



## POLICY BRIEF (JULY, 2020)

### **HAZARDOUS WASTE REGULATIONS DURING COVID-19**

#### **1. Executive Summary**

Hazardous waste has become one of the main environmental threats and challenges globally, especially for developing countries like Indonesia. On the international level, Indonesia has asserted its stance to environmentally sound management of hazardous wastes. One of its action is by having ratified the Basel Convention on the Control of Trans Boundary Movements of Hazardous Wastes and Their Disposal.

Nowadays, the issue of hazardous waste has come into the limelight in Indonesia especially due to the coronavirus pandemic. With the spread of COVID-19, hazardous waste generated by medical activities will also increase significantly. The main question is how is the government dealing with the problem. One way is, of course, by establishing and implementing regulation and protocols. The government has produced several of them. Nevertheless, these regulations are still far from effective and problem solving.

#### **2. Context of the Problem**

COVID-19 is an unprecedented global health crisis of our time. Not only has it caused dire human suffering and large-scale loss, many more problems arose from the pandemic such as serious financial and social crisis. With the increasing number of COVID-19 patients in Indonesia, the government should not lose sight of the issue of hazardous wastes from medical activities because it can potentially bring rise to other problems, especially environmental problems. The problems caused by hazardous waste from medical activities during COVID-19 can be illustrated through data. For example, in China's Hubei Province, statistic shows that there is a significant increase from 40 tons per day to 240 tons per day. According to Rosa Vivien Ratnawati, the Director General for Solid Waste, Hazardous Waste and Toxic Substances Management (PSLB3) of the Ministry of Environment and Forestry (KLHK), the management of hazardous waste in Indonesia during this pandemic is crucial because the volume of hazardous waste from medical activities has increased significantly by up to 30%. This is, of course, very concerning.

Another example, when the COVID-19 first occurred in Wuhan, the Chinese

government quickly took safety measures to fight the spread of COVID-19 and its related problems. They not only build new hospitals, the Chinese government also build factories to manage the hazardous waste from medical activities. In this matter, Indonesia seems to be lacking. Statistic from KLHK in April 2020, regrettably show that out of the 132 COVID-19 referral hospitals in Indonesia, only 20 of them have the facility and equipment to manage hazardous waste. Furthermore, out of the 2.820 hospitals throughout Indonesia, only 83 of them that have the facility and equipment to manage hazardous waste. Not only that, but many of these facilities and equipment are already outdated and did not function properly.

### 3. Assessing Indonesia's regulations

The Indonesian government has issued a number of COVID-19 protocols related to hazardous waste from medical activities which are based on two main government regulations:

- Government Regulation No. 101/2014 on Hazardous and Toxic Waste Management
- Regulation of the Minister of Environment and Forestry No. P.56/Menlhk-Setjen/2015 on Management of Hazardous Waste from Health Service Facilities

The protocols among others are:

- Letter of the Minister of Environment and Forestry No. 167/2020 on Management of Medical Hazardous Waste from COVID-19 Emergency Health Service Facilities
- Circular Letter of the Minister of Environment and Forestry No. 2/2020 on Management of Hazardous Waste and Household Waste during COVID-19
- Letter of the Director General for Solid Waste, Hazardous Waste and Toxic Substances Management No. 156/2020 on Management of Hazardous Waste during COVID-19

There are several points that can be highlighted regarding the flaws of the regulations or its implementation. Firstly, the problem of permit. The new COVID-19 protocols should be based on existing regulations but instead it seems to be at odds with the Ministerial Regulation No. P.56/2015 No.56 2016. In an article written by Teddy Setiawan in the *Bidang Kesejahteraan Sosial* journal, the author said that one of the implications regarding the new protocols is that healthcare facilities can manage their own hazardous waste even without having a permit. Although the new protocols stated the condition that needs to be fulfilled when managing hazardous wastes, this is not the solution needed to prevent the problem. By waiving the requirement of a permit for the healthcare facilities, more hazardous wastes will be managed not in accordance to the standard that has already been set. Even before COVID-19, when permits were still required, the number of cases regarding hazardous waste were already high. Therefore, if the permit mechanism is waived during this COVID-19, it will only create more cases. On the other hand, the permit mechanism has its flaw as well. For example, the Indonesian Centre for Environmental Law (ICEL) stated that healthcare facilities are having difficulty in managing their hazardous waste is because there are too many permits needed to be fulfilled.

The second problem is regarding enforcement of regulations. Over the years, the number of cases of illegal dumping and management of hazardous waste from medical activities remain high. This shows that enforcement is still very weak and not effective.

#### **4. Recommendations**

The government should consider utilizing the COVID-19 momentum to revise regulations regarding the hazardous waste from medical activities, making it better and more suitable for years to come.

Firstly, the government should simplify the permit procedure. The government should establish a one-stop facility and obligate only one permit that covers all the standards that has been already regulated and set. By implementing the single permit mechanism, healthcare facilities would not have to face the challenges of having to apply for many permits and they can easily manage their own hazardous waste. Secondly, the government should to strengthen the enforcement of regulations by putting into place a sanction mechanism. With sanctions, implementation of regulations can be more effective.

Thirdly, the government should consider revising the regulation by adding an article about the obligation of healthcare facilities to have the facilities and equipment to manage their own hazardous waste in accordance with the standards that has been set by the government. This will help increase the number of healthcare facilities that can manage their own hazardous waste; and the management of hazardous waste can be done quickly. Lastly, the government should consider revising the regulation by adding an article about the obligation of each regional government to have at least one certified medical waste management company or facility. This will ensure that throughout Indonesia, there is place ready for managing hazardous waste from medical activities in each region. With these actions, the potential danger caused by hazardous waste from medical activities can be averted successfully.

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## **BIBLIOGRAPHY**

### **Journal**

Prasetiawan, Teddy. "Permasalahan Limbah Medis COVID-19 Di Indonesia". *Bidang Kesejahteraan Sosial*, vol 12, no. 9, 2020, Accessed 15 July 2020.

### **Website**

Hasibuan, Elisabet, and Dana Pratiwi. "Sengkarut Pengelolaan Limbah Media, Bikin Miris". *Www.Icel.Or.Id*, 2020, <https://icel.or.id/berita/sengkarut-pengelolaan-limbah-medis-bikin-miris/>. Accessed 15 July 2020.

### **Laws and Regulation**

Ministry of Environmental and Forestry Decree No. PM. 56 Year 2015  
Letter of Minister of Environment and Forestry No. 2 Year 2020