

TEMPLATE FOR SUBMISSION OF TEXTUAL PROPOSALS DURING THE 27TH SESSION:

COUNCIL - PART I

Informal Working Group - Environment

Please fill out one form for each textual proposal which your delegation(s) wish(es) to amend, add or delete.

1. Name(s) of Delegation(s) making the proposal: Republic of Costa Rica

2. Please indicate the relevant provision to which the textual proposal refers.

Regulation 59, Part IV - ISBA/27/C/IWG/ENV/CRP.1

3. Kindly provide the proposed amendments to the regulation or standard or guideline in the text box below, using the “track changes” function in Microsoft Word. Please only reproduce the parts of the text that are being amended or deleted.

Regulation 59 Closure Plan

1. A Closure Plan shall set out the responsibilities and actions of a Contractor for the decommissioning and closure of activities in a Mining Area, including the postclosure management and monitoring of residual and natural Environmental Effects. Closure also includes a temporary suspension of mining activities.

2. The objectives of a Closure Plan are to ensure that:

(a) The closure of mining activities is a process that is incorporated into the mining life cycle and is conducted in accordance with Good Industry Practice, Best Environmental Practices, Best Available Techniques and Best Available Scientific Evidence;

(b) At the date of cessation or suspension of mining activities, a management and monitoring plan is in place for the period prescribed in a Closure Plan, in accordance with the relevant standards;

(c) The risks relating to Environmental Effects are quantified, assessed and managed, which includes the gathering of information relevant to closure or suspension;

(d) ~~The necessary health and safety requirements are complied with~~ Any health and safety requirements related to closure activities;

(e) ~~Any residual negative~~ Environmental Effects continue to be monitored, identified, quantified and reported to the Authority ~~are identified and quantified,~~ and management responses are implemented, including plans for further Mitigation or remediation where appropriate;

(f) Any restoration or rehabilitation commitments will be fulfilled in accordance with predetermined criteria or standards by the Contractor;

(f)bis Requirements regarding the removal of all Installations and equipment from the Mining Area are addressed; and

(g) The mining activities are closed or suspended efficiently and ~~cost effectively~~ safely.

3. The Closure Plan shall cover the aspects prescribed by the Authority in annex VIII to these regulations and in accordance with the relevant Standards.

4. A Contractor shall maintain the currency and adequacy of its Closure Plan in accordance with Good Industry Practice, Best Environmental Practices, Best Available Techniques, Best Available Scientific Evidence and the relevant Guidelines.

5. The Closure Plan shall be reviewed annually and updated each time there is a Material Change in a Plan of Work, and be finalized in accordance with regulation 60 (1).

4. Please indicate the rationale for the proposal. [150 word limit]

- 1- Costa Rica believes we need specific Standards for the Closure Plan, hence the proposal to include them in several parts of this regulation, but we would also support for a mentioning in the chapeau.
- 2- Costa Rica believes the monitoring should cover all environmental effects, not just the residual negative effects., and that the information should be reported to the Authority.
- 3- Costa Rica does not believe that the concern should be the cost efficiency of the suspension, but its safety.