



Environmental Health & Safety Audit Protocol Indonesia 2021

release notes

STP ComplianceEHS (STP) announces the release of its recently updated EHS audit protocol for Indonesia. This audit protocol, which covers relevant national EHS requirements, was previously updated in March 2018. The regulatory date for the current release is March 2021. The table below shows the extent of regulatory changes that have occurred since the previous update.

**Number of Legislative Instruments and their Status
(since March 2018)**

Protocol Section	No Change	New	Amended	Repealed
General Environmental	3	11	2	11
Air Emissions	14	2	0	3
Solid and Hazardous Waste	9	3	2	6
Water Resources	12	1	1	2
Above and Below Ground Tank Management	1	0	0	0
Community Noise	2	0	0	0
PCBs	0	1	0	0
Asbestos	1	0	0	0
General Health and Safety	17	2	2	0
Equipment, Machine and Electrical Safety	10	1	0	0
Material Handling and General In-Plant Safety	4	1	0	2
Fire Safety	4	2	0	1
Transport of Dangerous Goods	5	2	2	2
Industrial Hygiene	12	1	0	1
Chemical Management	19	0	1	0
Construction Work Site Safety	4	0	0	0

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highlights of selected new legislation

- **Government Regulation No. 70 of 2009 regarding Conservation of Energy, 16 November 2009** stipulates the policies related to conservation of energy and the responsibilities of businesses to implement energy conservation measures.

- **Regulation of the Minister of Energy and Mineral Resources No. 14 of 2012 regarding Energy Management, 30 May 2012** establishes energy management obligations for businesses and/or activities using energy sources and/or energy equal to or more than 6,000 tons of oil equivalent per year.

- **Government Regulation No. 41 of 2015 regarding Development of Industrial Resources, 23 June 2015** provides for the governance of the development of industrial manpower and the use of industrial consultants, the utilization, provision, distribution, and export of natural resources, as well as the procurement and utilization of industrial technology.

- **Regulation of the Minister of Transportation No. PM 75 of 2015 regarding Implementation of Traffic Impact Analysis, 17 April 2015** stipulates the types of development plan that require a traffic impact analysis (ANDALALIN), the criteria associated with the size of development requiring a traffic impact analysis, the preparation of the Traffic Impact Analysis (ANDALALIN) document, as well as follow-ups on the results of the traffic impact analysis.

- **Regulation of the Minister of Environment and Forestry No. P.38/MENLHK/Setjen/Kum.1/7/2019 regarding the Types of Planned Businesses and/or Activities that are Obligated to have Environmental Impact Analysis (AMDAL), 5 September 2019** repeals and replaces the Regulation of the Minister of Environment No. 5 of 2012 of the same title dated 12 April 2012. The Regulation sets forth the list of businesses and/or activities that are obligated to complete the environmental impact assessment as a prerequisite for obtaining the Environmental License.

- **Regulation of the Minister of Industry No. 1 of 2020 regarding Preparation of Detailed Environmental Management Plan and Environmental Monitoring Plan for Industrial Companies Located or to be Located in Industrial Estate, 17 January 2020** establishes the provisions and the procedures for industrial companies that are located or to be located in an industrial estate to establish the Detailed RKL-RPL in congruent with the RKL-RPL of the Industrial Estate.

- **Regulation of the Minister of Environment and Forestry No. P.15/Menlhk/Setjen/PLA.4/7/2020 regarding Implementation and Supervision on Detailed Environmental Management Plan - Environmental Monitoring Plan in the Special Economic Zone, 30 July 2020** establishes the provisions and procedures of the Detailed RKL-RPL in a Special Economic Zone (KEK), including supervision by the national and/or regional government and the business enterprise managing the KEK.

- **Law No. 11 of 2020 regarding Job Creation, 2 November 2020** aims to improve the ecosystem of investment and business activities, to increase employment, to ensure efficiency, protection and empowerment for cooperatives and SMEs, and to provide national fiscal policies, as well as research and innovation support.

- **Government Regulation No. 5 of 2021 regarding Establishment of Risk-Based Business Licensing, 2 February 2021** establishes the framework of a risk-based business licensing system that includes setting the norms, procedures and criteria of risk-based business licensing, including the online single submission (OSS) services for risk-based business licensing.

- **Government Regulation No. 22 of 2021 regarding Implementation of Environmental Protection and Management, 2 February 2021** provides the provisions and governance related to the implementation of environmental protection and management as stipulated in *Law No. 32 of 2009* as last amended through *Law No. 11 of 2020*.

- **Government Regulation No. 28 of 2021 regarding Establishment of Industrial Sector, 2 February 2021** provides requirements regarding the use of raw materials and/or auxiliary materials, as well as provisions on the supervision and control of industrial companies and industrial estates.

- **Regulation of the Minister of Trade No. 50 of 2019 regarding Provisions for Import of Ozone Depleting Substances (ODS), 19 July 2019** stipulates the requirements and provisions with regard to the import of certain ODSs into Indonesia. This Regulation repealed the *Regulation of the Minister of Trade No. 83/M-DAG/PER/10/2015 Regarding Provisions for Import of Ozone Depleting Substances (ODS)*.

- **Regulation of Minister of Trade No. 84 of 2019 regarding Provisions for the Import of Non-Hazardous and Toxic Waste as Industrial Raw Materials, 23 October 2019** stipulates the provisions and procedures for the import of non-hazardous and toxic (non-B3) wastes into the country and includes the list of importable non-B3 wastes. This Regulation repealed the *Regulation of the Minister of Trade No. 31/M-DAG/PER/5/2016 Regarding the Provisions for Import of Non-Hazardous and Toxic Wastes*.

- **Regulation of Minister of Environment and Forestry No. 6 of 2021 regarding Waste Management Procedures and Requirements of Hazardous and Toxic Materials, 1 April 2021** sets the procedures and requirements of waste management of hazardous and toxic material. This Regulation repealed the *Decree of the Head of BAPEDAL No. KEP-01/BAPEDAL/09/1995 Concerning the Technical Procedures and Requirements for Storage and Collection of Hazardous and Toxic Wastes*, the *Decree of the Head of BAPEDAL No. KEP-02/BAPEDAL/09/1995 Concerning Hazardous and Toxic Waste Manifests*, the *Decree of the Head of BAPEDAL No. KEP-03/BAPEDAL/09/1995 Regarding the Technical Requirements for Processing of Hazardous and Toxic Wastes*, and the *Regulation of the Minister of Environment Regulation No. 18 of 2009 Regarding Licensing Procedures for Hazardous and Toxic Waste Management*.

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- **Regulation of the Minister of Environment and Forestry No. P.29/Menlhk/Setjen/PLB.3/12/2020 regarding Management of Polychlorinated Biphenyls (PCBs)** requires businesses and/or activities that utilize PCBs and/or generate PCB wastes to manage the PCBs, including activities involving the reduction, storage, and/or processing of PCBs.

- **Regulation of the Minister of Manpower and Transmigration No. PER.08/MEN/VII/2010 regarding Personal Protective Equipment, 6 July 2010** requires employers to provide first aid officers and facilities in workplaces.

- **Government Regulation No. 88 of 2019 concerning Occupational Health, 26 December 2019** sets forth occupational health requirements for the workplace.

- **Regulation of Minister of Manpower No. 8 of 2020 concerning Occupational Health and Safety Lifting and Transport Aircraft, June 12, 2020** stipulates the requirements for the fabrication, installation, utilization, and maintenance of lifting and transporting equipment in relation to the protection of workers' safety and health.

- **Regulation of the Minister of Public Works No. 20/PRT/M/2009 regarding Technical Guidelines for Fire Protection Management in Urban Areas** stipulates that the safety of people living in buildings and their environment must be the main consideration, especially protection against the dangers of fire.

- **Regulation of the Minister of Public Works and Housing No. 26/PRT/M/2008 regarding Technical Provisions for Fire Protection Systems in Building Construction and the Environment** stipulates the technical requirements for fire protection systems in building constructions, such as offices and industrial buildings.

- **Regulation of the Minister of Environment and Forestry No. P.4/Menlhk/Setjen/Kum.1/1/2020 regarding Transportation of Hazardous and Toxic Waste** stipulates the provisions regarding the transportation of hazardous and toxic wastes (LB3) and includes requirements for vehicles transporting LB3, recommendations for LB3 transportation, and provisions on LB3 electronic manifests.

- **Regulation of the Minister of Manpower No. 05 of 2018 regarding Occupational Health and Safety Work Environment** sets forth threshold limits for exposure to physical and chemical risks in the workplace. This Regulation repealed the *Regulation of the Minister of Manpower and Transmigration No. Per. 13/MEN/X/2011 regarding the Threshold Limits for Physical and Chemical Risk Factors in the Workplace of October 28, 2011.*



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