

**TANGGUNG GUGAT PT.PRIA TERHADAP KERUGIAN  
MASYARAKAT DESA LAKARDOWO AKIBAT TERCEMARNYA  
TANAH DAN UDARA OLEH LIMBAH B3**

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**ABSTRAK**

Abstrak— Penelitian berjudul Tanggung Gugat PT.PRIA Terhadap Kerugian Masyarakat Desa Lakardowo Akibat Tercemarnya Tanah Dan Udara Oleh Limbah B3, dengan membahas permasalahan apakah PT.PRIA bertanggung gugat terhadap pencemaran yang terjadi di desa Lakardowo berdasarkan UU Nomor 32 Tahun 2009. Penelitian dengan pendekatan Undang-Undang dan konsep, diperoleh suatu kesimpulan sebagai berikut: PT.PRIA bertanggung gugat atas terjadinya pencemaran lingkungan hidup di Desa Lakardowo karena Limbah *fly ash* dan *bottom ash* termasuk dalam jenis limbah B3 berdasarkan Lampiran I PP Nomor 101 Tahun 2014 pada Tabel 4, PT.PRIA bertanggung gugat atas kerugian yang dialami masyarakat Desa Lakardowo karena telah memenuhi unsur Pasal 1365 KUH Perdata dan Pasal 87 UU Nomor 32 Tahun 2009, PT.PRIA bertanggung gugat atas kerugian yang ditimbulkan oleh orang-orang yang berada di bawah tanggungannya dalam hal ini karyawan yang menjual limbah *bottom ash* kepada warga sebagaimana Pasal 1367 KUH Perdata, Penggantian kerugian berupa biaya, rugi dan bunga sebagaimana Pasal 1246 KUH Perdata, dan atas kerugian tersebut PT.PRIA bertanggung jawab mutlak sebagaimana Pasal 88 UU Nomor 32 Tahun 2009.

Kata Kunci: Tanggung Gugat, *fly ash*, *bottom ash*

**RESPONSIBILITIES OF PT. PRIA ON LAKARDOWO VILLAGE  
COMMUNITY DAMAGE DUE TO LAND AND AIR POLLUTION BY  
WASTE B3**

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**ABSTRACT**

Abstract—The study entitled PT.PRIA's Liability Against the Losses of the People of Lakardowo Village Due to Pollution of Land and Air by B3 Waste, by discussing the issue of whether PT.PRIA is accountable for pollution occurring in the village of Lakardowo based on Law Number 32 Year 2009. Research with the approach of the Law Law and concept, a conclusion is obtained as follows: PT.PRIA is responsible for the occurrence of environmental pollution in the Village Lakardowo because fly ash and bottom ash waste is included in the type of B3 waste based on Attachment I PP No. 101 of 2014 in Table 4, PT.PRIA is responsible claim for losses suffered by the people of Lakardowo Village because they have fulfilled the elements of Article 1365 of the Civil Code and Article 87 of Law Number 32 Year 2009, PT.PRIA is responsible for losses incurred by the people under its responsibility, in this case employees who sell waste bottom ash to citizens as Article 1367 of the Civil Code, compensation in the form of costs, losses and interest as referred to in Article 1246 of the Civil Code, and for these losses PT.PRIA has absolute responsibility as referred to in Article 88 of Law Number 32 Year 2009.

**Keywords** : Liability, fly ash, bottom ash