

**TEMPLATE FOR SUBMISSION OF TEXTUAL PROPOSALS DURING THE 27<sup>TH</sup> SESSION:  
COUNCIL - PART II**

***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 61

**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 61**

**Post-closure monitoring**

1. A Contractor shall implement the final Closure Plan ~~in accordance with the conditions of its implementation~~ and shall report to the Secretary-General on the progress of such implementation on an annual basis, including the results of monitoring, conducted in accordance to the applicable Standard and pursuant to the monitoring programme under paragraph 2 below, as set out in the final Closure Plan.

2. The Contractor shall continue to monitor the Marine Environment for such period after the cessation of activities, as set out in the final Closure Plan and for the duration provided for in the relevant Standards and taking into account relevant Guidelines ~~and release in~~ Monitoring data shall be released publicly and in an accessible format at in monthly intervals.

3. Upon completion of implementation of the final Closure Plan, ~~The~~ Contractor shall hire a competent and independent auditor to conduct a final performance assessment and submit a final performance assessment report in accordance with the Guidelines to the Secretary-General to ensure that the closure objectives as described in the final Closure Plan have been met. Such report shall be reviewed by the Commission at its next meeting, provided that it has been circulated at least 30 Days in advance of the meeting. The Commission shall provide a report and recommendations on that performance assessment report to the Council, who shall decide whether the final Closure Plan has been satisfactorily delivered, which decision shall be relevant to the retention, release, forfeiture or use by the Authority of the Contractor’s Environmental Performance Guarantee..

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

We support the amendments inserted by the Facilitator, if not indicated otherwise. In addition, we propose a few amendments, also in tracked changes. Inter alia, we regard it as necessary to include a final decision on whether the contractor's duties have been discharged.