



NIRB File No.: 06MN082

September 16, 2008

Andrew Mitchell, P.Geol.
Development Manager – Canadian Operations
Oz Minerals
200-1159 Alloy Drive
Thunder Bay, ON
P7B 6M8

Via email: Andrew.Mitchell@ozminerals.com

Re: High Lake Project Proposal

Dear Andrew Mitchell:

On July 17, 2008, the Nunavut Impact Review Board (NIRB or Board) provided further direction to OZ Minerals (Proponent), formerly Zinifex Canada Inc., on the Part 5 Review for the High Lake Project Proposal. Further directions were provided on several items including the *draft* list of commitments from the technical meeting, the final Environmental Impact Statement, the Pre-Hearing Conference (PHC) and the Water Quality and Climate Change Workshops.

In the correspondence dated July 17, 2008, the NIRB requested that Parties provide final comments on the *draft* list of commitments by August 15, 2008. The NIRB would like to take this opportunity to thank all Parties for their comments and suggestions. The *draft* list of commitments has been updated with Parties comments and is attached for your review. The list of commitments is still a draft document and will not be finalized until after the PHC is complete and the subsequent PHC report is prepared and issued by the Board.

The NIRB would like to bring to your attention that on several occasions, including the July 17, 2008 correspondence and through comments received from Parties, it was requested that the Proponent provide a summary report of the workshops held on May 27 – May 29, 2008 and include the results presented at the workshops and any issues brought forward. To date, this information has not been provided and the NIRB again requests this information.

As for the Part 5 review of the High Lake Project Proposal, the review is effectively suspended until the Proponent formally notifies the NIRB that it is ready to proceed to the PHC. The Proponent must also provide the NIRB and Parties all items committed to during the Technical Meeting and the Water Quality and Climate Change Workshops, including items listed in the *draft* list of commitments prior to the public announcement of the PHC. Please note the Proponent should take into consideration that the current NIRB Rules of Procedure requires that the Board give a 60-day public notice prior to a PHC.

Please be advised that if the NIRB has not received notification from the Proponent within three years of the date of the postponement request (May 6, 2008), then this may result in a re-evaluation of the project's status in the Review process by the Board, including taking into consideration any new project components or factors affecting cumulative effects brought forward to the Board.

Any comments or questions can be directed to the Technical Advisor, Sophia Granchinho at 867-983-4607.

Sincerely,



Jeff Rusk
Director, Technical Services
Nunavut Impact Review Board

cc: Distribution List
Honourable Minister Chuck Strahl, Indian and Northern Affairs Canada

Encl. *Draft* List of Commitments as of September 12, 2008