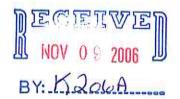
## Deloitte.



Deloitte & Touche Inc. 121 King Street West Suite 300 Toronto ON M5H 3T9 Canada

Tel: 416 601 5900 Fax: 416 601 6690 www.deloitte.ca

October 31, 2006

Yukon Water Board Suite 106, 419 Range Road Whitehorse, Yukon Y1A 3V1

Attention: Judi White, Secretary

Dear Sirs:

Re: ANVIL RANGE MINING CORPORATION ("Anvil Range") - Water Licence QZ03-059

The purpose of this letter relates to the following requirement in the above-noted water licence.

#58 "A Final Closure and Reclamation Plan for the facilities authorized by this licence shall be prepared and submitted to the Board by December 31, 2006."

We wish to inform the Board that the Interim Receiver will not be in a position to submit a Final Closure and Reclamation Plan (FCRP) by December 31, 2006, as per the above noted condition. This letter will provide the Board with a summary of the relevant activities performed to date in the development of a FCRP, as well as the timing related to its submission.

### Background

On April 21, 1998, Deloitte & Touche Inc. was appointed Interim Receiver of the property, assets and undertaking of Anvil Range Mining Corporation, and its subsidiaries, and Anvil Range Property Inc. pursuant to an order of Justice Blair of the Ontario Court (General Division). At that time, Anvil Range had two water licences, one for the Vangorda Plateau Mine Site and a second for the Faro Mine Site including the mill. Both water licences expired December 31, 2003. During this six year period, the Interim Receiver in its role to receive, preserve, protect and realize upon Anvil Range's assets, managed the property under the terms and conditions of the water licences, and worked closely with the Department of Indian Affairs and Northern Development (DIAND), the Yukon Government (YG), the Town of Faro, and surrounding First Nations Communities to manage the environmental programs.

In May 2002, the Interim Receiver filed an application to the Yukon Water Board to renew the existing water licences for a period of five years (January 1, 2004 to December 31, 2008). In addition, the application requested that the two licences be combined into a single integrated licence covering the entire mine complex. A Water Board hearing was conducted in October 2003 and the water licence was granted in early 2004. This licence contained a condition to file a Final Closure and Reclamation Plan by December 31, 2006. DIAND and YG publicly acknowledged at the hearing that notwithstanding the

licence provisions, it would be the two governments that would assume actual responsibility to file a Final Closure and Reclamation Plan. During the hearing, it was acknowledged by the Board that the timeline proposed for the submission of a plan was "tight" and may not provide sufficient time for the preparation and review process. While other interveners agreed that the date was aggressive, they believed a closure plan could be completed within the allotted time. Implicit in this discussion was that the Interim Receiver could apply for an extension if required.

### Current Status

The new Water Licence imposed a significant increase in the number of water samples to be taken at the mine site as well as the completion of a number of studies/reports. A number have been listed below:

- Condition 49 A terrestrial effects study, as described in the application, shall be carried out. The completed study shall be submitted to the Board by December 31, 2005. The Board was notified that due to the time required to complete the study, an interim report would be submitted on September 30, 2005. The interim and final reports were submitted on September 30, 2005 and September 30, 2006, respectively.
- Condition 50 A study shall be submitted to determine the relationship between water flowing in Vangorda Creek and water obtained from the Town of Faro water supply wells, and to assess the potential for contamination from Vangorda Creek to enter the wells. The results of the study shall be submitted to the Board as part of the Annual Report for the Year 2005. This report was filed and ongoing monitoring is continuing.
- Condition 51 A water treatment sludge management plan shall be prepared and submitted to the Board by June 30, 2004. This report was filed with the Board.
- ° Condition 52 A water management plan for the Gum Pit shall be prepared and submitted to the Board by June 30, 2004. This report was filed with the Board.
- ° Condition 52 A plan for an aquatic life sampling and testing program shall be developed and submitted to the Board by April 30, 2004. This report was filed and annual study reports continue to be filed with the Board.
- ° Condition 54 An adaptive management plan for the facilities authorized by this licence shall be prepared and submitted to the Board by June 30, 2004. This report was filed and monthly reporting letters continue to be filed with the Board.
- Condition 56 A water management plan for the Rose Creek Tailing Facility shall be prepared and submitted to the Board by March 31, 2005. The plan shall include an evaluation of tailings oxidation and alternative water discharge scenarios. Reports covering the evaluation of tailings oxidation and water discharge scenarios were filed with the Board.
- ° Condition 57 A long-term plan for the management of oxide fines shall be prepared and submitted to the Board by July 30, 2004. This report was filed with the Board.
- ° Condition 65 As a component of the annual report, the Licencee shall submit a performance evaluation report for all water treatment plants. Each year, the annual report has contained this evaluation report.

The Interim Receiver has worked diligently to ensure that the above terms and conditions of the Water Licence have been met and that the required reports be submitted on time, as noted above. In addition,

monthly and annual reports continue to be prepared and submitted to the Water Board relating to site activities and operations.

With respect to Condition 58, the requirement to submit a Final Closure and Reclamation Plan, the Interim Receiver has been working closely with DIAND, YG, engineering consultants and now the Faro Mine Closure Planning Office (FMCPO) to ensure that the necessary technical information is available to enable the development of a closure plan. This process was initiated at a technical meeting held in April 2002 which was arranged by the Interim Receiver, and involved engineering consultants and other persons knowledgeable of the technical aspects of the mine site. The outcome of the meeting was a multi-year plan identifying the necessary field investigations and data collection requirements to enable the development of a number of closure alternatives, and ultimately a FCRP.

During the four-year period from April 1, 2002 to March 31, 2006, a total of 93 special projects have been completed to support the technical requirements of the closure plan at a cost of \$11,690,000 (see Appendix 1). As a result of these investigations, it is generally agreed that sufficient information has been collected to support the design of closure alternatives which will lead to a FCRP.

The table below lists the main investigation categories (see Appendix 2 for details):

Waste Rock	\$1,770,000	(Covers, ARD, Borrow Source)
Seeps/Ground Water	\$1,520,000	(Faro/Vangorda Plateau)
Waterways	\$1,350,000	(Diversions, Dams, Rose Creek)
Tailings	\$1,330,000	(Ground Water Investigations, Covers, Relocation)
Closure Alternatives	\$1,290,000	
Terrestrial Effects/ Ecological Risk	\$1,195,000	(Plug Dam, Outflow, Wall Stability)
Pit-related	\$785,000	(Objectives and Data Collection)
Water balance	\$715,000	(Hydrocarbons, Oxide Fines)
Soils remediation	\$340,000	
Pit bio-treatment	\$340,000	
Subtotal	\$10,635,000	(91%)
Balance (MAPS, CRA, EHS, AMP)	\$1,055,000	
TOTAL	\$11,690,000	

For the technical field work and studies noted above, the Interim Receiver has had direct management responsibility to ensure the work was completed in a timely manner. The responsibility for the preparation of a FCRP, including the planning process noted below, rests with the FMCPO. The Interim Receiver does not have direct management or control of these activities.

The following was noted in the 2005 operating year Annual Water Board Report prepared by Gartner Lee Limited and submitted as required to the Water Board in February 2006.

### Section 9.12: Final Closure Reclamation Plan

"Part F, item 58 of the Water Licence requires that a Final Closure and Reclamation Plan for the mine facilities be prepared and submitted to the Board by December 31, 2006. A number of investigative studies have been carried out during the past three years to assist in the development and design of the Plan. During 2005, over fifty investigative studies were carried out which will further assist in advancing this process. The Plan is being prepared under the general management of Indian and Northern Affairs Canada and the Government of Yukon

through the Faro Mine Closure Planning Office. The Plan is to be submitted by these two governments."

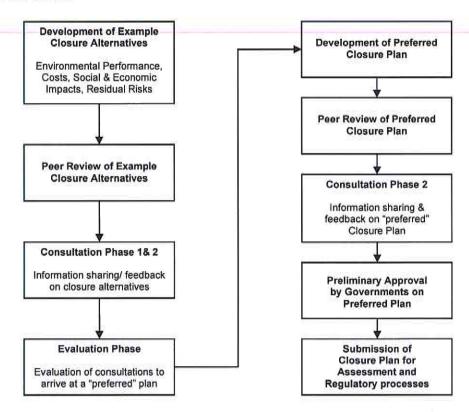
A similar paragraph 9.12 had also been included in the 2004 Annual Report, which clarified that the governments would be preparing and filing the FCRP.

The Interim Receiver continues to file court reports on a regular basis. In those reports filed during the past two years, we have updated the court on the closure planning process and in each report a paragraph has been included advising the court as to the filing date requirement and the party responsible for the development of the FCRP. Wording similar to the following has been included in each court report:

"A key term of the Water Licence is the requirement to file a closure plan with the Yukon Water Board by December 31, 2006. During the hearing for the application, which resulted in the Water Licence being granted, DIAND and YG undertook the responsibility for preparing a Final Closure and Reclamation Plan (FCRP). DIAND and YG, through the FMCPO, continue to advise the stakeholders that the FCRP will be submitted by the two governments."

We have included as Appendix 3, the relevant sections of our past court reports updating the court on the closure planning process.

As noted, we have been advised by the FMCPO that sufficient technical fieldwork and evaluation has been completed to support the design of a FCRP. However, it is recognized that the planning and review processes in relation to the submission of a Closure Plan are significant. The planning process includes the following key stages:



Example Closure Alternatives (Stage 1) have been designed and a Peer Committee, composed of experts in their field, met in the Town of Faro in October to initiate their review of the Example Closure Alternatives. The FMCPO has advised the Interim Receiver that preliminary consultations have started and will continue during the first quarter of 2007.

The planning/consultation process is at an early stage and the governments have advised the Interim Receiver that the filing of the FCRP by December 31, 2006 will not be met.

### Request for Amendment of Article No. 58

The Interim Receiver has received a letter (Appendix 4) jointly signed by DIAND and the Yukon Government noting that the December 31, 2006 date for submission of a Final Closure and Reclamation Plan cannot be met. The letter requests:

"that Deloitte & Touche make an application to the Yukon Water Board in order to obtain an extension to the submission date of the Final Closure and Reclamation Plan.

A Final Closure Plan will be available for submission to the Water Board on or before February 28, 2009. Best efforts will be made to meet an earlier date, and both DIAND and Yukon Government are prepared to provide progress reports to the Water Board on a regular basis."

Accordingly, our solicitors Miller Thomson have with their accompanying letter enclosed an amendment application using the required Schedule IV Application form.

We have received a letter signed by representatives of the Governments (attached as Appendix 5) setting out the remaining activities and associated timelines which the governments intend to meet to file a FCRP. The Interim Receiver accordingly request the amendment to Article No. 58 with the extension of the date for submission of a Final Closure and Reclamation Plan to February 28, 2009, which is at the end of the current Water Licence.

We thank you for your consideration of this matter and look forward to your response at your earliest convenience.

I can be reached at (416)601-4482 for any questions concerning this matter.

Yours very truly,

DELOITTE & TOUCHE LLP in its capacity as Interim Receiver of ANVIL RANGE MINING CORP.

per:

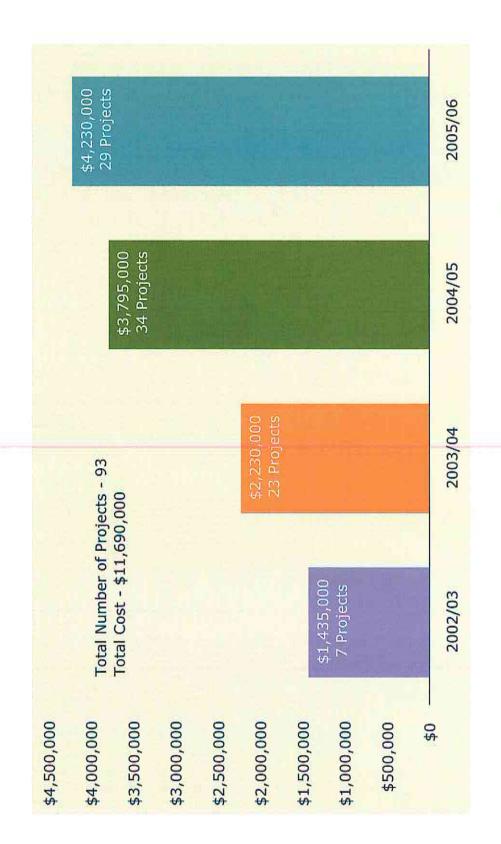
Wes A. Treleaven, CA • CIRP

Senior Vice-President

Enclosures

c: Roger Payne, FMCPO
Joanna Ankersmit, DIAND
Michelle Edwards, DIAND
Marg Crombie, Yukon Government
Stephen Mead, Yukon Government
Murray Leitch, Miller Thomson
Ken Kraft, Heenan Blaikie
John Porter, Ogilvy Renault

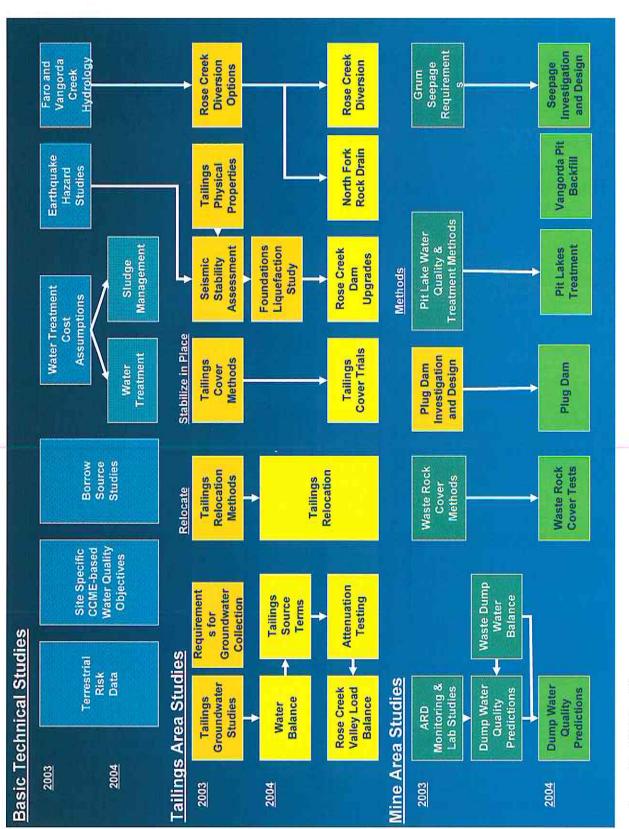
## Site Investigation and Assessment



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Prepared by SRK Consulting

Audit. Tax. consumming. rmancial advisory.

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Court Report 38 – June 24, 2005 Section VI - Miscellaneous Matters Part vii

- 48. A key term of the Water Licence is the requirement for the Interim Receiver to file a closure plan with the Yukon Water Board ("Water Board") by December 31, 2006. Nevertheless, during the hearing for the application which resulted in the Water Licence, YTG and DIAND made clear to the Water Board that they would be responsible for preparing the closure plan. YTG and DIAND continue to advise the stakeholders that this is their responsibility.
- 49. During the past three years, a number of investigative studies have been carried out to assist in the development and design of a comprehensive closure plan. Again this year, a significant number of studies are planned, which will assist in advancing this process. While the technical work has proceeded as planned, community consultation is behind and recently planned meetings have been deferred until the early autumn. Also, initiatives on the part of DIAND and YTG to hire and staff the Faro Mine Closure Planning Office have been unsuccessful and only recently has the office hired technical support.
- 50. The Federal Government will require a significant amount of time (possibly one year) to work through all of the approvals required and to receive authorization for the funding requirement to support the submitted closure plan. While it is still possible to complete all the necessary steps within the required time frame, the Interim Receiver is concerned with the delays which have occurred. The Interim Receiver should be in a better position to comment, after this season's field work, regarding future time lines. If at that stage, the Interim Receiver concludes that it is not possible to file a closure plan as required by the deadline, the Interim Receiver will advise this Honourable Court and the Water Board. There will then have to be a determination as to whether or not an extension will be granted by the Water Board and the implications for the Interim Receiver if such an extension were refused.

Court Report 39 – November 25, 2005 Section VI – Miscellaneous Matters Part viii

- A key term of the Water Licence is the requirement for the Interim Receiver to file a closure plan with the Yukon Water Board ("Water Board") by December 31, 2006. During the hearing for the application, which resulted in the Water Licence being granted, DIAND and YG undertook responsibility for preparing a final closure and reclamation plan ("FCRP"). DIAND and YG continue to advise the stakeholders of their intention to do so.
- During the past three years, a number of investigative studies have been carried out to assist in the development and design of a comprehensive FCRP. Again this year, a significant number of studies were carried out, which will assist in advancing this process.
- 57. Recently DIAND and YG advised the Interim Receiver that Mr. Roger Payne has been appointed as the Director of the FMCPO effective September 1, 2005. A letter signed by representatives of both governments is attached as Schedule "L".
- 58. The development and design of a comprehensive FCRP for the Mine is a complex process involving three levels of government (federal, territorial and First Nations), as well as many other stakeholders, all of whom will require a significant amount of time to work through their approval processes required to support the submitted FCRP. While the technical work for which the Interim Receiver has been responsible has proceeded as planned, community consultation spearheaded by the governments has fallen further behind and recently planned meetings have been deferred until early 2006.
- 59. Recently the DIAND/YG Oversight Committee (the "Oversight Committee") met in Whitehorse following a tour of the Mine. They were briefed on progress being made to date in developing the FCRP. While there appears to be a renewed sense of urgency on the part of the governments to move the process along, the Interim Receiver believes that the timelines are very tight and is concerned with the delays which have occurred.
- 60. The Interim Receiver has been advised that a meeting of the Oversight Committee is being planned for January 2006 at which time the primary closure alternatives will be reviewed and consideration of the timelines for the approval of the FCRP will be evaluated.
- 61. Following their meetings, the Interim Receiver will be in a better position to comment on whether or not the filing deadline can be met. If, at that stage, the governments advise the Interim Receiver that an approved FCRP will not be ready to be filed before December 31, 2006, the Interim Receiver will advise this Honourable Court and the Water Board. There will then have to be a determination as to whether or

	APPENDIX 3
	not an extension will be granted by the Water Board and the implications for the Interim Receiver if such an extension is refused.
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Court Report 40 – February 28, 2006 Section VI – Miscellaneous Matters Part v

- 43. A key term of the Water Licence is the requirement for the Interim Receiver to file a closure plan with the Yukon Water Board (the "Water Board") by December 31, 2006. During the hearing for the application, which resulted in the Water Licence being granted, DIAND and YG undertook responsibility for preparing a final closure and reclamation plan ("FCRP"). DIAND and YG, through the FMCPO, continue to advise the stakeholders that the FCRP will be submitted by the two governments.
- 44. During the past three years, more than 75 investigative studies have been carried out. The Interim Receiver, in discussions with its consulting engineers, has been advised that sufficient technical work has been completed to develop and design a FCRP. While the FCRP is being developed, further studies will be carried out which will provide additional support for selected options and further advance the process.
- 45. The development and design of a comprehensive FCRP for the Mine is a complex process involving numerous levels of government, as well as many other stakeholders, all of whom will require a significant amount of time to work through their approval processes required to support the submitted FCRP. As some important target dates to move this process forward have been missed and community consultations on closure alternatives have not yet started, the Interim Receiver believes the timelines to complete the tasks this year are very tight.
- 46. In January 2006, the DIAND/YG Steering and Oversight Committees met and reviewed closure alternative examples for the Mine which have been developed to date. The timelines and steps required for preparing and approving the FCRP were also considered.
- 47. The FMCPO has advised the Interim Receiver that it intends to start a consultation program with community stakeholders on closure alternatives this spring. The Steering and Oversight Committees plan to reevaluate the progress and program in June 2006 to determine whether or not the governments will be in a position to submit a FCRP which will satisfy the Water Licence requirements.
- 48. Following planned meetings for June, the FMCPO will advise the Interim Receiver if it believes the governments can meet the filing deadline. If, at that stage, the Interim Receiver is advised that an approved FCRP will not be ready to be filed by December 31, 2006, the Interim Receiver will advise this Honourable Court and the Water Board. There will then have to be a determination as to whether or not an extension will be granted by the Water Board and the implications for the Interim Receiver if such an extension is refused, as it is the Interim Receiver's obligation under the Water Licence to file the FCRP.

Court Report 41 – June 22, 2006 Section VI – Miscellaneous Matters Part v

- 42. As reported in the Fortieth Report, a key term of the water licence for the Mine (the "Water Licence") is the requirement for the Interim Receiver to file a closure plan with the Yukon Water Board (the "Water Board") by December 31, 2006. Although the Water Licence places the onus on the Interim Receiver to file such a plan, it was expressly stated as part of the process before the Water Board to grant the Water Licence that DIAND and YG are responsible for preparing the FCRP for the Mine. DIAND and YG, through the FMCPO, continue to advise stakeholders that the FCRP will be submitted by the two governments.
- 43. The closure planning process is complex and requires more time than originally anticipated. Closure alternatives are continuing to be developed, and initial public consultations have been commenced. Full consultations will likely not occur until the fall of 2006. As a result, the Interim Receiver will not be in a position to file the FCRP as required under the Water Licence by December 31, 2006.
- 44. DIAND and YG are discussing various timelines and are expected to meet with the Interim Receiver over the summer to advise on a selected course of action, given that the FCRP will not be filed within the time required by the Water Licence.





Indian and Northern Affairs Canada Affaires indiennes et du Nord Canada



Northern Affairs Program #300-300 Main St. Whitehorse, YT Y1A 2B5 Energy, Mines and Resources Box 2703 Whitehorse, YT Y1A 2C6

Type II Mines Project Office Fax: (867)667-3861

August 28, 2006

Mr. Wes Treleaven
Deloitte and Touche Inc.
Suite 1900, 79 Wellington Street West
P.O. Box 29 TD Centre
Toronto Ontario M5K 1B9

Dear Mr. Treleaven:

### Re: Anvil Range Mining Corporation Water Licence

Significant progress has been made towards the development of a final closure and reclamation plan for the Anvil Range Mine in Faro, Yukon. As you are aware, Condition 58 of the Licence requires that "A final closure and reclamation plan for the facilities authorised by this licence shall be prepared and submitted to the Board by December 31, 2006".

It is now clear that the December deadline included in the current water licence cannot be met. Consequently, we request that Deloitte and Touche make an application to the Yukon Water Board in order to obtain an extension to the submission date of the final closure and reclamation plan.

A final closure plan will be available for submission to the Water Board on or before February 28, 2009. Best efforts will be made to meet an earlier date, and both DIAND and Yukon government are prepared to provide the Water Board with progress reports on a regular basis.

We are requesting the draft application and submission material for the extension request be made available to the Yukon government and DIAND for review and comment by both prior to submission to the Water Board.

Mr. Treleaven Page 2 August 28, 2006

If you require further information to assist in the preparation of the application, please do not hesitate to contact Mr. Stephen Mead, Faro Mine Project Officer with Yukon government at (867) 393-6904 or Michelle Edwards A/Manager Type II Mines, DIAND at (867) 393-7934.

Thank you in advance for Deloitte and Touche's assistance in these matters.

Sincerely,

Steven Joudny Director General

Northern Affairs Program

DIAND

Angus Robertson Deputy Minister

Energy, Mines & Resources

Yukon Government



Indian and Northern Affairs Canada Affaires indiennes et du Nord Canada

Northern Affairs Program #300-300 Main St. Whitehorse, YT Y1A 2B5



Energy, Mines and Resources Box 2703 Whitehorse, YT Y1A 2C6

October 25th, 2006

Mr. Wes Treleaven Deloitte and Touche Inc. Suite 1900, 79 Wellington Street West P.O. Box 29 TD Centre Toronto Ontario M5K 1B9

Dear Mr. Treleaven:

Re: Anvil Range Mining Corporation Water Licence

In response to your letter dated September 26<sup>th</sup> 2006, please find attached a list of the remaining activities that must be undertaken by Indian and Northern Affairs Canada and the Yukon Department of Energy Mines and Resources (the "Governments") before the Faro Mine Complex Closure and Remediation Plan ("Remediation Plan") will be ready for submission to the Yukon Water Board.

We have provided estimated timelines and target dates for completion of key remaining tasks, to provide an indication of the current workplan and schedule. However, due to the inherent uncertainties associated with the various stages of the development of a Remediation Plan for this site, including internal consideration by the Governments of the proposed plan, we are requesting that Water Licence QZ03-059 be amended to require submission of the Remediation Plan no later than February 28, 2009. As has been indicated in Mr. Joudry and Mr. Robertson's letter of August 28, 2006 to you, the Governments will be making best efforts to submit the plan before this date.

If you require further clarification on any of these matters, please do not hesitate to contact Marg Crombie, Director of Assessment and Abandoned Mines with Yukon government at (867) 393-7098 or Michelle Edwards A/Manager Type II Mines, DIAND at (867) 393-7934.

Mr. Treleaven Page 2 October 19<sup>th</sup> 2006

Thank you in advance for Deloitte and Touche's assistance in these matters.

Sincerely,

142 dwards

Michelle Edwards Acting Program Manager – Type II Mines DIAND, Yukon Region Marg Crembie Director, EMR Yukon Government

# Targets for Development of Faro Mine Closure and Remediation Plan

Note: Some of the activities listed will be occurring concurrently.

Activity	Estimated Time Required and Target Dates	Details
Development of     Example Closure     Alternatives -     Environmental     Performance, Costs,     Social & Economic     Impacts, Residual Risks	January, 2007	Based on numerous scientific studies of the site, four approaches (alternatives) were developed to illustrate possible ways of remediating each of the three key areas of the Faro Mine complex; the Rose Creek failings, the Faro Mine area and the Vangorda/Grum Mine area. These example alternatives will be outlined in an Example Alternatives Document.
2. Peer Review of Example Closure Afternatives	Started Oct. 2006 4 months required	Independent experts, from industry and academia are reviewing the proposed example closure alternatives:  Have the technical studies considered the full range of viable closure alternatives?  Have the technical studies characterized the alternatives in sufficient detail to allow selection of a preferred alternative?  This Peer Review process comprises visiting the Faro mine site (completed in October 06), reviewing the Example Alternatives Document and associated technical equilics and associated.
3. Update the Alternatives Document	1 month	document will be prepared.  The Peer Review will be providing comments on the proposed alternatives. The Alternatives Document may need to be modified depending on the comments received. If there are extensive comments, the document may require further work. At this time the extent of modifications is not known; if the alternatives document needs to be significantly modified then the project time lines will likely be affected.
Consultation Phase 1     Part 2 - Information     sharing on example     closure alternatives	Start Spring 2007 4 months required	This phase of consultation will provide all stakeholders with detailed information on the Example Alternatives: Environmental Performance, Cost, Social & Economic Impacts, and Residual Risks. The information presented will provide the background necessary for stakeholders to participate in the evaluation of example alternatives.

6. Evaluation Phase - Stakeholder evaluation to arrive at a "preferred" plan	6. Development of Preferred Closure Plan	7. Peer Review of Preferred Closure Plan	8. Consultation Phase 2 - Information sharing & feedback on "preferred" closure plan	9. Complete design enginearing for Preferred Closure Pian	10. Consultation Phase 3 – Presentation of Closure Plan moving into pre-regulatory stage.	f1. Project Support by Governments of Preferred Plan -
4 months	Fall 07/Winter 2008 6 months	2-3 months	1-3 months	6-9 months	2 months	Winter/Spring 2008 6-9 months
There are many stakeholders interested in the approach to closing the Faro Mine site. These include Yukon Government, the Federal Government, Ross River Dena Council, Selkirk First Nation, the Town of Faro and several Interest groups, Input from stakeholders will be requested and considered for the evaluation of the alternatives.	A preferred closure and remediation plan will be prepared from feedback obtained during the evaluation phase.	As required, the Peer Review will be asked to review the preferred closure and remediation plan.	Stakeholders will be informed of the preferred closure plan and asked to provide feedback on the suggested approach	FMCPO and lead consultants will complete engineering required for submission of the preferred plan into the regulatory process.	Stakeholders will be presented with details of the closure plan that will be submitted into the regulatory process	Support to submit the Closure Plan will be sought from the appropriate authorities of both levels of government.

When the internal government support has been received, the Water Board and YESAA submissions can be made. Work has already begun by the Faro Mine Closure Office on preparation of background information required for these submission packages.
November 30, 2008 -February, 2009
12. Submission of Closure Plan for Assessment and Regulatory processes