

**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:

Federal Republic of Germany

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

Draft Regulation 59

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

A Closure Plan be in accordance with the relevant Standard and

1. 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, ~~and~~ 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 and in accordance with the relevant Standard;
 - (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;

(e) Any residual ~~negative~~ Environmental Effects are identified and quantified, and management responses are ~~considered implemented~~, including plans for further Mitigation or remediation where appropriate;

(f) ~~Any Necessary~~ restoration or rehabilitation commitments are accepted by the contractors and will be fulfilled in accordance with predetermined criteria or standards; ~~and~~

(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 costeffectively.

(h) The Contractor monitors the Contract Area and collects data that informs the Authority about recovery, or lack thereof, of the Contract Area over the period of time required by the Closure Plan and as provided by the relevant Standard, taking account of any Guidelines.

3. The Closure Plan shall cover the ~~main~~ aspects prescribed by the Authority in annex VIII to these regulations.

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 Standard and Guidelines.

5. The Closure Plan shall be reviewed annually and updated each time there is a Material Change in a Plan of Work, ~~or, in cases where no such change has occurred, every five years,~~ and be finalized in accordance with regulation 60 (1).

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

We support most amendments by the Facilitator (in blue). In addition, we suggest a few further amendments (red): We propose crossreferencing with the relevant Standard.

Eventually, once the Standards are developed, a reference to the specific Standard including its name, would be useful. Furthermore, we propose an additional subpara 2 (h) regarding the monitoring and information obligations of the contractor in charge.