

TEMPLATE FOR SUBMISSION OF TEXTUAL PROPOSALS DURING THE 27TH 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 and send to council2022@isa.org.jm.

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

ITALY

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

DR 48

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.

~~1. — The purpose of a~~ An Environmental Management and Monitoring ~~Environmental Monitoring and Management~~ Plan is to shall manage and confirm that Environmental ~~impacts effects Effects~~ meet the environmental [quality] objectives and [environmental performance] standards for the mining operation. The plan will contain any conditions included in the Environmental Impact Statement and will set out commitments and procedures on how the environmental impacts of the mining operation will be monitored, how the Mitigation ~~measures~~, including pollution control and Mining Discharge in regulations 49 and 50, will be implemented, how the effectiveness of such measures will be monitored, what the management responses will be to the monitoring results and what reporting systems will be adopted and followed.

Alt 1

~~1. — An applicant or Contractor, as the case may be, shall prepare an Environmental Management and Monitoring Plan in accordance with this regulation.~~

2. An applicant or Contractor, as the case may be, shall prepare an Environmental Management and Monitoring Plan in accordance with this regulation.

[2] Alt 1

~~— The purpose of an Environmental Monitoring and Management Plan is to manage and confirm that Environmental Effects impacts meet the environmental quality objectives and standards for the mining operation. The plan will contain any conditions included in the Environmental Impact Statement and will set out commitments and procedures on how the environmental Effects impacts of the mining operation will be monitored, how the mitigation measures, including pollution control and Mining Discharge in regulations 49 and 50, will~~

~~be implemented, how the effectiveness of such measures will be monitored, what the management responses will be to the monitoring results and what reporting systems will be adopted and followed.~~

3. The Environmental Management and Monitoring Plan shall ~~cover include the main all aspects matters elements~~ prescribed by the Authority in ~~a~~Annex VII to these regulations and shall be:

(a) Based on the ~~Environmental Impact Assessment environmental impact assessment~~ and the Environmental Impact Statement;

(b) In accordance with the ~~relevant applicable Regional Environmental Management Plan regional environmental management plan, if any;~~ and

(c) Prepared in accordance with the applicable ~~Standards Guidelines~~, Good Industry Practice, Best Available Scientific Evidence, Best Environmental Practices and Best Available Techniques, ~~taking account of the applicable Guidelines;~~ and consistent with other plans in these regulations, including the Closure Plan and the Emergency Response and Contingency Plan.

~~(d) Consistent with other plans in these regulations, including the Closure Plan and the Emergency Response and Contingency Plan.~~

~~[3bis. A Contractor shall reflect in its Environmental Monitoring and Management Plan:~~

~~(a) Its methodology for maintaining compliance with the Standards and thresholds of the Authority developed in accordance with Regulations 45 and 94, and any thresholds set by the relevant Regional Environmental Management Plan;~~

~~(b) Any conditions included in the Council's environmental impact assessment decision and will set out~~

~~(c) Commitments and procedures on how the Mitigation measures will be implemented;~~

~~(d) How the impacts of the operation as well as the effectiveness of mitigation measures will be monitored, in accordance with Regulation 46ter and the EMMP Standard;~~

~~(e) What the management responses will be to the monitoring results.]~~

~~[3ter. The EMMP shall contain a monitoring programme for at least the first seven years of Exploitation, to be conducted by independent experts and in compliance with the applicable Standards.]~~

~~4. The Contractor shall provide information in its annual report on the implementation of the Environmental Management and Monitoring Plan in accordance with regulations 38, paragraph 2(g), and 46ter, paragraph 3, for evaluation by the Legal and Technical Commission, as well as publicly release, in an accessible format, monitoring data and information at monthly intervals.~~

~~5bis. The Contractor shall allocate sufficient resources and assign roles and responsibilities to implementation of the Environmental Monitoring and Management Plan in proportion to the relevant risks and impacts.~~

Commented [BD1]: This level of details should be left to S&G

Commented [BD2]: We would like to have more details on rationale of this addition, in particular on the timeline and how to implement the engagement of the external experts

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

R48 (1)	Replace “Environmental Monitoring and Management” with “Environmental Management and Monitoring” for consistency. Delete impacts in the second line and modify “effects” with “Effects”. Do not support two other insertions. Support deletion of “measures”
R48 (3)	Replace “matters” with “elements”
R48 (3) (a)	Modify with “Environmental Impact Assessment”
R48 (3) (b)	Modify with “Regional Environmental Management Plan”. Delete “if any”, but see comment to R46 bis (4) (b).
R48 (3) bis and literals	This level of details should be left to S&G (NL)
R48 (3) ter	Do not support. We thank D for its clarification, but as UK an N we would like to have more details on rationale of this addition, in particular on the timeline and how to implement the engagement of the external experts
R48 (4)	Delete “at monthly intervals”