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# THE 2ND INTERNATIONAL CONFERENCE AND CALL FOR PAPER



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 Nagoya University



Melissa Crouch  
 UNSW Australia



Prof. Henk Adding  
 Utrecht University



Assoc. Prof. Dr. Hj. Sri Kusriyah  
 Sultan Agung Islamic University

*Democracy In Digital Era : Law,  
 Governance, Sosial And Economic  
 Perspective In Asia, Australia And  
 Dutch*



September 23-24, 2020  
 Imam Assafel Buiding, Faculty of Law, Unissula  
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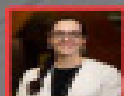
**THE 2<sup>ND</sup> INTERNATIONAL CONFERENCE AND CALL FOR PAPER**

**THEME : DEMOCRACY IN DIGITAL ERA: LAW, GOVERNANCE, SOCIAL AND ECONOMIC PERSPECTIVE IN ASIA, AUSTRALIA AND DUTCH**

**Keywords:** *Digital Media, Political and Governance Institutions, Electoral Processes, People Representation, Digital Disinformation, Democracy, Digital Economic, Social issue*



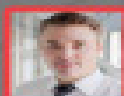
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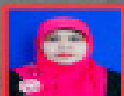
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Utrecht University



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Nagoya University



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This agenda aims to provide insights in theory and practice:

1. To exchange and discuss views on the most important issues on Democracy in Digital Era: Law, Governance, Social and Economic Perspective in Asia, Australia and Dutch and its consequences to Law in countries.
2. To discuss the challenges and practical aspect of Democracy and Governance in a Digital Era.

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# The 2<sup>nd</sup>

**International Conference and Call Paper**

*"Democracy In Digital Era : Law, Governance, Sosial And Economic Perspective In Asia, Australia And Dutch"*

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*"Omnibus Law Opportunities And Challenges Towards Entrepreneurs And Labor  
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Nailul Mukorobin, S.Psi.

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Phone: +6224 6583584 (8 Saluran) psw. 569

Fax. + 6224 6592735

Email : [pdih.fh@unissula.ac.id](mailto:pdih.fh@unissula.ac.id)

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## KATA PENGANTAR

*Bismillahirrohmanirrohim*

*Assalamu'alaikum Wr. Wb.*

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Pada seminar ini telah dipresentasikan hasil penelitian dosen dan mahasiswa yang diikuti oleh peneliti-peneliti dari berbagai universitas yang telah membahas berbagai keilmuan Hukum dan Humaniora.

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## **Mining Industry Activities Related To Mining Management Issues**

*Muhammad Burhanuddin<sup>1</sup>, Dewi Hertiningsih<sup>2</sup>, Sabri Noor Herman<sup>3</sup>.*

Faculty of Law Sultan Agung Islamic University Semarang

### **Abstract**

*The purpose of this study was to identify and analyze mining activities related to mining management and environmental management within the framework of mining. This study uses a normative juridical approach. The results of the study found that mining activities that do not pay attention to the environment can cause erosion of the topsoil. Exfoliating the top layer causes an increased danger of erosion and landslides. In addition, mining causes damage to the structure, texture and porosity of the soil as physical characteristics of the soil that are important for plant growth. In addition, the compacted soil conditions due to excavation, heavy equipment crushing, etc. result in poor water systems and water circulation in the soil. As a result, the soil is increasingly arid because the plants are difficult to develop. Damage to structure and texture also causes the soil to be unable to store and absorb water during the rainy season, resulting in high surface water flow. environmental management needs to be realized in mining activities.*

**Keywords : Mining Activities ; Mining Industry; Mining Management Issues**

### **A. INTRODUCTION**

Pancasila is the basic relationship of the basic values<sup>4</sup> which are the crystallization of various values that live in a society which is the soul of the nation (volksgeist) in the Indonesian people is the guiding star (leidstar) in the life of society, nation and state of Indonesia. these values are translated into the constitution of the Indonesian nation.<sup>5</sup>

Material excavated is a mineral original in the form of the original , which can be mined for the purposes of man . All material mine was controlled by the State and used for the entire nation of Indonesia, based on the five precepts in Pancasila as one unity round, their norms or rules in provision Article 33 paragraph (3) of the 1945 Constitution “ Earth , water and wealth of nature that is contained in it controlled by State and used for the greatest prosperity of the people . “Taking the wealth of nature that is contained in the body of the earth has been regulated in Law Number 4 Year 2009 on Mining Mineral and Coal.

1. Faculty of Law Sultan Agung Islamic University Semarang

2. Faculty of Law Sultan Agung Islamic University Semarang

3. Faculty of Law Sultan Agung Islamic University Semarang

4. Sri Endah Wahyuningsih, *Urgensi Pembaharuan Hukum Pidana Materiel Indonesia Berdasarkan Nilai-Nilai Ketuhanan Yang Maha Esa*, *Jurnal Pembaharuan Hukum*, Volume I No.1 Januari-April 2014

5. Anis Mashdurohaturun, *Constructing And Developing The Social Function Principles in Utilising Copyright Products Related To The Fundamental Rights*, *South East Asia Journal of Contemporary Business, Economics and Law*, Vol. 7, Issue 4(Aug.), 2015.pp.88

6. Otong Rosadi , *Mines and Forestry In Perspective Cita Law Pancasila Dialectics of Law and Social* , *Molds* . 1 Thafa Media, Padang, 2012, p . 4.

Source southwest mineral is one of the riches of nature that is owned by the Nation of Indonesia, when administered by either going to give contribution to the development of the economy of the country. In the world of mining , Indonesia is known as a country rich in mineral content that is ready to be removed at any time .<sup>7</sup> Mining is part or all of the activity stages in the context of research , management and exploitation of mineral or coal which include general investigation, exploration, feasibility study, construction, mining, processing and refining, transportation and sales , as well as post mining activities .<sup>8</sup>

Indonesia is a country rich in natural resources. This natural resource (renewable and non-renewable) is a resource that is essential for the survival of living humans. Loss of or reduction in the availability of resources will affect very large for the survival of living beings human. Wealth of resources of nature Indonesia is also the cause of Indonesia was colonized for centuries by the Dutch state and also during the three and a half years by the country of Japan. One of the natural resources that is owned is coal mineral, which is included in the non-renewable resource category.<sup>9</sup>

Law mining is part of the laws that regulate the environment of life. In its development, crime environment often occur in society, eg mining. Mining is an attempt to explore the various potentials that are contained in the belly of the earth.<sup>10</sup> Based on the type of mineral, mining in Indonesia is divided into three categories. First, Mining Group A, include mineral positioned such as : oil, gas natural, bitumen, asphalt, natural wax, anthracite, coal, uranium and material radioactive others, nickel and cobalt. Second, Mining Group B, includes vital minerals, such as : gold, silver , diamonds, copper, bauxite, lead, zinc and iron. Third, Mining Group C, generally mineral minerals are considered to have a rate of interest is lower than the second class of mine the other , covering various types of stone, limestone, and others.

Ingredients mine must be dug out of the belly of the earth , efforts to excavate material mine is then referred to the business of mining Enterprises mining requires a place or area is very spacious . Jurisdiction Mining Indonesia is the entire archipelago of Indonesia, the soil in the bottom waters of Indonesia, and areas of continental of the islands of Indonesia<sup>11</sup>.

Management and control of the source of the power of nature has been built through the spirit of the 1945 Constitution, Article 33 with the purpose of the primary is for the maximum prosperity for the people of Indonesia. Mandate 1945 is a cornerstone of the establishment of policies mines namely Law No. 11 Year 1967 on the subject of mining mineral and coal were later replaced by Law No. 4 Year 2009 on Mining Mineral and Coal. Law Number 4 Year 2009 on Mining Mineral and Coal is a consequence of the birth of Law No. 32 Year 2004 About the Government Regional and Law Number 33 Year 2004 About the Balance of Finance Government Center and the Government of Regions as stipulated in the Regulation of Government Number 25 Year 2000 Concerning the Authority of Regency / City and Provincial Governments as Autonomous Regions.

Event mining is done in simple by way dredge hill by using the heavy equipment or excavators subsequently incorporated into cars trucks open, then closed with a tarpaulin plastic subsequently transported to various locations project development which requires hoarding. In the process of the activities of mining is allegedly encountered various impacts the environment ranging from current mining to the transport of

7. Gatot Supramono, *Mineral and Coal Mining Law in Indonesia* , Rineka Cipta, Jakarta, 2012, p. 1.

8. See Law of the Republic of Indonesia Number 4 of 2009 concerning Mineral and Coal Mining, Article 1, number 1. State Gazette of the Republic of Indonesia of 2009 Number 4 Supplement to the State Gazette of the Republic of Indonesia Number 4959

9. Samuel Risal, DB. Paranoan, Suarta Djaja , Analysis of the Impact of Mining Policies on the Socio-Economic Life of People in Makroman Village , Administrative Reform Journal , Vol. 1 No.3, 2013, pp. 516-530

10. Halim HS, *Mining Law in Indonesia* , RajaGrafindo Persada, Jakarta, 2004, p. 7.

11. Sri Endah Wahyuningsih, *Protection against Witnesses in Criminal Justice Proceedings in Indonesia Based on the Humanitarian Value*, International Journal of Innovation, Creativity and Change. www.ijcc.net Volume 13, Issue 7, 2020, [https://www.ijcc.net/images/vol\\_13/Iss\\_7/13701\\_Wahyuningsih\\_2020\\_E\\_R.pdf](https://www.ijcc.net/images/vol_13/Iss_7/13701_Wahyuningsih_2020_E_R.pdf), p.1786.

which the change in the landscape of nature, change of use of land, noise, landslides and dust.<sup>12</sup>

Mining activities can have a positive impact as well as a negative impact. Impact plus is the availability of materials material soil piled in order maturation of land for the construction of buildings, availability of field work for the community, increasing income areas through the levy, the tax area which in the end will improve the welfare of the community in particular is the community around the area of mining. The impact of negative activities of mining among others the decline in the quality of the environment which is indicated by the decline in the quality of physical, chemical and biological. The decline in the quality of the soil will greatly affect the lives of socio economic community as to decrease the function of power in order to land means also lowers the source of income of people who rely on the resources of nature.<sup>13</sup>

Policies autonomous region now have more emphasize on the role of government areas in its role to the interests of the community and is already supposed to be the policy of the main, because the government area has a source power who entrusted him to protect and improve the welfare of the life of society. What's more, the business of mining in the form of execution is technically not able to be released from institutions / agencies of government are cross-cutting for the sustainability of the implementation of the activities of mining and supervision of the management of the environment of life. So that environmental friendly mining management can be realized.<sup>14</sup>

Should be the policy of mining must pay attention to, among other things, First, legal mining are based on the law of progressive teach their awareness that preserve the environment and reclamation of post-mining is a problem that is major to restore the various impacts negatively for the environment and society. Second, the government should initiate and try alternative new to develop the sector of non-excavated mine as the opinion of the area were the main. This field is actually very much like plantation and agriculture as well as the development of small economic communities in developing the creative economy

The purpose of writing the research of this is to determine and analyze about the activities of mining-related management of the implementation of the mining and management of the environment in the frame of mining.

## B. RESEARCH METHODS

The method that is used is the method of approach of juridical normative. The research is a qualitative research.<sup>15</sup> method approach of juridical normative is research that explains about the provisions in the regulatory legislation which applies, it is connected with the fact that there are in the field, and then analyzed by comparing between the demands of the values of an ideal that is there in the regulatory legislation with the fact that there in the field.<sup>16</sup> The type of research it is descriptive analysis, since researchers want to describe or explain on the subject and the object of research, which is then analyzed and finally drawn conclusions from the results of the study are.<sup>17</sup> It is said descriptive because of the study is expected to obtain a picture that is clear, detailed, and systematic, while saying the analysis because the data obtained from the research

12. bdillah Munawir, Assessment of Impact of Environmental Activities Mining Land piled in Kendari, *Hasanuddin Student Journal* Vol. 1 No. (2): 109-119, December 2017, pp. 109-119

13. *Ibid.*

14. Tety U Puluhulawa Monitoring as an Instrument for Law Enforcement in Business Management Pertambangan ga n and Coal, *Journal of Dynamics of Law*, 2011, pp 299.

15. Anis Mashdurohatur, Ferry Susanto Limbong, Legal Protection of Trademarks Based on the Justice Value, *International Journal of Innovation, Creativity and Change*. Volume 12, Issue 12, 2020, pp.1213.

16. Ronny Hanitjo Soemitro, *Legal and Jurimetric Research Methodology*, Ghalia Indonesia, Jakarta, 1990, p. 33.

17. Mukti Fajar ND and Yulianto Achmad, *Dualism of Normative and Empirical Legal Research*, Student Library, Yogyakarta, 2010, p. 183.

literature as well as the data of cases that will be analyzed to solve to the problem in accordance with the provisions of the law that applies.<sup>18</sup>

## C. RESEARCH RESULTS AND DISCUSSION

### 1. Mining activities related to mining management issues

Source southwest mineral in terms of this mining has a nature of its own , namely the location of the deployment and the size is limited there is in the earth ranging from the surface of the soil to the depth specified , only be mined once because not be renewable , time utilization is limited , the risk of investment is very high , solid capital and technology , preparation prior to mining the old, because the location of the potential source of the power of minerals in general, the area of the interior of the opening of a mine becomes trigger the development and the development of the area behind and give effect doubles the positive in various sectors ( Multiplier effects ).<sup>19</sup>

Departing from the potential source of the power of natural minerals and coal, investments in the field of mining of mineral and coal pull studied from the aspect of law as well as aspects of the economy, saw a pile of mineral and coal as see piles of riches, coal and even mentioned as gold black, the law of wealth that is greatly affecting development the nation's economy. Departing from the case that with the understanding that the business of mining minerals and coal certain intangible an activity of business. The principle basis are presented in writing this is assessing the political law of a planting of capital in sectors of mining minerals and coal and the benefits of investing it.

Activity industrial mining raises the influence of both the positive and the negative. The influence of positive activities of mining that gives contributed to the increase in revenues native areas, open the isolation of the region, contributing foreign countries, opening the field work, procurement of goods and services for consumption and which relate to the activities of production, and can provide the infrastructure for the growth sectors of the economy other.

The positive impacts of development activities in the mining sector are :

- a. Provide value -added is real to the growth of the economy nationwide ;
- b. Increase Regional Original Income (PAD);
- c. Accommodating personnel work , especially people locally around the mine ;
- d. Improve the economy of local communities around the mine ;
- e. Improve local community micro businesses around the mine ;
- f. Improve the quality of human resources for local communities around the mine ; and
- g. Improve the health status of local communities around the mine.

Meanwhile, the negative impact is that naturally the presence of mining resource deposits always interacts and is related to their environmental habitat, such as soil, water and vegetation. Since it is one of the factors that not be avoided at the time of doing the exploitation of the deposit mine that is the degradation of the environment. Management of resources mines that are not guided by the principles of ecology can cause damage to the environment which is great. When passing through power support, power capacity and

18. Anis Mashdurohaturun, Hayyan Ul Haq, Sony Zulhuda, Social Function Reconstruction Of Intellectual Property Rights(Ipr) Based On Justice Values, International Journal of Law Reconstruction, Volume I, Issue 1, September 2017, pp.143

19. Erika , Political Development of Mineral and Coal Mining Law and Its Implications for Customary Law Communities , *Juridis Journal* Vol. 5 No. 1, June 2018 , p . 114-141

threshold limit recoverable will result in damage to the environment permanently.

Damage to the environment of life is change the direct and/or not directly to the nature of the physical, chemical and/or biological environment of life that goes beyond the criteria of raw damage to the environment of life (Act No. 32 of 2009). Several events as negative impacts of mining activities can be seen from the occurrence of threats to the physical, biological, social, cultural, economic and national heritage environments, threats to ecology and sustainable development.

Management of resources the power of nature in the form of the mine coal has a risk of high occurrence of changes in ecosystems that have an impact on the environment. The risk of environmental damage is getting bigger for coal mining which is carried out with open mining systems and methods , and in fact the entire mining business .<sup>20</sup>

Threats against damage to the environment such as the changes in the landscape of nature that is quite extensive , changes in morphology and function of land , hoarding land peelings , landfilling of waste processing and network infrastructure, such as land former mine tin in Bangka, gold in PT Newmont Minahasa Raya, gold and copper in PT Freeport. The influence on ecology also affects the climate on a local scale such as what happened at the mining site of PT Batu Bara Bukit Asam, various micro- organisms in the top soil horizons A and B were destroyed, so that productivity and land stability decreased. Vast territories operation of mining also is one of the factors that led to the emergence of damage to the ecology of the great post- mine, happened wastage of resources mines are quite large , as well as the destruction of the diversity of biological .

The influence of mining in the field of social economy very noticeably ahead and cessation of operation of the company, such as income people decreased, occurred termination of personnel work, not their field of work , patterns of production and consumption declines, revenues and receipts of government from taxes mines and levy decreases . Impact sequel that is conflict between ethnic, conflict of cultures, conflicts of land, poverty and unemployment, perceived negatively against the company, the quality of life, participation and the role of women.

The problems that often occur in the activities of exploration and exploitation of resources of minerals is the decline in the quality of the environment such as pollution of the soil , pollution of air , and hydrology water. Some examples of the location of mines that have experienced a decline in the quality of the environment, among others mine tin on the island of Bangka, mining coal in East Kalimantan, mining gold in West Sumbawa, mine nickel in Sulawesi and mines copper in Papua. The opening of the layer soil that is fertile at the time of extraction , may result in areas that previously fertile into the area that is barren . It takes a long time to return the barren land to fertile again . Pits former mining disrupt the scenery, flora and fauna no longer be able to utilize the land that , and a pool of water contained in the holes that cause the disease new . Pollution and environmental degradation occur at all stages in mining activities. Phase those starting at the stage of processing minerals and all the activities that accompany it such as the use of equipment surveys, material explosives, equipment weight, waste mineral solid that is not needed.

The activities of mining that does not pay attention to the environment can cause peeling of the layer on the ground. The peel of lining up cause danger of erosion and soil landslides further increased. In addition, mining causes damage to soil structure, texture, and porosity as soil physical characteristics that are important for plant growth. Supplementary again, the condition of the soil that is compacted due to excavation, overwritten tools heavy, and so lead to poor system of water management and circulation of

20. Abdul Halim Barkatullah, Ifrani , Balancing Against Impact of Negative Policy Mining Coal, Development Law of the Environment , Volume 3, Number 1, October 2018, 34-48

air in the soil. As a result, the soil is increasingly arid because plants are difficult to develop. Damage to the structure and texture also causes soil is not able to store and permeate water in the season of rain, so that the flow of water surface becomes high . On the other hand, the soil becomes dense and hard in the dry season, making it very heavy to cultivate.

Damage to the environment due to mining of coal caused by the technique of mining open pit mining is to eliminate the vegetation cover of the soil and the peeling layer on the soil that is relatively fertile. Mechanical open pit mining is typically used when the reserves of coal are relatively close to the surface of the soil and regular use by companies that are relatively capital small with technology low and not hospitable environment. This technique destroys nature because it changes the nature of the soil, the emergence of a layer of low- productivity parent material, the land becomes acidic and salts which poison plants, and erosion and sedimentation occur.

In post- coal mining land for the next few years, around 10 years, almost all types of plants cannot grow. Meanwhile, ex- mine tailings soil causes inhibition of plant growth. It is shown that the tailings are not media that good for the growth of plants. Tailings are the residual stone nature are milled smooth the results of processing the ore minerals.

The negative impacts of development in the mining sector are :

- a. The destruction of the environment of life ;
- b. Suffering of indigenous peoples ;
- c. The reduced quality of life of the local population ;
- d. Increased violence against women ;
- e. Ecological destruction of the islands ; and
- f. There was a human rights violation against the mining authority

Arrangements concerning the Mining stipulated in the rules of law which is the rule of law written that were made by officials who authorized, containing rules of behaviours that is abstract and binding.<sup>21</sup> The setting management of coal based on the Law of Mining in line with the concept of sustainability and insightful environment that contained in Article 2 letter d confirms that the mining of minerals and/ or coal-managed based on “ sustainable and forward- environment “ that the explanation is a principle which is planned to integrate dimensions of economic , environmental , and social culture in the whole business of mining minerals and coal to realize the welfare of future is now and the future will come . With the enactment of Law No. 4 Year 2009 on Mining Mineral and Coal there is a change in fundamental that occurs is a change of the system of contract work and agreements into the system of licensing, so that the government no longer is in a position that is aligned with the principals of business and become a party that gives permission to business actors in the mineral and coal mining industry.

The presence of the company is very much needed in spurring the development that is being implemented. In the other, the presence of the company that in addition to bringing the impact of positive, which could open up the field work, a variety of products locally also helped raised through cooperative partnerships . But on the other to bring the impact of a negative , namely the relation of social will be measured by the material that is owned by a person , the environment will be exploited in large scale in the pursuit of profit is optimal. As a result of more far could damage the ecology .<sup>22</sup>

21. Faris Ali Sidqi, River Management According to Banjarmasin City Regulation No. 2 of 2017, Al Adl Law Journal , Volume: VIII No. 2, May-August 2016, p. 89.

22. Sentoso Sembiring , Social and Environmental Responsibility in a Corporate Law Perspective, Journal of Justisial Law, 77th Edition May-August 2009, p. 67

## 2. Management of Environmental Life in Mining Outlook

Management of the environment is a matter that is very important to do, given that humans are always trying to maximize every embodiment of desire and often by means that as soon as possible, so that tends to sacrifice the interests of neighborhood life.<sup>23</sup> In fact, the management of the environment of life in Indonesia is still facing the problem that the same is the clash between the various regulatory legislation, particularly between law sectoral related source power of nature (which is more oriented to the use of source power economics and law environment life (which is considered to be too stressed on the aspect of protection shelter of life)). As a result, management and control environment to live in under the control of the government through the provision of regulatory legislation as an umbrella provision has not been able to achieve the purpose of managing the environment of life, the realization of sustainability function environment of life and the achievement of the welfare of the people.

Since the concept of development implemented, things that relate to the management and protection of resources of nature (SDA) and the environment becomes a problem fundamentally. Although the constitution establishes that the mastery of the resources of nature are used as much as possible for the prosperity of the people, is factual until when these people are not able to live prosperous with the resources of nature are abundant, whereas one of the objectives of development is improving the standard of living people.<sup>24</sup>

Humans and the environment are two things that cannot be separated, humans need the environment to meet their needs. Most major activities of humans involve the environment, either by directly or not directly. Relationship or interaction between humans with the environment, if it is done by not held responsible will disturb the balance and preservation of nature, the disruption of balance and preservation of nature will have an impact on the lives of human beings

Act Protection and Management of Environmental Life No. 32 Year 2009. The protection and management of the environment of life is an effort systematic and integrated are done to preserve the function of the environment of life and prevent the occurrence of contamination and / or damage to the environment of life which includes the planning, utilization, control, maintenance, supervision, and enforcement of the law.

Every effort and activity on essentially cause impact on the environment of life which need to be analyzed since in the planning stage, so that measures controlling the impact of the negative. Every mine is destructive as there are open mines and closed mines. The mine closed (underground mining) is the process of making a kind of goods mine by way of making wells or tunnel into the layers of rock because of the location of goods mine away from the surface of the earth.<sup>25</sup>

In a closed mining system, for example in the oil and gas sector, using a pipe into the earth so that the surface does not show any damage due to dredging is done in the earth. However, there was no visible damage on the surface of the ground. System mines closed also occur in the mining of gold, namely by way of digging a hole. While the mine is open (surface mining) is a method of mining that all activities of mining is done on top of the surface of the earth. In this case, the open mining system is used in the gold mining sector because it is dredging hills, mountains and so on. Pol a dredge that does not exist which is called not damage the environment to which carried out the mining of gold, what else things that are of use Ingredients Hazardous and Toxic (B3) such as mercury and so on. B3 can be interpreted material are due

23. Hartuti Purnaweni, Environmental Management Policy in North Kendeng Area, Central Java Province, Journal of Environmental Science, Vol 12 (1) April 2014, pp. 53-65

24. Sutikno, Maryunani, Natural Resource Economics, Publishing Agency, Faculty of Economics, University of Brawijaya, Malang, 2006, p. 4.

25. Muhammad Dahlan Balfas, Geology for General Mining, Graha Ilmu, Yogyakarta, 2011, p. 173



to the nature of the chemical and conditions of the physical potential to cause disturbance on the health of human , damage to property or the environment .<sup>26</sup>

With such the system mines open and the system mines closed is equally impair the function of ecosystems and damage the environment of life. Then it can be concluded that all the mines do not exist are friendly environment, what else to mine gold because not the process of burial or the planting soil.

From the results of observation, after doing the mining there are holes former mine that was left open and do not there is a process of reclamation , namely the closure or burial pit after mining. A problem major that will arise in the region of the former mine is the change in the environment primarily impacting on water land and water surface , continues in physical changes in morphology and topography of the land .

The measures that can mitigate the effects of damage to the environment of life including :

a. The mining area is limited

If the mining location at location A as a water buffer area is then mined, then the mining is damaging to the ecosystem, namely nature and humans. It means that human beings are not able to again access to water for the region buffer the water that has been marred by the miners, so when it is done then the terms are not efforts will but aggravate of the environment and access to water by the residents.

b. Not allowed to do mining

Whatever the wealth of the earth are not allowed to be mined for the price of a mine with water not be exchanged back , people can live without gold will however not be able to live without water.

c. Adapt the structure or method of the mine room

If the area of the mine, the thing that should be restricted for example 100 Ha, if it exceeds it in functionality will spoil more spacious. If it is not the area of the mine, the settlements must be shifted or the area of the mine that had to be moved. Because it should not be forced, in theory it should not be even more so in practice.

Indonesia should think the length of the period ahead of Indonesia. There is a theory about the Dutch Deases or disease Netherlands namely a situation in which the countries producing the source of the power of nature once enjoyed windfall overflow when it occurs the increase of resources of nature are folded double . Will but when the price of resources of nature are dropped in a drastic, rich countries are difficult to adjust themselves to the situation of the economy that is new . So the expert economic mineral mention the phenomenon that it has impoverishes a country where the wealth of its natural precisely overflow or theory of resource curse . In the Indonesian language repertoire , the concept is like the proverb which reads “ chickens die in a rice barn “ or “ languish in the midst of abundance .

## CONCLUSION

The activities of mining -related mining and management of the environment in the frame of the mining is very important to maintain the sustainability of the environment, because the activities of mining

26. Syarifah Rahmatillah , Tasbi Husen , Misuse of Mining Management Against Environmental Damage in Kluet Tengah District , LEGITIMASI , Vol. VII No. 1, January-June 2018 , pp. 149-171

that does not pay attention to the environment can cause erosion on a layer of soil above. Exfoliation lining up cause danger of erosion and landslides is getting increased. In addition, mining causes damage to the structure, texture and porosity of the soil as physical characteristics of the soil that are important for plant growth . Besides that , the condition of the soil that is compacted as a result of excavation , overwriting the tool weight, and so lead to poor system of water and the circulation of air in the soil. As a result, the soil is increasingly arid because plants are difficult to develop. Damage to the structure and texture also causes soil is not able to store and absorb water in the season of rain, so that the flow of water surface becomes high. environmental management needs to be realized in mining activities.

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