

**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:

Norway

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

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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 Contractor shall prepare A Closure Plan, which shall accompany an application for approval of a Plan of Work in accordance with regulation 7, and shall set out the responsibilities and actions of a Contractor

for the decommissioning and closure of activities in a Mining Area, including the post-closure management and monitoring of residual 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, **including by scheduling studies to inform Closure throughout the period of Exploitation** 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 **and in accordance with the relevant Standards and taking into account the relevant guidelines;**

(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 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 **necessary** 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~~**any** Installations and **its parts and** equipment from the Mining Area are addressed; and
(g) The mining activities are closed or suspended efficiently and **costeffectively 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 and taking into account the relevant guidelines**.

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 **Standards and, taking account of 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, or, **in cases where no such change has occurred, be reviewed every five years** and be finalized in accordance with regulation 60 (1).

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

- We think it provides more clarity to state the obligation and who is responsible first, with reference to DR 7 (3) which states the documents to follow the application for a Plan of Work.
- If an EIA is required for the closure plan, this must be clearly stated in the DR. Such a requirement is implied in c) and also in Annex VIII (1) f). In Norway, a closure plan shall be accompanied by an EIA/EIS. On the other hand, if the closure plan is to be submitted at the application stage, this might be included in the general EIA/EIS. A reference to an EIS might in any case need to be included here.
- In the Norwegian Seabed Minerals Act the closure plan must be submitted 2 years before final closure. In our view, submitting a closure plan at the time of application is quite early.
- Some level of review should be conducted independently of whether there is a Material Change, for example to include new knowledge. Every five years can be reasonable.