



April 8, 2010

Mr. Gordon Peeling
President and CEO
The Mining Association of Canada
1105-350 Sparks Street
Ottawa, ON K1R 7S8

APR 11 2010

Dear Mr. Peeling:

Re: Letter of Assurance CCR Refinery

Xstrata Copper has a process in place to verify the information provided to the Mining Association of Canada ("MAC") with respect to the Company's Towards Sustainable Mining ("TSM") Performance Indicators.

The "TSM Verification Process" included an independent review performed by Rubinoff Environmental and MORCOM Consultants. The verifiers reviewed the process developed and implemented by Xstrata Copper CCR Refinery ("the Company") for the year ended December 31, 2010 with respect to the TSM self-assessment information entered in the Mining Association of Canada's Toward Sustainable Mining online database. The verifiers assessed the Company's reported TSM performance indicator results as measured against the requirements of MAC's *Towards Sustainable Mining Performance Indicators*.

The scope of the review included the Company's TSM verification processes for energy use and greenhouse gas (GHG) emissions management, external outreach and crisis management planning. There are no tailings at this facility. The verification did not include a review of any other processes that the Company has in place.

The review was conducted in accordance with Canadian generally accepted standards for review engagements and, accordingly, consisted primarily of interviews, data analysis, and examining, on a sample basis, other evidence relevant to management's assertion of conformance to the requirements of the *TSM Performance Indicators*.

The review confirms that the TSM results for the period ending December 31, 2010 fairly state the company's performance, with the following exceptions:

1. *Corporate Crisis Management Planning Preparedness* - was downgraded to "No" as nine of the eleven criteria were not met in 2010.
2. *Corporate Crisis Management Planning Review* - was downgraded to "No" as the three criteria were not met in 2010.
3. *Facility Crisis Management Review* - was downgraded to "No" as two of the four criteria for TSM indicators for the Facility Crisis Management Plan Review were not met in 2010, specifically, 1) The Plan's notification system was not tested at least twice a year and, there is no documented process to ensure that new crisis team members are familiarized with the Plan within two months of joining the team.
4. *Facility Crisis Management Training* - was downgraded to "No" as one of the two criteria for TSM indicators for the Facility Crisis Management Plan Training was not met in 2010, specifically, 1) a full crisis simulation has not been conducted every three years.
5. *External Outreach Community of Interest (COI) Identification* - was reduced from 4 to 3 as the current system does not allow for identification of COIs whose interest in the operation may be indirect and issue-based.
6. *External Outreach Effective COI Engagement and Dialogue* - was reduced from 4 to 3 as the Facility had not provided engagement and dialogue training to designated employees.

7. *Energy Use Management Systems* – was upgraded from 3 to 4 as all the requirements of Level 4 were met including internal verification of the facility's energy management system.
8. *Energy Use Reporting Systems* – was upgraded from 3 to 4 as all the requirements of Level 4 were met including internal verification of the facility's energy use reporting system and annual public reporting.
9. *GHG Emissions Management Systems* – was upgraded from 2 to 4 as all the requirements of Level 3 were met based on MAC Guidance regarding using control of energy use as a proxy for the control of GHG emissions and all the requirements of Level 4 were met including internal verification of the facility's GHG emissions management system.
10. *GHG Emissions Reporting Systems* – was upgraded from 3 to 4 as all the requirements of Level 4 were met including internal verification of the facility's GHG emissions reporting system and annual public reporting.

We agree with the changes and have modified our evaluations accordingly.

Yours truly,



Claude Ferron
Chief Operation Officer



April 8, 2010

Mr. Gordon Peeling
President and CEO
The Mining Association of Canada
1105-350 Sparks Street
Ottawa, ON K1R 7S8

APR 13 2011

Dear Mr. Peeling:

Re: Letter of Assurance Horne Smelter

Xstrata Copper has a process in place to verify the information provided to the Mining Association of Canada ("MAC") with respect to the Company's Towards Sustainable Mining ("TSM") Performance Indicators.

The "TSM Verification Process" included an independent review performed by Rubinoff Environmental and MDRCOM Consultants. The verifiers reviewed the process developed and implemented by Xstrata Copper Horne Smelter ("the Company") for the year ended December 31, 2010 with respect to the TSM self-assessment information entered in the Mining Association of Canada's Towards Sustainable Mining online database. The verifiers assessed the Company's reported TSM performance indicator results as measured against the requirements of MAC's *Towards Sustainable Mining Performance Indicators*.

The scope of the review included the Company's TSM verification processes for tailings management, energy use and greenhouse gas (GHG) emissions management, external outreach and crisis management planning. The verification did not include a review of any other processes that the Company has in place.

The review was conducted in accordance with Canadian generally accepted standards for review engagements and, accordingly, consisted primarily of interviews, data analysis, and examining, on a sample basis, other evidence relevant to management's assertion of conformance to the requirements of the *TSM Performance Indicators*.

The review confirms that the TSM results for the period ending December 31, 2010 fairly state the company's performance, with the following exceptions:

1. *Corporate Crisis Management Planning Preparedness* – was downgraded to "No" as nine of the eleven criteria were not met in 2010.
2. *Corporate Crisis Management Planning Review* – was downgraded to "No" as the three criteria were not met in 2010.
3. *Facility Crisis Management Planning Review* – was downgraded to "No" as three of the four criteria were not met in 2010; specifically, 1) the Plan's notification system was not tested at least twice a year, 2) there is no documentation confirming that the Facility's Plan was shared with the corporate office, and 3) there is no documented process to ensure that new crisis team members are familiarized with the Plan within two months of joining the team.
4. *Facility Crisis Management Planning Training* – was downgraded to "No" as the two criteria for TSM indicators for Facility Crisis Management Plan Training were not met in 2010; specifically, 1) no "Table Top" crisis simulation exercises were conducted and, 2) no full crisis simulation was conducted in the last three years.
5. *GHG Emissions Reporting Systems* – was increased from 2 to 3 as the facility met all requirements of Level 3 based on MAC guidance regarding using control of energy use as a proxy for the control of GHG emissions.

6. *Tailings Management Policy and Commitment* – was reduced from 3 to 2 as the tailings management policy was not developed and/or reviewed in consultation with Communities of Interest.
7. *Tailings Management System* – was reduced from 4 to 2 as the tailings management system was not developed and/or reviewed in consultation with Communities of Interest. The internal audit of the tailings management system did not determine if the system is in conformance with the tailings management framework in MAC's *A Guide to the Management of Tailings Facilities*.
8. *Annual Tailings Management Review* – was reduced from 3 to 1 as there is no formal, annual review of the tailings management system as required by Level 2.
9. *Operation, maintenance and surveillance (DMS) manual* – was reduced from 4 to 3 as no internal audit of the DMS Manual has been conducted.

We agree with the changes and have modified our evaluations accordingly.

Yours truly,



Claude Ferron
Chief Operation Officer



April 8, 2011

Mr. Gordon Peeling
President and CEO
The Mining Association of Canada
1105-350 Sparks Street
Ottawa, ON K1R 7S8

APR 11 2011

Dear Mr. Peeling:

Re: Letter of Assurance Kidd Operations

Xstrata Copper has a process in place to verify the information provided to the Mining Association of Canada ("MAC") with respect to the Company's Towards Sustainable Mining ("TSM") Performance Indicators.

The "TSM Verification Process" included an independent review performed by Rubinoff Environmental and MORCOM Consultants. The verifiers reviewed the process developed and implemented by Xstrata Copper Kidd Operations ("the Company") for the year ended December 31, 2010 with respect to the TSM self-assessment information entered in the Mining Association of Canada's Towards Sustainable Mining online database. The verifiers assessed the Company's reported TSM performance indicator results as measured against the requirements of MAC's *Towards Sustainable Mining Performance Indicators*.

The scope of the review included the Company's TSM verification processes for tailings management, energy use and greenhouse gas (GHG) emissions management, external outreach and crisis management planning. The verification did not include a review of any other processes that the Company has in place.

The review was conducted in accordance with Canadian generally accepted standards for review engagements and, accordingly, consisted primarily of interviews, data analysis, and examining, on a sample basis, other evidence relevant to management's assertion of conformance to the requirements of the *TSM Performance Indicators*.

The review confirms that the TSM results for the period ending December 31, 2010 fairly state the company's performance, with the following exceptions:

1. *Corporate Crisis Management Planning Preparedness* - was downgraded to "No" as nine of the eleven criteria were not met in 2010.
2. *Corporate Crisis Management Planning Review* - was downgraded to "No" as the three criteria were not met in 2010.
3. *Energy Use Reporting Systems* - was reduced from 5 to 4 as the facility's energy use has not been externally verified.
4. *GHG Emissions Reporting Systems* - was reduced from 5 to 4 as the facility's GHG emissions have not been externally verified.
5. *Tailings Management Policy and Commitment* - was reduced from 3 to 2 as the policy and commitments are not in conformance with MAC's *A Guide to the Management of Tailings Facilities*.
6. *Tailings Management System* - was reduced from 3 to 2 as, based on MAC guidance, a facility cannot achieve a Level 3 for this indicator if it has not achieved a Level 3 for Tailings management policy.

We agree with the changes and have modified our evaluations accordingly.

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Yours very truly,

A handwritten signature in blue ink that reads "Claude Ferron". The signature is fluid and cursive, with the first name "Claude" being larger and more prominent than the last name "Ferron".

Claude Ferron
Chief Operation Officer