

RINGKASAN

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**TANGGUNG JAWAB HUKUM PT. IKA BINA
AGRO WISESA TERHADAP PENCEMARAN
LINGKUNGAN HIDUP (Studi Penelitian
Kecamatan Kuta Makmur, Kabupaten Aceh
Utara)**

(Dr. Marlia Sastro, S.H., M.Hum dan Arif Rahman, S.H., M.H)

Kegiatan industri pengolahan minyak kelapa sawit memiliki dampak positif terhadap perekonomian, namun juga berpotensi menimbulkan pencemaran lingkungan hidup apabila tidak dikelola dengan baik. Das sollen dalam penelitian ini mengacu pada kewajiban perusahaan berdasarkan Undang-Undang Nomor 32 Tahun 2009 tentang Perlindungan dan Pengelolaan Lingkungan Hidup, serta Pasal 74 Undang-Undang Nomor 40 Tahun 2007 secara ringkas mengatur mengenai kewajiban perseroan untuk melaksanakan tanggung jawab sosial dan lingkungan. Das sein menunjukkan adanya dugaan pencemaran udara dan bau akibat aktivitas PT. Ika Bina Agro Wisesa di Kecamatan Kuta Makmur Kabupaten Aceh Utara. Penelitian ini bertujuan mengetahui tanggung jawab hukum perusahaan serta akibat hukum yang timbul akibat pencemaran lingkungan tersebut.

Penelitian ini merupakan penelitian yuridis empiris dengan pendekatan kualitatif deskriptif. Data dikumpulkan melalui penelitian lapangan (*field research*) yang melibatkan wawancara dan observasi di lokasi terdampak, serta penelitian kepustakaan (*library research*) untuk mengkaji dokumen hukum terkait.

Hasil penelitian menyimpulkan tanggung jawab hukum PT. IBAS baru sebatas pemenuhan administratif, sosial, dan izin usaha/legalitas perusahaan. namun mengabaikan kewajiban substantif pemulihan lingkungan Pasal 67 dan 68 UU 32 Tahun 2009. Perusahaan menjadikan bantuan sosial sebagai bentuk instrumen peredam keluhan masyarakat. Sanksi administratif, perdata, dan pidana tidak efektif akibat lemahnya pengawasan pemerintah serta rendahnya kesadaran hukum. Hal ini menyebabkan bantuan sosial beralih fungsi menjadi alat penghindar sanksi hukum dan penutup pelanggaran lingkungan. Dibutuhkan pengawasan ketat serta sanksi tegas bagi pelaku usaha demi melindungi hak masyarakat atas lingkungan hidup yang sehat..

Saran dalam penelitian ini yaitu diperlukan peningkatan pengawasan dari pemerintah desa dan instansi terkait terhadap aktivitas perusahaan agar pencegahan serta penanggulangan pencemaran lingkungan dapat berjalan secara optimal. Perusahaan juga diharapkan terus meningkatkan pengelolaan lingkungan sebagai bentuk kepatuhan hukum dan perlindungan terhadap masyarakat sekitar.

Kata Kunci : Tanggung Jawab Hukum, Pencemaran, Lingkungan Hidup

SUMMARY

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**LEGAL RESPONSIBILITY OF PT. IKA BINA
AGRO WISESA FOR ENVIRONMENTAL
POLLUTION (A Research Study in Kuta Makmur
District, North Aceh Regency)**

(Dr. Marlia Sastro, S.H., M.Hum., and Arif Rahman, S.H., M.H.)

Palm oil processing operations have a positive economic impact but also carry the potential to cause environmental pollution if not managed properly. The *das sollen* normative expectation, in this study refers to corporate obligations under Law Number 32 of 2009 concerning Environmental Protection and Management, as well as Article 74 of Law Number 40 of 2007, which outlines the requirement for companies to fulfill social and environmental responsibilities. The *das sein* actual situation, involves allegations of air pollution and odor issues resulting from the activities of PT. Ika Bina Agro Wisesa in Kuta Makmur District, North Aceh Regency. This study aims to examine the company's legal liability and the legal consequences arising from said environmental pollution.

This study is an empirical legal study employing a descriptive qualitative approach. Data were collected through field research involving interviews and observations at the affected locations and library research to examine relevant legal documents.

The study concludes that PT IBAS's legal responsibility is limited to meeting administrative, social, and business licensing or corporate legality requirements, while it disregards the substantive obligations regarding environmental restoration mandated by Articles 67 and 68 of Law No. 32 of 2009. The company uses social assistance as a tool to quell public complaints. Administrative, civil, and criminal sanctions have proven ineffective due to weak government oversight and a lack of legal awareness. Consequently, social assistance has been repurposed as a means to evade legal sanctions and conceal environmental violations. Strict oversight and firm sanctions against business operators are essential to protect the public's right to a healthy environment.

The recommendation arising from this study is the need for enhanced oversight by the village government and relevant agencies regarding the company's activities to ensure the optimal prevention and mitigation of environmental pollution. The company is also expected to continuously improve its environmental management practices as a means of ensuring legal compliance and protecting the surrounding community.

Keywords: Legal Liability, Environmental Pollution