

Environmental Management and Monitoring Procedures, Guidelines for (MOE Decree No. 12, 1994)

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**DECREE CONCERNING
GENERAL GUIDELINES FOR
ENVIRONMENTAL MANAGEMENT PROCEDURES
AND ENVIRONMENTAL MONITORING PROCEDURES
Minister of State for the Environment
Decree Number Kep-12/Menlh/3/1994
THE MINISTER OF STATE FOR THE ENVIRONMENT**

Considering:

1. that, in the [Clarification, Chapter 2, Paragraph 2 of Government Regulation No. 51 of 1993](#) Regarding Environmental Impact Assessment, it is required for the support of sustainable development that all proposed businesses or activities which are not required to prepare an Environmental Impact Assessment must implement Environmental Management Procedures (UKL) and Environmental Monitoring Procedures (UPL).
2. that, in order to implement [Government Regulation No. 51 of 1993](#) regarding Environmental Impact Assessment, it is deemed necessary to stipulate a Decree of the Minister of State for the Environment regarding General Guidelines for Environmental Management Procedures and Environmental Monitoring Procedures.

In View of:

1. Law No. 4 of 1982 regarding Basic Provisions for the Management of the Living Environment (State Gazette No. 12, 1982, Supplement to State Gazette No. 3215);
2. Law No. 5 of 1990 regarding Conservation of Natural Resources and Ecosystems (State Gazette No. 49, 1990, Supplement to State Gazette No. 3419);
3. Law No. 24 Of 1992 regarding Spatial Use Management (State Gazette No. 115, 1992, Supplement to State Gazette No. 3501);
4. [Government Regulation No. 20 of 1990](#) regarding Water Pollution Control (State Gazette No. 34, 1990, Supplement to State Gazette No. 3409);
5. [Government Regulation No. 51 of 1993](#) regarding Environmental Impact Assessment (State Gazette No. 84, 1993, Supplement to State Gazette No. 3538);
6. Decree of the President of the Republic of Indonesia No. 23 of 1990 regarding the Environmental Impact Management Agency;
7. Decree of the President of the Republic of Indonesia No. 96/M of 1993 regarding the Establishment of Development Cabinet VI;
8. Decree of the President of the Republic of Indonesia No. 44 of 1993 regarding Position, Basic Tasks, Function, Organizational Structure and Administration of Ministers of State;
9. [Decree of the Minister of State for the Environment No. KEP-11/MENLH/3/1994](#) Concerning the Types of Businesses and Activities Required to Prepare an Environmental Impact Assessment.

**HAS DECIDED TO STIPULATE:
A Decree of the Minister of State for the Environment
Regarding General Guidelines for**

Environmental Management Procedures and Environmental Monitoring Procedures

First

All proposed businesses or activities which are not expected to have significant impacts and/or for which suitable technology exists for management of significant impacts shall implement Environmental Management Procedures and Environmental Monitoring Procedures in accordance with applicable laws and regulations.

Second

The Environmental Management Procedures and Environmental Monitoring Procedures, as referred to in the [first item](#) herein, shall be regulated by a general guideline.

Third

1. General guidelines for the Environmental Management Procedures and the Environmental Monitoring Procedures shall be as set forth in the [Appendix](#) hereto;
2. Technical guidelines for the Environmental Management Procedures (UKL) and the Environmental Monitoring Procedures (UPL) shall be set by the Minister or Head of the non-departmental government agency with reference to the General Guidelines as referred to in item 1 above;
3. In the event that technical guidelines as referred to in item 2 above shall have not been set, the Environmental Management Procedures and the Environmental Monitoring Procedures shall be prepared with reference to the General Guidelines as referred to in item 1 above.

Fourth

This Decree shall take effect as of the date of promulgation, and if any error is found in the future, a revision shall be made accordingly.

Promulgated in Jakarta on 19 March 1994
The Minister of State for the Environment
(signed) Sarwono Kusumaatmadja

APPENDIX GENERAL GUIDELINES FOR ENVIRONMENTAL MANAGEMENT PROCEDURES AND ENVIRONMENTAL MONITORING PROCEDURES

A. Introduction

1. The Environmental Management Procedures (UKL) and the Environmental Monitoring Procedures (UPL) do not form part of the Environmental Impact Assessment process (AMDAL), and therefore the UKL and UPL documents are not subject to evaluation by the responsible AMDAL commission. Rather, they are under the direct guidance of the technical agency having jurisdiction over and responsibility for the supervision of the business or activity in question, and are prepared with reference to technical directives relevant to the type of business or activity.
2. The UKL and UPL are specific to the business or activity with regard to the impacts that it produces. Therefore, technical guidelines for the UKL and UPL shall be stipulated by the (sectoral) agencies responsible for that particular type of business or activity, and shall be directly related to the technical activities of the business or activity in question.

3. The proponent of the business or activity shall be bound by the documents he has prepared and signed, with these documents being a requirement for the granting of permits for the said business or activity

B. Functions and Objectives

These General Guidelines for Environmental Management Procedures and Environmental Monitoring Procedures shall function:

1. As a reference for the compilation of technical guidelines for Environmental Management Procedures and Environmental Monitoring Procedures for the sectoral ministries and non-departmental government agencies;
2. As a reference for the compilation of Environmental Management Procedures and Environmental Monitoring Procedures by the proponent, in cases where the sectoral UKL and UPL technical guidelines have yet to be issued;
3. As a binding instrument for the proponent with regard to undertaking environmental management and monitoring.

Through the existence of these guidelines, the management of the environment will be improved and better focused, and handled more efficiency and effectively.

C. Scope

The Environmental Management Procedures and Environmental Monitoring Procedures shall be compiled in such a way that they will:

1. Directly describe all important information regarding the proposed business or activity in terms of the specific characteristics of the project itself which may have potential impact on the environment;
2. Provide information of the environmental components which may suffer these impacts;
3. Indicate the environmental management and environmental monitoring procedures which will be undertaken by the proponent during the pre-construction, construction and post-construction phases.

D. Contents

The Environmental Management Procedures and Environmental Monitoring Procedures documents shall include:

1. **Operation or Activity Plan.** A brief explanation of the operations or activities to be undertaken by the proponent, covering, among others, the following points:
 - a. the type of proposed business or activity;
 - b. the precise location of the proposed operations or activities, with an explanation as to whether or not it complies with the General Spatial Plan (RUTR) for the area;
 - c. the distance from the site of the proposed business or activity to the resources and other activities around it, such as forest areas, rivers, settlements, industrial areas, etc., along with the linkages among these components;
 - d. the facilities which are planned, including among others:
 - the extent of the area to be used for the business or activity, including, among others, the main buildings, workers housing, the length of roads and the site layout;

- equipment to be used, along with its type and capabilities;
 - the types of raw and auxiliary materials as well as other materials to be used, including, among others, the quantities, volumes, features, origins, types of transportation, storage methods and final waste disposal system;
 - source of water and its utilization;
 - source of energy; and
 - workers employed.
- e. production processes used or implemented.
2. **Environmental Components.** A brief explanation of the natural resources and/or environmental components which are predicted to experience any impacts, including, among others: rivers, atmosphere, flora and fauna, etc.
2. **Predicted Impacts.** Impacts which are predicted to occur, whether in the form of wastes and/or pollution or others, including:
- a. sources of impacts;
 - b. types of impacts and their magnitude; and
 - c. characteristics of and criteria for these impacts.
1. **Environmental Management Procedures.** A detailed description of the environmental management procedures which will be implemented by the proponent.
1. **Environmental Monitoring Procedures.** A detailed description of the environmental monitoring procedures to be implemented by the proponent, particularly those directly related to the nature of the primary and/or typical activities, covering, among others:
- the types of impacts being monitored;
 - monitoring sites;
 - monitoring period;
 - monitoring methods.
1. **Reporting.** A detailed description of the mechanism for reporting on the application of the Environmental Management Procedures and the Environmental Monitoring Procedures when the proposed business or activity is implemented (with reference to the supervisory/control agency, BAPEDAL, provincial government and local district/municipal administration).
1. **Performance Commitment.** The proponent's signed commitment to implement the environmental management procedures and environmental monitoring procedures for the proposed business or activity.

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Acknowledgement: Text from "Himpunan Peraturan Tentang Pengendalian Dampak Lingkungan, Seri II", published by BAPEDAL (1996).

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