



## **Black Stone Mining (Effort to Control Environmental Damage)**

**Moh. Zulkifli Demanto**

*Faculty of Law, Universitas Negeri Gorontalo, Indonesia. E-mail: zdemanto@gmail.com*

**Abstract:** This study discusses black stone mining in Bone Bolango Regency, Gorontalo Province. The type of research used in this research is sociological or empirical legal research. This research uses a normative legal science approach (laws and regulations). The author finds that the legal consequences arising from the illegal mining of black stone in Bone Bolango Regency is a criminal act in the mining sector prohibited by regulations, and the authors find that the role of the District Government. Bone Bolango in preventing environmental damage due to black stone mining activities consists of 3 things, namely; 1). Reclamation; 2). Periodic checking and monitoring; 3). Providing education to the community. Based on the explanation in the discussion and conclusions that the authors have described above, the authors have recommendations for suggestions to the government as follows; 1). Local governments must actively participate in protecting the environment in cases of damage caused by illegal mining activities; 2). The government must formulate appropriate regulations to protect the rights and interests of all parties.

**Keywords:** Environmental Law; Mining; Black Stone;

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## 1. Introduction

One of the natural resources owned by the Indonesian state is mining. As the highest authority, the state has given authority to the government and regional governments to control, manage and utilize natural resources in the mining sector. The presence of mining positively impacts the country, including increasing state revenues, creating jobs, and accelerating national development. On the one hand, mining can also cause environmental problems, including damage to the landscape, erosion, sedimentation, loss of soil fertility, and water pollution.<sup>1</sup>

Indonesia has a lot of dense forests. However, numerous countries have questioned Indonesia's natural conservation efforts in recent decades. Because of the growing number of mining industries are beginning to emerge in Indonesia.<sup>2</sup>

Reduced sources of natural balance, such as forests, water, and fertile soil, are largely the result of mining activities, which produce very large pollutants from the beginning of exploitation to the end of production and are only concerned with personal gain without regard for environmental sustainability factors.<sup>3</sup> According to Tome, a state must not only operate as a night watchman, preserving order and enforcing the law, but it also has the responsibility to flourish its people without sacrificing anything.<sup>4</sup>

It is inversely related to the ambitions of the Indonesian state in people's lives. A variety of legal issues have arisen. Human behavior patterns are increasingly diverging and leaving from the norms that emerge in society, resulting in breaches and even crimes resulting in human rights abuses.<sup>5</sup>

The Indonesian constitution has one function to protect human rights, where the protection of human rights is citizens' constitutional right.<sup>6</sup> The state governs the land, water, outer space, and the natural resources contained therein for the greatest

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<sup>1</sup> Ayub Ricardo, "Pelaksanaan Pengendalian Kerusakan Lingkungan Sebagai Akibat Pertambangan Emas Ilegal Di Sungai Menyuke Kabupaten Landak, Kalimantan Barat," *Revista Cenic. Ciencias Biológicas* 152, No. 3 (2016): 28,

<sup>2</sup> Paulus Rudolf Yuniarto, "Masalah Globalisasi Di Indonesia: Antara Kepentingan, Kebijakan, Dan Tantangan," *Jurnal Kajian Wilayah* 5, no. 1 (2015): 67-95.

<sup>3</sup> Zia Devi Destari, "Penerapan Pidana Terhadap Pelaku Usaha Pertambangan Yang Tidak Memiliki Izin."

<sup>4</sup> Abdul Hamid Tome, "Reformasi Birokrasi Dalam Rangka Mewujudkan Good Governance Ditinjau Dari Peraturan Menteri Pemberdayaan Aparatur Negara Dan Reformasi Birokrasi Nomor 20 Tahun 2010," *Law Journal Sam Ratulangi University* XX, no. 3 (2012): 132-47,

<sup>5</sup> Moh. Rusdiyanto U. Puluwulawa and Musa, "Kebijakan Kriminal Dalam Penanggulangan Tindak Pidana Penganiayaan Menggunakan Panah Wayer Oleh Anak Di Kota Gorontalo (Studi Kasus Polres Gorontalo Kota)."

<sup>6</sup> Ahmad dan Novendri M. Nggilu, "Denyut Nadi Amandemen Kelima UUD 1945 Melalui Pelibatan Mahkamah Konstitusi Sebagai Prinsip the Guardian of the Constitution," *Jurnal Konstitusi* 16, no. 4 (2019): 785-808.

prosperity of the people, according to Article 33, paragraph (3) of the 1945 Constitution. The mining sector's liberalization weakened the realization of these ideals. Regulations in the mining sector were indicated to need to be more mindful of the mandate in question. They could not be implemented because the state/government had not sought added value. After all, they did not master high technology, putting them in a weak position and making them vulnerable to investors.<sup>7</sup>

The exploitation of land or natural resources always takes precedence over environmental concerns. Therefore they need to be more convinced about what will happen in the future or the interests of future generations. However, as a government, Indonesia should fulfill its people's human rights.<sup>8</sup> Human rights in Indonesia are universal for all citizens, according to the 1945 constitution. The law must function to preserve standards so that everyone follows the rules. It is an obligation in this context to regard legislation as an instrument for maintaining order and regulating society, which includes establishing environmental issues.<sup>9</sup>

Furthermore, the predictive and preventive components are always overlooked, causing the damage to spread and become uncontrollable. Mining activities frequently produce severe social upheavals, such as rising conflict with the community, converting the agrarian pattern of society into a mining community, and pollution and even environmental harm near the mine.<sup>10</sup>

Mining can also have a significant impact on a country's economy. Furthermore, because mineral resources are non-renewable natural resources, laws must be implemented to ensure they stay supplied.<sup>11</sup>

Matters in the mining industry are governed by Law Number 3 of 2020 Concerning Amendments to Law Number 4 of 2009 Concerning Mineral and Coal Mining, specifically article 8A paragraph 2, which states that the National Mineral and Coal management plan is prepared by taking several factors into account, including the carrying capacity of natural resources and the environment, environmental preservation, and regional spatial planning/zoning plans. Furthermore, natural

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<sup>7</sup> Moh. Said, "Kebijakan Pertambangan: Regulasi Untuk Siapa?," *Jurnal Ilmiah Administrasi Publik (JIAP)* 2, no. 1 (2016): 58-67.

<sup>8</sup> Mellisa Towadi et al., "An Indication of China's Policy towards Uighurs and Its Implications by International Law Aspects," *Jambura Law Review* 3, no. 1 (2020): 55-71,

<sup>9</sup> J Puluhulawa, M R U Puluhulawa, and ..., "Rejection of the Implementation of the Covid-19 Protocol on Patients Who Died: A Discourse between Human Rights and Health Law in Indonesia," *American Journal of Multidisciplinary Research & Development (AJMRD)* 04, no. 02 (2022): 53-59.

<sup>10</sup> Franky Butar Butar, "Penegakan Hukum Lingkungan Di Bidang Pertambangan," *Yuridika* 25, no. 2 (2010): 151-68.

<sup>11</sup> Asril, "Dampak Pertambangan Galian C Terhadap Kehidupan Masyarakat Kecamatan Koto Kampar Hulu Kabupaten Kampar," *Jurnal Kewirausahaan* Vol. 13, no. 1 (2014): 18.

resource extraction is governed by Law No. 32 of 2009 on Environmental Protection and Management.

In Law Number 3 of 2020 concerning Amendments to Law Number 4 of 2009 concerning Mineral and Coal Mining, article 158 states that sanctions for illegal mining are:

*"Everyone who carries out Mining without a permit as referred to in Article 35 shall be subject to imprisonment for a maximum of 5 (five) years and a maximum fine of Rp. 100,000,000,000.00 (One hundred billion rupiahs)."*

Mineral resources, one of the natural resources owned by the Indonesian nation, would contribute to the country's economic development if properly managed. In this situation, the government, as the master of these resources, must limit the degree of their usage to prevent squandering of the potential they control and can optimize revenue from exploiting these resources so that maximum advantages for the people's prosperity can be attained.<sup>12</sup>

The authority to sign approval for reporting mining business activities is the authority of the Governor as the organizer of some energy and mineral resource affairs, which is then delegated to the Head of Service so that the process of Mining permits within the provincial territory is at the appropriate level, according to article 2 of Gorontalo Governor Regulation Number 13 of 2019. In this study, however, researchers attempted to determine the role of the Bone Bolango Regency government in this subject.

On November 19, the local government issued Regional Regulation 83 of 2021 in Bone Bolango Regency, which regulates the Organizational Structure, Description of Duties and Functions, and Work Procedures of the Bone Bolango Regency Environment, Land, and Transportation Services, where environmental affairs in Kab. Bone Bolango was delegated to the District Environment, Land, and Transportation Service of Bone Bolango.

The Bonebolango Regency Government has been developing the mining sector for a long time, particularly in 2021. However, mining activities should be immediately revealed due to the increasingly negative impact of illicit mining on the community, regions, and even House of Representative Bone Bolango Regency Leader Halid Tangahu.<sup>13</sup> So that in 2021 the Bone Bolango Regency Government made the decision to temporarily close the black stone mining activities in the East Suwawa region.<sup>14</sup>

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<sup>12</sup> Gatot Supramono, *Hukum Pertambangan Mineral Dan Batu Bara Di Indonesia*, 1st ed. (Jakarta: Buku ini membahas dari sejumlah aspek kehidupan masyarakat, karena untuk menerapkan UU no. 4 Tahun 2009 kepada masyarakat antara bidang yang satu dengan bidang lainnya saling berkaitan erat., 2012).

<sup>13</sup> Wahid Yunus, "Dprd Bone Bolango Minta Aktifitas Tambang Dihentikan". <https://gorontalo.tv/dprd-bone-bolango-minta-aktifitas-tambang-dihentikan/> diakses pada 16 Oktober 2022

<sup>14</sup>Opcit. Hal.

Furthermore, the government heeded dozens of demands from students affiliated with the Alliance of Environmentally Concerned Students. Flash floods were caused by black stone mining activity at that location in mid-2020. Furthermore, because this practice is illegal and harmful to the environment, the Bone Bolango Regency administration must have a role in preventing environmental damage.

According to AKBP Emile ReSITEI Hartano of the Bone Bolango Resort Police, the black stone mining activity in the East Suwawa area has the potential to generate confrontation. This is due to the fact that the location of the black stone mining is still included in the PT. Gorontalo Mineral and is the responsibility of the firm, despite the fact that the mining results are only enjoyed by a small group of people.<sup>15</sup>

The spirit of regional autonomy in the administration of the Unitary State of the Republic of Indonesia has changed the connection and authority between the Government and Regional Governments, notably in environmental protection and management. Because the diminishing quality of the environment threatens the life of the people surrounding the mine, environmental preservation and management are taken seriously. According to article 2 letter an of Law No. 32 of 2009, environmental protection and management are carried out in accordance with the principle of state responsibility, with the following elaboration:

- a. The state guarantees that the utilization of natural resources will provide maximum benefits for the welfare and quality of life of the people, both the present generation and future generations.
- b. The state guarantees the rights of citizens to a good and healthy environment.
- c. The state prevents the exploitation of natural resources that cause environmental pollution and damage.

In addition to causing environmental damage, mining activities for galena or black stone also result in losses to regional and state revenues, which are estimated to reach 2 trillion per year.<sup>16</sup> Some of the adverse effects resulting from the mining triggered a demonstration action which was voiced by 9 village heads in East Suawawa District with the community located in front of the East Suwawa sub-district office on Monday 13 December 2021 yesterday.

During the action, there were at least seven demands made. Among them is the security stability in East Suwawa being disrupted by black stone mining. The village heads also

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<sup>15</sup> Muhammad Yunus, "Mahasiswa Demo Minta Pemerintah Stop Aktivitas Tambang Batu Hitam Di Gorontalo," suara sulses.id, 2021, <https://sulsesuara.com/read/2021/07/28/195250/mahasiswa-demo-minta-pemerintah-stop-aktivitas-tambang-batu-hitam-di-gorontalo?page=all>. diakses pada 17 Oktober 2022

<sup>16</sup> Arida, "Aktivitas Tambang Batu Hitam Ilegal Di Bone Bolango Merusak Lingkungan," gopos.id (Gorontalo, 2021), <https://doi.org/https://gopos.id/aktivitas-tambang-batu-hitam-ilegal-di-bone-bolango-merusak-lingkungan/>. diakses pada 16 Oktober 2022

admitted that there needed to be coordination between local and national entrepreneurs with the village government. However, according to them, this mining exploration has also impacted the local village government.<sup>17</sup>

## 2. Research Method

The type of research used in this study is sociological or empirical legal, which includes research on legal identification (unwritten) and legal effectiveness. Also known as field research. This research is based on normative law (laws and regulations) or juridical but observes how reactions and interactions occur when the system of norms works in society.<sup>18</sup>

In other words, research is conducted by looking at society's actual or real situation to know and find the facts and data needed. In the end, from these facts, a settlement mechanism will be born for the problems found.<sup>19</sup>

Empirical legal research is carried out by researching directly into the field to see firsthand how the systems and schemes for managing various types of permits in the mining sector at the Bone Bolango Regency authorities and conducting interviews with related agencies are expected to be able to provide the information needed by researchers. Furthermore, researchers will conduct interviews with village heads.

## 3. Legal Consequences Arising From Illegal Black Stone Mining in Bone Bolango Regency

Based on the applicable positive law, illegal mining is one of the criminal acts in the mining sector, which is prohibited in the Mineral and Coal (hereinafter referred as *Minerba* Law) Law and Amendments to the *Minerba* Law. There are 2 (two) types of sanctions for violators of the prohibition provisions in the 2 *Minerba* Laws: administrative sanctions and criminal sanctions. In addition, perpetrators can also be subject to additional sanctions. Administrative sanctions for illegal mining actors are in the form of the following:

- a) Written warning;
- b) Fines;
- c) Temporary suspension of part or all of production exploration activities;
- d) Revocation of IUP, IUPK, IPR, SIPB (Rock Mining Permit) or IUP for sale.

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<sup>17</sup>Op.cit

<sup>18</sup> Peter Mahmud Marzuki, *Penelitian Hukum*, 1st ed. (Jakarta: Kencana Prenada Media Group, 2005). 47

<sup>19</sup> Prof. Abdulkadir Muhammad, *Hukum Dan Penelitian Hukum*, 1st ed. (Bandung: Citra Aditya Bakti, 2004). 52

Administrative sanctions can be imposed on holders of Mining Business Permits (IUP), People's Mining Permits (IPR), or Special Mining Business Permits (IUPK) for violations of several provisions as stated in Article 151 (Amendments to the *Minerba* Law). One of them is using Mining Business Permits (IUP) other than those permitted by the IUP award (Article 41 of the *Minerba* Law). Meanwhile, criminal sanctions can be imposed on violators of Article 158 to Article 164 of the *Minerba* Law. Article 158 (Amendment to the *Minerba* Law), for example, stipulates in principle that anyone who performs mining without a permit, as referred to in Article 35, shall be subject to imprisonment for a maximum of 5 (five) years and a fine of a maximum of Rp. 100,000,000,000.00 (one hundred billion rupiah). Article 35 (Amended *Minerba* Law), in this case, regulates Business Permits granted by the central government. In addition to administrative sanctions and criminal sanctions, perpetrators of criminal acts in the mining sector may also be subject to additional penalties in the form of;<sup>20</sup>

- a) Confiscation of goods used in committing a crime;
- b) Deprivation of profits derived from criminal acts;
- c) The obligation to pay costs incurred as a result of criminal act.

In mid-December 2021, 9 village heads in the East Suwawa area held a demonstration at the sub-district office. They said that black stone mining activity has the potential to disrupt public order and security, not to mention that there is no coordination between mining entrepreneurs and the village government, even though the impact of environmental damage is so real. Another point is that many school-age children have decided not to go to school anymore and have chosen to go to the mine site.<sup>21</sup>

Marten Hunawa said that the location of the black stone mine in his working area was actually on land owned by Gorontalo Mineral. A giant mining company that owns a contract of work permit in the area. However, by local miners, the area is still dredged traditionally. According to Marten, investors from within and outside the country have attracted the potential of the black stone. It is just that these investors did not come directly to the mine site to buy the black stone but only used their accomplices who were residents. Residents, the minerals are then packed and sent by sea using containers. It is also impossible to say that there is a permit because the black rock mining material is dredged from a mine site in GM's area, which incidentally already has a contract of work permit. Marten Hunawa will coordinate with related parties to discuss this black stone mine and GM from the Investment Service, Energy, and Mineral Resources and Transmigration Office of Gorontalo Province. The Head of the Bone Bolango Resort Police (Kapolres) AKBP, Emile ReSITEI Hartano, said the decision of the Bone Bolango Forkopimda board meeting was a decision taken for the good of the

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<sup>20</sup> Nuzul Qur'aini Mardiyah, "Pertanggungjawaban Korporasi Dalam Tindak Pidana Lingkungan Hidup," *Jurnal IUS Kajian Hukum Dan Keadilan* 6, No. 2 (2018): 259,

<sup>21</sup> Hunawa Marten, "Wawancara." Tanggal 25 juli 2022, pukul 13.00 WITA

people of Bone Bolango. The black rock mine was closed due to suspicions of mining activities that were not under applicable regulations.<sup>22</sup>

Black stone mining is said to be illegal because it does not have an operating permit, and the results of bone bolango black stone mining are estimated to have hundreds of tons of black rock dredged up and taken out of the area. Until now, there has been no clarity regarding this case. Even though the police have repeatedly confiscated thousands of sacks of illegal black stone mining products and confiscated several trucks transporting illegal mining products until now, illegal black stone mining is still operating.<sup>23</sup>

The case of the black stone mine has been in the Regional Police for quite a long time, even from the previous Regional Police Chief Inspector General of Police Akhmad Wiyagus to the new Regional Police Chief who is now Inspector General of Police Helmi Santika, there is great hope regarding the completion of cases that the previous Head of the Gorontalo Regional Police has not resolved. One of them is the case of illegal mining of black stone or galena stone. Because until now, the Gorontalo Regional Police have not named a suspect in this black stone mining case. Interview data circulating in the media asking about the suspect in the black stone mining case, Kombes Pol Wahyu admitted if there is a mechanism to determine someone as a suspect. The police did not directly identify a person as a suspect. "At least two pieces of evidence are sufficient, and through a case title it will be decided who the suspect will be," he emphasized.<sup>24</sup>

With the type, the black stone is classified as galena rock as contained in article 2, letter a. However, in this case, the crux of the problem is that the mine is located in the Gorontalo Mineral mining area, which incidentally stands on the Nani Wartabone National Park area, which is a protected forest.

In terms of law enforcement factors, it is still a real problem. It still needs strengthening, especially related to the professionalism and integrity of APH personnel. Not a few officials were later given strict action because they were suspected of being protectors/guardians of illegal mines. The involvement of officials in illegal mining TP has long been a problem. Investigators of illegal mining TP must be strengthened in terms of quantity and quality, including civil servant investigators (PPNS) in the mining

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<sup>22</sup> Hunawa Marten, "Wawancara". Tanggal 25 juli 2022, pukul 13.00 WITA

<sup>23</sup>Arfandi Ibrahim, "Menanti Kelanjutan Kasus Tambang Ilegal Batu Galena Di Tangan Kapolda Baru Gorontalo," *Liputan6.com*, 2022, <https://doi.org/https://www.liputan6.com/regional/read/4999433/menanti-kelanjutan-kasus-tambang-ilegal-batu-galena-di-tangan-kapolda-baru-gorontalo>. diakses pada

<sup>24</sup>*Ibid.*



sector. The large velocity of money in illegal mining TP also raises the potential for money laundering.<sup>25</sup>

Integrated efforts are needed to eradicate illegal mining. The government's most important preventive effort at this time is to improve aspects of mining supervision and monitoring, especially strengthening the quantity and quality of mining supervision personnel (mine inspectors). Repressive efforts through prosecution by APH must be seriously carried out, including against APH who are involved in these activities. In addition, enforcement of illegal mining laws must be pursued by improving various factors, not only legal factors but also law enforcement factors, infrastructure, community, and cultural factors..

#### **4. The Role of the Government of Bone Bolango Regency in Preventing Environmental Damage Due to Black Stone Mining Activities**

The Deputy Governor of Gorontalo, Idrus Rahim, hopes the black stone mining problem will soon be solved. The mining community feels happy, and the area benefits from managing the mining resources. Deputy Governor Idrus expressed this hope while participating in a Forum Group Discussion (FGD) themed "*Penyatuan Persepsi Penanganan Komoditi Batu Hitam (Black Stone) dalam Perspektif Hukum terkait Keselamatan dan Keamanan Pelayanan*" in Grand Q Hotel, Jalan Nani Wartabone, Sub-district Ipilo, Kota Timur District, Gorontalo City, Wednesday (30/3/2022).<sup>26</sup> During the meeting, the Deputy Governor of Gorontalo, Idrus Rahim, appealed to the Gorontalo provincial government, especially the Bone Bolango regional government, to supervise and continue to guide Bone Bolango black stone mining activities. The following points are important to preventing environmental damage from black stone mining activities. Gorontalo Idrus Rahim, among others, is:

##### 1) Implementation of reclamation

Implementation of reclamation is an effort to overcome the former excavation land that has been abandoned so that it can be utilized in other forms which do not endanger environmental conditions. Mining companies must plan the reclamation process, considering environmental conditions and the needs of the people in the environment. *Reclamation* is a land management activity that includes improving the physical condition of the soil (overburden) to prevent landslides and building reservoirs to improve the quality of toxic acid mine drainage, followed by revegetation activities. Reclamation activities are important to be carried out to repair ex-mining land. In general, the soil in ex-

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<sup>25</sup> Ibrahim, "Menanti Kelanjutan Kasus Tambang Ilegal Batu Galena Di Tangan Kapolda Baru Gorontalo." <https://www.liputan6.com/regional/read/4999433/menanti-kelanjutan-kasus-tambang-ilegal-batu-galena-di-tangan-kapolda-baru-gorontalo>" di akses pada

<sup>26</sup> Rekam Fakta, "Angin Segar Bagi Penambang Batu Bara Di Bone Bolang," [rekamfakta.com](https://rekamfakta.com/angin-segar-bagi-penambang-batu-hitam-di-bone-bolango), 2021 <https://rekamfakta.com/angin-segar-bagi-penambang-batu-hitam-di-bone-bolango>. diakses pada

mining land contains low levels of nutrients. Reclamation and revegetation are activities carried out to improve post-mining land conditions.<sup>27</sup>

## 2) Monitoring

Next is the procurement of evaluation and monitoring of environmental conditions by the district environmental service of Bone Bolango aims to determine the compatibility between implementing the program run by mining companies with environmental conditions. That way, we can avoid periodic environmental damage due to delays in checking. If there is a condition discrepancy during checking, then the program being executed can be temporarily stopped, and another solution is sought. The authority of the Central, Provincial, and Regency/City Governments for guidance and supervision in the case of mining businesses related to reclamation and post-mining activities is regulated in Law Number 4 of 2009. Article 140, paragraph (3) of Law Number 4 of 2009 explains that the authority to supervise the implementation of mining business activities carried out by holders of IUP, IPR, and IUPK is the authority of the Minister, Governors, and Regents/Mayors. In carrying out the guidance and supervision of the duties of a mining inspector in order to be able to supervise the performance of mining business activities so that they can mine following established procedures or rules.<sup>28</sup>

## 3) Education

The local government of Bone Bolango is expected to provide education about the dangers of illegal mining. Besides being able to damage the surrounding environment due to non-compliance with mining procedures, it is not uncommon for work accidents to occur. For this reason, the government must take preventive measures such as outreach to residents so that in the future, they are aware that mining activities cannot be carried out arbitrarily to protect the surrounding environment from being polluted and damaged. In addition, providing education also invites residents not to participate in destroying nature and the environment. If both parties (citizens and mining companies) understand each other about the dangers resulting from illegal mining, then, of course, the environment will remain sustainable. The government's special attention to this illegal mining practice is none other than the many negative impacts of mining operations without a permit, including those related to social, economic, and environmental life. The social impacts of illegal mining activities, among other things, hinder regional development because they need to follow regional spatial planning (*known as RTRW*). It can also trigger social conflict in the community, create vulnerable conditions, disrupt security in the community,

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<sup>27</sup> Oktorina, "Kebijakan Reklamasi Dan Revegetasi Lahan Bekas Tambang (Studi Kasus Tambang Batubara Indonesia)."

<sup>28</sup> Suryaningsi, "Fungsi Kebijakan Pemerintah Atas Pengelolaan Sumber Daya Mineral Dan Batubara Pasca Di Tetapkan Uu No . 23 The Government Policy Function Of Mineral And Coal Resources."

cause damage to public facilities, and potentially cause disease and health problems due to exposure to chemicals.<sup>29</sup>

Of the three appeals explained by the Deputy Governor of Gorontalo, according to Martono Ilyas, these three things have indeed been carried out. The environmental service has indeed often informed miners about the importance of carrying out reclamation efforts, and this is so that they can be used so as not to endanger the condition of the surrounding environment. Periodic checks and self-monitoring have been carried out even by the Regent, who often goes directly with the Army and Police to monitor whether the mining activities follow the applicable procedures. Moreover, the regional government of Bone Bolango, have continued educating the people of Bone Bolango, both directly and through the media, about the dangers of illegal mining and the impacts that can result from illegal mining.<sup>30</sup>

Meanwhile, Satal Lakadjo, a resident of Tulabo Barat Village, said that one of the efforts made by the Government of Bone Bolango through the Bone Bolango Police to prevent environmental damage is by socializing and giving an appeal to the public about the Prohibition of Illegal Mining. This activity aims to educate the people in East Suwawa District not to engage in illegal mining and to comply with laws and regulations that can ensnare illegal miners in the form of fines and prison sentences. Kapolres AKBP Emile ReSITEI Hartano said that to anticipate environmental damage caused by illegal mining, the Polsek and Polres will routinely carry out outreach and appeals to the community through banners and visits to the community by deploying Bhabinkamtibmas to the village. -Villages and conduct patrols to areas that could become illegal mining sites. This activity's main objective is to educate the public to prevent environmental damage around the black stone mining area.<sup>31</sup>

## 5. Conclusion

Based on what has been explained above, it can be concluded that the legal consequences arise from illegal black Stone mining in Bone Bolango Regency are one of the mining sector's criminal acts prohibited in the *Minerba* Law and Amendments to the *Minerba* Law. There are 2 (two) types of sanctions for violators of the prohibition provisions in the 2 *Minerba* Laws: administrative sanctions and criminal sanctions. Furthermore, the authors conclude the role of the Regency Government of Bone Bolango in preventing environmental damage The consequences of Black Stone Mining Activities lie in three important points, namely; 1). Implementation of reclamation carried out to overcome the former excavated land that has been abandoned; 2). Periodic checks and monitoring, namely the evaluation and monitoring of

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<sup>29</sup> Koenti, "Discretion in Disaster Management in the Special Region of Yogyakarta with the Contingency Paradigma."

<sup>30</sup> Martoni Ilyas, "Wawancara" (Gorontalo, 2022). Pada tanggal 8 Agustus 2022 pukul 14.00 WITA

<sup>31</sup> Satal Lakadjo, "Wawancara" (Gorontalo, 2022). Pada tanggal 10 Agustus 2022 pukul 16.00

environmental conditions by the Kab. Bone Bolango; 3). Providing education to the public about the dangers of illegal mining, especially regarding education about the dangers of carrying out illegal mining, also needs to be done.

Furthermore, the author has recommendations for suggestions to the government as follows; 1). The regional government, especially the authorized agency, must actively participate in protecting Natural Resources or cases of environmental damage caused by illegal mining activities; 2). The government must formulate appropriate regulations to protect the rights and interests of all parties, both the community who are pro with the black stone mine and the community.

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