

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:

Norway

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

Draft Regulation 94 Modification of a Plan of Work by a Contractor, Paragraph 1

3. Proposed amendments to the regulation

Regulation 94 *[President's Text]*

Adoption of Standards

1. The Commission shall, taking into account the views of [recognized experts identified in accordance with Annex X], Stakeholders and relevant existing internationally accepted standards, [where applicable,] make recommendations to the Council on the adoption and revision of Standards relating to Exploitation activities in the Area, including standards relating to, inter alia:

(a) Operational safety;

(a). ~~bis A#~~ The effective protection of human health and safety, and labour matters;

(b) The conservation and Exploitation of the Resources; and

(c) The ~~P~~rotection of the Marine Environment, including standards or requirements relating to the Environmental Effects of Exploitation activities, as referred to in Regulation 145, inter alia on the following subjects:

(i) Baseline [environmental studies investigations, including;

- biodiversity status and ecosystem structures, functions and services;
- Physical properties of water (temperature, salinity, turbidity);
- Chemical properties of water;
- Chemical properties of sediments;] -

(ii) Environmental quality objectives;

(iii) [Resource and region -specific] Indicators and quantitative environmental thresholds, including but not limited to:

- plume characteristics (in particular, composition and characteristics of dissolved and suspended matter, plume dispersion, composition, sedimentation rates);
- Physico-chemical Characteristics of seawater and sediment, including water chemistry and temperature
- Light emissions;
- Noise and vibrations emissions
- Greenhouse gas emissions.]
- Discharges of chemicals, and
- Discharges of waste

(iv) Monitoring procedures

- (v) Mitigation Measures,
- (vi) Minimum technical [~~and operational~~] requirements for environmental protection with regard to all the equipment, [operational procedures and processes] used for the Exploitation activities, [including criteria for the assessment methodology to be used.]
- (vii) Assessment of accidental events and natural hazards leading to environmental emergencies as well as environmentally hazardous discharges and residual effects of such emergencies, including preparation and implementation of Emergency Response and Contingency Plans.
- (viii) Procedural and substantive requirements relating to submissions or reports required by these Regulations, including but not limited to: Plans of Work, Environmental Management Systems, Environmental Impact Assessments, [Environmental Impact Assessment Scoping Report,] Environmental Impact Statements, Environmental Management and Monitoring Plans and Closure Plans.

[...]

The rest of the paragraph remains as is in the consolidated text.

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

There was substantial overlap between DR 45 and 94. Norway proposes to delete DR 45 in its entirety and incorporate the list of proposed environmental standard in DR 94. This eliminates the overlap and possible inconsistencies between the two Regulations, as well as consolidating all regulations regarding the development of standards into one Regulation.

Norway has also proposed to include standards for the indicators and threshold of discharges of chemicals and wastes was not covered. Norway suggests including Standards on these matters in the list in para. 1 (c)(iii). We further question whether the standards are correctly placed under “indicators and quantitative environmental thresholds” and have therefore moved some of the proposals to “Baseline”. For the remaining listing in (c)(iii), Norway queries whether there should be a separation between Standards dealing with impacts and Standards dealing with effects. We recognize that this distinction is one of a wider discussion for the Council in relation to the Draft Regulation, and look forward to going into this in more detail.