

## **Guiding Questions for Discussion \_ Closure Plan\_(DR59\_DR60\_DR61)**

To help structure our upcoming deliberations and consolidate views, delegations are invited to consider the following consolidated questions:

### **1. General Scope and Structure (DR 59–61)**

- Are the scope, structure, and current proposed draft of the regulations acceptable to delegations?
- Are there any key missing elements in the current revised text relating to closure plans?
- Are the overarching objectives of the Closure Plan sufficiently clear and measurable?
- Should the regulations explicitly prohibit "any kind of waste abandonment" and mandate the complete removal of all installations from the Mining Area?

### **2. Integration and Consistency**

- Is there value in undertaking work on the Closure Plan in tandem with the Environmental Management and Monitoring Plan (EMMP) to ensure consistency, avoid overlap, and ensure complementarity?
- How should regulations balance "active Restoration" versus "passive Restoration" or rehabilitation based on technical feasibility?

### **3. Review and Modification Procedures (DR 59 & 60)**

- What is the most appropriate cycle for reviewing the Closure Plan (e.g., a rigid 5-year cycle vs. trigger-based updates)?
- Should terminology be standardized (e.g., using "updated Closure Plan" instead of "Final Closure Plan") to avoid confusion during the Commission's review?
- How should the regulations handle unexpected or temporary production suspensions? Is a separate "care and maintenance plan" (DR 60bis) required?

### **4. Post-Closure, Compliance, and Finance (DR 61)**

- How should the endpoint of post-closure monitoring be defined: by a fixed timeframe or by achieving specific ecosystem recovery objectives?
- Are the mechanisms robust enough to allow the Council to utilize the Environmental Performance Guarantee (EPG) if a Contractor fails to meet closure objectives?
- Is the procedure for hiring an independent, accredited auditor clear enough to ensure unbiased verification?

## **5. Stakeholder Engagement**

- Are the requirements for stakeholder consultation during the development and finalization of the Closure Plan adequate?
- Should the text standardize engagement with "relevant" stakeholders rather than "potentially directly affected" stakeholders to avoid ambiguity?