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ENERGY AND MINERAL RESOURCES

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DEPARTMENT OF ENERGY AND MINERAL RESOURCES

**DECREE OF THE MINISTER OF ENERGY AND MINERAL RESOURCES
NO. 1457 K/28/MEM/2000 ; DATED : NOVEMBER 3, 2000**

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**TECHNICAL GUIDANCE FOR ENVIRONMENTAL MANAGEMENT IN
THE MINING AND ENERGY SECTOR**

THE MINISTER OF ENERGY AND MINERAL RESOURCES,

Considering

- a. that in order to implement the provision in Article 6 of Government Regulation No. 25 of 2000 on the authority of the government and the authority of provinces as autonomous regions, technical guidance for environmental management in the mining and energy sector needs to be stipulated to ensure the environmentally friendly development in the mining and energy sector;
- b. that the technical guidance as meant in letter a can be used by regional legislative and executive boards for stipulating legislation on the environmental management in the mining and energy sector;

**Bearing
in mind**

- 1. Act No. 44 of 1960 on petroleum and natural gas mining (State Gazette of 1960 No. 133, Supplement to State Gazette No. 2070);
- 2. Act No. 11 of 1967 on mining principal provisions (State Gazette of 1967 No. 22, Supplement to State Gazette No. 2831);
- 3. Act No. 8 of 1971 on state-owned oil and gas mining company (State Gazette of 1971 No. 76, Supplement to State Gazette No. 2971);
- 4. Act No. 15 of 1985 on electricity (State Gazette of 1985 No. 74, Supplement to State Gazette No. 3317);
- 5. Act No. 24 of 1992 on lay out (State Gazette of 1992 No. 115, Supplement to State Gazette No. 3502);
- 6. Act No. 23 of 1997 on the environmental management (State Gazette of 1997 No. 68, Supplement to State Gazette No. 3699);
- 7. Act No. 22 of 1999 on regional administration (State Gazette of 1999 No. 60, Supplement to State Gazette No. 3848);

8. Government Regulation No. 32 of 1969 on the implementation of Act No. 11 of 1967 concerning mining principal provisions (State Gazette of 1969 No. 60, Supplement to State Gazette No. 2916) as already amended by the amendment to Government Regulation No. 32 of 1969 (State Gazette of 1992 No. 129, Supplement to State Gazette No. 3510);
9. Government Regulation No. 19 of 1973 on the regulation and supervision over occupational safety in the mining sector (State Gazette of 1973 No. 25, Supplement to State Gazette No. 3003);
10. Government Regulation No. 27 of 1999 on the environmental impact analysis (State Gazette of 1999 No. 59, Supplement to State Gazette No. 3838);
11. Government Regulation No. 25 of 2000 on the authority of the government and the authority of provinces as autonomous regions (State Gazette of 2000 No. 54, Supplement to State Gazette No. 3952);
12. Presidential Decree No. 234/M/2000 dated August 23, 2000 on the establishment of the cabinet for the 2000 - 2004 period;
13. Decree of the Minister of Mines and Energy No. 1748 of 1992 dated December 31, 1992 on the organization and working arrangement of the Ministry of Mines and Energy and already amended by the Decree of the Minister of Mines and Energy No. 169 of 1998 dated February 17, 1998 on the organization and working arrangement of the Directorate General of Electricity and Energy Development;

H A S D E C I D E D :

To stipulate : THE DECREE OF THE MINISTER OF ENERGY AND MINERAL REOURCES ON TECHNICAL GUIDANCE FOR ENVIRONMENTAL MANAGEMENT IN THE MINING AND ENERGY SECTOR.

**CHAPTER I
GENERAL PROVISIONS
Article 1**

What is meant by this decree as :

1. The environmental management is an integrated effort to preserve functions of the environment covering policies on environmental arrangement, exploitation, development, conservation, restoration and control.
2. The environmental impact analysis is a study on considerable and important impacts of a planned business and/or activity on the environment needed for making a decision on the operation of the business and/or activity.
3. Environmental Management Efforts (UKL) and Environmental Monitoring Efforts (UPL) are a document not being a part of the environmental impact analysis and not evaluated by the appraisal commission.
4. Initiators are people or statutory bodies responsible for a plan for energy- and mineral resource - related business and/or activity which will be executed.

5. The appraisal commission is a commission having the task of evaluating documents of environmental impact analysis, namely, the central appraisal commission in the central government and regional appraisal commissions in regions.

**CHAPTER II
S C O P E
Article 2**

- (1) The environmental management in the mining and energy sector is done from the phase of planning, implementation up to the phase of monitoring and evaluation.
- (2) The mining and energy sector as meant in paragraph (1) includes activities in the general mining, petroleum and natural gas mining, electricity and geothermal as well as underground water fields.

**CHAPTER III
PLANNING PHASE
Article 3**

- (1) Every activity in the mining and energy sector is preceded by the formulation of an environmental study.
- (2) The environmental study as meant in paragraph (1) can be in the form of :
 - a. environmental impact analysis (Amdal) consisting of term of reference of environmental impact analysis (KA Amdal), environmental impact analysis (Andal), environmental management plan (RKL) and environmental monitoring plan (RPL).
 - b. environmental management efforts (UKL) and environmental monitoring efforts (UPL).

Article 4

- (1) The environmental impact analysis of activities having considerable and important impacts must be formulated in accordance with guidance for the formulation of environmental impact analysis as mentioned in Attachment I to this decree.
- (2) Documents of the environmental impact analysis are formulated by initiators and/or on the basis of assistance of consultants fulfilling the criteria as contained in the Attachment II to this decree.
- (3) Documents of the environmental impact analysis are given up to the appraisal commission to have their environmental feasibility examined in accordance with the guidance as mentioned in Attachment III to this decree.

Article 5

Activities not obliged to prepare the environmental impact analysis must formulate UKL and UPL in accordance with the guidance mentioned in Attachment IV to this decree.

Article 6

- (1) Mining and energy activities must be planned in accordance with lay-out plans of regions and/or lay out plans of areas.
- (2) The formulation of lay-out plans of regions and/or lay-out plans of areas considers criteria for lay-out and protected areas of mining and energy aspects.
- (3) The criteria for lay - out and protected areas of mining and energy aspects are as contained in Attachment V to this decree.

**CHAPTER IV
IMPLEMENTATION PHASE
Article 7**

- (1) In the case of the implementation of RKL and RPL being not suitable in the field, initiator can submit revision for RKL and RPL.
- (2) The RKL and RPL as meant in paragraph (1) are revised in accordance with the guidance mentioned in Attachment IV to this decree.

**CHAPTER V
MONITORING AND EVALUATION PHASES
Article 8**

- (1) Initiators of activities are obligated to formulate and convey reports on the implementation of RKL and RPL and/or UKL and UPL.
- (2) Reports on the environmental management or the implementation of RKL and RPL or UKL and UPL are formulated in accordance with the format of the report mentioned in Attachment VII to this decree.

**CHAPTER VI
CONCLUSION
Article 9**

Policies in the form of the regulation of authority and other guidances deemed necessary and not yet included in this technical guidance are to be regulated and stipulated later.

Article 10

This decree comes into force as from the date of stipulation.

Stipulated at J a k a r t a
On November 3, 2000

THE MINISTER OF ENERGY AND MINERAL RESOURCES
signed
PURNOMO YUSGIANTORO

Editor's note :
The attachments are not obtained.

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