

**TEMPLATE FOR SUBMISSION OF TEXTUAL PROPOSALS DURING THE 30TH 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(s) of Delegation(s) making the proposal:** United States of America

- 2. Please indicate the relevant provision to which the textual proposal refers.**
Schedule, Use of terms and scope

- 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.**

“Incident” means an event, or sequence of events, where activities in the Area result in:

- (a) A marine Incident or a marine casualty as defined in the Code of International Standards and Recommended Practices for a Safety Investigation into a Marine Casualty or Marine Incident (Casualty Investigation Code, effective 1 January 2010), and other relevant standards and guidelines for offshore exploitation operations;
- (b) A significant unanticipated or unpermitted adverse impact to the Marine Environment or to other existing legitimate sea uses, whether accidental or not, or a situation in which such adverse impact was only narrowly avoided is a reasonably foreseeable consequence of the situation; and/or
- (c) Damage to a submarine cable or pipeline, other subsea technology, or any Installation.
- (d) Fires and explosions
- (e) Other notifiable events outlined in Appendix I of these regulations

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

The definition of “Incident” based on the IMO Casualty Investigation Code, 2010, is inadequate as it seeks to apply a maritime standard, primarily for ships, and does not account for other incidents relating to the actual operations or activities that can occur during deep seabed exploitation. In the United States, domestic regulations include some elements in the IMO Code but also includes other offshore incidents as outlined in 30 CFR § 250.188.

While the IMO Code is comprehensive, there is a gap in information so specific types of incidents pertinent to offshore exploitation operations are added here and also elaborated in Appendix I, on notifiable events.

Other Proposed Additions to the Schedule, Use of terms and scope

“Collision” means the act of a moving vessel (including an aircraft) striking another vessel, or striking a stationary vessel or object (e.g., a boat striking a drilling rig or platform).

“Facility” means a vessel, a structure, installation, or an artificial island used for offshore exploitation operations.

“Property or equipment damage” means the cost of labor and material to restore all affected items to their condition before the damage, including, but not limited to, the facility, vessel, aircraft, or equipment used on the high seas. It does not include the cost of salvage, cleaning, dry docking, or demurrage.

“Structural damage” means damage severe enough so that operations on the facility cannot continue until repairs are made.