

**TEMPLATE FOR SUBMISSION OF TEXTUAL PROPOSALS DURING THE 27TH SESSION:
COUNCIL - PART III**

Please fill out one form for each textual proposal which your delegation(s) wish(es) to amend, add or delete and send to council@isa.org.jm.

1. Name of Working Group:

Informal working group on the protection and preservation of the marine environment – IWG ENV

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

United States

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

DR 61

4. 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. 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 a summary of the results of monitoring 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 monitoring data publicly and in an accessible format consistent with best scientific practices at 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~~ taking into account the relevant ~~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.

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

In paragraph 1, we propose that the text instruct the Contractor to include “a summary of the results of monitoring” in its annual report on the implementation of the final Closure Plan. We consider that this change would prevent redundancy in the reporting requirements and streamline data submission for the Contractor, given the requirements for monthly data reporting in paragraph 2 of Regulation 61 as well as Regulation 46ter on Environmental monitoring.

In paragraph 2, we propose the addition of text to specify that the format of monitoring data be consistent with best scientific practices.

In paragraph 3, we propose the addition of text to clarify that Guidelines are not legally binding, and that the LTC will review the final performance assessment report for the purposes of making a recommendation to the Council for consideration and confirmation that the closure objectives have been met.