

**TEMPLATE FOR SUBMISSION OF TEXTUAL PROPOSALS
DURING THE 29TH SESSION: COUNCIL - PART I**

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.im.

1. Name of Working Group:

Informal Working Group on Environment

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

Submitted by Nauru Ocean Resources Inc., Tonga Offshore Mining Ltd. and Blue Minerals Jamaica Ltd.

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

Draft Regulation 60(1)

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.

Regulation 60 [IWG ENV]

Final Closure Plan: Cessation of production

1. A Contractor shall, at least 24 months prior to the planned end of Commercial Production, ~~or as soon as is reasonably practicable in the case of any unexpected cessation including a temporary suspension,~~ submit to the Secretary-General, for the consideration of the Commission, an ~~updated Final~~ Closure Plan, taking into account the results of monitoring and data and information gathered during the exploitation phase and the ~~relevant applicable~~ Regional Environmental Management Plan.

Regulation 60bis

Unexpected and temporary suspensions of production

1. As soon as reasonably practicable after any unexpected cessation in Commercial Production, including a temporary suspension, the Contractor shall put in place a care and maintenance plan, taking into account the results of monitoring and data and information gathered during the exploitation phase and the relevant Regional Environmental Management Plan.

2. The Contractor shall notify the Secretary-General of any such unexpected cessation or temporary suspension in Commercial Production as soon as reasonably practicable and shall provide the Secretary-General with a copy of the care and maintenance plan.

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

- We consider that it is not appropriate to require a Closure Plan where there is only a temporary suspension of activities. Instead, as is the case in terrestrial mining, a care and maintenance plan should be used for temporary suspensions. As such, we propose

removing temporary suspensions from Draft Regulation 60(1) given that this Draft Regulation relates to “cessation of production”.

- We have instead proposed a new Draft Regulation – Draft Regulation 60bis – to regulate unexpected and temporary suspensions of production. This would require the Contractor to put in place a care and maintenance plan – but not activate the Closure Plan given that the suspension is only temporary in nature.