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The Role of Village Government in Overcoming Environmental Pollution Caused by Tofu Factory Waste

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ABSTRACT

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Environmental problems cannot be separated from human activities themselves which cause damage to nature and has very broad consequences for human and animal life. Environmental damage is caused by a business that is only concerned with profits, ignoring the consequences of its production which can pollute the surrounding environment. The research method used by the author in studying this problem is normative juridical, using a statutory approach. The problem that occurred in this study was the emergence of a pungent odor and damage to the irrigation river ecosystem caused by this tofu factory waste. And there is no business permit or environmental permit from the tofu factory. The issues raised are 1. What is the role of the Village Government in dealing with environmental pollution caused by this factory waste? 2. What are the Pesa Government's efforts regarding environmental pollution caused by tofu factory waste. In conducting this research the author used a normative juridical research method. The results showed that the role of the village government in overcoming environmental pollution caused by tofu factory waste generally has 3 roles, namely as a facilitator, motivator, and mediator. Such responsibility is limited to a formal existence. However, it must still refer to the provisions stipulated in Law Number 32 of 2009 concerning PPLH and Regional Regulation 11 of 2019 concerning the Nganjuk PPLH. Permits are a juridical instrument used by the government as a system for managing conditions in people's lives that must be obeyed by all people to control activity so that their business has strong legality. By completing a business permit and environmental permit, the business complies with the law



Introduction

Environment is a mercy from the almighty god who must be developed and preserved so that it can become a source of life support for other living things for the sake of continuity and improvement of the quality of life itself.¹ General policy regarding the environment in Indonesia, has been set forth in Law Number 32 of 2009 concerning the protection and management of the environment which is a statutory provision for all forms of regulation regarding issues in the environmental field. Environment is a space consisting of objects, resources and living things that form a system that mutually supports other living things. Human life cannot be separated from the environment, as well as human life and other living things such as animals and plants. In that space there are also non-living things, such as air which consists of gas, water, soil, and rocks².

¹ Salsabila Hasna. "Application and Practice of Pancasila in Environmental Preservation". *Jurnal Scientia Indonesia* Vol.2 .No.1.(2016): 21-44.

² Sulaiman Ibrahim. "Pelestarian Lingkungan Hidup dalam Perspektif Al-Qur'an: Kajian Tafsir Maudu'iy". *Jurnal Ilmiah AL-Jauhari (JIAJ)* Vol. 1 No 1 (2016): 109-132

¹⁰ In law Number 23 of 2009 concerning Environmental Protection and Management, it is explained that environmental management and protection are systematic and integrated efforts made to preserve environmental functions and prevent environmental pollution and damage which includes planning utilization, maintenance, supervision, and law enforcement. Based on Danasaputro, environment or living environment are ¹⁶ all objects, forces, and conditions, including humans and their actions that are contained in the space where humans are affecting the survival, welfare of humans, and other creatures.³

In the context of implementing environmental management, regional governments carry out activities namely: Protection, Monitoring, Development, Socialization, Control, Supervision, Licensing, Giving Awards, And Law Enforcement⁴. In addition to the regulations made and stipulated by the regional government of Nganjuk Regency regarding environmental protection and management. As a form of prevention against environmental pollution, especially factory waste, the government of Nganjuk Regency issued a regional regulation of Nganjuk regency: Article 15 (paragraph 3) Concerning environmental quality standards, Article 17 Concerning AMDAL (every business or activity must have an AMDAL), Article 18 & 19 Concerning Permits, Article 25 Concerning Countermeasures, and Article 26 Concerning Recovery.⁵

The problems discussed above regarding waste, in fact there has been a contamination of the construction of liquid waste by the manufacturing industry that ignores the environmental impact as a result of which there is pollution of liquid waste from the results or process of its waste disposal, which is very dangerous for humans and surrounding animals. This was done by the Nganjuk Tofu Factory. There have been many cases related to environmental pollution in every area, especially in the area around the writer which was caused by tofu factory waste. Many residents often smell a strong odor when passing through the river and the water quality at that time is very murky. Humans are considered the most influential in the ecosystem so that they can do anything to the environment, even in a way that can damage the environment⁶.

Tofu factory waste contains high levels of nitrogen and phosphate, which are stated as materials which are relatively small in quantity but have the potential to produce an unpleasant odor and damage the environment, especially in waters. in this case it seems as if waste is one of the main environmental problems that exist.⁷ The presence is quite worrying, especially those originating from industrial factories, toxic and hazardous materials are widely used as industrial raw materials and as auxiliary materials. Toxic and dangerous waste is indicated by the physical and chemical properties of the material itself, both in terms of quantity and quality. If there is no awareness from the community about a clean environment, it will be very difficult to create a clean environment as well. The river as a

³ Nurliana. "Komunikasi Persuasif Dinas Lingkungan Hidup Dalam Menciptakan Masyarakat Sadar Lingkungan Di Aceh Tengah". *An-Nadwah*, Vol. 26, No.1 (2020): 22-30.

⁴ Suwari Akhmaddhian. "Implementasi Penegakan Hukum Lingkungan Pada Sektor Pertambangan Di Kabupaten Kuningan". *Unifikasil: Jurnal Ilmu Hukum* 4.1 (2017): 43-53.

⁵ Aryo Haris Saputro, Emmilia Rusdiana. "Penegakan Hukum Pasal 104 Juncto 60 Undang - Undang Nomor 32 Tahun 2009 Tentang Perlindungan Dan Pengelolaan Lingkungan Hidup Dikaitkan Dengan Pencemaran Aliran Sungai Kedungsuko Kabupaten Nganjuk". *Novum: Jurnal Hukum*. Vol.4.2.(2017): 1-9.

⁶ Lalu Sabardi. "Peran Serta Masyarakat Dalam Pengelolaan Lingkungan Hidup Menurut Undang-Undang Nomor 32 Tahun 2009 Tentang Perlindungan dan Pengelolaan Lingkungan Hidup". *Yustisia* Vol. 3 No. 1 (2014): 67-79

³⁵ Nyoman Sri Widari, Agung Rasmito, Gosiyen Rovidatama. "Optimalisasi Pemakaian Starter Em4 Dan Lamanya Fermentasi Pada Pembuatan Pupuk Organik Berbahan Limbah Cair Industri Tahu". *Jurnal Teknik Kimia*, Vol.15, No. 1 (2020): 1-7.

source of water is one of the natural resources that functions for the life of living things. Water is everything in this life whose function cannot be replaced by other substances and objects. And conversely if the river is not maintained properly it can endanger humans and other creatures.¹¹ Based on the description above, the formulation of the problem discussed is: How is the role of the Village Government in overcoming environmental pollution caused by this factory waste ? What are the Village Government's efforts regarding environmental pollution caused by tofu factory waste ?

Research Methods

The research method is an activity to obtain data that can actually be accounted for by describing the data collection and analysis activities in detail. In conducting this research, the writers used a normative juridical research method, which refers to written laws and regulations or positive law and is related to the Problem. The implementation is by describing and describing the data obtained from the research which is then selected and then linked to the problem to be studied.⁴⁴

Results and Discussion

1. ³ Role of Village Government in Overcoming Environmental Pollution Caused by Tofu Factory Waste

The formation of a village is at the initiative of the community in a certain area with the aim of improving public services so that people's welfare will be realized quickly. Because of that, the Village Government with the bureaucracy was present.¹ The role of the village government, especially in environmental pollution, really needs to be done in order to create a clean and comfortable environment.³⁶ According to Article 1 paragraph (7) Regional Regulation Number 9 of 2018 concerning Amendments to the Nganjuk Regency Regional Regulation that the meaning of Village Government is the administration of government affairs and the interests of the local community within the system of Government of the Unitary State of the Republic of Indonesia. Whereas in Article 1 paragraph (8) Regional Regulation Number 9 of 2018 Nganjuk Village Government stipulates that the Village Head is assisted by Village Devices as an element of Village Administration.⁹¹³³³

1) Head Village, The Head Village is the Village Government. In running the government, it is assisted by elements called village apparatus. The main tasks of the Village Government besides carrying out general government activities and village autonomous affairs are also carrying out community development and development. The position of the village head is so high in his environment that his role is very large in making his village progress. Besides the presence of other factors, the role of the village head is absolutely essential to be demonstrated in the established policies.¹⁰

⁹ Gusti Agung Adnyana Putera, Kadek Diana Harmayani, dan I Gede Indrajaya Putra. "Manajemen Risiko Pelaksanaan Pembangunan Sistem Pengolahan Air Limbah Terpusat Kota Denpasar Tahap Ii (Jaringan Air Limbah Pedungan)". *Jurnal Spektran* Vol. 7, No. 1 (2019): 42-50

⁹ Gianda Nadyastika, Dodik Siswantoro. "The Management of Village Funds-Village Fund Policy Implementation (Case Study in Candirejo Village, Nganjuk Regency, East Java Province, Indonesia)". *Advances in Economics, Business and Management Research*, volume 89.(2019): 12-25

¹⁰ Dwi Lili Marganingsih, Lindi Hartono. "Peran Pemerintah Desa Dalam Mengatasi Limbah Peternakan Sapi Perah". *Publiciana : Jurnal Ilmu Sosial dan Ilmu Politik*, Vol.14.1 (2021) : 243-255

The duties of the village head are listed in Article 26 paragraph (4) point (o) UU 6 of 2014 About Villages namely "developing the potential of natural resources and preserving the environment"¹¹ which means that the village head has the task of managing village natural resources and the village head also has the authority to protect the village by preserving the environment.

- 2) Village Apparatus, In government agencies there is a bureaucracy that organizes and carries out government tasks. In carrying out his government the village head is assisted by his work team, namely village officials. The village head has the authority to appoint and dismiss village officials, and therefore village officials are responsible to the village head. The Village apparatus is coordinated by the Village Secretary who oversees elements of the village secretariat for administration. elements of village technical implementers who assist the executors of operational tasks, and elements of regional implementation as regional unit tasks. The function of the Village Secretary in assisting the duties of the Village Head includes preparing and carrying out village administrative management. In carrying out his duties the village secretary is also assisted by the head of government affairs.¹²

The Head of General Affairs functions to assist the secretary in managing village archives, inventory of village assets, and general administration. The hamlet head functions to assist the performance and carry out activities carried out by the village government in the hamlet area in the welfare of the community. All elements of the Village apparatus are tasked with assisting the Village Head in administering Village Administration. All elements of the Village apparatus are controlled by the Village Head.¹³ The tasks of the village apparatus above are in accordance with Article 49 paragraph (1) of Law Number 6 of 2014 concerning Villages that "Village apparatus as referred to in Article 48 are tasked with assisting the Village Head in carrying out his duties and authorities".¹⁴

2. ¹ **The Role of Village Government in Overcoming Environmental Pollution**

The role is a dynamic aspect of a person's position and because of that position he performs an action or movement of dynamic change where from that effort it is hoped that a state or desired result will be created. The existence of this role raises certain consequences, namely the existence of obligations that must be carried out by someone according to the role and status of their position. Meanwhile, if the role is related to the Government in dealing with industrial waste pollution, it is a position related to the duties and obligations that the government should carry out in dealing with industrial waste pollution in order to be able to reduce the level of existing pollution.

²⁵ Bambang Adhi Pamungkas. "Pelaksanaan Otonomi Desa Pasca Undang-Undang Nomor 6 Tahun 2014 Tentang Desa". *Jurnal USM Law Review* Vol.2.No .2.(2019): 210-299

¹²Rismanto Sipayung, Dani Sintara. "Analisis Hukum Terhadap Peraturan Bupati Serdang Bedagai Nomor 33 Tahun 2020 Tentang Mekanisme Pengangkatan dan Pemberhentian Perangkat Desa di Desa Bandar Bayu Kecamatan Kotarih Kabupaten Serdang Bedagai". *Jurnal Hukum dan HAM Wara Sains* Vol. 2, No. 04 (2023): 244-258

¹³Joi Setiawan, Bambang Tri Harsanto, Sukarso. "Analisis Model Kepemimpinan Kepala Desa Dalam Pengembangan Potensi Desa Di Kabupaten Banjarnegara". *Public Policy and Managemnt Inquiry*. Volume 1 Issue 1 (2016): 28-41

¹⁴Yessyca Gemilia, Uu Nurul Huda. "Kewenangan Desa Dalam Penataan Ruang Berdasarkan Undang-Undang Desa". *Adliya: Jurnal Hukum dan Kemanusiaan*, Vol. 14, No. 1 (2020): 121-140.

Government in this case is the Regional Government. Village Government according to Law Number 32 of 2004 concerning Regional Government, it is explained that Regional Governments are governors, mayors, regents and heads village. In the process of overcoming environmental pollution, the village government is not only responsible for formulating policies, strategies, plans, programs and projects, but also for all aspects of the activity implementation process. So that the role of the Village Government is very important in dealing with environmental pollution. In carrying out its duties the village government has 3 ways, namely:

1) Facilitator (Support)

The Village Government bridges, fulfills the needs and facilities needed by the village community. Facilitators also assist in managing an information process, facilitating communication and solving problems. In terms of efforts to handle pollution from tofu factory waste, the role of the Village Government has carried out its function as a facilitator, namely providing the means to solve existing problems by admonishing or giving directions that the tofu waste can be processed. Among others:

- a) Liquid waste can be processed into biogas;
- b) Solid waste can be used as animal feed.

This is what underlies the steps of the village government as a facilitator with the aim of both being a tofu factory business and the people affected by pollution.¹⁵

2) Mediator (Mediation)

The Village Government acts as a mediator in solving environmental pollution problems due to tofu factory waste by placing it as a neutral third party (mediator) by prioritizing the achievement of solutions. The method taken is to prioritize deliberations from various parties. In Article 50 paragraph (3) Regional Regulation Number 11 of 2019 the Nganjuk PPLH also states that, in the settlement of environmental disputes outside the court, the services of a mediator and/or arbitrator can be used to help resolve environmental disputes.

3) Motivators

The Village Government acts as a motivator in resolving the problem of environmental pollution due to tofu factory waste by providing motivation, awareness and direction to village communities who have tofu factories and other village communities to be even more active in the importance of protecting and protecting the environment.¹⁶ According to the writers, the Village Government must be firm in dealing with this to ensure the peace of the residents, because it is not only the local residents who suffer losses but damage the ecosystem and the quality of the surrounding water will decrease. And the above efforts might be a way out in overcoming this problem. Because back in Article 26 paragraph (4) point (o) of Law 6 of 2014 concerning villages namely "developing the potential of natural resources and preserving the environment."

¹⁵ Anggreyni Raintung, Sarah Sambiran, Ismail Sumampow. "Peran Pemerintah Desa Dalam Pemberdayaan Kelompok Tani di Desa Mobuya Kecamatan Passi Timur Kabupaten Bolaang Mongondow". *Jurnal Governance* Vol.1, 2 (2021): 1-9.

¹⁶ Ahmad Al Arafy, Muh. Jamal, Iman Surya. "Peran Kepala Desa Dalam Pengembangan Pariwisata Di Desa Luan Kecamatan Muara Samu Kabupaten Paser". *eJournal Ilmu Pemerintahan*, Vol. 10.2 (2022): 394-403

3. *The Efforts to Overcome Environmental Pollution Caused by Tofu Factory Waste*

1. Problems with Environmental Permits and Business Permits

Permits are a juridical instrument used by the government as a system to manage conditions in people's lives. Which must be obeyed by all people to control an activity that is carried out in various fields, which aims to organize life so as to create a conducive atmosphere in the running of public interests. Business actors must have a business license so that their business has strong legality and is recognized. Having a business license is also a form of obeying the law¹⁷. For that, a company must legalize its business. The legality in question is in the form of legally valid permits for all business activities carried out. A permit can be interpreted as a dispensation from a ban, so if you don't have a permit, the activity is illegal. A business permit is not the same as an environmental permit. A business license is a registration given to business actors to start and run a business and/or activity provided in the form of approval or fulfillment of requirements and/or commitments. Environmental Permits are permits granted to business actors who carry out businesses and/or activities that are required to have an AMDAL or UKL-UPL in the framework of environmental protection and management as a prerequisite for obtaining business and/or activity permits. We can see this Environmental Permit itself in the general explanation of Government Regulation Number 27 of 2012 which states that the issuance of an Environmental Permit has the following objectives:

- a) To provide protection for a sustainable and sustainable environment;
- b) Increase efforts to control businesses and/or activities that have a negative impact on the environment;
- c) Provide clarity of procedures, mechanisms and inter-agency coordination in administering permits for businesses and/or activities; and
- d) Providing legal certainty in businesses and/or activities.

With the development of the era, registration of environmental permits can be done online by the OSS Institution. Having this environmental permit is an effort to protect and manage the environment, as well as a prerequisite for obtaining a business license. In this case the location of the business and or activity is in a special economic zone, industrial zone and free trade area. With an Environmental Permit, every business is required to have a plan for dealing with waste and pollutant emissions. Does the tofu factory business have a permit according to Article 18 of Regional Regulation Number 11 of 2019 PPLH Nganjuk as an effort to implement existing regulations? The answer is no. So the problems that occur in the case of waste pollution carried out by tofu factory waste. It was found that there is no environmental permit or business permit, so the industry is illegal, because the company does not register, violations of this regulation will be subject to sanctions in the form of warnings, cancellations and even criminal sanctions such as fines and confinement. If the tofu factory business wants to continue, then the tofu factory business can apply for a business permit or environmental permit, and if the permit is not taken care of immediately, residents can report to the local government to temporarily or permanently close the business. Because the impact has damaged the

⁹ Putri Yanni Dewi Siregar. "Aspek Hukum Penyederhanaan Perizinan Badan Usaha di Bidang Lingkungan Hidup dalam Undang-Undang Cipta Kerja". *Jurnal Ilmiah Penegakan Hukum*, 7.2.(2020): 184-192

environmental ecosystem, created a very unpleasant odor, and the place is in a residential area, it can create gaps and disrupt the community.

2. Complete the Business License

This business license is very necessary for business actors so that the business has legality and can get legal protection. The following are the requirements for obtaining a business license, as follows:

- a. Photocopy of the identity card of the business owner or shareholder;
- b. Photocopy of Taxpayer Identification Number (NPWP) card;
- c. Certificate of domicile or SITU;
- d. Company balance sheet.
- e. IDR 6,000 stamp duty;
- f. 2 pieces of passport photo of the business owner or main director or person in charge of the business size 4 x 6;
- g. Other permits related to the business being carried out.

After the requirements are complete, businesses can register online or offline. If you are online, you can access the OSS Institution and if you are offline, you can go directly to the Nganjuk District Trade Office or the Integrated Licensing Service Office. After everything is finished, just wait, wait for this permit to come down in not so long time, approximately 2 weeks from the time of application. And if a business or activity has a business license but does not yet have environmental documents, it is obligatory to prepare a DELH or DPLH as a requirement for an environmental permit application. As stipulated in Article 18 Paragraph (4) Regional Regulation Number 11 of 2019 PPLH Nganjuk. The following environmental permits are obtained through the stages of activities which include: 1). Preparation of AMDAL and UKL/UPL. 2). AMDAL assessment and UKL/UPL inspection, and 3). Application and issuance of Environmental Permit.

The AMDAL (Environmental Impact Analysis) document is an environmental management instrument that must be prepared by organizers of activities/businesses that carry out activities/businesses that are included in the AMDAL mandatory list, as stipulated in the Decree of the Minister of Environment No.05 of 2012 concerning Types of Business Plans and or Activities Required to be Completed with AMDAL. The AMDAL consists of: First the Environmental Impact Analysis Terms of Reference (KA-ANDAL). Second Environmental Impact Analysis (ANDAL). Third Environmental Management Plan (RKL) Fourth Environmental Monitoring Plan (RPL). UKL/UPL (Environmental Management Efforts and Environmental Monitoring Efforts). UKL-UPL is the same as AMDAL, functioning as a guide for environmental management for all organizers of an activity. However, the scale of activities required by UKL-UPL is relatively small and is considered to have an impact on the environment that is not too large and important. This causes these activities not to be listed in the list of mandatory AMDAL. However, environmental impacts that may occur still need to be managed to ensure the implementation of good environmental management. The official granting the permit must include the requirements and obligations for the UKL-UPL recommendation in the issuance of the environmental permit, so that for businesses and/or activities whose UKL-UPL is rejected, the official granting the permit must refuse the issuance of a permit for the business and/or activity concerned. Environmental permits are issued by

Ministers, governors or regents/mayors in accordance with their authority based on environmental feasibility decisions or UKL-UPL recommendations.

3. Local Government Actions

The Regional Government is required to step in and take action against the business actor to complete the licensing data, if it does not complete it immediately, the Regional Government must act to impose administrative sanctions by closing the business temporarily or permanently. As in Article 42 of Regional Regulation Number 11 of 2019 PPLH Nganjuk, which reads as follows¹⁸:

(1) Everyone who violates the provisions in Article 15 paragraph (3), Article 17, Article 18, Article 19, Article 25 and Article 26 is subject to administrative sanctions.

(2) Administrative sanctions consist of:

- a. Written warning;
- b. Government coercion;
- c. Freezing of environmental permits; or
- d. Revocation of environmental permits.

From the cases that exist, the reality on the ground is that the Village Government in implementing administrative sanctions is only partially applied. What has been applied is only reprimands and coercion from the government, while the next stages have not been implemented. From the cases that exist, the reality on the ground is that the Village Government in implementing administrative sanctions is only partially applied. What has been applied is only reprimands and coercion from the government, while the next stages have not been implemented. And according to the writers, the stages of administrative sanctions written in the UUPPLH and the Nganjuk PPLH Regional Regulation must be implemented by government officials who are authorized in environmental matters and the following are the stages that should be carried out by government officials in environmental matters.

The first step that should be taken is a written warning, this is intended to provide a valid and legal warning because the authorities are in charge of dealing with these environmental problems. As well as the written warning is useful for gently reprimanding the Tofu Factory based on juridical due to the first administrative legal step. This written warning can be in the form of a warning for liquid waste pollution that exceeds the quality standard, and a warning in the form of preventing such pollution from happening again. Second, if a written warning is not implemented, the Government will use force. The Know Party can be warned to act in accordance with the permission given. Government coercion is coercion to maintain the law in the form of a prohibition to continue a business or activity.

So this Government coercion is a sanction that does not go through a process in court. This government coercion can be given by the tofu factory to improve the situation which results in a violation of a regulation that applies to the quality standard of liquid waste that has exceeded a predetermined limit, in terms of government coercion Article 44 paragraph (2) Regional Regulation Number 11 of 2019 PPLH Nganjuk. Government coercion as referred to in paragraph (1) is in the form of:

¹⁸ Retika Nirwana & Kar Sari. "Perancangan Sistem Pengukuran Kinerja Manajemen Dengan Konsep Strategy Maps Dan Balanced Scorecard Pada Kantor Lingkungan Hidup Daerah Kabupaten Nganjuk". *Revitalisasi : Jurnal Ilmu Manajemen*, Vol. 4. 1. (2020): 78-96

4. a. Temporary suspension of production activities;
- b. Transfer of production facilities;
- c. Closure of sewerage or emission;
- d. Demolition;
- e. Confiscation of goods or tools that have the potential to cause violations;
- f. Temporary suspension of all activities; or
- g. Other actions aimed at stopping violations and actions to restore environmental functions.

Finally, if the Tofu Factory also does not carry out Government coercion that has been carried out by the Regional Government, the authority issued is to freeze the business activity. This is enforced so that the Tofu Factory does not have a major impact on the surrounding community due to the pollution that has been carried out. Therefore, the freezing of business activities is carried out to temporarily stop activities until the Tofu Factory no longer pollutes it. From the settlement process, according to the author, this matter must be resolved administratively. Because in the general elucidation of Number 6 UUPPLH it is said clearly that the enforcement of criminal law in this law introduces the threat of a minimum in addition to the maximum penalty, expansion of evidence, punishment for violating quality standards, integrated criminal law enforcement, and regulation of corporate crime. Enforcement of environmental criminal law continues to pay attention to the principle of *ultimum remedium* which requires the application of criminal law enforcement as a last resort after the application of administrative law enforcement is deemed unsuccessful. The application of the *ultimum remedium* principle only applies to certain formal criminal acts, namely punishment for violating wastewater quality standards, emissions and disturbances. The purpose of the explanation above can be interpreted as criminal law enforcement in this law, namely introducing, imposing severe criminal penalties according to what law enforcers see in cases that occur on the basis of existing legal provisions. Also in this explanation there is the word corporation, what is meant by a corporation is a very serious crime which in this corporation is included in the environmental category. So that corporate crime in the environmental field is something that is very dangerous and is included in the elements of criminal acts in environmental problems that occur. And most importantly criminal acts in the environment only apply on the principle of *ultimum remedium*, so the imposition of criminal sanctions can only be imposed if environmental violations are categorized as committing serious environmental pollution, so that minor environmental violations cannot be punished. And according to the writers, resolving cases using criminal law is the last resort if administrative sanctions are not carried out by business actors. And if you are still polluting the environment by disposing of the tofu factory waste in the river.

Conclusion

The problem of environmental pollution due to tofu factory waste is inseparable from Law 32 of 2009 and Regional Regulation Number 11 of 2019 Nganjuk concerning environmental pollution management. Because the law and regional regulations regulate how to protect the environment so that it is not polluted, especially for business actors or business activities so that they do not dispose of their waste in rivers. As written in Article 15 (paragraph 3) regarding environmental quality standards, Article 17 concerning AMDAL

(every business or activity is required to have an AMDAL), Articles 18 & 19 concerning Licensing, Article 25 concerning Mitigation, and Article 26 concerning Recovery. Business actors must know the rules in the article above. In addition, there is the role of the village government in protecting the environment in the village. In carrying out its role, the village government acts as a facilitator, namely providing the facilities needed to solve problems. As a mediator, namely placing oneself as a neutral third party by prioritizing the achievement of solutions by deliberation. As a motivator, namely providing motivation, awareness and direction of the importance of protecting the environment from pollution problems. It is better if the village government is pro-active in carrying out its duties, not only being active when there are reports from the community. Efforts to deal with environmental pollution caused by tofu factory waste are divided into several alternatives, as follows. For tofu factories that have complete permits, the handling of waste pollution is focused on technical waste management. If the business license is incomplete, for example there is no business license, environmental permit from the AMDAL, then besides having to complete the permits, the emphasis is on managing waste in accordance with applicable regulations and under the guidance and supervision of the environmental service. However, if the tofu factory does not have a permit at all, and it is not possible to issue a business permit, the regional government must act decisively with the intended warning and coercion. So the business of the tofu factory should be closed.

Suggestion

It is better for the village government to be proactive and firm by coming as a business or gathering residents who are affected by environmental pollution and as an effort to resolve problems by deliberation. And preferably according to the author the Regional Government (Environmental Service) must improve further in coaching and supervision and there must be an application of sanctions in accordance with existing laws (environmental law).

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