

Open issues on Test/Pilot Mining - views by the co-facilitators of the working group

1) Should Test Mining be a fully integrated test?

- Test Mining should be a fully integrated test, in order to:
 - increase the data confidence of the EIS,
 - inform the LTC's assessment of the applicant's technical capabilities
 - inform LTC's assessment of their abilities to ensure the effective protection of the Marine Environment.
- "Test mining" is a defined term in document ISBA/25/LTC/6/Rev.3 (*"The use and testing of a fully integrated and functional mining system including collection systems and water discharge systems."*)

2) Should there be exemptions for test and/or pilot mining?

- GER/BEL/CHN would be flexible with respect to the inclusion of exemptions for TM, however there should not be any exemptions for PM.
- There should be clear criteria to be defined for possible exemptions from TM, guiding the LTC in the assessment of an application for exemption. Such criteria could be developed as a Standard.
- It is unlikely that an exemption will be possible to be granted in the first phase of mining applications due to lack of sufficient empirical scientific data and understanding of ecosystem functioning. Exemptions for TM will foreseeably come into play after the ISA has gained sufficient experience and knowledge.
- A draft paragraph on exemptions will be added to revised Joint Proposal

3) What are the substantive differences between test and pilot mining?

- Substantive differences between TM and PM are:
 - temporal scale,
 - spatial scale
 - production capacity
- temporal and spatial limit for TM to be defined, with a view to validate technical capacity and limit environmental impacts,
- Minimum requirements and upper limits for scale of PM to be defined
- Standard should cover requirements for all types of DSM, not just for nodules
- TM must be designed to inform the EIA as part of the PoW, i.e., allow for a prediction of effects based on real data,
- PM to show technical capability of contractor and its capability to comply with the conditions of its contract. It serves to inform assessment of effects of commercial scale production on marine environment and to validate the predicted impacts as described in the EIS.

4) How should validation monitoring be defined?

- Validation monitoring (VM) is one of several monitoring regimes under the ISA
- VM is directly related to PM, to monitor environmental effects of PM
- Objective of VM is to validate assumptions and predictions made in EIA/EIS
- VM should be operated for the duration of PM, to be followed by the compliance/regular monitoring and longer-term monitoring during and after commercial production respectively as set out in the EMMP

5) What are the specific consequences of a pilot mining not being approved?

- Contractor cannot move to commercial production
- Contractor may step back from PM or terminate contract
- Contractor should have the option to repeat PM within contract duration
- Open question whether there should be a maximum of trials for PM
- Contractor shall have the option to declare a material change and modify its PoW as contained in its Contract

6) How should test mining be regulated?

- TM takes place within the exploration phase, in preparation of the exploitation phase
- TM is optional under the Exploration regulations
- Exploration contractors that seek to move from exploration to exploitation are bound to meet the requirements under the future Exploitation Regulations
- Requirements for TM to be established in exploitation regulations
- Successful TM is a mandatory requirement for exploitation (unless exempted, see #2)
- Detailed technical requirements for TM should be further defined, e.g. by a Standard.
- The EIS for TM is set out in the exploration regulations.