

## **Law Enforcement on Environmental Pollution Resulting from Industrial Waste of Tofu Factories in Pamekasan Regency**

**Alvan Yulianto<sup>1)\*</sup>, Istislam<sup>2)</sup>, Ngesti Dwi Prasetyo<sup>3)</sup>**  
<sup>1,2,3</sup> Master of Law, Faculty of Law, Brawijaya University

\*Corresponding Author

Email: [alvanvulianto2000@gmail.com](mailto:alvanvulianto2000@gmail.com)

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### **Abstract**

*This study examines the issue of environmental pollution caused by industrial waste from tofu factories in Pamekasan Regency, as well as the weak law enforcement by the local government. This issue is crucial as it contradicts the principles of sustainable development and has adverse impacts on public health and environmental sustainability. The research aims to address three main problems: the reasons for the absence of law enforcement and the factors influencing it. The method employed is empirical juridical, with a socio-legal approach, reviewing the applicable legal provisions and their practical implementation in the field. The findings indicate that law enforcement has not been effective due to weak inter-agency coordination, a permissive approach towards small-scale business operators, and limited resources. Three main factors contribute to the weak enforcement: institutional weaknesses, political and economic interest interventions, and inconsistencies in the application of legal sanctions. To address these challenges, an integrative approach based on sustainable development is required, involving strategies such as institutional strengthening, capacity building of human resources, the imposition of firm and progressive sanctions, community involvement in monitoring, and the drafting of a Regent Regulation as an implementing regulation. This approach is expected to foster effective, participatory, and sustainable environmental law enforcement.*

**Keywords:** *Law Enforcement, Pollution, Environment, Tofu Factory*

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## **INTRODUCTION**

The Republic of Indonesia possesses abundant natural resources and biodiversity. This wealth is to be appreciated, and we are also obliged to preserve and manage it in the best possible manner. Therefore, a comprehensive and integrated system of protection is required to regulate all matters related to the common interest in environmental preservation. The environment serves as a medium for living organisms to reside, seek resources to meet their needs, and maintain unique properties and functions that foster reciprocal relationships with the organisms inhabiting it. (Husin, 2009). This is elaborated in the provision of Article 1 paragraph (1) of Law No. 32 of 2009 on Environmental Protection and Management (UUPPLH): *“The environment is the spatial harmony in unity with all objects, forces, conditions, and living beings, including humans and their behavior, which affect nature itself, the continuity of life, and the welfare of humans and other living creatures.”*

From the above provision, it is understood that the maintenance of responsible behavior, particularly by humans, is crucial in ensuring the preservation of a good, clean, and healthy environment, which is increasingly under threat. Environmental degradation, in addition to being influenced by climatic and natural factors, is also heavily impacted by human activities that cause environmental damage. Environmental pollution is prevalent in Indonesia. Article 1 point 14 of the UUPPLH stipulates that:

*“The environment is deemed polluted if its condition exceeds the established environmental quality standards due to the entry or introduction of living organisms, substances, energy, and/or other components into the environment by human activities. Environmental quality standards serve as the benchmark that the environment is not polluted. If substances,*

*energy, or components exceed the environmental quality threshold, the environment is considered polluted.”*

The emergence of environmental issues and the depletion of natural resources have made humanity aware of the vital importance of the environment and natural resources for the survival of the universe, including human life. (Sunu & Putra, 2001). The environment has inherent limitations in sustaining human existence. When there is an imbalance between human population growth and environmental capacity, humanity will face tremendous difficulties in sustaining life. This situation arises when population growth and its needs exceed the available natural resources. Consequently, global population growth must be strictly controlled, and human activities must take environmental sustainability into account.

Environmental law is a set of regulations concerning the protection and management of the environment. Environmental preservation and control involve efforts to maintain and enhance environmental functions, prevent environmental degradation and pollution, and manage resource utilization, development, maintenance, restoration, supervision, and law enforcement. Environmental quality standards serve as benchmarks in determining the condition and functionality of the environment for a better and healthier life. The environmental medium is classified into four main parts: water, air, sea, and land.(Siahaan, 2004).

The government has issued numerous regulations concerning the permissible limits for various sources of pollution. Much of the environmental damage in Indonesia is caused by industrial activities, which are the main source of pollution due to production waste. According to the UUPPLH, waste refers to the residual material generated from business or activity processes. Industrial waste may take the form of solids, gaseous emissions, or liquids containing hazardous and toxic materials (B3). (Syapriallah, 2018). One example of such industry is tofu production, which produces waste capable of polluting the environment. The waste discharged can contaminate water in surrounding areas, including agricultural fields, thus polluting irrigation channels. This harms farmers and the local community, as water is a vital resource for all.

An example of environmental pollution is the contamination caused by tofu factory waste in Pamekasan Regency. According to media reports, many residents of Nyalabu Village, Pamekasan Regency, East Java, have expressed frustration at the tofu factories' actions. Large amounts of tofu waste are indiscriminately dumped into irrigation channels and rivers, affecting the health of the local population. The polluted waterways, previously used for agricultural irrigation, bathing, and washing, have now become hazardous. The sub-district head pledged to visit the waste disposal site with the Pamekasan Regency Environmental Agency (DLH) and requested tofu factory operators to stop such indiscriminate dumping. Representatives of Nyalabu Village residents also demanded accountability from the companies, as the waste had caused dozens of residents to suffer from skin irritation.(Hamzah, 2008).

**Table. 1**

Data on Types of Environmental Pollution

Regencies/Cities in East Java	Number of Villages/Subdistricts by Type of Environmental Pollution and Regency/City							
	Water Pollution		Soil Pollution		Air Pollution		No Pollution	
	2022	2024	2022	2024	2022	2024	2022	2024
Pamekasan Regency	7	16	0	1	12	11	171	165
East Java	759	1643	104	184	1589	1174	6450	6168

**Source: Central Statistics Agency**

Based on news reports and statistical data regarding environmental pollution in Pamekasan Regency—particularly the issue of tofu factory waste—there is a need for legislation

that aligns with Regional Regulation (Perda) of Pamekasan Regency Number 13 of 2014 concerning Environmental Protection and Management. Article 59, letter d of this Regional Regulation explicitly stipulates that: “No person shall dispose of waste into the environment.” However, in practice, waste from tofu factories that is discharged into irrigation channels and rivers in Nyalabu Village, Pamekasan Regency, is not properly managed. There are no temporary storage facilities or waste collection systems in place, resulting in negative impacts on public health. Since the water from these rivers and irrigation channels is used for agriculture, bathing, and washing, the local community has urged tofu factory operators to take responsibility for managing their waste so as not to threaten environmental cleanliness.

A relevant study related to this issue was conducted by Haluanto Ginting in his thesis entitled Juridical Analysis of Criminal Law Enforcement Against Perpetrators of Environmental Pollution. The study highlights the weakness of criminal environmental law enforcement in Indonesia, particularly due to the absence of a comprehensive grand design for regulatory synchronization. Ginting’s research focused on the application of criminal law to perpetrators of pollution in North Sumatra Province, with a case study of case number 3093/Pid.Sus/2014/PN.Mdn.(Ginting, 2019). The difference between Ginting’s research and this study lies in the object of analysis: Ginting examined criminal law aspects, while this study investigates the enforcement of administrative law in response to environmental pollution caused by tofu factory waste in Pamekasan Regency.

In addition, a study by Muhamad Mahson, titled Administrative Environmental Law Enforcement on the Management of Medical Hazardous Waste (B3) and Hospital Wastewater in Achieving Sustainable Development in Pekalongan City, also provides academic relevance. Mahson examined the implementation of Government Regulation Number 22 of 2021 concerning the Implementation of Environmental Protection and Management, particularly regarding the management of medical B3 waste and hospital wastewater through a sustainable development approach.(Mahson, 2022). The distinction from the present study lies in the focus: Mahson emphasized hospital waste management, whereas this research focuses on the enforcement of environmental law related to pollution caused by tofu factory waste, based on Pamekasan Regional Regulation Number 13 of 2014, as well as the factors influencing the weak implementation of such legal enforcement.

In this case, enforcement has been inconsistent with Article 59 letter d of Perda Pamekasan Number 13 of 2014. This provision clearly prohibits any person from disposing of waste into the environment without proper authorization. The responsibility for enforcement lies with the local government, particularly the Environmental Agency and Civil Service Police Unit (Satpol-PP) of Pamekasan Regency. However, the local government has neglected to take firm action against environmental pollution caused by tofu factory waste. This inaction demonstrates a lack of firm enforcement against such pollution. The tofu factory waste, used in daily activities by the local population, remains unacceptable despite being a common practice. This situation underscores a gap between law in the books and law in action regarding environmental protection in Pamekasan Regency.

## RESEARCH METHODS

The research method outlines the design of activities, scope or objects, primary materials and tools, research site, techniques of data collection, operational definitions of research variables, and data analysis techniques. (Djulaeka & Devi Rahayu, 2020). In conducting data collection, the researcher employs several methodological approaches, including:

1. Type of Research

This study adopts a socio-legal research typology, in which primary data serves as the main source and is complemented by secondary data obtained from interviews and literature sources (Qamar et.al., 2017).

## 2. Research Location

The research is conducted in Pamekasan Regency. Although the region has enacted a Local Regulation on Environmental Protection and Management, its implementation and law enforcement continue to face significant challenges, particularly concerning tofu industry waste. This industry plays an essential role in the regional economy, yet without proper waste management, it poses serious environmental and social threats.

## 3. Types and Sources of Data

The data utilized in this research are those relevant to the problems and objectives of the study. The primary data are directly obtained from the field through interviews with designated respondents at the research site. Meanwhile, the secondary data are gathered from literature sources.

## 4. Data Collection Techniques

Both primary and secondary data are collected through interviews with key stakeholders, namely: the Environmental Agency of Pamekasan Regency, the Civil Service Police Unit (Satpol-PP) of Pamekasan Regency, the National Unity and Political Agency (Bakesbangpol) of Pamekasan Regency, the Pamekasan Police Department, and communities affected by industrial waste.

# RESULT AND DISCUSSION

Based on the analysis can describe more detail, as follows:

## 1. Reasons for the Absence of Law Enforcement Against Environmental Pollution Caused by Industrial Waste from Tofu Factories by the Pamekasan Regency Government

Environmental pollution is a crucial issue in sustainable development, particularly when dealing with household-scale industrial activities such as tofu factories that lack adequate waste treatment systems. The liquid waste from tofu production generally contains high levels of organic substances, such as proteins and fats, which, if left untreated, can cause foul odors, reduce water quality, and damage aquatic ecosystems. From an administrative law perspective, environmental law enforcement falls under the scope of state administrative law, which serves as a juridical instrument enabling the government to actively engage in societal life. Conversely, it also provides citizens with the legal means to influence and obtain protection from the government. (Fitria et al., 2020). In this sense, administrative law contains regulations governing governmental activities.

The Environmental Protection and Management Act (UUPPLH) contains provisions on environmental law enforcement. Article 76 Clause (2) of the UUPPLH stipulates administrative sanctions, including:

- a. Written warnings;
- b. Government coercion;
- c. Suspension of environmental permits;
- d. Revocation of environmental permits.

The imposition of administrative sanctions under Article 71 Clause (2) of the UUPPLH is based on:

- a. The effectiveness and efficiency in preserving environmental functions;

- b. The severity of the violation committed by the environmental permit holder;
- c. The level of compliance with the obligations set forth in the permit;
- d. The permit holder's compliance history;
- e. The environmental impact caused by the violation.

Furthermore, environmental law enforcement is also regulated under Law No. 6 of 2023 concerning the enactment of Government Regulation in Lieu of Law No. 2 of 2022 on Job Creation (hereinafter referred to as the Job Creation Law), which introduces changes to the administrative sanction framework. In cases where a person's actions result in environmental pollution or degradation due to negligence, without posing a direct threat to human health or serious physical danger, administrative sanctions shall be imposed.(Sugiarti, 2020). Offenders are also required to restore environmental functions or take other necessary remedial measures. Additionally, conducting an Environmental Impact Assessment (AMDAL) without the required competency certification for AMDAL preparation constitutes grounds for administrative sanctions. (Muryati et al., 2022).

The Job Creation Law revises the types of administrative sanctions to include:

- a. Written warnings;
- b. Government coercion;
- c. Administrative fines;
- d. Suspension of business licenses; and/or
- e. Revocation of business licenses.

The law also amends criminal sanctions, such that any person conducting a business or activity without, among others:

- a. A business license or approval from the central or local government to manage hazardous and toxic waste (B3), conduct an environmental impact assessment, or provide a statement of commitment to environmental management;
- b. Approval to discharge waste into the environment;
- c. Approval to dump waste into the environment, resulting in harm to health, safety, and/or the environment, shall be subject to imprisonment of between one and three years, and a fine ranging from IDR 1,000,000,000 to IDR 3,000,000,000.

Through field observations, interviews with local government officials, business owners, and affected residents, as well as a review of local regulations and environmental data, it was found that the absence of enforcement against tofu factory waste polluters is not due to a lack of legal norms, but rather to several factors, namely:

#### **a. Factual and Institutional Conditions**

Widodo Aldian explained the practice of discharging liquid waste from tofu factories into drainage channels or rivers without treatment, which in principle violates Pamekasan Regional Regulation No. 13 of 2014 concerning Environmental Protection and Management, particularly Article 59 letter d. However, in practice, such violations are generally met only with administrative warnings and socialization, and rarely with firm sanctions. The Environmental Agency (DLH) of Pamekasan Regency openly acknowledged that untreated waste has been discharged without proper processing, in clear violation of local legal provisions, especially Article 59 letter d of Pamekasan Regional Regulation No. 13 of 2014, which prohibits the disposal of waste into the environment without prior treatment. Nevertheless, these violations typically result only in administrative warnings or outreach to business actors, rather than the imposition of firm or repressive law enforcement measures.(Widodo Aldian, 2025).

This lenient handling reflects limitations in both institutional capacity and inter-agency coordination. The DLH, as the frontline body for monitoring and enforcing environmental pollution control, appears to lack sufficient executive authority or technical support to resolve the problem comprehensively. In field operations, the DLH is often accompanied only by the Civil Service Police Unit (Satpol-PP), whose investigative authority is in fact limited.

Furthermore, in this accompanying role, the Head of the Public Order and Community Tranquility Division of Satpol-PP admitted to frequent constraints due to a lack of personnel and operational resources, preventing the optimal enforcement of laws—especially when violations occur on a large scale or across multiple locations. (Widodo Aldian, 2025).

Institutional weaknesses are further compounded by minimal cross-sector coordination. The National and Political Unity Agency (Bakesbangpol) of Pamekasan Regency noted that the lack of synergy between technical agencies, law enforcement, and village governments is a major obstacle to integrated enforcement. The absence of an effective inter-agency communication forum causes each institution to operate within its own sector, without integrated information sharing or a joint strategy. Consequently, when violations occur, there is no rapid and coordinated collective response, and actions tend to be reactive and temporary.

On the other hand, law enforcement agencies such as the Pamekasan Resort Police (Polres) stated that they rarely receive formal reports from the public or the DLH regarding industrial waste disposal violations. From a criminal law enforcement perspective, strong reports and evidence are essential as the basis for investigation and prosecution. Without written reports and adequate forensic evidence, the police face obstacles in bringing such cases to the criminal domain. In many cases, the lack of scientific evidence on pollution levels, as well as the absence of environmental experts or laboratory waste sample testing, results in legal proceedings stalling at the initial stage.

Thus, it can be emphasized that from a structural perspective, there are significant resource limitations within the local government, both in terms of budget, environmental monitoring personnel, and technical capacity to conduct investigations and laboratory analyses of waste. Many local DLHs lack their own testing laboratories or adequate experts to assess pollution levels and impacts. Dependence on external laboratories incurs additional costs that are not allocated in the annual budget, leading to passive and unsustainable monitoring. As a result, even when there are indications of pollution, follow-up actions in the form of legal sanctions or administrative penalties are often not pursued.

From the perspective of legal substance, regulations on industrial waste management already exist, both at the statutory level (UUPPLH) and in derivative regulations such as Government Regulations and Pamekasan Regional Regulation No. 13 of 2014 on Environmental Protection and Management. Article 59 letter d clearly states: “Every person is prohibited from disposing of waste into the environment.” However, this legal norm is often not consistently implemented. Interviews with DLH officials and law enforcement officers revealed ambiguity in interpreting the permissible threshold for tofu factory liquid waste, as well as weaknesses in formal reporting or documentation by industry actors. In many cases, tofu factories are home-based or small-to-medium enterprises that do not have environmental permits or do not prepare UKL-UPL (Environmental Management and Monitoring Efforts) documents, yet continue to operate with local government tolerance.

From a social perspective, the community aspect is also important. Residents living near river flows or tofu factory sites have long experienced the negative impacts of tofu factory waste pollution. Saudi Rahman, a local resident affected by the waste, stated that the waste causes the river to smell, the water to become murky, and skin or respiratory illnesses, but he is reluctant to report due to fear of social conflict with factory owners (neighbors) and doubts about the legal process. (Saudi Rahman, 2025).

Similarly, Inasih Rahmawati, another affected resident, expressed a lack of trust in the legal process and government actions, recounting that reports submitted through the subdistrict head or local neighborhood leaders (RT/RW) did not lead to concrete action, often simply fading away. Government and related agencies frequently respond perfunctorily or with ongoing reports without follow-up, even when the report comes from the subdistrict level. (Inasih Rahmawati, 2025).

As a result, amid deep concern, residents have shown apathy. They feel that efforts to report pollution are a waste of time and energy, without meaningful change. They choose to suppress their concerns, endure worsening health conditions, and adapt to an increasingly degraded environment. (Helmi et al., 2021). There is indeed a close socio-economic relationship between tofu factory owners, the local community, and the local government. The tofu industry is considered a strategic local employer, leading the government to adopt persuasive and compromising approaches.

From the above description, it is evident that local officials appear reluctant to take firm action for fear of triggering social conflict or losing political support, especially if tofu factories are part of an important local economic chain. In some cases, village heads or local officials are known to have direct involvement or family ties with industry operators. Most local government officials interviewed also revealed that repressive measures are considered counterproductive to regional economic growth. They prefer to carry out guidance or education, even though the results are insignificant in the short term. Legal enforcement in the form of administrative sanctions such as business license revocation or environmental criminal prosecution is rarely applied, as it is considered too severe for micro and small business actors. This reflects a tension between environmental preservation goals and local economic needs.

#### **b. Obstacles to Law Enforcement by the Pamekasan Regency Government**

Pamekasan Regional Regulation No. 13 of 2014 on Environmental Protection and Management is the main legal instrument, but it still provides very limited administrative sanctions. Generally, only written warnings are provided as an initial penalty for environmental violations. Heavier sanctions, such as government coercion, license suspension, or license revocation, can only be imposed if the violator does not comply with the warning. In practice, however, the application of these further sanctions is rarely carried out seriously, thus failing to create a deterrent effect.

Furthermore, interviews with DLH Pamekasan officials revealed that they can only act if there is a pollution report. This means the supervisory institution is reactive—waiting for public complaints, rather than proactive in conducting inspections and enforcement. Without a report, even if waste has already polluted rivers or land, DLH cannot immediately impose sanctions or compel business operators to take responsibility. (Rahman & Triadi, 2024).

As a result of this system, small and medium tofu entrepreneurs often continue to discharge waste directly into water bodies without hesitation. In practice, written warnings are given as an initial step, but if the violator does not respond, the next steps, such as government coercion and fines, are not implemented because the Regional Regulation does not accommodate this stage. (Dewi, 2018). According to the researcher, this condition contradicts the provisions of Minister of Environment Regulation No. 2 of 2013 on Guidelines for the Implementation of Administrative Sanctions in Environmental Protection and Management, and Government Regulation No. 22 of 2021 on the Implementation of Environmental Protection and Management, which require officials to impose stricter sanctions if written warnings are ignored.

Interviews with DLH Pamekasan also revealed their unpreparedness in terms of resources—both human and equipment. They do not have a regular field monitoring team, let alone facilities for testing wastewater quality. As a result, DLH relies solely on public complaints. This pattern allows many violations to persist without enforcement. Pamekasan Regency is in an unfavorable position because its Regional Regulation does not even facilitate further administrative enforcement such as fines, suspension, or revocation of licenses.

Field observations by the researcher found that tofu factories routinely discharge wastewater directly into rivers and drains without Wastewater Treatment Plants (WWTP/IPAL). This practice clearly violates the provisions of the UUPPLH and Article 59 letter d of Pamekasan Regional Regulation No. 13 of 2014 on Environmental Protection and Management, which explicitly prohibits the disposal of waste into the environment. The direct consequence of these

violations is evident in river pollution. Residents have even experienced health problems, such as skin irritation, from using contaminated water for bathing and daily needs. In other words, this waste has already caused negative impacts on the community and the local ecosystem.

Formally, institutional responses, particularly from DLH and Satpol-PP, are limited to mild administrative sanctions in the form of written warnings and socialization. For example, DLH only issues warning letters, while Satpol-PP issues statements and warnings up to three levels, with license revocation only possible if violations are repeated. The harshest sanction, closure or sealing—is rarely applied.

Thus, the reasons for the absence of law enforcement against environmental pollution caused by tofu factory waste are largely determined by non-normative factors. Law in the books does not automatically translate into law in action, especially when institutional barriers and pragmatic values dominate local governance practices. This study recommends strengthening the capacity of local environmental institutions, increasing public legal awareness, creating incentive and disincentive systems for business actors, and developing policies that balance economic development with environmental preservation.

## **2. Factors Affecting the Non-Enforcement of Environmental Law Against Pollution Caused by Tofu Factory Industrial Waste by the Pamekasan Regency Government**

Environmental protection and management in Indonesia generally encompass two aspects: formal and informal. Formally, the Government holds dominant responsibility, primarily relying on legal foundations and regulations designed to govern environmental protection and management. The Regional Government seeks to raise public legal awareness in managing tofu factory waste in Pamekasan Regency based on the Environmental Protection and Management Act (UUPPLH) and Pamekasan Regency Regional Regulation No. 13 of 2014 concerning Environmental Protection and Management (PPLH). In its implementation, there are both supporting and inhibiting factors, including:

### **a. Institutional Factors**

The weak institutional capacity is one of the main obstacles in enforcing environmental regulations in Pamekasan Regency, particularly against small-scale industries such as tofu factories spread across various areas. The Environmental Agency (DLH), which should be at the forefront of supervision, faces significant limitations in terms of technically competent and trained human resources. Personnel with a background and deep understanding of industrial supervision, especially regarding MSMEs, which have different characteristics from large industries, are very limited in number. As a result, within one year, DLH can only conduct two to three sudden inspections of business operators.(Siregar, 2020). This very limited frequency illustrates the concrete weakness of existing institutional capacity. Even during inspections, the approach tends to be administrative in nature, focusing on fulfilling formal obligations rather than conducting substantive examinations of technical pollution aspects, environmental regulation violations, or actual impacts on the community.

As stated in an interview with Widodo Aldian, Head of the Pollution and Environmental Damage Control Division of the Pamekasan Regency Environmental Agency, in several cases, implementing more severe and firm administrative sanctions such as revocation or withdrawal of licenses and business closures often encounters obstacles from both social and economic aspects. Therefore, administrative sanctions generally applied are limited to written warnings, as these are considered easier to impose compared to environmental permit suspension, license withdrawal or revocation, and business closure. (Widodo Aldian, 2025).

### **b. Political and Economic Interest Factors**

This factor is important because the survival of tofu factories in Pamekasan Regency cannot be separated from the dynamics of local policy and accompanying political interests. Regional Regulation No. 13 of 2014, which is essentially intended to regulate and control industrial activities, is often not strictly enforced against tofu industry operators. This is not

merely due to weak law enforcement capacity, but more because of the social and political interests inherent in local economic activities. In practice, many tofu factory owners or managers establish personal or institutional closeness with political elites or local bureaucrats, making them part of mutually beneficial patronage networks. In this context, tofu factories are maintained not only for their economic value but also for their political value as a base of electoral support or a source of social legitimacy for local authorities. A statement from Ahmad Junaidi, Head of Public Order and Community Peace at the Civil Service Police Unit (Satpol-PP), a second-echelon official in the Regency Government, supports this view: *“If we are too harsh on small businesses like tofu factories, they might close down. Yet, they absorb labor. There is strong social and political pressure.”* (Ahmad Junaidi, 2025).

According to the researcher, this statement reflects the existence of political calculations in every administrative action toward informal or semi-formal sectors like tofu factories. The mentioned social pressure refers to the potential public unrest if existing jobs suddenly disappear, while political pressure refers to the potential loss of support from groups directly linked to the industry players. Consequently, local policies in addressing issues of operational legality, waste management, or labor aspects of tofu factories tend to be compromise-oriented, and even permissive, in order to maintain local political stability and electoral support. Thus, it can be said that the sustainability of tofu factories is determined not only by their ability to survive market competition but also by their capacity to adapt to a complex local political landscape full of power calculations.

### **c. Weak Enforcement of Legal Sanctions**

The enforcement of administrative law as an instrument to tackle environmental pollution caused by tofu factory waste in Pamekasan Regency still shows significant weaknesses in various aspects. Although, normatively, there is a strong legal basis in the form of the Environmental Protection and Management Act (UUPPLH) and the Job Creation Law, along with derivative regulations such as Article 59(d) of Regional Regulation No. 13 of 2014, in reality, the implementation of administrative sanctions remains far from expectations. This is evident from the minimal number of administrative actions taken, even though environmental pollution from tofu factory liquid waste occurs continuously and disturbs the public.

The most striking weakness is the lack of commitment and firmness from environmental law enforcement officers, particularly from the Pamekasan Regency Environmental Agency. In many violation cases, actions taken tend to be persuasive and limited to light administrative measures such as verbal warnings or warning letters, without being followed up by stricter sanctions such as suspension or revocation of business licenses. This lack of firmness results in no deterrent effect for business operators, allowing violations to recur. (Zamzami, 2020).

In addition, there are problems in the monitoring and verification mechanism of violations. Limited human resources, insufficient budgets, and suboptimal monitoring systems slow down and weaken the identification of violations. Many entrepreneurs continue to discharge untreated waste because they believe there is little chance of being sanctioned. Interviews with relevant parties reveal that monitoring is often incidental and reactive, rather than based on a strict periodic monitoring system. This indicates that administrative measures are not being functionally operated as an effective legal control tool. (Solikah, 2020).

Equally important, weak administrative law enforcement is also influenced by the low understanding of implementing officers regarding the substance of environmental law itself. Many officers do not fully understand the procedures for imposing administrative sanctions or have no specific training in handling environmental violations. This results in their unpreparedness when dealing with business operators who deny or seek legal loopholes. The following data illustrates the above findings:

**Table 2**

*Weaknesses in the Enforcement of Administrative Law on Environmental Pollution Caused by Tofu Factory Industrial Waste in Pamekasan Regency (2024–2025)*

Year	Facts/Findings	Administrative Weaknesses
2024	Business operators continue to discharge untreated liquid waste despite receiving written warnings.	Administrative sanctions limited to warning letters; no follow-up with suspension or license revocation.
2024	Enforcement limited to DLH warnings; Satpol-PP only issued statements and light warnings.	Lengthy and bureaucratic procedures; slow and unresponsive.
2024–2025	No Regent Regulation as the operational basis for sanctions; DLH relies solely on regional regulation.	Legal gap: administrative instruments lack operational umbrella (e.g., fine rates, license revocation mechanisms).
2024–2025	Limited DLH monitoring capacity (human resources and budget); monitoring is incidental/reformative.	Non-routine monitoring; violations often go undetected in a timely manner.

*Source: Secondary Data Processed by the Researcher*

Considering all these findings, it can be concluded that administrative law enforcement in cases of tofu factory waste pollution in Pamekasan Regency is stagnant—not due to a lack of legal framework, but due to weak implementation. Administrative legal instruments, which should be at the forefront of preventing and addressing environmental pollution, are not being utilized to their full potential, whether due to structural and procedural limitations or the tug-of-war between environmental protection and business continuity interests. Without reforms addressing the root causes, administrative law enforcement will remain merely a formality, lacking real strength in safeguarding environmental quality.

## CONCLUSION

1. The non-enforcement of environmental regulations by the Pamekasan Regency Government with respect to pollution caused by wastewater from tofu industry operations can be attributed to several interrelated factors. First, weak inter-agency coordination and a lack of institutional commitment have hindered the effective implementation of existing legal frameworks, such as Regional Regulation No. 13 of 2014 and the Environmental Protection and Management Act (UUPPLH). Second, the government’s preference for a developmental approach—emphasizing guidance and leniency toward small-scale business operators—has, in practice, fostered a climate of tolerance for environmental violations. Third, the scarcity of monitoring resources and the absence of a responsive public grievance mechanism have further diminished enforcement efforts. Consequently, pollution persists without the imposition of stringent sanctions capable of generating a deterrent effect.
2. The failure to enforce environmental laws in this context is the cumulative result of both structural and non-structural factors. From a structural perspective, institutional weaknesses stand out as a principal cause, reflected in the limited capacity of local environmental authorities, inadequate cross-sectoral coordination, and insufficient human and financial resources to perform effective monitoring and enforcement functions. From a non-structural

perspective, political considerations and economic interests aggravate the problem; the local government tends to prioritize economic stability and preserve favorable relations with industry operators, thereby avoiding repressive action against environmental offenders. Furthermore, the inconsistent application of legal sanctions provided in the existing regulatory framework underscores the suboptimal enforcement of legal norms. Administrative measures—ranging from written warnings, government coercive actions, suspension orders, to the revocation of business licenses—are rarely applied in a consistent manner, thereby failing to produce a deterrent effect and entrenching a culture of impunity. In sum, the impediments to effective law enforcement in this case are not merely symptomatic of legal deficiencies but also indicative of broader governance failures, characterized by limited effectiveness, transparency, and accountability. Addressing these challenges requires a systemic and multidisciplinary strategy, encompassing institutional strengthening, regulatory reform, capacity enhancement for human resources, and the cultivation of strong political will to enforce environmental law in a fair and consistent manner, thereby advancing the goal of sustainable development at the regional level. The conclusion should be the answer to the research question, and expressed not in statistical sentences.

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