansari Village, Pangkalan District does not yet have a permit for mining activities. In essence, a permit is a unilateral government legal action based on legitimate authority. If these standards have not been met, there will be a ban on all forms of activities until the permit is obtained. Permission is a decision from an official that has an individual, concrete, casual nature and once granted, it is completed.³

In the case that occurred in Tamansari Village, Pangkalan District, Karawang Regency, the Karawang Government Limestone Mining Case Allegedly Allowed Illegal Mining, Dedi Mulyadi Urges the Authorities to Take Strict Action on Illegal Mining in Tamansari Village, Pangkalan District, Karawang. Illegal mining in Karawang Regency has been going on for decades. One of the illegal mines was found by the Deputy Chairman of Commission IV of the House of Representatives of the Republic of Indonesia, Dedi Mulyadi, on January 16, 2022. During his visit to the location, Dedi Mulyadi found that the illegal mine used explosives. The use of explosives in this illegal mine raises serious concerns regarding the safety of the environment and the surrounding community. The explosives used are not only illegal, but also have the potential to cause widespread environmental damage and increase the risk of accidents that can endanger the lives of local residents. This further exacerbates the

³ Salim HS, *Loc. Cit.*

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situation as these illegal mines lack adequate supervision and violate various occupational safety and environmental regulations.

Based on the explanation of the background above, the author is interested in conducting research with the title "**LAW ENFORCEMENT EFFORTS ON LIMESTONE MINING ACTIVITIES IN TAMANSARI VILLAGE, PANGKALAN DISTRICT ARE LINKED TO LAW NUMBER 3 OF 2020 CONCERNING AMENDMENTS TO LAW NUMBER 4 OF 2009 CONCERNING MINERAL AND COAL MINING**"

2. Method

In this study, the author uses an empirical juridical approach. The reason the author uses this method is because the main data used is primary data, namely in the form of data obtained based on field studies and supporting data is secondary data, namely in the form of data obtained based on literature studies, laws and regulations, legal principles related to the issues that the author will discuss.

The specifications in this study are descriptive and explanatory. The reason for choosing this specification is to describe a situation behind a phenomenon systematically so that the reasons for the phenomenon occur by digging up data from correspondents at the time of research, then analyzing it to test a theory so that the data is in accordance with the final result.

3. Analysis or Discussion

3.1. Law enforcement efforts carried out by the Pangkalan Police in overcoming mining that does not have a permit in Tamansari Village, Pangkalan District

Limestone is a sedimentary rock composed of the mineral calcite (calcium carbonate). The main source of calcite is shell-producing organisms that originate

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from the sea, enter the water, and reach the seafloor as pelagic ozone. Limestone is also one of the natural resources needed by humans to support industrial activities, crafts, and building materials. Therefore, its sustainability must be maintained, especially from illegal mining and used in accordance with laws and regulations.

Mining business activities also recognize the existence of permits. The permit in question is in the form of mining power of attorney and contract. The definition of mining power of attorney is the authority, right and obligation to carry out activities in all or part of the mining business stages, so all activities that do not have a mining business license are considered illegal, where what is meant in this case is a mining business carried out by an individual, a group of people, or a legal entity foundation company whose operation does not have a permit from a government agency in accordance with applicable laws and regulations, This is as is currently rampant in Tamansari Village, Pangkalan District, Karawang.

In enforcing the law, there are 3 (three) elements that must always be considered, namely legal certainty (*Rechtssicherheit*), usefulness (*Zweckmassigkeit*), and justice (*Gerechtigkeit*).⁴ This means that all three must receive proportionately balanced attention in their handling, although in practice it is not always easy to do so. Law enforcement has a meaning, how the law must be implemented, so that in the enforcement of the law, the elements of legal certainty, usefulness, and justice must be considered. It can be concluded by the author that law enforcement is a process in an effort to function a legal rule which involves anyone who carries out or does not carry out something on the basis of applicable legal rules and government apparatus who have the authority to carry out coercive force as law enforcers to create,

⁴Imam Sukadi, *The Death of Law in the Law Enforcement Process in Indonesia*, Journal of Law Treatises, Volume 7 Number 1, 2011, p. 42.

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maintain, and maintain peace of life while still paying attention to the elements of legal certainty, utility, and justice.

Mining crimes without permits must also receive serious attention from policy makers, considering that every year the number of mining without permits is increasing. This was stated by the Deputy Head of Reskim regarding the rampant illegal mining in Tamansari Village. He said that "In 2014 the limestone mining in Tamansari Village was officially closed by the Deputy Governor of West Java when it was still led by Deddy Mizwar. Mining in Tamansari Village does not have an official permit from the government, the provincial government has also decided to request the cessation of all mining activities in the area until an official permit is issued. For police efforts, the efforts made by the police are often opposed by the miners and the local community, not only fighting with the police, workers also defend because according to him the limestone mining is private property. In 2014, the people of Tamansari Village also took action to reject the mine. The people of Tamansari Village want the mine to keep going, no matter how the community mine must exist because their only life is mined in this limestone".

In tackling law enforcement on illegal mining activities in Tamansari Village, Pangkalan District, it is carried out in an integrated manner by the Police. There are several obstacles faced in the context of law enforcement against these illegal miners, including:

1. The lack of awareness from limestone miners in carrying out permits is due to the low knowledge of miners, which causes the socialization carried out by the Police to not be maximized so that it becomes meaningless. In addition, there are obstacles from the Regional Government, namely in the form of a lack of understanding and socialization of regulations between government agencies,

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which causes overlapping permits in granting permits to carry out mining activities.

2. The miners put up resistance to the police and obstructed the efforts made by the police. Miners also use other ways to hide their mining activities, making the law enforcement process more difficult and dangerous.
3. The surrounding community does not understand the dangers and negative impacts of illegal mining, as well as applicable laws and regulations.
4. It is difficult for people to leave limestone mining activities without any alternative livelihood other than limestone mining, one of the factors is the influence and economic pressure.

The sanctions given to miners are administrative sanctions in the form of written warnings and termination of mining activities. The low knowledge of miners about the importance of a license and the level of education is still low and there is no desire to take care of permits, making it difficult for local governments to provide criminal sanctions in accordance with applicable regulations. This can result in social turmoil in the community such as protests or demonstrations by miners who do not accept mining business which is their livelihood in meeting their daily needs.

Public understanding of the dangers and negative impacts of illegal mining is essential. Without this knowledge, people tend to support or even engage in illegal activities. Although public understanding is important, it cannot be used as the main reason for obstacles in law enforcement. Law enforcement should continue to run with or without full support from the community, even if that support is very helpful.

The economic dependence of the community on limestone mining activities is indeed a complex problem. Without alternative livelihoods, it is difficult for people to

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abandon illegal mining. There is a need for government programs that offer alternative economic solutions. However, economic dependence cannot be used as an excuse to violate the law. Local and central governments should be more proactive in providing other economic opportunities, but communities should also try to find alternatives and not rely entirely on one type of illegal work. Overall, the obstacles faced in law enforcement show the need for a more comprehensive approach, involving education, more effective socialization, and economic empowerment programs for the surrounding community.

3.2. The Impact of Air Pollution in Tamansari Village, Pangkalan District as a Result of Limestone Mining According to Law Number 3 of 2020 concerning Amendments to Law Number 4 of 2009 concerning Mineral and Coal Mining

Law Number 3 of 2020 regulates mineral and coal mining activities which include aspects of exploration, exploitation, processing, and refining. The law aims to ensure that mining activities are carried out in a responsible and sustainable manner, as well as minimize negative impacts on the environment and public health. Tamansari Village is a very famous village as a limestone processing center in Karawang City. The atmosphere of the roads in Tamansari Village is often dusty, filled with thick black smoke that comes from the limestone burning process. This condition not only affects air quality, but also makes travel less comfortable. In addition, many large trucks pass by on the road of Tamansari Village to transport limestone from the mining site to the limestone burning processing site. These trucks operate most of the day and night, creating noise that disturbs the tranquility of the villagers. The heavy load carried by these trucks also causes the road to be quickly damaged and potholes, thus adding to the difficulty for other vehicles passing by.

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Mining activities often raise various problems, especially environmental destruction. Environmental destruction is the impact of mining activities. Environmental damage can also result in a decrease in the carrying capacity and carrying capacity of the surrounding environment. Things that need attention, especially related to illegal limestone mining owned by the people, are not only related to environmental affairs, but also stomach problems. Namely how these activities can be productive, supporting families and the wider community.

The author managed to obtain information from the Karawang Regency Environment Office (interview, on August 12, 2024) he said that "Actually, the impact of burning limestone produces gas emissions, for example carbon dioxide (CO₂) and nitrogen oxides (Nox) which cause climate change and also cause soil erosion from mining activities, but the people in Tamansari Village are not bothered by it at all because it is mining and Limestone burning has existed since ancient times. Regarding the health impact, namely health problems resulting from limestone burning, because the burning of limestone itself can cause health problems, including heart disease, cancer, and lung disease, but so far no community has complained about its health, perhaps because the local community is used to it. Incidentally, DLHK has also collaborated with the Health Center in Tamansari Village."

There are several steps taken by the Karawang Regency Environment Agency to reduce the public health impact of air pollution in Tamansari Village as a result of mining and limestone burning, which are as follows:

1. Air Quality Monitoring, this monitoring is carried out routinely on air quality to identify air pollution levels;

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2. Providing education to the public about environmentally friendly practices and the importance of pollution control;
3. Environmental Rehabilitation Carries out environmental rehabilitation efforts, such as re-understanding of vegetation and waste treatment.
4. The Public Health Program, provides health services to monitor and address health problems related to air pollution.

From the above recognition, it is very clear that although the environmental and health impacts of limestone mining and burning activities in Tamansari Village do exist, the local community does not seem to have experienced significant disturbances. This may be due to the habits of the community since the time of the ancestors.

The limestone mining in Tamansari Village is adjacent to Perhutani's land, which is a protected forest area. In the Perhutani land, there are natural habitats for various wildlife, including monkey herds that make this forest their home. Intensive mining activities around this area not only disturb the tranquility of the apes, but also threaten the sustainability of their habitat. Forest damage due to mining activities can cause macaques to lose their homes and food sources. As a result, the apes may begin to look for food and shelter around populated settlements, which can lead to conflicts between wildlife and humans. In addition, changes in the forest ecosystem can also have an impact on other biodiversity in Perhutani land. Basically, every mining activity will have positive and negative effects, both during and after the mining activity is completed. The positive impact of limestone mining is that it can be used as a source of livelihood for miners and expand employment without any conditions. While the negative impacts of limestone mining are as follows:

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1. The dust along the road in Tamansari Village has a negative impact on mining activities. In fact, quite thick dust sticks to the leaves of trees growing on the side of the highway. Likewise, the walls, glass and floors of residents' houses on the side of the highway are stuck with dust. Meanwhile, the appearance of thick black smoke occurs due to a considerable amount of limestone burning activities that use used materials. When the limestone burning activity is carried out simultaneously between one point and another, the use of roads in the area is disrupted. The visibility of road users, both those using motorcycles and cars, is limited due to the thick black smoke.
2. Road damage in Tamansari Village is caused by the traffic of heavy vehicles such as trucks transporting products from limestone mining.
3. Abandoned mining holes so that they can endanger the surrounding community if at any time the mining holes collapse or landslide.

Limestone mining activities in Tamansari Village are the main source of air pollution in the area. There are 2 (two) factors that cause air pollution, including:

1. Use of explosives

In the mining process, the use of explosives is one of the main causes of this mining. Explosives are used to blow up parts of limestone which then produce gravel particles. Then the particles are transported to the limestone incinerator, after which the limestone is burned for 3 (three) days using plastic waste, after the completion of burning then the limestone is put into sacks to be sold to large factories.

2. Limestone crushing and grinding process

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This process causes the release of a large amount of lime dust. This limestone dust comes from the burning of burnt limestone. These dust particles, when inhaled by humans, can cause respiratory distress, allergies, and other health problems. But according to local residents, from ancient times until now, no one has been affected by diseases as a result of the burning of limestone. With these factors, environmental protection and responsible management efforts are urgently needed to reduce these negative impacts and maintain public health and environmental sustainability in the area. Even so, the local community does not seem to be disturbed and continues to carry out activities. The local community also supports this limestone mining. Because since a few years ago the community has been forced to live their lives in the midst of such conditions and the local community has been very dependent on this limestone mining.

4. Conclusion

Based on the descriptions that have been put forward previously in relation to the subject matter at hand, it is concluded that:

1. Law enforcement efforts carried out by the Pangkalan Police in overcoming mining that does not have a permit in Tamansari Village, Pangkalan District are carried out by the Pangkalan Police with various efforts, including investigations, arrests, illegal mine closures, routine patrols, and counseling to the community. However, there are several obstacles faced, such as low awareness and knowledge of miners about licensing, resistance from miners, lack of public understanding of the negative impact of illegal mining, and the community's economic dependence on these activities. To address this problem, a more comprehensive approach is needed that includes education, socialization of laws and regulations, and the development of alternative

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economic programs for the community. While law enforcement must still be ongoing, these efforts need to be complemented by support from various parties, including local governments and communities, to create sustainable and equitable solutions.

2. The impact of the cause of air pollution in Tamansari Village, Pangkalan District is due to limestone mining according to Law Number 3 of 2020 concerning Amendments to Law Number 3 of 2020 concerning Mineral and Coal Mining. The impact of air pollution caused by limestone management in Tamansari Village is mainly the impact on the surrounding community, although the surrounding community is used to the activity, but on the other hand, many people complain about their health. To overcome the environmental impact caused by limestone mining in Tamansari Village, the authorities have made various environmental management efforts in accordance with the applicable laws and regulations. However, these efforts have not been fully implemented because existing regulations and regulations are often not obeyed by the local community. This non-compliance is largely caused by a lack of public awareness and understanding of the importance of protecting the environment. As a result, despite regulations designed to protect the environment, the negative impact of mining activities continues to be felt. For this reason, further efforts are needed, such as education and increasing public awareness, so that regulations can be enforced more effectively and the environment can be better protected

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