THE LEGAL REVIEW ABOUT RESPONSIBILITY OF MINING COMPANY TOWARDS FORMER MINES LAND CONNECTED TO UNDANG-UNDANG NO 4 YEAR 2009 ABOUT COAL AND MINERAL MINING JUNCTO UNDANG-UNDANG NO 32 YEAR 2009 ABOUT ENVIRONMENT PROTECTION AND MANAGEMENT

ABSTRACT

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Ecosystem in an environment can be disturbed the sustainability because environment pollution and destruction. The mining activity has negative effect with the low quality of environment, like high level erosion, sedimentation caused by open land, unwell -managed mine acid water pollution. Those things are caused by the mining company that does not do reclamation and post-mining on the former land. The problem concerned by writer is how effective about mining company obligation to recover mining former land according to Undang-Undang No 4 Year 2009 About Coal and Mineral Mining, and how the mining company responsibility towards former land mining connected to environment protection and management refers to Undang-Undang No 32 Year 2009 About Environment Protection and Management.

This study is descriptive analytic, namely to describe clearly about facts, either in form of primary or secondary legal materials like Undang-Undang No 4 Year 2009 About Coal and Mineral Mining, Undang-Undang No 32 Year 2009 About Environment Protection and Management, secondary legal material secondary in form of doctrine, expert legal opinion, work of law and tertiary legal material such as data from internet that related to study. This study applies juridical normative research method, namely a method where law is concept as a norm, rule, principle, doctrine.

According to gained data analysis, it is concluded that mining company obligation to recover former mining land in regulation on Undang-Undang No 4 Year 2009 About Coal and Mineral Mining has not effective yet, because it does not meet purpose from coal and mineral management based on Article 3 Undang-Undang No 4 Year 2009 About Coal and Mineral Mining, this case related to the lack of monitoring from local government towards mining company either active company or non-active company, therefore it is an effect of not run well company obligation is the conflict of between company and society in mining area. The mining company responsibility towards former mining land based on Undang-Undang No 32 Year 2009 About Environment Protection and Management has not conducted well, because there are a lot of former mining land that has not been rehabilitated or restored.