

**TEMPLATE FOR SUBMISSION OF TEXTUAL PROPOSALS DURING THE 27<sup>TH</sup> SESSION:  
COUNCIL - PART II**

***Informal Working Group - Environment***

*Please fill out one form for each textual proposal which your delegation(s) wish(es) to amend, add or delete.*

**1. Name(s) of Delegation(s) making the proposal:**

Federal Republic of Germany

**2. Please indicate the relevant provision to which the textual proposal refers.**

Draft Regulation 59

**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.**

**Regulation 59  
Closure Plan**

1. A Closure Plan shall set out the responsibilities and actions of a Contractor for the decommissioning and closure of activities in a Mining Area, including the post-closure management and monitoring of residual Environmental Effects, as required by the applicable Standard. Closure also includes a temporary suspension of mining activities.

2. The objectives of a Closure Plan are to ensure that:

(a) The closure of mining activities is a process that is incorporated into the mining life cycle, ~~including~~including by the scheduling of studies to inform Closure throughout the period of Exploitation and is conducted in accordance with Good Industry Practice, Best Environmental Practices, Best Available Techniques and Best Available Scientific Evidence;

(b) At the date of cessation or suspension of mining activities, a management and monitoring plan is in place for the period prescribed in a Closure Plan and in accordance with the relevant Standards and taking into account the relevant guidelines;

(c) The risks relating to Environmental Effects are quantified, assessed and managed, which includes the gathering of information relevant to closure or suspension;

(d) ~~The necessary health and safety requirements are complied with~~ The necessary health and safety requirements; ~~Any health and safety requirements~~ related to closure activities are complied with;

(e) Any residual Environmental Effects continue to be monitored, identified, quantified and reported to the Authority ~~are identified and quantified~~, and management responses are implemented,

including plans for further Mitigation, or remediation where appropriate. The collected monitoring data shall inform the Authority about the recovery, or lack thereof, over a time period required by the Closure Plan, in accordance with the applicable Standard and taking into account relevant guidelines;

(f) Any necessary restoration or rehabilitation commitments will be fulfilled by the Contractor in accordance with predetermined criteria or standards ~~by the Contractor;~~

(f)bis Requirements regarding the removal of ~~all any~~ Installations and its parts and equipment from the Mining Area, including the explicit prohibition of any kind of waste abandonment, are addressed; and

(g) The mining activities are closed or suspended efficiently and ~~cost effectively~~ safely.

3. The Closure Plan shall cover the aspects prescribed by the Authority in annex VIII to these regulations and in accordance with the relevant Standards and taking into account the relevant guidelines.

4. A Contractor shall maintain the currency and adequacy of its Closure Plan in accordance with Good Industry Practice, Best Environmental Practices, Best Available Techniques, Best Available Scientific Evidence and the relevant Standards and, taking account of the relevant Guidelines.

5. The Closure Plan shall be ~~reviewed annually and~~ updated each time there is a Material Change in a Plan of Work, or, in cases where no such change has occurred, every five years and be finalized in accordance with regulation 60 (1).

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

We support the amendments inserted by the Facilitator, if not indicated otherwise. In addition, we propose a few amendments, also in tracked changes. We propose crossreferencing with the relevant Standards. Eventually, once the Standards are developed, a reference to the specific Standard including its name, will be necessary. Furthermore, we propose an addition to Para 2e) regarding the monitoring and information obligations of the contractor in charge. These should be further specified in the Standard (including minimum Monitoring periods etc.).