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April 27, 2007

Ms. Sarah Baines
Regulatory Officer
Wek'èezhii Land and Water Board
#1-4905-48th STREET
YELLOWKNIFE NT X1A3S3

Dear Ms. Baines:

BHPB's closure objectives and criteria approach-Option C consideration

As a result of the Working Group's review of BHP Billiton's Interim Closure and Reclamation Plan, Section 1, concerns were raised with respect to the defined closure objectives and criteria lacking sufficient detail and consideration to the various Valued Ecosystem Components (VECs). Both BHP Billiton and IEMA provided options for structuring reclamation goals, objectives and criteria, entitled Option A and Option B respectively. As these were somewhat contradictory, the Wek'èezhii Land and Water Board requested that the working group members evaluate the effectiveness of an Option C, which was developed by the Board, to address these concerns.

BHPB's Option A assigns general site wide objectives to mine components. VECs are referenced in the general objectives but there are no VEC specific objectives for which criteria can be clearly set and measured. IEMA's Option B sets closure objectives specifically related to VECs to each mine component and then assigns criteria to the specific objectives.

Upon review of Options A to C, ENR understands that Option C is the incorporation of IEMA's alternative structure (Option B) within BHPB's original structure (Option A). This inclusion will occur within BHPB's Site Wide Closure Objective, "*mitigate significant adverse environmental effects to identified VECs using a risk based approach*" for each mine component.

ENR considers Option C acceptable in providing an appropriate level of organizational structure, along with addressing the concerns associated with the lack of defined objectives with respect to VECs.

Sincerely,

A handwritten signature in black ink that reads "Erika Nyysönen". The script is cursive and fluid, with the first letter 'E' being particularly large and stylized.

Erika Nyysönen
Industrial Technologist (Mining)