

## WATER POLLUTION CONTROL SYSTEM

(Regulation of the State Minister of Living Environment Number 01 Year 2010,  
dated January 14, 2010)

**STATE MINISTER OF LIVING ENVIRONMENT,**

Regulation of the State Minister of Living Environment concerning Water Pollution Control System;

**Considering:**

- a. that water is one the natural reresource that has very important function to living and to human life as well as to other living creature, so that its quality must be maintained in the interest of the present generation and the generation to come as well as for balanced ecosystem;
- b. that to maintain water quality for the purpose of fulfilling the need of the present generation and the generation to come, it is necessary to to endeavor water pollution control and water quality management;
- c. that based on the provision in Article 9 of Government Regulation Number 38 Year 2007 concerning Distribution of Administration Affairs between the Government, Regional Government of Province, and Regional Government of Regency/ Municipality, obligatory administration referred to in water pollution control must be must implemented according to the norms, standard, procedure, and criteria stipulated by the Minister implementing administration affairs in the protection and management of living environment;
- d. that based on the consideration referred to in letters a, b and c, it is necessary to stipulate

**In view of:**

1. Law Number 7 Year 2004 (BN No. 7077 pages 16A-32A and so forth) concerning Water Resources (Statute Book of the Republic of Indonesia Year 2004 Number 32, Supplement to Statute Book of the Republic of Indonesia Number 4377);
2. Law Number 32 Year 2004 (BN No. 7183 pages 1A-11A and so forth) concerning Regional Government (Statute Book of the Republic of Indonesia Year 2004 Number 125, Supplement to Statute Book of the Republic of Indonesia Number 4437) as amended several times and lately amended by Law Number 12 Year 2008 (BN No. 7676 pages 26A-32A and so forth) (Statute Book of the Republic of Indonesia Year 2008 Number 59, Supplement to Statute Book of the Republic of Indonesia Number 4844);
3. Law Number 26 Year 2007 (BN No. 7599 pages 10A-30A and so forth) concerning Space Layout (Statute Book of the Republic of Indonesia Year 2007 Number 68, Supplement to Statute Book of the Republic of Indonesia Number 4725);
4. Law.....

4. Law Number 32 Year 2009 (*BN No. 7933 pages 11A-27A and so forth*) concerning Environmental Protection and Management (Statute Book of the Republic of Indonesia Year 2009 Number 140, Supplement to Statute Book of the Republic of Indonesia Number 5059);
5. Government Regulation Number 82 Year 2001 concerning Water Quality Management and Water Pollution Control (Statute Book of the Republic of Indonesia Year 2001 Number 153, Supplement to Statute Book of the Republic of Indonesia Number 4161);
6. Government Regulation Number 38 Year 2007 concerning Distribution of Administration Affairs between the Government, Regional Administration of Province and Regional Administration of Regency/Municipality (Statute Book of the Republic of Indonesia Year 2007 Number 82, Supplement to Statute Book of the Republic of Indonesia Number 4737);
7. Government Regulation Number 42 Year 2008 (*BN No. 7863 pages 16A-33A and so forth*) concerning Water Reresource (Statute Book of the Republic of Indonesia Year 2008 Number 82, Supplement to Statute Book of the Republic of Indonesia Number 4858);
8. Presidential Regulation Number 9 Year 2005 (*BN No. 7184 pages 2A-23A and so forth*) concerning Capacity, Duty, Function, Organizational Structure and Work Procedure of State Ministry

of Republic of Indonesia as amended several times and lately amended by Presidential Regulation Number 20 Year 2008;

#### DECIDES:

To stipulate:

**REGULATION OF THE STATE MINISTER OF LIVING ENVIRONMENT ON WATER POLLUTION CONTROL SYSTEM**

#### CHAPTER I

#### GENERAL PROVISION

#### Article 1

What is meant in this Regulation of the Minister by:

1. Water shall be all water existing on the soil and soil subsurface, except for sea water and fossil water.
2. Water reresource shall be water media existing on the soil and soil subsurface, including in the perception of aquifer, water spring, river, marsh, lake, water reservoir, dam, and estuary.
3. Water resource cross regency/municipality shall be water resource crossing one of the regency/municipality and/or located at the border of regency/municipality in one province.
4. Water resource cross province shall be water resource crossing more than one provinces and/or located at the border of inter-provinces.
5. Water resource cross country shall be water resource crossing and/or bordering other country.

6. Water quality shall be condition of water quality measured and/or tested based on certain parameters and certain methods based on the statutory regulation.
7. Target of water quality shall be water quality planned to be achieved within a certain period of time through implementation of work program in the context of water pollution control.
8. Standard Water Quality shall be measurement limit or content of living creature, substance, energy, or component existing or must exist and/or polluting element which existence in the water is under consideration.
9. Status of water quality shall be level of water condition indicating pollution or good condition either in any water resource in a certain period by comparing the standard of water quality or the grade of water specified.
10. Trophical status shall be condition of lake and dam water quality classified based on the status of eutrophication process caused by existence of increased nutritious element in the water.
11. Water pollution shall be incoming or outgoing living creature, substance, energy, and/or other components into the water by human activities so as to exceed the specified standard of waste water quality.
12. Inventory of resource of water pollution shall be tracking, data collecting and recording activities on all activities that potentially cause waste water entering into the water resource.
13. Identification of pollution in water resource shall be study, determination activities and/or characteristics of impact of the respective pollution to water resource resulting from inventory activity.
14. Water pollution cost shall be the volume of any polluting element contained in the water or waste water.
15. Accomodating power of water pollution load shall be water capability of the water resource to accommodate incoming pollution load without causing the water to be polluted.
16. Waste water shall be the remnants from business products and/or activities in liquid form.
17. Standard water quality shall be limit of measurement or pollutant content input into the water media under consideration.
18. Management of water quality shall be effort of water maintenance so as to achieve the desired water quality according to its allocation in order to guarantee the water quality in its natural condition.
19. Water pollution control shall be effort to prevent and control water pollution and water quality recovery in order to guarantee water quality according to the standard water quality.
20. Utilization of waste water for soil application shall be utilization of waste water from any type

of business and/or activity, which at a certain condition still contain elements that may be utilized, as substitute to fertilizer and soil sprinkling on plants cultivated soil.

21. Analysis of living environmental impact, hereinafter referred to as Amdal, shall be study on important impact of any business and/or activity planned on the living environment required for making decision process in carrying out business and/or activity.
22. Effort of living environmental management and effort of living environmental monitoring, hereinafter referred to as UKL-UPL, shall be management and monitoring of living environment required for making decision process on carrying out business and/or activity.
23. Regional administration shall be implementation of administration affairs by regional government and the DPRD based on autonomy and duty in providing assistance with extensive autonomous principles in the system and principle of the Unitary State of the Republic Indonesia as referred to in the 1945 Constitution of the State of the Republic of Indonesia.
24. Regional government shall be the Governor, Regent, or Mayor, and the regional instruments as operating elements of regional administration.
25. Minister shall be ministr exercising administration affairs in the protection and management of the living environment.

## Article 2

This Regulation of the Minister is meant to provide guideline for the Government and regional administration in exercising water pollution control.

## Article 3

The scope governed in this Regulation of the Minister covers:

- a. inventory and identification of water pollution resource;
- b. determination of accommodating power of water pollution load;
- c. determination of standard waste water quality;
- d. determination of water pollution control policy;
- e. permits;
- f. water quality monitoring;
- g. management and supervision; and
- h. provision of information.

## CHAPTER II

### INVENTORY AND IDENTIFICATION OF WATER POLLUTION RESOURCE

## Article 4

- (1) The Regent/Mayor shall conduct inventory on water pollution resource based on regency/municipality scale.
- (2) Based on the result of inventory referred to in paragraph (1), the Regent/Mayor shall conduct water pollution resource identification.

**(3) The Regent/Mayor shall submit the result of inventory and identification referred to in paragraph (2) to the Governor with copy to the Minister at least once a year.**

#### **Article 5**

- (1) Based on the result of inventory and identification referred to in Article 4 paragraph (3), the Governor shall prepare recapitulation and analysis on the resource of water pollution.**
- (2) The Governor shall submit the result of recapitulation and analysis referred to in paragraph (1) to the Minister at least once a year.**

#### **Article 6**

**The Minister, Governor, or Regent/Mayor based on their respective authority shall up-date the data resulting from the inventory, identification, recapitulation and analysis of the resource of water pollution as referred to in Article 4 and Article 5 at least once a year.**

#### **Article 7**

**The inventory, identification, recapitulation, and analysis on the resource of water pollution referred to in Article 4 and Article 5 shall be conducted based on the guideline for inventory and identification on the resource of water pollution as specified in Attachment I that constitutes inseparable part of this Regulation of the Minister..**

### **CHAPTER III**

#### **DETERMINATION OF ACCOMMODATING POWER FOR WATER POLLUTION LOAD**

##### **Article 8**

- (1) The accommodating power for water pollution load in water resource shall be stipulated by:**
- a. the Minister for river, estuary, lake, dam, and/or water reservoir crossing province and/or crossing country;**
  - b. the Governor for river, estuary, lake, dam, and/or water reservoir crossing regency/municipality; and**
  - c. the Regent/Mayor for river, estuary, lake, dam, and/or water reservoir existing within regency/municipality area.**
- (2) Determination of accommodating power for water pollution load referred to in paragraph (1) must take into account:**
- a. the condition of hydrology and morphology of water resource including the status of quality and/or status of water resource trophic determined by the accommodating power of its pollution;**
  - b. the standard water quality for river and estuary;**
  - c. the standard water quality and criteria of the status of water trophic for water reservoir, lake and dam; and**
  - d. the pollution load of the respective resource of water pollution.**

**(3) Determination.....**

(3) Determination of accommodating power for water pollution load referred to in paragraph (1) must indicate the volume of contributed water pollution load from the respective resource of water pollution against the water resource.

(4) Determination of accommodating power for water pollution load referred to in paragraph (1) shall be made in accordance with the statutory regulation.

#### Article 9

(1) The Minister, Governor, or Regent/Mayor based on their respective authority shall decide priority on the water resource to be decided as accommodating power for water pollution load.

(2) The decision on the water resource priority to be determined as accommodating power for water pollution load referred to in paragraph (1) shall be based on:

- a. the status of water quality and/or status of water trophic;
- b. resource of pollution from the result of inventory and identification in water resource referred to in Article 4 and Article 5; and/or
- c. utilization of standard water for potable water.

#### Article 10

(1) Determination of accommodating power for water pollution load in water resource referred

to in Article 8 paragraph (1) letter a shall be used as the basis for:

- a. decision of location permit for business and/or activity by the Regent/Mayor;
- b. decision for environmental permit relating to waste discharge to water resource by the Regent/Mayor;
- c. decision for standard waste water quality by the Minister and/or regional administration of Province;
- d. decision for national policy in controlling water pollution;
- e. structuring Space Layout Program of the Region; and
- f. decision on the target of water quality.

(2) The decision for accommodating power for water pollution load in water resource referred to in Article 8 paragraph (1) letter b shall be used as the basis for:

- a. decision of location permit for business and/or activity by the Regent/Mayor;
- b. decision for environmental permit relating to discharge of waste water to water resource by the Regent/Mayor;
- c. decision for standard water quality by regional administration of Province;
- d. decision of provincial policy in controlling water pollution;
- e. structuring space layout program of the region; and
- f. decision of the target of water quality.

**(3) Decision on accommodating power for water pollution load in water resource referred to in Article 8 paragraph (1) letter c shall be used as the basis for:**

- a. decision for location permit for business and/or activity by the Regent/Mayor;**
- b. decision for environmental permit relating to discharge of waste water to water resource by the Regent/Mayor;**
- c. decision for regency/municipality policy in water pollution control;**
- d. structuring space layout program of region;**  
**and**
- e. decision of the target of water quality.**

**Article 11**

- (1) If the result of analysis on decision of accommodating power for water pollution load indicates that application of stipulated standard waste water quality still fulfill the accommodating power for water pollution load, the Regent/Mayor may use standard waste water quality as requirement for waste water quality in the environmental permit relating to discharge of waste water into the water resource.**
- (2) If the result of analysis of the decision on accommodating power for pollution load indicates that application of specified standard waste water quality that causes the accommodating power exceeds the water pollution load, the**

**Regent/Mayor shall be obliged to determine waste water quality based on the result of decision of accommodating power for pollution load as requirement for waste water quality in the environmental permit relating to discharge of waste water to water resource.**

**Article 12**

**The Regent/Mayor shall be obliged to reject application for location permit submitted by the person in charge of business and/or activity if based on the result of analysis on decision of accommodating power of water pollution load indicates that the business and/or activity location plan submitted is a factor that causes the accommodating power exceeds the water pollution load.**

**Article 13**

**Decision for location permit, environmental permit relating to discharge of waste water load to the water resource, and the policy on water pollution control policy referred to in Article 10 paragraph (1) letters a, b, and c, paragraph (2) letters a, b, and d, and paragraph (3) letters a, b, d, shall be implemented in accordance with the guideline for application of accommodating power for water pollution load as specified in Attachment II that constitutes inseparable part of this Regulation of the Minister.**

#### Article 14

- (1) Decision on accommodating power of water pollution load referred to in Article 8 paragraph (1) shall be made periodically at least once in five (5) years.
- (2) Decision on accommodating power for water pollution load in water resource referred to in paragraph (1) must be made to adjust with the change to:
  - a. the condition of hydrology and morphology of water resource; and
  - b. the volume of load and type of water pollution resource.

#### Article 15

- (1) The Governor shall report the result of decision on accommodating power for pollution load to the Minister.
- (2) The Regent/Mayor shall report the result of decision on accommodating power for pollution load to the Governor with copy to the Minister.

#### CHAPTER IV

##### DECISION ON STANDARD WASTE WATER

#### Article 16

- (1) Regional administration of Province may decide:
  - a. standard waste water quality for business and/or activity with the same provision or stricter provision from the standard waste water quality stipulated by the Minister, and/or

b. addition to the parameter other than the parameter of standard water quality stipulated by the Minister with approval of the Minister;

- (2) The Governor shall submit proposal for additional parameter referred to in paragraph (1) letter b to the Minister supported by the result of study.
- (3) The Minister may approve or reject the application referred to in paragraph (1) letter b within 90 (ninety) working days as of receipt of the application with due observance of the suggestion and consideration of the relevant technical agency.
- (4) If within the period referred to in paragraph (3) the Minister fails to make decision on the application referred to in paragraph (1) letter b, the application shall be deemed approved.
- (5) Rejection to the application referred to in paragraph (3) must be supported by reason for rejection.
- (6) The decision for standard waste water quality and/or addition to parameter referred to in paragraph (1) shall be made in accordance with the guideline in the stipulated standard waste water quality as specified in Attachment III that constitutes inseparable part of this Regulation of the Minister.

#### CHAPTER V

##### DECISION ON GUIDELINE FOR WATER POLLUTION CONTROL

#### Article 17

- (1) The Minister shall stipulate guideline for water pollution control nationwide based on:
  - a. recapitulation.....



- a. recapitulation and analysis on the result of inventory and identification referred to in Article 5 paragraph (2);
- b. accommodating power for pollution load referred to in Article 8 paragraph (1) letter a; and
- c. target of water pollution.

(2) The policy referred to in paragraph (1) shall be governed in Regulation of the Minister.

**Article 18**

(1) The Governor shall decide policy for water pollution control provincial level based on:

- a. recapitulation and analysis on the result of inventory and identification referred to in Article 5 paragraph (1);
- b. accommodating power for pollution load referred to in Article 8 paragraph (1) letter b; and
- c. target of water quality

(2) The policy referred to in paragraph (1) shall be governed in Regulation of the Governor.

**Article 19**

(1) The Regent/Mayor shall decide policy on water pollution control based on:

- a. the result of inventory and identification referred to in Article 4 paragraph (3);
- b. accommodating power of pollution load referred to in Article 8 paragraph (1) letter c; and
- c. target of water quality.

(2) The policy referred to in paragraph (1) shall be governed in Regulation of the Regent/Mayor.

**Article 20**

Decision of policy on water pollution control referred to in Article 17, Article 18, and Article 19 shall be in accordance with the guideline on structuring policy for water pollution control as specified in Attachment IV that constitutes inseparable part of this Regulation of the Minister.

**Article 21**

(1) The policy on water pollution control referred to in Article 17, Article 18, and Article 19 shall constitute inseparable unit of policy for water quality control.

(2) The provision on policy for water quality management referred to in paragraph (1) shall be governed in Regulation of the Minister.

**CHAPTER VI**

**PERMITS**

**Part One**

**Environmental Permit Relating to Discharge of Waste Water to Water Resource**

**Paragraph 1**

**Licensing Requirements**

**Article 22**

(1) Environmental permit relating to discharge of waste water to water resource shall be given in phases:

**a. submission.....**

- a. submission of application for permit;
- b. analysis and evaluation of the application for permit; and
- c. decision of permit.

(2) Submission of application for permit referred to in paragraph (1) letter a must comply with the requirements below:

- a. administration; and
- b. technical.

**Article 23**

(1) The administration requirement referred to in Article 22 paragraph (2) letter a shall consists of:

- a. questionnaire form of application for permit;
- b. permit relating to business and/or activity; and
- c. documents relating to Amdal, UKL-UPL, or other documents equivalent to the document concerned.

(2) The technical requirement referred to in Article 22 paragraph (2) letter b shall consist of:

- a. effort of prevention of pollution, minimizing waste water, and efficient use of energy and resources that must be endeavored by the person in charge of business relating to waste water management; and
- b. study of waste water discharge impact on fish, animal and plants cultivation, and soil and water quality, and health of the community.

(3) The application form referred to in paragraph (1) letter a shall at least contain the information on:

- a. identity of the applicant for permit;
- b. scope of waste water;
- c. source and characteristics of the waste water;
- d. system for waste water management;
- e. volume, and quality of waste water;
- f. location of point of layout and discharge of waste water;
- g. type and capacity of product;
- h. type and volume of standard material used;
- i. result of monitoring of quality of water resource; and
- j. treatment of facilities and procedure for control of emergency situation.

(5) The study on impact from waste water discharge referred to in paragraph (3) letter b may use the Amdal or UKL-UPL document if such document contains the complete study on impact of waste water discharge.

**Article 24**

(1) The Regent/Mayor shall stipulate requirements and procedure for permits on environment relating to discharge of waste water into the water resource.

(2) The requirements and procedure for permits on environment relating to discharge of waste

water to water resource referred to in paragraph (1) shall be governed in Regulation of the Regent/Mayor.

(3) Regulation of the Regent/Mayor referred to in paragraph (2) shall at least contain:

- a. appointment of agency in charge of permits processing;
- b. requirements for permits;
- c. procedure for permits;
- d. validity of the permit; and
- e. expiry of the permit.

(4) Validity of the permit referred to in paragraph (3) letter d shall be five (5) years and is renewable.

(5) Expiry of the permit referred to in paragraph (3) letter e is caused by:

- a. expiry of the validity of the permit;
- b. revocation of the permit; or
- c. cancellation of the permit.

(6) The permit referred to in paragraph (5) letter b shall be revoked according to the procedure for charge of administrative penalty as governed in the statutory regulation concerning Administrative Penalty.

(7) Regulation of the Regent/Mayor referred to in paragraph (2) shall be structured in accordance with the guideline and procedure for permits as specified in Attachment V that constitutes inseparable part of this Regulation of the Minister.

## Part Two

### Environmental Permit Relating to Utilization of Waste Water into the Soil for Soil Application

#### Paragraph 1

#### Requirements for Permits

#### Article 25

(1) Environmental permit relating to utilization of waste water into the soil for soil application shall be made in phases:

- a. submission of application for permit;
- b. analysis and evaluation of application of permit; and
- c. decision of permit.

(2) Submission of application for permit referred to in paragraph (1) letter a must comply with the requirements below:

- a. administrative matter; and
- b. technical matter.

#### Article 26

(1) The administrative matter referred to in Article 25 paragraph (2) letter a consists of:

- a. questionnaire form of application for permits;
- b. other permits relating to business and/or activity; and
- c. Amdai, UKL-UPL documents or other document equivalent to such document.

(2) The technical requirement referred to in Article 25 paragraph (2) letter b is in the form of study on utilization of waste water on the soil which at least shall contain information on:

a. study.....

- a. study on utilization of waste water to the soil for soil application for cultivation of fish, animal, and plants, soil quality and soil water, and health of the community;
  - b. study on potential impact from utilization of waste water to the soil for soil application for the purpose of fish, animal and plants cultivation, soil quality and soil water, and health of the community; and
  - c. effort for prevention of pollution, minimizing waste water, efficient use of energy and resources conducted by business and/or activity relating to waste water management including recovery program in the occurrence of pollution.
- (3) Questionnaire form for application for permits referred to in paragraph (1) letter a shall at least contain information on:
- a. identity of the applicant for permit;
  - b. type and capacity of real monthly production;
  - c. type and volume of standard material used;
  - d. result of water resource quality monitoring;
  - e. scope of waste water for which permit is requested;
  - f. resource and characteristic of waste water produced;
  - g. type and characteristic of waste water utilized;
  - h. waste water management system to fulfil waste water quality to be utilized;
  - i. volume and quality of waste water produced;
  - j. volume and quality of waste water utilized;
  - k. location, area land and type of land used for studying waste water utilization;
  - l. location, area of land and type of soil on the land used for waste water utilization; and
  - m. method and frequency of utilization at the utilization location;
  - n. type, location, point, time and parameter for monitoring;
  - o. treatment of facilities and procedure for control in case of emergency situation.
- (4) Study on impact of waste water utilization into the soil for soil application as referred to in paragraph (2) letter a may be taken from the Amdal or UKL-UPL document if the document completely contains study on impact of waste water utilization into the soil.

#### Article 27

Submission of application, analysis and evaluation and decision on environmental permit relating to utilization of waste water into the soil for soil application shall be conducted in accordance with the procedure for environmental permit relating to utilization of waste water to the soil for soil application as specified in Attachment V that constitutes inseparable part of this Regulation of the Minister.

### Article 28

**(1) The Regent/Mayor shall stipulated requirements and procedure for environmental permits relating to utilization of waste water to the soil for soil application with due observance of the provision governed in this Regulation of the Minister.**

**(2) The requirements and procedure for environmental permits relating to utilization of waste water into the soil for soil application as referred to in paragraph (1) shall be governed in Regulation of the Regent/Mayor.**

**(3) Regulation of the Regent/Mayor referred to in paragraph (2) shall at least contain:**

- a. appointment of agency responsible for permits processing;
- b. requirements for permits;
- c. procedure for permits;
- d. obligation of the person in charge of the business and/or activity in the utilization of waste water into the soil for soil application shall at least contain:
  1. compliance with the technical requirement stipulated in the permit for utilization of waste water into the soil and for soil application including requirement for waste water quality being utilized;
  2. preparation of monitoring well;
  3. submission of the result of monitoring of waste water, soil water, soil, plants, fish, animal and health of the community;

**4. submission of information containing:**

- a) method and frequency of monitoring;
- b) location and/or point of monitoring;
- c) methode and frequency of monitoring;
- and
- d) location and type of soil being utilized.

**5. submission of report on the result of monitoring to the Regent/Mayor at least once in six (6) months with copy to the Governor and Minister.**

**e. prohibition to the person in charge of the business and/or activity from utilizing waste water into the soil for soil application such as:**

1. utilization of waste water to the soil for soil application in topsoil land;
2. utilization of waste water into the soil for soil application on land which permeability is greater than 15 cm/hour;
3. utilization of waste water into the soil on land which permeability is less than 1,5 cm/hour;
4. utilization of waste water into the soil for soil application on land with a depth of soil water is less than 2 meters;
5. let run off water (run off) flow into the river;
6. dilute waste water being utilized;
7. discharge waste water into the soil offsite the location specified for utilization;

8. discharge waste water to the river which waste water exceeds the standard quality of waste water in accordance with the provisions in the statutory regulation; and
9. other prohibitions shall be according to the need of the respective region concerned.

- f. validity of the permit; and
- g. expiry of the permit.

(4) Regulation of the Regent/Mayor referred to in paragraph (2) shall be structured in accordance with the guideline and procedure for permits for utilization of waste water into the soil for soil application as specified in Attachment V to this Regulation of the Minister.

#### Article 29

Environmental permits relating to utilization of waste water into the soil for soil application shall be implemented in accordance with the guideline and procedure of the permits as specified in Attachment V.

#### Part Three

#### Public Information

#### Article 30

The Regent/Mayor shall be obliged to provide information to the community on:

- a. requirements and procedure for environmental permit relating to discharge of waste water to the water resource and permit for utilization of waste water into the soil for soil application; and
- b. status of application for permit.

#### CHAPTER VII

#### MONITORING WATER QUALITY

#### Article 31

- (1) Water quality in water resource spgs.I be monitored by:
  - a. the Minister for water resource cross province and/or cross country; and
  - b. the Regent/Mayor for water resource existing within regency/municipality region.
- (2) Monitoring water quality water resource existing within two (2) or more regency/municipality regions in one province spgs.I be coordinated by the Governor.
- (3) Water quality in water resource referred to in paragraphs (1) and (2) spgs.I be monitored at least once in six (6) months.
- (4) Provision on mechanism and procedure for monitoring water quality in water resource referred to in paragraphs (1) through (3) spgs.I be governed in Regulation of the Minister.

#### CHAPTER VIII

#### MANAGEMENT AND SUPERVISION

#### Part One

#### Management

#### Article 32

The Minister and/or Governor spgs.I exercise management upon the Regent/Mayor against any violation referred to below:

- a. environmental permits relating to discharge of waste water into the water resource; and/or
- b. environmental permits relating to utilization of waste water into the soil for soil application.

#### Article 33

- (1) The Minister, Governor, or Regent/Mayor according to their respective authority spgs.l manage to improve compliance of the person in charge of business and/or activity in the management of water quality and water pollution control.
- (2) The management referred to in paragraph (1) covers:
- a. provision of information on the statutory regulation relating to water quality management and water pollution control;
  - b. motivate effort in applying technology on waste water management;
  - c. motivate effort in minimizing waste for the purpose of efficiency in the use of resources;
  - d. motivate effort in utilizing waste water;
  - e. motivate effort in applying technology according to developing science and technology;
  - f. provision of training, formulate management forums dan/or technical consultation in controlling water pollution; and/or
  - g. application of incentive and/or disincentive policy.

(3) Application of policy on incentive referred to in paragraph (2) letter g, among other things, spgs.l cover:

- a. charge cheaper cost than the standard tariff for discharge of waste water;
- b. award appreciation; and/or
- c. announce the history of performance in running business and/or activity to the community.

(4) Application of policy on disincentive referred to in paragraph (2) letter g, among other things, spgs.l cover:

- a. charge higher cost than the standard tariff for discharge of waste water;
- b. increase frequency of self-monitoring; and/or
- c. announce the history of performance in running business and/or activity to the community.

#### Article 34

The Minister, Governor, or Regent/Mayor according to their respective authority spgs.l provide management for small-scale and medium-scale business and/or activity, among other things, by:

- a. developing integrated facilities and infrastructure for waste water management;
- b. providing assistance in the form of facilities and infrastructure in the context of application of minimizing waste water, waste utilization, and efficient use of resources;

- c. developing mechanism and sampling, and/or
- d. providing training, developing management forums, and/or technical consultation in water pollution control sector.

#### Article 35

The Minister, Governor, or Regent/Mayor according to their respective authority spgs.l manage control of waste water pollution originating from household such as by:

- a. developing facilities and infrastructure for waste water management;
- b. motivating the community to use septic tank in compliance with the requirements for sanitation;
- c. motivating the community self-support group in the management of waste water originating from households;
- d. establishing community self-support group (KSM) and/or cadres pf the community in managing waste water originating from houtholds;
- e. developing mechanism for sampling;
- f. providing information clarification and/or exercising campaign on waste water management originating from households; and/or
- g. providing training, formulating management forums and/or technical consultation in the control of water pollution originating from households in water resource.

#### Part Two

#### Supervision

#### Article 36

- (1) The Minister spgs.l exercise supervision on the arrangement of responsibility for the business

and/or activity over the statutory regulation on the management of water quality and control of water pollution and technical requirement for control of water pollution as set forth in the Amdal document that has been approved by the Minister.

- (2) The supervision referred to in paragraph (1) spgs.l be exercised by the supervisory official of living environment.

#### Article 37

- (1) The Governor spgs.l exercise supervision over:
- a. the arrangement for technical requirement for water pollution control as et forth in the Amdal or UKL-UPL document that has been approved or recommended by the Governor; and
  - b. the provision of environmental permit relating to discharge of waste water to water resource and environmental permit relating to utilization of waste water into the soil for soil application by Regent/Mayor.
- (2) The supervision referred to in paragraph (1) letter a spgs.l be exercised by supervisory official of living environment of provincial region.

#### Article 38

- (1) The Regent/Mayor spgs.l exercise supervision on arrangement of of the person in charge of business and/or activity on:
- a. the requirements set forth in environmental permit relating to discharge of waste water to water resource;



- b. the requirement set forth in the environmental permit relating to utilization of waste water into the soil for soil application; and
- c. the technical requirement for control of water pollution for business and/or activity set forth in the Amdal or UKL-UPL document that has been approved or recommended by the Regent/Mayor.

(2) The supervision referred to in paragraph (1) spgs.l be conducted by the supervisory official of living environment or regency/municipality region.

#### Article 39

- (1) The Minister, Governor, or Regent/Mayor according to their respective authority spgs.l decide the target and priority for the implementation of supervision referred to in Article 36 through Article 38.
- (2) The target and priority for implementation of supervision referred to in paragraph (1) constitute part of the policy for control of water pollution in water resource as referred to in Article 21 paragraph (1).
- (3) The target and priority for implementation of supervision referred to in paragraph (1) spgs.l be decided the same as the standard of minimum service in living environment of provincial region and regency/municipality region as governed in Regulation of the Minister.

#### Article 40

The supervision referred to in Article 36 through Article 39 spgs.l be conducted in accordance with the provision in the guideline for supervision of water pollution control as specified in Attachment VI constituting inseparable part of this Regulation of the Minister.

### CHAPTER IX

#### PROVISION OF INFORMATION

#### Article 41

- (1) The Minister, Governor or Regent/Mayor according to their respective authority spgs.l provide information in the form of publication to the community concerning management of water quality and control of water pollution.
- (2) The information referred to in paragraph (1) covers:
  - a. information on the source of pollutant based on the result of inventory; and
  - b. information on water resource containing, among other things,:
    - 1. maximum and minimum volume of water resource;
    - 2. class of the water, status of the water quality and/or status of water trophic, and accommodating power for water pollution load in water resource;
    - 3. target of water quality and activity as well as achievement of water pollution control program in water resource;

- c. environment permit relating to discharge of waste water and environmental permit relating to waste water utilization into the soil; and
- d. statutory regulation relating to management of water quality and control of water pollution.

(3) The Minister, Governor, or Regent/Mayor according to their respective authority spts.l update the information referred to in paragraph (1) at least once a year.

#### CHAPTER X

##### FINANCE

#### Article 42

- (1) Cost for implementation of water pollution control in water resource cross province and/or cross country border spts.l be charged to the State Budget and Expenditure (APBN).
- (2) Cost for implementation of water pollution control in water resource cross regency/municipality spts.l be charged to the Regional Budget and Expenditure (APBD) of province.
- (3) Cost for implementation of water pollution control in water resource existing in regency/municipality region spts.l be charged to Regional Budget and Expenditure (APBD) of regency/municipality.

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#### CHAPTER XI

##### CLOSING PROVISION

#### Article 43

By the time this Regulation of the Minister comes to force, Decision of the State Minister of Living Environment Number 111 Year 2003 concerning Guideline On Terms and Procedure for Permits and Guideline for Study on Discharge of Waste Water into the Water or Water Resource as amended by Decision of the State Minister of Living Environment Number 142 Year 2003 concerning Amendment to Decision of the State Minister of Living Environment Number 111 Year 2003 concerning Guideline on the Terms and Procedure for Permits and Guideline for Study of Discharge of Waste Water to Water or Water Resource, is revoked and hereby declared null and void.

#### Article 44

This Regulation of the Minister takes effect on the date it is stipulated.

Stipulated in Jakarta

On January 14, 2010

STATE MINISTER OF LIVING ENVIRONMENT,

sgd.

PROF. DR. IR. GUSTI MUHAMMAD HATTA, MS

—==( MA )==—