

# Reconstruction of Compensation Rights For Communities Affected By Odor Pollution Through Synergy In Waste Management At Parit Enam Final Disposal Site Pangkalpinang City

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## Abstract.

*The guarantee of a good and healthy environment is a constitutional right of citizens as mandated by Article 28H paragraph (1) of the 1945 Constitution of the Republic of Indonesia and Law Number 18 of 2008 concerning Waste Management. This study aims to analyze the operational conditions and environmental dynamics at Parit Enam Final Disposal Site in Pangkalpinang City, evaluate the harmonization of technical regulations concerning compensation for negative impacts, and formulate a concept for reconstructing compensation rights based on sustainable governance synergy. The research method employed is empirical legal research (socio-legal research) using a sociological-juridical approach, combining field studies through in-depth interviews and observation with library research. The results show that, with accumulated waste reaching 184,992 m<sup>3</sup>/year, technical control efforts by the Environmental Agency have been implemented; however, the implementation of compensation for communities in the buffer zone still requires stronger technical legal foundations at the local level so that it can be implemented in a more structured and transparent manner. This study recommends reconstructing compensation rights by transforming them from a passive scheme into a participatory empowerment scheme based on three main pillars: occupational health and safety, environmental infrastructure improvement, and community circular-economic empowerment through the integration of organic waste processing. Collaborative synergy among local government, communities, and the private sector is key to realizing environmental justice and sustainable urban governance.*

**Keywords:** Compensation Rights, Disposal Site, Waste Management, Socio-Legal and Environmental Justice.

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## I. INTRODUCTION

Within the concept of a modern and civilized rule-of-law state (*rechtsstaat*), guarantees for the protection of Human Rights (HAM) and the preservation of a good and healthy environment constitute fundamental foundations of justice.<sup>1</sup> The Indonesian Constitution expressly guarantees these civil and social rights of the community through Article 28H paragraph (1) of the 1945 Constitution of the Republic of Indonesia, which states that everyone has the right to live in physical and spiritual prosperity, to reside, and to obtain a good and healthy environment.<sup>2</sup> This constitutional right is further elaborated in national environmental regulations, which mandate that domestic and urban waste management must not sacrifice the quality of life, health, and socio-economic rights of residents living around waste-management areas.

One important protection instrument is the provision of compensation for negative ecological impacts on buffer zones resulting from final waste-processing activities.<sup>3</sup> Nevertheless, the governance dynamics at Parit Enam Final Disposal Site, Pangkalpinang City, demonstrate implementation challenges in the field (*das sein* and *das sollen*) that require collective attention. The location of Parit Enam Final Disposal Site adjacent to active residential areas creates ecological implications that need to be managed in an integrated manner, including the risk of unpleasant odors from waste decomposition, leachate management, and potential impacts on public health.<sup>4</sup>

The operational conditions, burdened by the volume of accumulated waste, create sociological and economic challenges for surrounding residential areas. Increasing urbanization and changes in community consumption patterns have been shown to be directly proportional to the complexity of air pollution and pungent odors generated by accumulations of wet waste.<sup>5</sup> Hydrogen sulfide (H<sub>2</sub>S), ammonia (NH<sub>3</sub>), and methane (CH<sub>4</sub>) released from the anaerobic process of waste accumulation not only reduce residential

comfort but may have long-term effects on reduced respiratory function among residents who are continuously exposed.<sup>6</sup>

Normatively, environmental law provides room for attention measures or compensation for negative impacts on communities surrounding final disposal site facilities, as mandated by Article 25 of Law Number 18 of 2008 concerning Waste Management. However, the harmonization of technical regulations at the local level and the implementation coordination mechanism in Pangkalpinang City are still being refined to achieve optimal legal certainty and public transparency.<sup>7</sup> An accommodative and inclusive public policy not only provides legal certainty regarding the rights of communities around Parit Enam final disposal site, but can also transform potential sociological conflicts into strategic partnerships for sustainable urban environmental governance.<sup>8</sup>

The establishment of a structured attention mechanism and the strengthening of synergy between the Pangkalpinang City Environmental Agency, as the managing institution, and surrounding residents are the main keys to transforming waste management toward the era of the circular economy and require participatory dialogue spaces to prevent potential miscommunication.<sup>9</sup> The formulation of an inclusive reconstruction of rights is therefore important so that community aspirations can be accommodated proportionally. Accordingly, this empirical legal research is conducted to analyze actual conditions from a sociological-juridical perspective, reconstruct a fair formulation for fulfilling community compensation rights, and formulate a sustainable environmental governance synergy model between the municipal government and the community.<sup>10</sup>

To support comprehensive responses to environmental dynamics, this research goes further by integrating the concept of environmental justice into the search for regulatory solutions through the formulation of an accountable local policy draft, as well as identifying environmental empowerment innovations for the community. The innovation is realized through the idea of a community-based organic waste management system in the buffer zone, thereby transforming waste-management challenges into economic opportunities for residents. On this basis, the research is entitled: "Reconstruction of Compensation Rights for Communities Affected by Odor Pollution through Synergy in Waste Management at Parit Enam Final Disposal Site, Pangkalpinang City".<sup>11</sup>

## II. METHODS

This research uses empirical legal research or socio-legal research, focusing on observing and analyzing the operation of law (law in action) amid social realities.<sup>12</sup> Through this method, the research objectively maps the structural gap between written waste-management norms and the fulfillment of the ecological rights of residents surrounding Parit Enam Final Disposal Site, Pangkalpinang City.<sup>13</sup> Field data based verification is intended to produce applicable and socially just recommendations for legal reconstruction for affected communities.

The research approach applied is a sociological-juridical approach (socio-legal approach), which views law as actively interacting with the environment, economy, and local political policies. This approach is used to identify obstacles to the optimal realization of community compensation rights as mandated by the Waste Management Law and to examine the influence of bureaucratic relationship patterns on waste-management synergy. The analysis does not rely solely on statutory texts (black-letter law), but also examines community legal perceptions, the social impacts of air pollution, and external factors hindering the fulfillment of environmental justice.<sup>14</sup>

Research data are classified into two main types: primary and secondary data. Primary data were obtained directly through in-depth interviews with affected communities and relevant institutions, such as the Environmental Agency and the Pangkalpinang City Government. Secondary data were collected through library research covering primary legal materials (the Constitution, Waste Management Law, Environmental Protection and Management Law, and local regulations), secondary legal materials (books, scientific journals, evaluation reports, and news articles), and tertiary legal materials (dictionaries and encyclopedias).

Data collection techniques combined field research and library research. Field data collection was conducted through semi-structured interviews with residents and officials of the Pangkalpinang City Environmental Agency, accompanied by periodic observations of the physical condition of waste accumulation, leachate management, and the impacts of odor pollution.<sup>15</sup> Library research was conducted by reviewing legal literature, waste-volume data, and policy drafts to validate empirical findings and produce academically and juridically accountable research conclusions.

### III. RESULT AND DISCUSSION

#### 1. Operational Dynamics of Waste Management and Environmental Evaluation at Parit Enam Final Disposal Site

Parit Enam Final Disposal Site, located in Bacang Village, Bukit Intan District, Pangkalpinang City, has been operating since 1991 and plays a crucial role as the final waste-processing center for the entire city. Along with population growth and the dynamics of economic activity in Pangkalpinang City, the volume of managed waste has increased significantly. Based on the 2024 recapitulation of waste trips and volume data, the waste entering Parit Enam final disposal site reached 184,992 m<sup>3</sup> per year, with an average daily disposal volume of 504.00 m<sup>3</sup>/day (equivalent to 166.32 tons/day).<sup>16</sup>

Waste transportation is optimally supported by the Environmental Agency's truck fleet, contributing an average of 272.70 m<sup>3</sup>/day (89.99 tons/day) for public facilities and urban areas, as well as village vehicle fleets contributing 234.13 m<sup>3</sup>/day (77.26 tons/day) from residential areas. The highest monthly accumulated volume was recorded in August (17,710 m<sup>3</sup> or 188.53 tons/day) and July (17,332 m<sup>3</sup> or 184.5 tons/day), indicating the need to strengthen the segregation of organic waste at household sources.

**Table 1.** Parit Enam Final Disposal Site Waste Volume Data Throughout 2024

| Month               | DLH Truck Volume (m <sup>3</sup> ) | Village Vehicle Volume (m <sup>3</sup> ) | Total Volume (m <sup>3</sup> ) | Average Daily Trips (m <sup>3</sup> /day) | Average Daily Tonnage (ton/day) |
|---------------------|------------------------------------|------------------------------------------|--------------------------------|-------------------------------------------|---------------------------------|
| January             | 7,334                              | 7,656                                    | 14,990                         | 483.55                                    | 159.57                          |
| February            | 6,888                              | 6,984                                    | 13,872                         | 478.34                                    | 157.85                          |
| March               | 6,383                              | 7,344                                    | 13,727                         | 442.81                                    | 146.13                          |
| April               | 7,073                              | 6,878                                    | 13,951                         | 465.03                                    | 153.46                          |
| May                 | 7,457                              | 7,608                                    | 15,065                         | 485.97                                    | 160.37                          |
| June                | 7,104                              | 6,968                                    | 14,072                         | 453.94                                    | 149.80                          |
| July                | 9,394                              | 7,938                                    | 17,332                         | 559.10                                    | 184.50                          |
| August              | 9,478                              | 8,232                                    | 17,710                         | 571.29                                    | 188.53                          |
| September           | 9,498                              | 6,116                                    | 15,614                         | 520.47                                    | 171.75                          |
| October             | 9,478                              | 6,116                                    | 15,594                         | 503.03                                    | 166.00                          |
| November            | 9,688                              | 6,982                                    | 16,670                         | 555.67                                    | 183.37                          |
| December            | 9,761                              | 6,634                                    | 16,395                         | 528.87                                    | 174.53                          |
| <b>Annual Total</b> | <b>99,536</b>                      | <b>85,456</b>                            | <b>184,992</b>                 | <b>6,048.06</b>                           | <b>1,995.86</b>                 |

The high intensity of accumulated wet and organic waste presents scientific decomposition challenges, in which natural decomposition may generate unpleasant odors and trigger fly development at certain times,

particularly during weather transitions.<sup>17</sup> These conditions are directly experienced by communities living around the final disposal site buffer zone, such as the Bukit Asri residential area, which expects improvements in environmental comfort and health quality.<sup>18</sup>

Maintaining a healthy and balanced environment is a normative mandate consistent with the spirit of Article 28H paragraph (1) of the 1945 Constitution of the Republic of Indonesia. Therefore, improvements to public-support infrastructure around the final disposal site buffer zone are necessary, including the addition of Public Street Lighting (PJU) facilities to ensure the safety and comfort of residents using the roads at night.<sup>19</sup>

## **2. Normative Perspective on Regulatory Harmonization and Fulfillment of Access to Community Protection**

From an environmental-law perspective, Article 25 of Law Number 18 of 2008 concerning Waste Management outlines attention mechanisms and forms of compensation for negative impacts as a manifestation of government support for final disposal site buffer zones.<sup>20</sup> In Pangkalpinang City, the implementation of compensation still requires refinement of its technical legal basis through the establishment of Regional Regulations (Perda) and/or technical implementation guidelines so that the distribution scheme for attention and assistance can operate in a structured, measurable, and transparent manner.<sup>21</sup>

Empirical analysis shows that residents around the final disposal site area expect improved coordination and sustained government development programs through participatory dialogue. This inclusive communication is an important instrument for bridging the aspirations of affected communities with the priorities of local government work programs.<sup>22</sup> In addition, attention to improving welfare and protection guarantees for workers in the waste sector both Environmental Agency transport officers (such as Mr. Arabian) and independent waste sorters and collectors (such as Ms. Aisyah) need to be continuously strengthened.

Given the high physical risks and potential health complaints in the field, periodic routine medical check-ups and the provision of integrated Occupational Health and Safety (K3) guarantees should be important priorities in supporting the sustainability of waste workers. Fulfillment of health protection and occupational safeguards reflects the application of environmental justice values, placing all stakeholders as inseparable parts of the urban environmental governance ecosystem.

## **3. Environmental Control Measures and Synergy of Community-Based Waste Governance**

The Pangkalpinang City Environmental Agency (DLH) has implemented various tactical and proactive measures to control environmental impacts at Parit Enam final disposal site. In air and odor management, the DLH has planted bamboo vegetation around the final disposal site fence and applied bioactivators/fermentation enzymes (such as Catur Bio) to accelerate organic-waste decomposition. To minimize the risk of methane accumulation, gas-release pipes have been installed in the waste-disposal area.

Regarding fire mitigation, the final disposal site is equipped with adequate preparedness facilities, including one 5,000-liter Water Supply Tank Truck, one Robin Portable Water Pump, three fire extinguishers (APAR) for heavy equipment, and one office fire extinguisher, supported by periodic soil-covering procedures. These efforts represent the local government's commitment to maintaining the operational safety of the final disposal site environment.

**Table 2.** Action Plan for Controlling Pollution and Environmental Damage at Parit Enam Final Disposal Site, Pangkalpinang City

| No. | Control Indicator         | Pangkalpinang DLH Control Measures                              | Prospects for Synergistic Development                                             |
|-----|---------------------------|-----------------------------------------------------------------|-----------------------------------------------------------------------------------|
| 1   | Odor Management           | Spraying Catur Bio bioactivator and bamboo vegetation boundary  | Optimization of wet organic-waste segregation at the source                       |
| 2   | Methane Gas Control       | Installation of methane-gas pipe systems in the disposal zone   | Potential utilization of methane gas as environmentally friendly renewable energy |
| 3   | Fire Mitigation           | 5,000 L tank truck, Robin pump, 4 APAR units, and soil covering | Improved operational preparedness and periodic inspection of facilities           |
| 4   | Infrastructure Facilities | Operation of truck and village-vehicle waste-transport fleets   | Addition of street lighting (PJU) and improvement of leachate pond facilities     |

To support the sustainable functioning of Parit Enam final disposal site, the active role of the community and civil-society organizations is a highly valuable supporting pillar. Communities such as the Waste Care Group (KKPP) have made tangible contributions through educational outreach activities and upcycling programs for inorganic waste (plastic, bottles, packaging), with an average processing volume of 10 kg/day (100–200 kg/month). However, the largest environmental-management challenge lies in wet organic waste, which requires broader public involvement.<sup>23</sup>

Integration of community-based organic waste-management programs such as composting, eco-enzyme technology, and Black Soldier Fly (BSF) maggot cultivation in the buffer zone can become a strategic innovation. This collaborative approach not only helps control odor accumulation from the initial disposal point but also creates added circular-economic value that empowers surrounding communities.<sup>24</sup>

#### **4. Reconstruction of Participatory Compensation Rights for Sustainable Development**

The reconstruction of compensation rights at Parit Enam Final Disposal Site, Pangkalpinang City, is directed toward the formulation of local regulations that prioritize partnership, legal certainty, and environmental sustainability. The preparation of a Regional Regulation concerning final disposal site Buffer Zone Governance is considered a prospective step for comprehensively formulating forms of government attention. Under this reconstruction scheme, compensation rights are understood holistically and encompass three main empowerment pillars:

- a. Health and Occupational Welfare Pillar: Implementation of periodic health-service programs for residents around the final disposal site and waste workers, as well as facilitation of integrated health-protection guarantees.
- b. Infrastructure and Environmental Pillar: Provision of Public Street Lighting (PJU) along the final disposal site road corridor, improvement of residents' clean-water facilities, and arrangement of a green-belt zone.
- c. Creative Economic Empowerment Pillar: Strengthening Waste Bank facilities, facilitating organic-waste processing equipment for community groups, and establishing CSR partnerships with state-owned enterprises (BUMN) and industrial actors to support community environmental entrepreneurship.<sup>25</sup>

By transforming the compensation paradigm from a passive assistance scheme into a participatory empowerment scheme, partnerships among the Pangkalpinang City Government, affected communities, and the business sector can be established harmoniously. This approach supports the realization of a Zero Waste vision and a clean, accountable, and environmentally friendly city. Thus, the fulfillment of protection and

rights for communities around Parit Enam Final Disposal Site becomes a shared foundation for realizing environmental justice and sustainable regional development.<sup>26</sup>

#### IV. CONCLUSION

Based on a comprehensive sociological-juridical analysis of waste management at Parit Enam Final Disposal Site, Pangkalpinang City, it can be concluded that the high waste-accumulation burden, reaching 184,992 m<sup>3</sup> per year (504.00 m<sup>3</sup>/day), has placed significant ecological, social, and economic pressure on communities in the buffer area. Although the Pangkalpinang City Environmental Agency (DLH) has implemented various operational technical measures, such as bioactivator spraying, boundary vegetation planting, methane-gas pipe installation, and fire mitigation, the threat of odor pollution (H<sub>2</sub>S, NH<sub>3</sub>, CH<sub>4</sub>) and environmental-health impacts remains a real challenge in the field.

Normatively, Article 25 of Law Number 18 of 2008 concerning Waste Management and Article 28H paragraph (1) of the 1945 Constitution of the Republic of Indonesia guarantee a healthy environment and the fulfillment of compensation rights for affected residents. However, the absence of a specific technical legal foundation at the local level (Regional Regulation/Technical Guidelines) in Pangkalpinang City has resulted in government distribution mechanisms and forms of attention not yet operating in a measurable, transparent, and structured manner.

Therefore, this study concludes that it is important to renew and reconstruct the paradigm of compensation rights from a passive assistance scheme or merely financial compensation into a comprehensive participatory empowerment scheme grounded in environmental justice. This reconstruction is linked to three main pillars: the health and occupational welfare pillar for residents and waste workers; the infrastructure and environmental improvement pillar (such as Public Street Lighting, clean water, and green belts); and the creative economic empowerment pillar through Waste Bank facilitation and CSR partnerships.

The establishment of an accountable and inclusive Regional Regulation concerning final disposal site Buffer Zone Governance is a regulatory urgency to guarantee legal certainty. In addition, community-based waste-management synergies such as composting, eco-enzyme production, and BSF maggot cultivation should be integrated as strategic measures to process organic waste directly at its source. By integrating legal protection, circular-economic innovation, and active community participation, Pangkalpinang City can realize a sustainable environmental governance system with an environmental-justice perspective.

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