

## Implementation of Fuel Oil Transportation Business License Policy in Bitung City

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### Abstract

*The purpose of this study is to describe, analyze and describe how the implementation of the business permit policy for the transportation of Industrial Solar Non-Subsidized Fuel Oil by business entities related to downstream oil and gas business activities in Bitung City. The research method uses a qualitative approach. Data collection techniques using interviews, documentation studies and observation. The results showed that the management of the Transporters Business License still experienced obstacles. The Bitung City Environmental Service Office does not have the authority to issue recommendations needed in the process of obtaining a Transport Business License because the authority only exists at the Ministry of Environment and is not delegated to the District / City Environmental Service Office.*

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### Abstrak

Tujuan dari penelitian ini adalah menggambarkan, menganalisa dan mendeskripsikan bagaimana implementasi kebijakan izin usaha pengangkutan Bahan Bakar Minyak Non Subsidi Solar Industri oleh badan usaha terkait kegiatan usaha hilir migas di Kota Bitung. Metode penelitian menggunakan pendekatan kualitatif. Tehnik pengumpulan data dengan wawancara, studi dokumentasi dan observasi. Hasil penelitian menunjukkan bahwa pengurusan Izin Usaha Transportir masih mengalami kendala. Pelaku Usaha masih ada yang tidak mematuhi peraturan terkait Perizinan Usaha Transportir. Kantor Dinas Lingkungan d Kota Bitung tidak memiliki kewenangan mengeluarkan rekomendasi yang dibutuhkan dalam proses pengurusan Izin Usaha Transportir karena kewenangan itu hanya ada di Kementerian Lingkungan Hidup dan tidak didisposisikan ke Dinas Lingkungan Hidup tingkat Kabupaten/Kota.

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## 1. INTRODUCTION

Indonesia is a rich country, classified as an agricultural country with vast seas and land. It has quite a lot of natural resource potential and human resources that have not yet been explored and utilized optimally. The government's duties carried out by bureaucrats have not played an optimal role and some are still not able to translate public policies set by the state.

One of the natural resources that influences people's lives is oil and natural gas, the processed products of which, among other things, become fuel oil. Because it is closely related to the livelihoods of many people, the fuel used by the community is divided into subsidized and non-subsidized fuel. Non-subsidized fuel must be used by government agencies, people in the upper middle economic class and especially by the industrial sector.

The significant price comparison between subsidized and non-subsidized fuel oil is in fact one of the attractions for capital owners who then decide to set up or run a business in the downstream oil and gas sector. In terms of becoming a business actor, especially in downstream oil and gas activities, there are several business permits that must be fulfilled, and one of them is a transportation business permit.

The study problem in this thesis research focuses more on the transportation/transportation mobilization policy or what is called the Transportation Business Permit for Non-Subsidized Industrial Diesel Fuel in Bitung City.

The Transport Business Permit Policy aims to ensure that business actors use fleets that meet the applicable requirements and conditions to ensure the safety of drivers, consumers, the community and the environment on the routes or paths that the fleet travels.

On the one hand, consumers can have their rights fulfilled because by using a fleet that meets the requirements, the regulations provide a guarantee regarding the quality and quantity of the cargo being transported.

However, in reality on the ground, there are still violations or non-fulfillment of compliance by business actors by providing appropriate fleets. This can be seen in the existence of business entities that distribute fuel using company-owned transportation but are not accompanied by a transportation business permit, while the distribution mechanism has been regulated, including the fulfillment of permits related to fuel transportation.

## 2. METHOD

This research aims to find, understand, explain phenomena related to the issue of business permits for transporting industrial diesel fuel in Bitung City. Therefore, this research uses a type of research with a qualitative approach. (Bogdan & Biklen, 1998, Marshall & Rossman, 1989, Strauss & Corbin, 1990). The qualitative approach is called the naturalistic approach (Lincoln & Guba, 1985).

This research is related to the fulfillment of the Industrial Diesel Fuel Transport Business Permit in Bitung City, so it was carried out through research stages as stated by Loffrand & Loffrand (1984), namely; where the research starts (starting where you are), thinking units, and determining focus, determining research locations and sites (evaluating data sites), entering the research arena (getting in), establishing relationships with subjects (getting along), collecting data (logging the data), asking questions (asking questions), making questions interesting (developing analysis), and validity. In this way, it will be easier to adapt to diverse realities and integrate with each other. The research location was determined to be Bitung City

The data collection technique through interviews is the main technique in qualitative research methodology. Likewise, in this research, interview techniques are used to capture basic meaning in specific interactions. An interview is meant to be a conversation between two parties with a specific purpose, in this case between the researcher and the informant.

This observation technique is carried out in three stages, namely: descriptive observation. Next, focused observation is carried out to find categories.

All observation results are recorded as field notes and the results of the recorded observations are then reflected as research results. Furthermore, documentation techniques are used to collect data from non-human sources in the form of related documents or archives.

## 3. RESULTS AND DISCUSSION

The economy of Bitung city is dominated by the agricultural and plantation sectors. However, in its development, the industrial sector has developed quite rapidly and reached its highest value. The growth of the industrial sector really helps the economy, especially by expanding job opportunities. The increase in industrial companies also improved the welfare of the population, especially with the employment of 21,755 people, an increase from the previous year when the absorption capacity reached 21,290 workers. Likewise in terms of capital, the increase in the number of companies was also accompanied by an increase in investment value to 541.67 billion rupiah or an increase of 23.47 percent compared to the previous year.

In 2004 the transportation and communications sector made the largest contribution to the economy in Bitung City. Industry in Bitung City is dominated by the fishing industry, shipbuilding and coconut oil industry. Apart from that, there are also sea transportation, food, steel, medium and small industries.

### **Description of the Marine Fleet**

PT Andrelixa Khen Energi (Khen) was founded in 2018 and operates in the Industrial Solar Distribution sector. Initially this company was located in Madidir District by the company's founder. Due to the owner's personal reasons, the company did not immediately operate or was on hiatus for several years, until then in 2021, the company changed ownership as evidenced by the General Meeting of Shareholders (GMS), GMS 1 and GMS 2. This management transfer was followed by a change of business location from Madidir District to Matuari District with the address Ward IV, Sagerat Weru Satu Village.

By the new management, the first thing to do was to tidy up the company administration by managing and completing the company's permits and legality. Furthermore, in line with its initial objectives, this company focuses as a distributor and transporter of non-subsidized fuel oil, especially industrial diesel.

Based on Law Number 22 of 2001 concerning Oil and Gas, Article 5 paragraph (2) concerning Downstream Business Activities which includes in this case letter (b); Transportation, Article 23 paragraph (2) regarding the type of business license letter (b), namely Transportation Business License. In the description of Business Permits for Transporting Petroleum, Fuel and Processed Products, the procedure for obtaining a business permit begins with completing the administrative requirements. Continue with the fulfillment of technical requirements for land and sea fleets.

The reality found in the field is that business actors can fulfill administrative requirements and technical requirements, but not all business agents comply. There are still agents who run their business using land or sea fleets but do not have a transportation business permit.

Confirmed in the Letter of the Director General of Oil and Gas Number 3.E/MG.05/DJM/2022 regarding Minimum Requirements for Land Mode Oil and Natural Gas Transport Fleet Ownership, it is said that in an effort to increase investment and reliability of land mode oil and natural gas transport business activities in conditions Currently there are still Business Entities Holding Land Mode Oil and Gas Transport Business Permits that do not have transport fleets (only rental), hereby convey the following matters:

1. Business entities that apply for Business Permits/Adjustments to Extend Oil and Gas Transport Business Permits by land mode are required to have a minimum of 1 (one) transport fleet unit.
2. In the event that the obligations in letter a have been fulfilled, for further transportation fleet needs it can be rented from other parties and a minimum of 1 (one) unit must be available in addition to the fleet in letter.
3. Business Entities that have obtained a Land Mode Oil and Gas Transport Business Permit prior to the issuance of this letter, can still carry out business activities with the means and facilities listed in the Business Permit until the expiration of the Business Permit's validity period.

Based on Law Number 22 of 2001 concerning oil and natural gas, Article 25 paragraph (1), the Government can deliver a written warning, suspend activities, freeze activities or revoke business permits as intended in Article 23 based on:

- a. Violation of one of the requirements stated in the Business License
- b. Repeated violation of Business License requirements
- c. Does not meet the requirements stipulated under this Law.

There are still many cases where business actors ignore the rules and wait until they are examined and then state the reasons why they are still being processed.

Based on Law Number 22 of 2001 concerning Oil and Natural Gas, Article 38 states; Guidance on Oil and Gas business activities is carried out by the Government. In this case, the government provides guidance through outreach activities by related agencies such as the Ministry of Energy and Mineral Resources at the provincial level.

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Based on Law Number 22 of 2001 concerning Oil and Natural Gas, Article 55. Every person who misuses the Transportation and/or Trading of Oil Fuel which is subsidized by the Government shall be punished by imprisonment for a maximum of 6 (six) years and a maximum fine of IDR 60,000,000,000. .00 (sixty billion rupiah).

#### **4. CONCLUSION**

Based on the research that has been carried out, it is concluded that:

1. Processing Transporter Business Permits is still experiencing problems
2. Doera there are still those who do not comply with regulations related to Transporter Business Licensing
3. The Environmental Service Office in Bitung City does not have the authority to issue recommendations needed in the process of obtaining a Transporter Business License

because that authority only lies with the Ministry of the Environment and is not assigned to the Regency/City Environmental Service.

## 5. ACKNOWLEDGEMENT

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