

**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.jm.

1. Name of Working Group:

Consolidated text

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.

Schedule, Use of Terms and Scope, Best Available Techniques

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.

[“Best Available Techniques” means the ~~latest stage of~~ most appropriate development, and ~~state-of-the-art~~ processes, facilities or methods of operation, within reasonable technical and economic constraints, that indicate the practical suitability of a particular measure for the prevention, reduction and control of pollution and the Protection of the Marine Environment from the harmful effects of activities in the Area, taking into account the guidance set out in the applicable Standards and Guidelines.]

~~[Alt. “Best Available Techniques” means the most effective and advanced stage in the development of activities and their methods of operation which indicates the practical suitability of particular techniques for providing the basis for emission limit values and other permit conditions designed to prevent and, where that is not practicable, to reduce emissions and the impact on the environment as a whole:~~

~~(a) ‘techniques’ includes both the technology used and the way in which the Installation is designed, built, maintained, operated and Decommissioned;~~

~~(b) ‘available techniques’ means those developed on a scale which allows implementation in the relevant industrial sector, under economically and technically viable conditions, taking into consideration the costs and advantages, whether or not the techniques are used or produced inside the Member State in question, as long as they are reasonably accessible to the operator.~~

~~(c) ‘best’ means most effective in achieving a high general level of protection of the environment as a whole;]~~

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

- We are concerned that the current proposed definitions of Best Available Techniques are too prescriptive and would establish a standard that is often unlikely to be attainable in practice.
- Instead, we propose amendments using language from the original Alt 2 of this definition. These changes help to clarify the definition and ensure it recognizes that the best available technique has to take into account matters such as practical suitability.