

# AIR QUALITY MANAGEMENT LAWS, POLICIES, AND PROGRAMS IN JAKARTA

## DEVELOPMENT OF INDONESIAN ENVIRONMENTAL LAW

**1982** Modern environmental law was first introduced through the enactment of Law No. 4/1982 on Environmental Management (Environmental Management Act or EMA 1982). This Act attempted to consolidate environmental management in one comprehensive act.

**1997** Enactment of Law No. 23/1997 on Environmental Management (also known as the Environmental Management Act or EMA 1997) that served as the basis for the evaluation and adjustment of all laws that contain applicable environmental provisions. One of the important provisions of the EMA 1997 was the recognition of the right of every person to a good and healthy environment and to environmental information.

**1999** Implementation of Government Regulation (PP) No. 41/1999 on Air Pollution Control which:

- Imposed several standards: ambient air quality standards, emission standards for industrial activities and motor vehicles, and Pollutant Standard Index (PSI)
- Allowed provincial governments to set regional vehicle emission standards, industrial emission standards, and ambient air quality standards that are more stringent than or at least equivalent to the national standards. However, city governments have no authority to issue either emission standards or ambient air quality standards
- Act No. 22/1999 on Regional Autonomy and Government Regulation and No. 25/2000 Government Authority and Provincial Authority as Regional Autonomy, which determine how air quality management is shared between the national and local governments



*A monitoring station in Jakarta operated by BPLHD-DKI Jakarta*

**2004** Act No. 22/1999 has been replaced by Act No. 32/2004 on regional autonomy, although the national government still plays a vital role in establishing legislation, regulations, and guidelines as well as providing human resources development on air quality management.

EMA No. 32/2009 replaces EMA No. 23/1997. The EMA 2009 introduces several new principles and provisions where were not covered in the previous Acts. It also attempts to integrate and harmonize the responsibility of central, provincial and district governments in environmental management.

**2009** In Jakarta, the local government has been mandated through Government Regulation No. 25 to implement environmental management at the local level. The Environmental Management Board DKI Jakarta (BPHLD DKI) is responsible for monitoring ambient AQ, including roadside monitoring. Their task also includes the coordination of other agencies on various environmental issues. Other government agencies include the local Transport Agency (Dishub) through the Traffic and Road Transport Division that is mandated to implement periodic vehicle tests and to manage traffic and transport and the local Development Planning Board (Bapeda), which is responsible for planning the region’s transport system and integrating this with land use planning.

## MANAGEMENT OF MOBILE SOURCES

- ❑ **1999 Ministry of Energy and Mineral Resources Decree (No. 1585/K/32/MPE)** – required the phase out of lead in gasoline for the whole country by 1 January 2003 with unleaded gasoline made available to residents of greater Jakarta from July 2001.
- ❑ **2001 Governor of DKI Jakarta Decree No. 1041** – In Jakarta, the standards for in-use vehicles are stricter than those of the national Government. The legislation was implemented to support the development of the inspection and maintenance system for private passenger vehicles in Jakarta.
- ❑ **Local Act No. 2/2005** – The province of Jakarta is one of the first provinces to issue a bylaw to prevent, control, monitor and mitigate air pollution. Jakarta issued a series of implementing regulations that includes: Gas Fuel Usage for Public Transport and Government Operational Vehicles (Governor Regulation No. 141/2007), Vehicle Emission Test and Vehicle Maintenance (Governor Regulation No. 92/2007), and Non-Smoking Areas (Governor Regulation No. 75/2005 and No. 88/2010).
- ❑ **Act No. 22/2009** – replaces the Act No. 14/1992 on Traffic and Road Transportation and is the legal basis for the management of land transportation, including the control of vehicle emissions.
- ❑ **Minister of Energy and Mineral Resource Regulation No 19/2010 on Utilizing of CNG for Transportation** – The regulation issue to solve the problem of limited CNG supply for transportation especially for BRT Trans Jakarta.
- ❑ **Minister of Energy and Mineral Resource Decree No 2932.K/12/MEM/2010 on Retail Price of CNG for Transportation** – the Decree was issued to solve the uncertainty price of CNG for transportation especially for BRT Trans Jakarta with regard to the retail price for industry. CNG retail price for industry is higher rather than for transportation because it follows the price of diesel fuel for industry as non-subsidy fuel (higher price). Base on this situation, CNG retailer just willing to sell CNG for industry which target to improve their profit.
- ❑ **Local Act No 5/2014** – on Transportation which regulate better traffic and transport management, includes the opportunity to use environmental friendly fuels.



## OTHER PROGRAMS IMPLEMENTED TO HELP REDUCE EMISSIONS FROM MOTOR VEHICLES:

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| ✓ Blue Sky Cities Award                | ✓ Inspection and maintenance                              |
| ✓ Wahana Tata Nugraha Award            | ✓ Bicycle program and infrastructure development          |
| ✓ Gas conversion                       | ✓ Electronic Road Pricing (ERP)                           |
| ✓ Bus transit                          | ✓ Go Gas Program  |
| ✓ TransJakarta Bus Rapid Transit (BRT) | ✓ BRT and Pedestrians Improvement in Jakarta              |
| ✓ Scrappage of 2-stroke 3-wheelers     | ✓ Park and Ride Program                                   |
| ✓ Car Free Day (CFD)                   | ✓ Sustainable Urban Transport Improvement Project (SUTIP) |

## MANAGEMENT OF STATIONARY SOURCES

- ❑ **Act No. 5/1984 on Industrial Activities** – prohibits activities that damage the quality of the environment and ecosystem. The PP No. 13/1995 on Industrial Business License, one of the implementing regulations of this Act, binds industry to comply with environmental regulations as one of the requirements to obtain a business license.
- ❑ **PP No. 27/1999 concerning Environmental Impact Analysis** – requires the proponents of activities to prepare and implement an environmental management and monitoring plan.
- ❑ **Act No. 30/2007 concerning Energy** – requires energy management to be based on the principle of sustainability and environmental protection, among others. This Act regulates energy resilience, new and renewable energy, energy prices, and the establishment of National Energy Council (NEC)<sup>1</sup>. This Act also stipulates that energy conservation is given incentives, while energy dissipation is imposed disincentives.
- ❑ **Presidential Regulation No. 5/2006 concerning National Energy Policy** – state that the contribution of fossil oil as a source of energy is targeted to be reduced from 52% in the year 2003 to 26.2% in the year 2025 of the total energy demand, as well as targets for other sources of energy.
- ❑ **Presidential Instruction No. 10/2005 concerning Energy Conservation and Regulation of the Ministry of Energy and Mineral Resources No. 31/2005 on Energy Efficiency** – require government agencies to undertake energy conservation in offices, office equipment, and transportation, and for industries to undertake energy audits and promote the use of energy saving products or technology.

## MANAGEMENT OF OTHER SOURCES

- ❑ In Jakarta, city authorities plan to follow the initiative of some cities (e.g., Pontianak and Bekasi) on Clean Development Mechanism projects for the city waste landfill.
- ❑ In 2015, Indonesia ratified the **ASEAN Agreement on Transboundary Haze Pollution**. The Agreement is the first regional arrangement in the world that binds a group of contiguous states to tackle transboundary haze pollution resulting from land and forest fires.

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Implementing partners:



<sup>1</sup> The NEC is led by the President along with members selected and chosen by the House of Representatives. The NEC formulates energy policy, designs the overall national energy plan, determines the emergency response plan in the event of an energy crisis, and supervises the implementation of cross-sectoral policies by the relevant government institutions in the field of energy.