



**Template for the review of the draft standards and guidelines
associated with the draft regulations on exploitation of mineral resources in the Area**

I. Background

1. The draft regulations on exploitation of mineral resources in the Area ([ISBA/25/C/WP.1](#)) require that certain issues are addressed in accordance with, or taking into account, standards and guidelines to be developed by the organs of the Authority. The standards will be adopted by the Council and will be legally binding on Contractors and the Authority, whereas the guidelines will be issued by the Legal and Technical Commission or the Secretary-General and will be recommendatory in nature.
2. Stakeholder consultation is an integral part of the process decided upon by the Commission for the development of the standards and guidelines ([ISBA/25/C/19/Add.1](#)).
3. The Legal and Technical Commission will consider the comments received through stakeholder consultation during its current session.
4. The drafts include a cover page containing background and contextual information on the approach taken by the Legal and Technical Commission in developing each standard and guidelines. Please note that stakeholder comments are not sought on this cover note.
5. Issues of format and consistency across the standards and guidelines will be reviewed by the secretariat and the Legal and Technical Commission once the content of the various standards and guidelines is finalized following stakeholder consultation.

II. Submitting Comments

6. To ensure that your comments are given due consideration, please send them by e-mail to ola@isa.org.jm, at your earliest convenience but **no later than the date announced on the ISA website for the relevant draft standards and guidelines**.
7. When submitting comments, please adhere to the following guidance as much as possible:
 - a. Please provide all comments in writing and in an MS Word .doc or .docx format using the table provided below.
 - b. The table format allows for an unlimited number of comments to be added. To add more comments, you may add more rows.

- c. Please provide full contact information for the individual/Government/organization submitting the comments.
- d. Please avoid commenting on issues related to format, grammar, spelling or punctuation, unless it affects the overall meaning of the text, as the document will be formatted and edited when the final draft is prepared by the Legal and Technical Commission.
- e. To facilitate the revision process please be as specific as possible in your comments. In areas where you feel additional or alternative text or information is required, please suggest what this text may look like or what information should be included.
- f. Text may be copied from the draft into the table if stakeholders wish to use "track changes" in editing text (this is encouraged to ensure accuracy and avoid numbering errors).
- g. If you refer to additional sources of information, please include these with your comments when possible or provide a complete reference or hyperlink.
- h. All review comments will be posted on the ISA website, unless otherwise requested by the submitting entity.

8. Should you have any questions regarding the review process, please contact ola@isa.org.im.

III. Template for Comments

- 9. Please use the review template below when providing comments.
- 10. Line and page numbers have been provided in the drafts. Please use these as a reference as illustrated in the table below.

TEMPLATE FOR COMMENTS

<i>Document reviewed</i>	
Title of the draft being reviewed:	"Draft Standard for the safe management and operation of mining vessels and installations"
<i>Contact information</i>	
Surname:	Breedlove, Thareja
Given Name:	Tyson, Dinesh
Government (if applicable):	N/A
Organization (if applicable):	ABS

Country:	Global							
E-mail:	Tbreedlove@eagle.org							
General Comments								
<p>The ISA will likely have a surge in workload once exploitation rules are promulgated, and it is recommended to authorize third party organizations, found competent by the ISA, to assist ISA to perform some of the technical reviews, audits and inspections that will be required. This method is analogous to the Recognized Organization model as is employed by the International Maritime Organization IMO, Flag States and Classification Societies.</p> <p>Recognized Organizations, such as ABS, already perform Safety Management Audits on vessels which comply with the Interational Safety Management ISM Code. It would be beneficial to all parties to include the ISA's required scope into what is already being verified.</p> <p>Many shipowners/operators complain that they are audited "too much" and by "too many entities."</p> <p>The ISA should look into whether there are synergies between the IMO and ISA in regards to Safety Management Systems and whether the work can be delegated to ROs as an "additional scope" to the ISM audit.</p> <p>In this manner, the facility would be audited once and it would cover:</p> <ol style="list-style-type: none"> 1. ISM Code 2. ISO Standards mandated by the ISA 3. ISA Mining Code 								
<p>Regarding competent international organizations, it should be defined that the ISA is the final decider on whether an organization is competent or incompetent.</p>								
<p>The word "Adequate" should be removed unless it is clearly defined what is adequate</p>								
<p>It should be clarified in more detail the difference between an installation and a vessel. Recommend using a table form to help readers understand more clearly.</p> <p>Mining Vessels and Installations</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 30%;"></th> <th style="width: 35%;">Installation:</th> <th style="width: 35%;">Vessel</th> </tr> </thead> <tbody> <tr> <td>Definition</td> <td>all equipment deployed in the water column and on the seabed to carry out the mining and 53</td> <td>Vessels that are situated primarily at the mining site during the mining operations to control and support</td> </tr> </tbody> </table>				Installation:	Vessel	Definition	all equipment deployed in the water column and on the seabed to carry out the mining and 53	Vessels that are situated primarily at the mining site during the mining operations to control and support
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		seabed-to -surface transport.	the marine and submarine operations involved, including temporary storage and transfer of mined material to cargo vessels for transport away from mining site
Applicable Regs:		ISA Exploitation Regulations	ISA Exploitation Regulations
Applicable laws relating to vessel standards and crew safety (Reg 30)		Sponsor State	Flag State
Applicable laws relating to Matters falling outside of the jurisdiction of the Flag State (Reg 30)		Sponsor State	Sponsor State
Specific Comments			
Page	Line	Comment	
2	12	Add to the end of the sentence: “and carry an appropriate Classification designation as per Reg 30/1b.”	
2	19	“Risk Analyses” should be replaced with “Risk evaluations or assessments”. Risk Analysis is the process of understanding what undesirable things can happen, how likely they are to happen, and how severe the effects may be. Risk analysis provides the basis for risk evaluation and decisions about risk treatment. While a Risk Assessment is the process by which the results of a risk analysis (i.e., risk estimates) are used to make decisions, either through qualitative or quantitative risk assessments and to compare those outcomes to risk tolerance criteria.	
2	21	“Risk of incidents are reduced” should be replaced with “all identified risks are eliminated or reduced in accordance with the ALARP principle”	
2	23	Delete “and systems”	
1	55	Recommend adding the following table: Mining Vessels and Installations	
		Installation:	Vessel
		all equipment deployed in the water column and on the seabed to carry out the mining and seabed-to -	Vessels that are situated primarily at the mining site during the mining operations to control and

			surface transport.	support the marine and submarine operations involved, including temporary storage and transfer of mined material to cargo vessels for transport away from mining site
		Applicable Regs:	ISA Exploitation Regulations	ISA Exploitation Regulations
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		Applicable laws relating to Matters falling outside of the jurisdiction of the Flag State (Reg 30)	Sponsor State	Sponsor State
1	87	Replace “the same level of safety during operations” with “applicable requirements for safety and protection of the environment during operations.”		
	100-101	The applicable international Rules and Standards should be listed somewhere in order to ensure consistency between different license holders.		
	108	Add “qualifications of personnel and their training”		
	129	Add “Revised Guidelines on implementation of the ISM Code by Administrations, IMO Res Resolution A.1118(30)”		
6	133	Replace “The Contractor is responsible for ensuring that the regulatory regime is followed by means of verifications, spot checks, periodical reviews, etc.” with “The Contractor is responsible for ensuring that the regulatory regime is followed by means of monitoring , verifications, spot checks, periodical reviews, internal and external audits , etc.”		
7	148	Add at the end of the sentence an example of one such Rule. This is currently the only Subsea Mining Guide published. “For the mining system part of the Mining Vessels and Installations, it is recommended that the mining specific equipment be certified according to applicable rules such as the ABS Subsea Mining Guide. ”		
7	151	Replace “The Contractor should ensure that the Mining Vessels and Installations engaged in mining operations have an adequate management system covering the interface for marine and mining operations.”		

		<p>With</p> <p>“The Contractor should ensure that the management system covering Mining Vessels and Installations engaged in mining operations have an adequate management system which includes the interface for marine and mining operations.”</p> <p>The word “adequate” should be removed unless it can be clearly defined what is adequate.</p>
7	161	<p>It should be defined what is “a minimum level of safety”. Otherwise replace it with simply “Safety”</p>
7	168	<p>Add “and document” after establish:</p> <p>“Contractor together with the operator should establish and document a safety case compliance demonstration”</p> <p>It should be clearly defined which activities need to be documented, to demonstrate to other parties effective implementation and compliance.</p>
7	170	<p>The person who has overriding authority of the installation during mining ops. Recommending adding verbiage from the ISM Code:</p> <p>“The contractor should establish in the safety management system that the master has the overriding authority of the Mining Vessel and Installation and the responsibility to make decisions with respect to safety and pollution prevention and to request the company’s assistance as may be necessary.”</p>
7	172	<p>Replace “Compliance demonstration should be proportionate to the magnitude of risk. “ with</p> <p>“Compliance measures should be appropriate to the risks identified in the risk assessment.”</p>
8	193	<p>Add</p> <p>“References:</p> <ul style="list-style-type: none"> • “ABS GUIDANCE NOTES ON RISK ASSESSMENT APPLICATIONS FOR THE MARINE AND OFFSHORE INDUSTRIES 2020” • https://ww2.eagle.org/content/dam/eagle/rules-and-guides/current/other/97_riskassessapplmarineandoffshoreoandg/risk-assessment-gn-may20.pdf • ABS GUIDE FOR SUBSEA MINING • 2020, • Link: https://ww2.eagle.org/content/dam/eagle/rules-and-

Field Code Changed

		<p>guides/current/offshore/318_guideforsubseaming/subseaming-guide-oct20.pdf</p> <ul style="list-style-type: none"> • ABS GUIDE FOR MARINE HEALTH, SAFETY, QUALITY, ENVIRONMENTAL AND ENERGY MANAGEMENT 2020 • Link: https://ww2.eagle.org/content/dam/eagle/rules-and-guides/current/other/92_marinehsqemangement/mhqe-guide-apr20.pdf • ISM Code - International Management Code for the Safe Operation of Ships and for Pollution Prevention (also known as the “International Safety Management Code”),”

Comments should be sent by e-mail to ola@isa.org.jm