

Penilaian terpadu dampak tumpahan minyak di perairan Balikpapan: Studi kasus tumpahan sludge oil dari kapal MT. Panos G.

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Abstrak

Tumpahan minyak di laut menyebabkan kerusakan sumberdaya alam dan lingkungan. Berbagai kasus tumpahan minyak di laut yang mencemari biota laut dan berdampak negatif terhadap sosial ekonomi masyarakat telah terjadi di Indonesia. Salah satu kasus pencemaran akibat tumpahan minyak dari kapal adalah tumpahan limbah kerak minyak mentah (sludge oil) dari Kapal MT. Panos G di perairan Balikpapan dan ditemukan terdampar di pantai dan teluk Balikpapan pada tanggal 25 Juni 2004.

Pencemaran minyak di perairan Balikpapan dapat menimbulkan dampak terhadap ekosistem teluk dan aktivitas ekonomi masyarakat pantai Balikpapan. Sehubungan dengan hal tersebut maka perlu diketahui dampak apa saja dan seberapa besar nilai kerugian ekonomi yang ditimbulkan oleh tumpahan minyak dari Kapal MT. Panos G. Nilai kerugian ekonomi sangat diperlukan sebagai dokumen tuntutan ganti rugi terhadap pihak pencemar. Berkaitan dengan peristiwa tersebut Pemerintah Kota Balikpapan telah mengajukan tuntutan ganti rugi lewat jalur pengadilan sebesar Rp. 6.635.432.804,-.

Penelitian ini bertujuan untuk: (1) mengkaji dampak ekologis dan ekonomi yang terjadi akibat tumpahan sludge oil MT. Panos G di Pantai dan Teluk Balikpapan; (2) menganalisis dan menghitung kerugian ekonomi (materiil) dengan metode valuasi yang sesuai dengan data yang diperoleh di lokasi penelitian; (3) untuk mengetahui prosedur pengajuan klaim ganti rugi dan kerugian apa saja yang dapat dituntut akibat tumpahan minyak di laut sesuai dengan landasan hukum yang ada.

Hipotesis yang diajukan dalam penelitian ini adalah : (1) Akibat tumpahan sludge oil MT. Panos G sebesar 500 Ton yang mencemari ekosistem pesisir Balikpapan menyebabkan gangguan terhadap penghasilan masyarakat; (2) Metode pendekatan yang digunakan dalam perhitungan nilai kerugian ekonomi tiap variabel kerusakan lingkungan berbeda dengan metode yang digunakan oleh pihak Pemerintah Kota Balikpapan, sehingga besarnya nilai kerugian tidak sama.

Penelitian ini dilakukan di Wilayah Pantai dan Teluk Balikpapan. Metode penelitian yang digunakan adalah Metode ekspost fakto, dengan pendekatan kualitatif dan kuantitatif. Pendekatan kualitatif dianalisis secara deskriptif analitik, sedangkan pendekatan kuantitatif dianalisis dengan metode valuasi yaitu (1) kerugian pemerintah menggunakan metode harga perbaikan; (2) total nilai ekonomi lingkungan (pendekatan penilaian kerugian lingkungan) dengan metode benefit transfer; (3) kerugian masyarakat dihitung berdasarkan harga pasar.

Hasil penelitian memperlihatkan bahwa dampak tumpahan minyak (jenis sludge oil) di pantai dan teluk Balikpapan pada Tahun 2004 telah menimbulkan kerusakan ekosistem mangrove seluas 18 ha, rusaknya 4

ha wilayah rehabilitasi mangrove, rusaknya ekosistem lamun seluas 1 ha dan tercemarinya pasir pantai Balikpapan sepanjang 5 km. Kerusakan lingkungan tersebut sebagai akibat matinya anakan mangrove, matinya padang lamun, menimbulkan dampak berupa terganggunya tempat hidup berbagai jenis hewan laut berupa ikan, udang yang memiliki nilai ekonomis bagi masyarakat. Dampak sosial ekonomi yang ditimbulkan berupa penurunan pendapatan nelayan, pedagang antara, pengolah hasil perikanan dan perikanan budidaya. Hasil valuasi ekonomi memperlihatkan nilai total dampak materiil sebesar Rp. 10.267.907.465,- (terdiri dari kerugian pemerintah sebesar Rp.1.827.905.000,-, kerugian lingkungan sebesar Rp. 2.166.579.798, kerugian masyarakat sebesar Rp. 6.273.422.667,-). Pengajuan tuntutan ganti rugi melalui proses pengadilan telah dilakukan oleh pihak Pemerintah Kota Balikpapan dan hingga penelitian ini dilakukan keputusan pengadilan belum keluar.

Kesimpulan penelitian ini adalah (1) tumpahan minyak di perairan Balikpapan pada tanggal 25 Juni 2004 telah menimbulkan dampak kerusakan mangrove, padang lamun dan pasir pantai dan menyebabkan gangguan ekonomi masyarakat berupa penurunan penghasilan utamanya nelayan, pedagang perikanan, pengolah hasil laut dan perikanan budidaya. (2) pencemaran di pantai dan teluk Balikpapan menyebabkan kerugian ekonomi (materiil) sebesar Rp. 10.267.907.465 yang merupakan penjumlahan kerugian pemerintah, kerugian lingkungan hidup dan kerugian masyarakat;(3) pengajuan klaim ganti rugi akibat tumpahan minyak di pantai dan teluk Balikpapan dapat ditempuh dengan 2 (dua) cara yaitu melalui jalur pengadilan dan di luar pengadilan, dengan mengajukan kerugian materiil yang terdiri dari kerugian masyarakat, kerugian lingkungan dan kerugian pemerintah sebagai total klaim.

Saran dalam penelitian ini adalah (1) Untuk mendapatkan nilai kerugian lingkungan yang valid akibat kasus pencemaran tumpahan minyak maka sebaiknya setiap daerah dilengkapi data base nilai tiap ekosistem. (2) Sebaiknya tuntutan ganti rugi pencemaran minyak di laut diupayakan melalui jalur di luar pengadilan (negoisasi, mediasi) agar nilai ganti rugi didapatkan sesuai dengan besarnya kerugian, melihat banyaknya kendala apabila melalui jalur pengadilan seperti waktu yang lama, dana besar dan sulitnya pembuktian nilai kerusakan lingkungan. (3) Mengingat tuntutan ganti rugi akibat pencemaran merupakan salah satu instrumen pengendalian kerusakan lingkungan, dan Indonesia telah meratifikasi kesepakatan internasional CLC 1992, maka sebaiknya diikuti dengan peraturan (undang-undang, keppres) yang menjadi payung hukum untuk pengajuan klaim ganti rugi yang sesuai dengan besarnya kerugian.

Oil spilling to the sea causes damage to natural resources and the environment. There- have been many cases of oil spill polluting marine biota and adversely affecting people's social and economic conditions in Indonesia. An example of such incidents was the sludge oil spilling from the Panos G vessel and polluting the waters of Balikpapan. The vessel was found on the coastal area of Balikpapan on June 25, 2004.

The oil spill could have an impact on the ecosystem as well as on the economic activities of the communities living along the coastline. Therefore, it would be necessary to identify the level of impact and the resulting financial losses. Finding out the value of the economic losses would be required in filing a claim for damages against the polluting party. Following the incident, the city administration of Balikpapan had filed to the court a claim of Rp 6,635,432,804.

This research aims : (1) analyzing the ecologi and economic impact of the Panos G sludge oil spill to the coast and bay of Balikpapan; (2) analyzing and calculating the economic losses with valuation method according to the data taken from research location; and (3) identifying procedures for filing a claim for oil spill damages on the sea according to the exist law.

Hypotheses proposed in the research were as follows: (1) the impact of oil spilled on the coast and bay of Balikpapan amount 500 ton, this had resulted in economic losses suffered by the communities; (2) approaching method which using in to the calculation of economic amount every single variable of environment damage are different each with method using by the government of Balikpapan, so the result of every amount are definetely different.

The research was conducted on the coast and bay of Balikpapan using the ekrpost fakto method with qualitative and quantitative approaches. With qualitative approach analysis was done descriptive-analytically; while with quantitative approach analysis was done using economic valuation, i.e. (I) revised price for government losses; (2) benefit transfer for the total of environmental economic value (environmental loss assessment approach); and (3) market value of losses suffered by the communities.

The research results showed that the sludge oil spill on the coast and bay of Balikpapan had damaged the ecosystem of mangrove forest covering an area of 18 hectares, and destroyed the 4-hectare mangrove rehabilitation zone as well as one hectare of sea grass. The spill also polluted approximately five kilometers of sand along the coastline of Balikpapan. The environmental destruction as a result of dead young mangrove trees and sea grass affected the area where a number of marine species live such as fish and shrimp - all have economic value enjoyed by the communities. Social impacts included lower income earned by fishermen, brokers, and people processing fishing and farm-fishing products. The economic valuation results indicated material impact total value of Rp 10.267.907.465 (made up of Rp 1.827.905.000 government losses; Rp 2.166.579.798 of environmental losses and Rp 6.273.422.667 of losses suffered by the communities). A claim for damages had been filed to the court by the city administration of Balikpapan, and by the time this research was on-going, a court decision had not been made.

The research concluded that (1) the oil spill occurred on the sea of Balikpapan had disturbed the life of ekosistem I impact of mangrove, seagrass and beach on the coastal area of Balikpapan, and this had resulted in economic losses suffered by the communities, in particular fishermen, brokers as well as fishing and farm-fishing industries; (2) the Balikpapan oil spill material impact which was valued at Rp 10.267.907.465, which accumulation of government losses, environmental losses, and losses suffered by the communities; (3) the damage claim filing procedure the oil spilled on the coast and bay of Balikpapan can be using 2 method are settle out of court and in of court, by propose material losses which contain of community losses, environmental losses, and government losses as a total claim.

The research suggests the following: (I) in order to obtain valid environmental loss values resulting from a case of oil spill pollution, each administrative region should have a database of values of all the region's ecosystems; (2) a claim for damages resulting from oil spilling to the sea should be settled out of court (through negotiation or mediation) so that the money paid can cover all the losses. Sawing many problem if

claim in the court, such as money, time and value of ecosystem; (3) considering that a claim for pollution damages is an instrument for controlling environmental destruction, and Indonesia has ratified the 1992 CLC international treaty, regulations (laws, presidential decrees) should be stipulated and enforced to provide a legal foundation for filing a damage claim covering all losses.</i>