

BHP Billiton Diamonds Inc.
Operator of the EKATI Diamond Mine



BHP Billiton Diamonds Inc.
#1102 4920-52nd Street
Yellowknife NT Canada X1A 3T1
Tel 867 669 9292 Fax 867 669 9293
bhpbilliton.com

Sarah Baines,
Chair, EKATI ICRP Working Group,
Wek'eezhii Land and Water Board,
c/o Mackenzie Valley Land and Water Board,
P.O. Box 2130,
Yellowknife, NT,
X1A 2P6

September 1, 2006.

RE: Submission of the Final EKATI Diamond Mine Interim Closure and Reclamation Plan Terms of Reference, and Comments/Response Table.

Dear Ms Baines,

BHP Billiton submitted to the Mackenzie Valley Land and Water Board (MVLWB) a Terms of Reference for the Interim Closure and Reclamation Plan (ICRP) for the EKATI Diamond Mine, on January 20, 2006. After a first round of review by the EKATI ICRP Working Group a second revised Terms of Reference together with Response/Comments Table was submitted to the Wek'eezhii Land and Water Board (WLWB) on March 8, 2006. The Terms of Reference was then reviewed by the ICRP Working Group and discussed at the March 23, 2006 Working Group meeting.

BHP Billiton received from the WLWB an Approval of the Terms of Reference on June 1, 2006, with the following provisions of approval as outlined by the Board:

- Includes relevant examples of lessons learned from other northern mine closures in the ICRP;
- Integrates the assessment of long term climate change effects around EKATI in the closure planning for all appropriate mine components; and
- Honours all commitments made in the Comment Summary Table as well as in the ICRP TOR.

BHP Billiton has made the requested changes to the Terms of Reference and the Response/Comments Table. These two documents have been attached with this letter.

Should you have any questions on this submission please do not hesitate to contact myself or Helen Butler (867) 669-6104.

Sincerely,

A handwritten signature in black ink, appearing to read "David Scott", written over a horizontal line.

David Scott
Manager Environmental and Technical Services,
EKATI Diamond Mine.