

**TEMPLATE FOR SUBMISSION OF TEXTUAL PROPOSALS DURING THE 27<sup>TH</sup> 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:**

United States

**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 61**

**Post-closure monitoring**

...

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 regulation, standard and guidelines, and release monitoring data publicly and in an accessible format at monthly intervals.
3. 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, and the Commission shall submit it to the Council for consideration.

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

In paragraph 2, the United States notes the “duration provided for in the relevant Guidelines” would not be legally binding. We suggest the Council consider discussing under what environmental conditions a Contractor may be released from post-closure monitoring and elaborating such conditions in the regulations or a Standard, either instead of or complementary to a specified amount of time.

Also in paragraph 2, we propose text in line with previous edits specifying that monitoring data be released publicly and in an accessible format on a monthly basis to sufficiently allow regular and routine verification of environmental conditions and contribute to scientific understanding.

Finally, in paragraph 3 we suggest clarification that the Commission will not only review the report but also submit it to the Council for consideration. Further, we suggest textual additions clarifying the performance assessment should be performed by an independent and competent professional hired by the Contractor.