

REGULATION OF THE MUNICIPALITY OF BALIKPAPAN

NUMBER 13 OF 2015

ON

HOUSEHOLD WASTE AND HOUSEHOLD-LIKE WASTE MANAGEMENT

BY THE BLESSINGS OF ALMIGHTY GOD

THE MAYOR OF BALIKPAPAN,

- Considering:
- a. that Local Government is obligated to participate in protecting, preserving and fostering the safety of the earth, guarantee the right of every person to live in physical and spiritual prosperity, to have a place to live, and ensuring a good and healthy environment;
  - b. that waste has become a problem of the Municipality of Balikpapan, so that it requires comprehensive and integrated management from upstream to downstream in order to provide economic benefits, to promote community health, to ensure environmental safety, and to encourage behaviour changes in the community.
  - c. that Regional Regulation Number 10 of 2004 on Waste Management is no longer adequate for addressing the waste problem in the Municipality of Balikpapan;
  - d. that in waste management, legal certainty, clear delineation of responsibilities and authority of the government, local government, and the business world are needed to ensure that the waste is managed proportionally, effectively and efficiently;
  - e. that based on the considerations as referred to in point a, point b, point c, and point d, it is necessary to issue a Regional Regulation on Household Waste and Household-Like Waste Management;

- Observing:
1. Article 18 section (6) of the 1945 Constitution of the Republic of Indonesia;
  2. Law Number 27 of 1959 on the Enactment of Emergency Law Number 3 of 1953 on the Establishment of Level II Regions in Kalimantan (State Gazette of the Republic of Indonesia of 1953 Number 9) as Law (State Gazette of the Republic of Indonesia of 1959 Number 72, Supplement to the State Gazette of the Republic of Indonesia Number 1820);
  3. Law Number 23 of 2014 on Local Governments (State Gazette of the Republic of Indonesia of 2014 Number 244, Supplement to the State Gazette of the Republic of Indonesia Number 5587) as amended several times, last by Law Number 9 of 2015 on Second Amendment to Law Number 23 of 2014 on Local Governments (State Gazette of the Republic of Indonesia of 2015 Number 58, Supplement to the State Gazette of the Republic of Indonesia Number 5679);
  4. Law Number 18 of 2008 on Waste Management (State Gazette of the Republic of Indonesia of 2008 Number 69, Supplement to the State Gazette of the Republic of Indonesia Number 4851);

With the Joint Approval of  
THE REGIONAL HOUSE OF REPRESENTATIVES OF THE MUNICIPALITY  
OF BALIKPAPAN  
And  
THE MAYOR OF BALIKPAPAN

HAS DECIDED:

To Issue : REGIONAL REGULATION ON HOUSEHOLD WASTE AND  
HOUSEHOLD-LIKE WASTE MANAGEMENT.

CHAPTER I  
GENERAL PROVISIONS

Article 1

In this Regional Regulation:

1. Region means the Municipality of Balikpapan.
2. Local Government means the Mayor as an element of the Local Government administrator who leads the implementation of the government affairs which are the authority of the autonomous region of the Municipality of Balikpapan.
3. Mayor means the Mayor of Balikpapan.
4. Regional Apparatus Work Units (*Satuan Kerja Perangkat Daerah*), hereinafter abbreviated as SKPD, means Regional Apparatus Work Units having duties and functions for Waste Management.
5. Waste means the remains of daily human activities and/or natural processes in solid form.
6. Biodegradable waste means the waste originating from plants, animals, and/or their parts which can be decomposed by other living things and/or micro-organisms, for example, food scraps and litter.
7. Reusable waste means waste that can be reused without processing, including items such as cardboard, drink bottles, and cans.
8. Recyclable waste means waste that can be reused after processing, including cloth, plastic, paper and glass scraps.
9. Household waste means waste generated from daily activities in households, primarily consisting of organic waste, excluding feces and specific waste.
10. Household-Like Waste means waste which does not originate from households but comes from commercial areas, industrial areas, special areas, social facilities, public facilities, and/or other facilities.

11. Waste Management means a systematic, comprehensive, and sustainable activity which includes waste reduction and handling.
12. Temporary Shelter of Waste (*Tempat Penampungan Sementara*) hereinafter, abbreviated as TPS means a place where waste is temporarily stored before being transported to a recycling, processing, and/or integrated waste processing site.
13. Waste Transfer Station means a temporary waste collection point agreed upon by the community, used at specific times, and not equipped with building.
14. Waste Processing Sites following the 3R principles (reduce, reuse, recycle)/*Tempat Pengolahan Sampah dengan 3R*, hereinafter abbreviated as TPS 3R means a location where activities such as collection, sorting, reuse, recycling are carried out on a community scale.
15. Integrated Waste Processing Site (*Tempat Pengolahan Sampah Terpadu*), hereinafter, abbreviated as TPST, means a place where collection, sorting, reuse, recycling, processing and final processing activities are carried out.
16. Final Processing Site (*Tempat Pengolahan Akhir*), hereinafter abbreviated as TPA, means a place to process and return waste to the environment in a manner that is safe for humans and the environment.
17. Trash Bins means receptacles provided for the temporary storage of waste, intended for use by parcel users and the public.
18. Waste Transportation means the activity of transferring waste from TPS, Waste Transfer Station, and/or TPS 3R to TPST or TPA.
19. Recycling means the activity of waste utilization into useful items through a processing phase.
20. Composting means an activity of reusing organic waste through the process of decomposition.

21. Compost means the product of the partial/incomplete decomposition of a mixture of organic materials, a process that can be accelerated artificially by various microbial populations under warm, humid, and aerobic or anaerobic environments.
22. Waste Bank means a place for sorting and collecting recyclable and/or reusable waste that has economic value.
23. Incentives means efforts to positively motivate the community to comply with waste management regulations in order to further improve environmental preservation.
24. Disincentives means efforts to penalize individuals who violate waste management regulations, aiming to prevent and overcome environmental damage and pollution.
25. Self-help Houses means houses constructed through the initiatives and efforts of the community.
26. Commercial Settlement means a collection of houses developed with the aim of making a profit.
27. Commercial Area means an area where trade and/or service activities are concentrated and is equipped with supporting facilities and infrastructure.
28. Industrial Area means an area where industrial activities are concentrated and is equipped with supporting facilities and infrastructure.
29. Special Area means an area specifically utilized for national/national-scale interests, such as cultural heritage sites, national parks, strategic industrial development and high technology development.
30. Area Manager means an individual or business entity that manages commercial settlements, commercial areas, and industrial areas.
31. Person means individual, group of people, and/or a legal entity.

32. Business Actor means any person or business entity, whether in the form of a legal entity or not, established and domiciled or engaging in activities within the jurisdiction of the Republic of Indonesia, either independently or jointly through agreements to carry out business activities in various economic sectors.

## CHAPTER II SCOPE, PRINCIPLES, AND OBJECTIVES

### Article 2

The scope of Waste Management includes:

- a. Household Waste; and
- b. Household-Like Waste.

### Article 3

The Management of Household Waste and Household-Like Waste is carried out based on the following principles of:

- a. responsibility;
- b. sustainability;
- c. benefit;
- d. justice;
- e. awareness;
- f. togetherness;
- g. safety;
- h. security; and
- i. economic value.

### Article 4

The Management of Household Waste and Household-Like Waste aims to:

- a. create a healthy and clean environment;
- b. preserve the sustainability of environmental function and to improve public health;
- c. make Household Waste and Household-Like Waste a resource that has added value; and

- d. increase the active role of the community and business actors in managing Household Waste and Household-Like Waste in the Region.

### CHAPTER III WASTE MANAGEMENT

#### Part One Implementation

##### Article 5

The Management of Household Waste and Household-Like Waste is conducted as follows:

- a. waste reduction; and
- b. waste handling.

##### Article 6

(1) The waste reduction as referred to in Article 5 point a, is conducted through the following activities:

- a. limiting waste generation;
- b. recycling waste; and
- c. reusing waste.

(2) Every person and business actor must reduce the amount of waste as referred to in Article 5 by:

- a. using reusable materials, recyclable materials, and/or biodegradable materials, and/or
- b. collecting and returning waste from products and/or used packaging.

##### Article 7

Handling of Household Waste and Household-Like Waste as referred to in Article 5-point b includes:

- a. sorting in the forms of classifying and separating waste according to its type, quantity and/or characteristics;
- b. collection in the form of picking up and transferring waste from its sources to:

1. TPS;
  2. Waste Transfer Station; or
  3. TPS 3R;
- c. transportation in the form of carrying waste from TPS or from TPS 3R to TPST or TPA;
  - d. processing in the form of changing the characteristics, composition, and quantity of waste; and/or
  - e. final processing of waste in the form of safely returning waste and/or residues from previous processing to the environment.

#### Article 8

- (1) The sorting of Household Waste and Household-Like Waste, as referred to in Article 7 point a, is carried out by each person at the source.
- (2) The sorting as referred to in section (1) is carried out by classifying Waste into at least 5 (five) types which consist of:
  - a. waste that contains hazardous and toxic materials as well as hazardous and toxic waste;
  - b. biodegradable waste;
  - c. reusable waste;
  - d. recyclable waste; and
  - e. other types of waste.
- (3) The sorting of Waste as referred to in section (1) and section (2) must use facilities that meet the following requirements:
  - a. the number of facilities according to the types of waste classification as referred to in section (2);
  - b. provided with labels or signs; and
  - c. the material, shape, and color of receptacles.
- (4) Further provisions on the sorting of waste as referred to in section (2) are regulated in a Mayor Regulation.

Part Two  
Responsibility

Article 9

- (1) Waste collection and transportation are the responsibility of:
  - a. public, who can dispose of rubbish into TPS or Waste Transfer Stations;
  - b. waste management institutions, established by Neighborhood Units or by community groups themselves to collect waste at TPS, Waste Transfer Stations, and/or TPS 3R;
  - c. Local Government for the transportation of waste from TPS, Waste Transfer Stations, and/or residues from TPS 3R to TPST or TPA;
  - d. managers of commercial settlements, commercial areas, industrial areas and special areas for collecting waste from its sources to TPS and/or TPS 3R and transporting it from TPS and/or TPS 3R to TPST or TPA; and
  - e. Local Government for transporting waste from public and social facilities, from its sources and/or from TPS, Waste Transfer Stations, and/or from TPS 3R to TPST or TPA.
- (2) Waste from self-help houses, public facilities, social facilities and from other facilities is stored to TPS from 18.00 to 06.00 except for Sundays when no storage of waste is allowed.
- (3) Further provisions regarding the storage of waste from self-help houses, public facilities, social facilities and other facilities at the Waste Transfer Stations are regulated in a Mayor Regulation.
- (4) Waste transportation equipment must meet the requirements for safety, environmental health, comfort, and cleanliness.

- (5) Further provisions regarding the collection and transportation of waste as referred to in section (1) are regulated in a Mayor Regulation.

#### Article 10

- (1) The waste processing as referred to in Article 7 point d includes the following activities :
  - a. compressing;
  - b. composting;
  - c. material recycling; and/or
  - d. energy recycling.
- (2) Organic waste is processed into compost, animal feed, and/or recycled for energy.
- (3) Inorganic waste is processed by recovering materials for recycling/reuse through activities at the Waste Bank, TPS 3R, TPST and/or with the third party in partnership with the Local Government.
- (4) The waste processing as referred to in section (2) and section (3) is carried out by:
  - a. every person;
  - b. managers of commercial settlements, commercial areas, industrial areas, special areas, public facilities, social facilities, and other facilities;
  - c. Local Government; and
  - d. Business actors.

#### Article 11

- (1) The final processing of waste as referred to Article 7 point e, is carried out using:
  - a. sanitary landfill method; and/or
  - b. environmentally-friendly technology.
- (2) The final processing of waste as referred to in section (1) is carried out by SKPD.

Part Three  
Management Agencies

Article 12

Local Government facilitates the establishment of waste management agencies at the neighbourhood unit level, village, sub-district, commercial areas, industrial areas, special areas, public facilities, social facilities and other facilities and/or facilities which are managed by business Actors based on needs.

CHAPTER IV  
INCENTIVES AND DISINCENTIVES

Article 13

- (1) Local Government may provide incentives to agencies/institutions, business entities, community groups, or individuals who engage in the following activities:
  - a. implementing the best innovations in waste management;
  - b. reporting violations against waste management regulations;
  - c. reducing waste generation; and/or
  - d. handling waste regularly.
- (2) The incentives as referred to in section (1) may take the forms of:
  - a. rewards that are given by the Local Government, such as coaching programs, coaching funds and other rewards which aim to foster development;
  - b. facilities for waste management which are given and provided to every person or business entity that manages waste in accordance with the waste management stipulated in this Regional Regulation; and
  - c. reduction of local levies for a specific period of time.

- (3) Further provisions regarding the procedure of Incentives giving as referred to in section (3) are regulated in a Mayor Regulation.

#### Article 14

- (1) Disincentive applied to agencies or individuals may take the forms of:
  - a. termination of subsidies; and/or
  - b. fine in the form of money/goods/services.
- (2) Disincentives applied to business entities may take the forms of:
  - a. termination of subsidies;
  - b. cessation of regional levy reduction; and/or
  - c. fines in the form of money/goods/services.
- (3) Further provisions regarding the procedures for applying disincentives as referred to in section (1) and section (2) are regulated in a Mayor Regulation.

### CHAPTER V

#### COOPERATION AND PARTNERSHIPS

#### Article 15

- (1) Local Government may collaborate with other parties in waste management.
- (2) The collaboration between the Local Government and other parties as referred to in section (1) includes:
  - a. other Local Governments;
  - b. the Government of other countries collaborating through Government organizations and international institutions; and
  - c. private sectors.
- (3) The scope of collaboration as referred to in section (1) consists of:
  - a. the development of human resources and institutional capacity in waste management;

- b. provision/construction of TPS and/or TPS 3R, TPST or TPA along with their supporting facilities and infrastructure;
- c. management of TPST or TPA and management of other waste processing products; and
- d. the development of management technologies for waste that can be developed into renewable energy sources.

#### Article 16

- (1) Local Government may partner with business entities in waste management.
- (2) The scope of partnership as referred to in section (1) consists of:
  - a. collecting levies for waste/cleaning services;
  - b. waste management using the 3-R principles;
  - c. utilization of inorganic waste for creative industries; and
  - d. utilization of household organic waste for various types of other productive business.
- (3) In implementing the partnership as referred to in section (1), business entity of waste management is required to adhere to the provisions of legislation.

### CHAPTER VI

#### RIGHTS AND OBLIGATIONS

#### Article 17

Every person has the right to receive services in waste management from the Local Government or from other parties that are given responsibilities for:

- a. participating in the process of decision-making, implementation, and supervision in waste management;
- b. obtaining valid, accurate, and timely information regarding the implementation of waste management;

- c. receiving protection and compensation due to the negative impacts of final processing activities; and
- d. receiving guidance to be able to implement appropriate and environmentally sound waste management.

#### Article 18

- (1) Every person is obligated to reduce and manage waste in an environmentally sound manner.
- (2) Every person, whether from self-help households, commercial settlement areas, commercial areas, industrial areas, special areas, public facilities, social facilities, or other areas, is obligated to sort waste at its source and store it properly.
- (3) Managers of commercial settlement areas, commercial areas, industrial areas, and special areas are obligated to provide separate waste bins and transportation based on the types of waste to TPST or TPA.
- (4) Every Business Actor is obligated to manage the non-biodegradable packing and/ or products using reusable plastic bags, recyclable materials, and /or biodegradable materials.
- (5) Business Actors are obligated to actively coordinate and cooperate with the Local Government in implementing waste management.
- (6) Every 4 (four) wheeled vehicle is required to equipped with a trash can.
- (7) Every incidental event organizer is obligated to:
  - a. be responsible for the cleanliness of the event location;
  - b. transport waste resulting from the event to TPA.

CHAPTER VII  
LICENSING

Part One  
Procedures of Licensing

Article 19

- (1) Every person who carries out waste management business activities must have a permit from the Mayor.
- (2) The types of waste management business activities as referred to in section (1) consist of:
  - a. waste transportation;
  - b. waste processing; and
  - c. final processing of waste.
- (3) Further provisions regarding the procedure of obtaining permits as referred to in section (1) are regulated in a Mayor Regulation.

Article 20

The application for a waste management business permit as referred to in Article 19 section (1) is submitted in writing to the Mayor or the appointed official, accompanied by:

- a. Environmental Permit;
- b. Business License (SIUP); and
- c. Disruption Permit.

CHAPTER VIII  
COMPENSATION

Article 21

- (1) The Local Government may provide compensation to any person who is adversely affected by waste handling at the final waste processing site.
- (2) The negative impacts caused by the final waste processing activities, as referred to in section (1), may include:

- a. water pollution;
  - b. air pollution;
  - c. soil pollution;
  - d. landslides;
  - e. fires;
  - f. methane gas explosion; and/or
  - g. other negative impacts.
- (3) The compensation as referred to in section (1) may take the forms of:
- a. relocation;
  - b. environmental recovery;
  - c. health and medical costs; and/or
  - d. provision of sanitation and health care facilities.
- (4) Provisions regarding procedures for provision of compensation as referred to in section (1) and section (3) are regulated in a Mayor Regulation.

## CHAPTER IX COMMUNITY PARTICIPATION

### Article 22

- (1) The community participates in the process of decision-making, implementation and supervision in the Management of Household Waste and Household-Like Waste implemented by the Local Government.
- (2) The forms of community participants as referred to in section (1) include:
- a. maintaining and preserving environmental cleanliness;
  - b. having waste segregation bins in every household/residence, offices, and places of worship, as well as buildings/facilities for other public purposes, including for street vendors;
  - c. actively participating in waste reduction, collection, sorting, transportation, and processing activities; and

- d. giving suggestions, advice, complaints, considerations, and opinions for the improvement of waste management in the region.

#### Article 23

- (1) Enhancement of the community participation as referred to in Article 22 section (2) point a and point b is carried out through:
  - a. dissemination;
  - b. “gotong royong” (mutual help) activities;
  - c. developing information on business opportunities in the field of waste management; and
  - d. incentive giving.
- (2) The enhancement of community participation as referred to in Article 22 point d is carried out by:
  - a. providing communication media;
  - b. responding actively and promptly; and
  - c. conducting public hearings to listen to community aspirations.

### CHAPTER X

#### CONTROL AND GUIDANCE

#### Article 24

The Mayor exercises control that includes:

- a. control at the operational technical level;
- b. administrative control; and
- c. control over environmental impacts.

#### Article 25

The Mayor provides guidance to waste managers and the community through:

- a. technical assistance;
- b. technical guidance;
- c. dissemination of legislation and guidelines in the field of waste management; and/or

- d. education and training in the field of waste management.

#### Article 26

Control and Guidance as referred to in Article 24 and Article 25 are exercised by SKPD.

### CHAPTER XI PROHIBITIONS

#### Article 27

Every person is prohibited from:

- a. storing waste in places which are not specified and provided for waste;
- b. handling waste by open dumping at final processing site;
- c. burning waste that does not meet the technical requirements for waste management;
- d. storing waste or disposing of animal carcasses on roads, green belts, parks, rivers, canals, public facilities, and similar places;
- e. disposing waste or other litter from vehicles;
- f. storing litter and/or animal carcasses at TPS and/or Waste Transfer Stations and their surroundings as well as public facilities;
- g. storing waste at TPS and/or at Waste Transfer Station using motor vehicles with a volume of more than 1 (one) cubic meter;
- h. raking or scavenging waste at TPS and/or waste transfer station, except by authorized personnel for official purposes; and
- i. storing waste at TPS and/or Waste Transfer Station outside the designated hours.

CHAPTER XII  
ADMINISTRATIVE SANCTIONS

Article 28

- (1) The Mayor may impose administrative sanctions to waste management companies that violate the conditions stipulated in the licensing.
- (2) The administrative sanctions as referred to in section (1) may include:
  - a. written warning;
  - b. government coercion;
  - c. forced money; and/or
  - d. permit revocation.

Article 29

- (1) Administrative sanctions in the form of written warning as referred to in Article 28 section (2) point a are imposed on permit holders who violate the conditions and obligations stipulated in the waste management business permit and have not caused a negative impact on the environment.
- (2) Provisions regarding written warnings as referred to in section (1) are imposed 3 (three) times consecutively for a period of 5 (five) work days.
- (3) Administrative sanctions in the form of government coercion as referred to in Article 28 section (2), point b, are imposed if the permit holder:
  - a. violates the conditions and obligations stipulated in the waste management permit; and
  - b. causes environmental pollution and/or damage.
- (4) Government coercion is a legal action taken by the local government to restore environmental quality to its original condition, with the costs borne by the waste managers who do not comply with the provisions of legislation.

- (5) In the event that the permit holder fails to comply with the government coercion within a period 30 (thirty) days, a forced money sanction equivalent to 2x (twice) the cost of restoring environmental quality to its original condition is imposed for each delay in undergoing the government coercion sanction.

## CHAPTER XIII

### FINANCING

#### Article 30

Waste Management in the Region is financed from the state budget and/or the local budget.

## CHAPTER XIV

### INVESTIGATION PROVISIONS

#### Article 31

- (1) Civil Servant Investigators within the Local Government whose duties and responsibilities are in the field of waste management are given special authority as investigators for criminal offenses violating this Regional Regulation.
- (2) Civil Servant Investigators as referred to in section (1) have the authority for:
  - a. examining the accuracy of reports or information regarding criminal offences in the field of waste management;
  - b. examining individuals suspected of committing criminal offenses in the field of waste management;
  - c. requesting information and evidence from individuals regarding criminal incidents in the field of waste management;
  - d. examining accounting, records, and other documents related to criminal offenses in the field of waste management;

- e. conducting inspections at specific locations suspected of containing evidence, accounting, records, and other documents as well as seizing materials and items resulting from criminal activities that may be used as evidence in criminal cases in the field of waste management; and
  - f. requesting for expert assistance in investigating criminal offenses in the field of waste management.
- (3) The Civil Servant Investigators as referred to in section (1) notify the start of the investigation and the results of the investigation to the State Police Investigator of the Republic of Indonesia.
  - (4) The Civil Servant Investigators as referred to in section (1) submit the results of the investigation to the prosecutor through the State Police Investigator of the Republic of Indonesia.

## CHAPTER XV CRIMINAL PROVISIONS

### Article 32

- (1) Every person who violates the provisions as referred to in Article 19 section (1) is sentenced with an imprisonment for a maximum of 6 (six) months or a fine of a maximum Rp. 50,000,000.00 (fifty million rupiah).
- (2) Every person who violates the provisions as referred to in Article 27 is sentenced with an imprisonment for a maximum of 6 (six) months or a fine of a maximum Rp. 50,000,000.00 (fifty million rupiah).

CHAPTER XVI  
CLOSING PROVISIONS

Article 33

At the time this Regional Regulation comes into force, the Regulation of the Municipality of Balikpapan Number 10 of 2004 on Waste Management (Regional Gazette of the Municipality of Balikpapan of 2004 Number 20 Series E Number 12), is repealed and declared ineffective.

Article 34

The implementing regulation of this Regional Regulation must be issued in maximum 12 (twelve) months as of the date of its promulgation.

Article 35

This Regional Regulation comes into force on the date of its promulgation.

In order that everyone may know hereof, it is ordered to promulgate this Regional Regulation by its placement in the Regional Gazette of the Municipality of Balikpapan.

Issued in Balikpapan  
on 31 December 2015  
MAYOR OF BALIKPAPAN,

signed

M. RIZAL EFFENDI

Promulgated in Balikpapan  
on 31 December 2015

SECRETARY OF THE MUNICIPALITY OF BALIKPAPAN,

signed

SAYID MN FADLI

REGIONAL GAZETTE OF THE MUNICIPALITY OF BALIKPAPAN OF 2015  
NUMBER 13

Jakarta,

Has been translated as an Official Translation  
on behalf of the Minister of Law and Human Rights  
of the Republic of Indonesia

DIRECTOR GENERAL OF LEGISLATION AD INTERIM,

ASEP N. MULYANA

In order that everyone may know hereof, it is ordered to promulgate this Regional Regulation by its placement in the Regional Gazette of the Municipality of Balikpapan.

Issued in Balikpapan  
on 31 December 2015  
MAYOR OF BALIKPAPAN,

signed

M. RIZAL EFFENDI

Promulgated in Balikpapan  
on 31 December 2015

SECRETARY OF THE MUNICIPALITY OF BALIKPAPAN,

signed

SAYID MN FADLI

REGIONAL GAZETTE OF THE MUNICIPALITY OF BALIKPAPAN OF 2015  
NUMBER 13

Jakarta, 18 October 2024

Has been translated as an Official Translation  
on behalf of the Minister of Law and Human Rights  
of the Republic of Indonesia  
DIRECTOR GENERAL OF LEGISLATION AD INTERIM,



ELUCIDATION OF  
REGIONAL REGULATION OF THE MUNICIPALITY OF BALIKPAPAN  
NUMBER 13 OF 2015  
ON  
HOUSEHOLD WASTE AND HOUSEHOLD-LIKE WASTE MANAGEMENT

I. GENERAL

Law Number 18 of 2008 on Waste Management mandates the need for fundamental changes in the waste management practices that have been carried out so far. In accordance with Article 19 of Law Number 18 of 2008, waste management is divided into two main activities: waste reduction and waste handling. Article 20 outlines three main activities in implementing waste reduction which include limiting waste generation, recycling waste, and reusing waste. These three activities are the actualization of the principles of environmentally sound waste management known as 3R (reduce, reuse, recycle). Article 22 outlines five main activities in implementing waste handling, which include sorting, collecting, transporting, processing, and final processing of waste. The household waste and household-like waste management activities mandated by Law Number 18 of 2008 indicate that in the future, all levels of society can be served and all waste generated can be sorted, collected, transported, processed, and disposed of at the final processing site.

With the enactment of Law Number 18 of 2008 on Waste Management, a policy on management was initiated. The waste management policy, which has been implemented for more than three decades and which has only relied on the collect-transport-dispose (end of pipe) approach by relying on the presence of TPA, is changed to a reduce at source and resource recycling approach through the application of 3R. Therefore, all levels of society are expected to change their views and treat waste as an alternative resource that can be reused maximally, either directly, through recycling or other processes.

Law Number 18 of 2008 on Waste Management mandates that regional governments draft Regional Regulation that address at least the rights and obligations related to household waste and household-like waste management, the procedures of obtaining business permits for waste management, waste handing, financing, compensation, the forms and procedures for community participation, prohibitions, sanctions, and the supervision of waste management.

This Regional Regulation plays an important role in protecting public health and environmental quality, reducing accidents and disasters related to the management of household waste and household-like waste, and supporting sustainable economic development.

This Regional Regulation replaces the Regional Regulation Number 10 of 2004 on Waste Management which is no longer in accordance with higher statutory regulation, namely Law Number 18 of 2008 on Waste Management and Government Regulation Number 81 of 2012 on the Management of Household Waste and Household-Like Waste.

In this regional regulation, in addition to regulating the rights and obligations of the community and the Local Government along with the sanctions and the waste management mechanism, which is also explained in the Regional Regulation Number 10 of 2004, it also regulates management waste permits, incentives, compensation, and cooperation in the field of waste management. It is expected that this regional regulation can create a healthy and clean environment, preserve the environmental functions, improve public health, change household waste and household-like waste to be resources that have added values, and enhance the active participation of the community and business actors in the management of household waste and household-like waste in the Region.

## II. ARTICLE BY ARTICLE

### Article 1

Sufficiently clear

### Article 2

Point a

The term household waste means waste that is generated from daily activities in households, excluding feces and specific waste.

Point b

The term household-like waste means household waste that is generated from commercial areas, industrial areas, special areas, social facilities, public facilities, and/or other facilities.

Article 3

Point a

The term the principle of “responsibility” means that the regional government has the responsibility for waste management in realizing the community’s rights to have a good and healthy environment as mandated in Article 28H section (1) of the 1945 Constitution of the Republic of Indonesia,

Point b

The term “sustainability” means that waste management is carried out using environmentally friendly methods and techniques so as not to cause negative impacts on public health and the environment, both for the present generation and future generations.

Point c

The term “benefit” means that waste management needs to use an approach that views waste as a resource that can be utilized to meet community needs,

Point d

The term “justice” means that in waste management, the local government gives equal opportunities to communities and business world to play an active role in waste management.

Point e

The term “awareness” means that in waste management, the local government encourages every person to have the

attitude, care, and awareness to reduce and handle the waste they generate.

Point f

The term “togetherness” means that waste management is implemented by involving all stakeholders.

Point g

The term “safety” means that waste management shall guarantee human safety.

Point h

The term “security” means that waste management shall guarantee and protect the community from various negative impacts

Point i

The term “economic value” means that waste is a resource that has economic value that can be utilized to provide added value.

Article 4

Sufficiently clear.

Article 5

Sufficiently clear.

Article 6

Sufficiently clear.

Article 7

Sufficiently clear.

Article 8

Sufficiently clear.

Article 9

Sufficiently clear.

Article 10

Sufficiently clear.

Article 11

Sufficiently clear.

Article 12

Sufficiently clear.

Article 13

Sufficiently clear.

Article 14

Sufficiently clear.

Article 15

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Article 16

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Article 17

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Article 18

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Article 19

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Article 20

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Article 22

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Article 26

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Article 27

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Article 28

Sufficiently clear.

Article 29

Sufficiently clear.

Article 30

Sufficiently clear.

Article 31

Sufficiently clear.

Article 32

Sufficiently clear.

Article 33

Sufficiently clear.

Article 34

Sufficiently clear.

Article 35

Sufficiently clear.

SUPPLEMENT TO THE STATE GAZETTE OF THE MUNICIPALITY OF  
BALIKPAPAN NUMBER 25