



#16 Yellowknife Airport
Yellowknife, NWT
X1A 3T2

Your file / Votre référence

May 8th, 2009

Our file / Notre référence

BHP Billiton Diamonds Inc.
#1102-4920 52nd Street
Yellowknife, NT
X1A 3T1

MV2003L2-0013

Attn: Mr. David Abernethy Superintendent – Environment Operations
Mr. Martin Gaumont – Acting Process Plant Manager

Re: Notification of requirement to conduct daily inspections / monitoring of the LLCF.

Dear Mr. Abernethy / Mr. Gaumont,

This notification is to reaffirm the requirement at this time for BHP Billiton Diamonds Inc. to conduct daily inspections and monitoring of the entire Long Lake Containment Facility (LLCF). As seasonal spring freshet is about to occur on site over the coming weeks it is requested that daily inspections of the LLCF are continued. As per Part F: 8(a)(vii) of Water Licence MV2003L2-0013:

“Inspections of the Long Lake Containment Facility shall be carried out regularly by mine personnel in consultation with a Professional Engineer on a weekly schedule or as requested by an Inspector. The Inspection reports shall be made available to the Inspector upon request”

Effective immediately, it is requested that daily inspections of the entire Long Lake Containment Facility continue at a frequency of once per shift with particular attention placed on the North End of Cell B until such time that spring snow and ice melt has concluded. It is therefore requested that this stringent inspection and monitoring protocol be maintained until June 30th, 2009 or until further notice is provided.

Please be advised that a record or log of LLCF inspections conducted must be maintained by BHP Billiton Diamonds Inc. and the INAC Land & Water Inspector reserves the right to examine this information on request.

If you have any questions or concerns, please contact the undersigned departmental representative at telephone (867) 669-2875.

Sincerely,

Jason Brennan
Resource Management Officer III
South Mackenzie District
Indian and Northern Affairs Canada

Cc: Mr. Darnell McCurdy, District Manager, SMD Operations / RMO Files
Mr. Ryan Fequet - Wek'eezhi Land and Water Board
Mr. Kevin O'Reilly – Independent Environmental Monitoring Agency