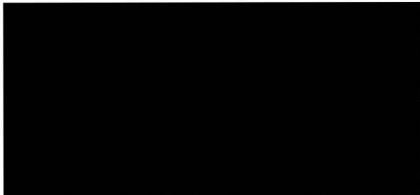


March 7, 2017



s.40(1)

Dear [REDACTED]: s.40(1)

Re: Your request for access to information under Part II of the *Access to Information and Protection of Privacy Act* (File # NR-17-2017)

This is to confirm that on February 23, 2017, the Department of Natural Resources received your request for access to the following records/information:

Any and all reports from independent experts or consultants commissioned by the Department of Natural Resources, Government of Newfoundland and Labrador, to review, study or estimate the status of mineral reserves at the Scully Mine, Wabush Mines, Wabush, NL. Including but not limited to reports updating or supplementing the March 29, 2006 report entitled Wabush Mines Review of Scully Mine Reserves for Department of Natural Resources Government of Newfoundland and Labrador prepared by Graham Farquharson, P.Eng. and Henrik Thalenhorst, P.Geo.

I note that there are 3 reports responsive to your request:

Wabush Mines, Review of Scully Mine Reserves, 2006, By Farquharson and Thalenhorst

Wabush Mines Viability Analysis, 2016, by Rance and Associates

Wabush Mines, 2016, by Strathcona Minerals

Please be advised that a decision has been made by the Deputy Minister for the Department of Natural Resources to provide access to the 2006 report identified above,

but has decided to refuse access to the 2016 reports identified above in accordance with the following exceptions to disclosure, as specified in the *Access to Information and Protection of Privacy Act* (the Act):

Section 29(1)(a)

The head of a public body may refuse to disclose to an applicant information that would reveal advice, proposals, recommendations, analyses or policy options developed by or for a public body or minister;

Section 35(1)(d)

The head of a public body may refuse to disclose to an applicant information which could reasonably be expected to disclose information, the disclosure of which could reasonably be expected to result in the premature disclosure of a proposal or project or in significant loss or gain to a third party;

Section 35(1)(f)

The head of a public body may refuse to disclose to an applicant information which could reasonably be expected to disclose positions, plans, procedures, criteria or instructions developed for the government of the province or a public body, or considerations which relate to those negotiations;

Section 35(1)(g)

The head of a public body may refuse to disclose to an applicant information which could reasonably be expected to disclose information, the disclosure of which could reasonably be expected to prejudice the financial or economic interest of the government of the province or a public body.

The Department of Natural Resources asserts that the Wabush Mines situation is an ongoing matter and the disclosure of these reports, which were generated to provide advice to the public body, could negatively impact the management of the file. As the public is aware there is uncertainty surrounding the future of the mine and as such release of these reports at this time would impact government's ability to proceed in the best interests of the people of the province, the current owners, the government and any possible future development.

Please be advised that you may appeal this decision and ask the Information and Privacy Commissioner to review the decision to deny access to the requested information, as set out in section 42 of the Act (a copy of this section of the Act has been enclosed for your reference). A request to the Commissioner must be made in writing within 15 business days of the date of this letter or within a longer period that may be allowed by the Commissioner. Your appeal should identify your concerns with the request and why you are submitting the appeal.

The appeal may be addressed to the Information and Privacy Commissioner is as follows:

Office of the Information and Privacy Commissioner
2 Canada Drive
P. O. Box 13004, Stn. A
St. John's, NL. A1B 3V8

Telephone: (709) 729-6309
Toll-Free: 1-877-729-6309
Facsimile: (709) 729-6500

You may also appeal directly to the Supreme Court Trial Division within 15 business days after you receive the decision of the public body, pursuant to section 52 of the *Act* (a copy of this section of the *Act* has been enclosed for your reference).

Please be advised that this letter will be published following a 72 hour period after it is sent electronically to you or five business days in the case where records are mailed to you. It is the goal to have the letter posted to the Completed Access to Information Requests website within one business day following the applicable period of time. Please note that requests for personal information will not be posted online.

If you have any questions, please feel free to contact me by telephone at 729-0463 or rhynes@gov.nl.ca.

Sincerely,



Rod Hynes
ATIPP Coordinator

Potential copyright material

If you wish to obtain a copy please contact the ATIPP Office at (709) 729-7072 or atippoffice@gov.nl.ca.