

STATE OF ALASKA

DEPARTMENT OF NATURAL RESOURCES

DIVISION OF MINING, LAND AND WATER

DAM SAFETY AND CONSTRUCTION UNIT



Certificate of Approval to Operate a Dam

The **State of Alaska** under AS 46.17, and the regulations adopted under this statute, grants to:

Coeur Alaska, Inc.

The approval to operate the following structure at the **Kensington Mine** in accordance with the terms and conditions contained in this certificate:

Comet Ponds Dam System (NID ID# AK00408)

The location of this project is: T35N, R62E, S14, Copper River Meridian

The holder of this certificate shall:

- Operate and maintain the Comet Ponds System Dam and appurtenant works in accordance with accepted practice and the the document titled, "Operations and Maintenance Manual Comet Ponds Dam System Kensington Mine, Alaska" dated September 27, 2021
- Except for claims or losses arising from negligence of the State, defend and indemnify the State against, and hold it harmless from any and all claims, demands, legal actions, loss, liability and expense for injury or death of persons, and damages to or loss of property, arising out of or connected with the exercise of the approval granted by this certificate.
- Comply with all applicable laws, regulations and conditions.
- Allow representatives of the Department to inspect the work and records covered by this certificate at all times determined necessary by the Commissioner.
- Follow special conditions that apply to the operation of this dam presented in Attachment A, attached hereto and made a part hereof.

**CERTIFICATE OF APPROVAL TO OPERATE A DAM
Comet Ponds Dam System**

This *Certificate of Approval to Operate a Dam* supersedes any other *Certificate of Approval to Operate a Dam* for the Comet Ponds Dam System and shall become invalid 60 days after the Periodic Safety Inspection due date specified under Attachment A. A new certificate shall be issued with revised special conditions based on information contained in the subsequent Periodic Safety Inspection Report approved by the Department, and dam safety regulatory standards current at the time of the inspection.

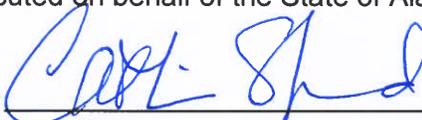
This *Certificate of Approval to Operate a Dam* is granted subject to the pertinent statutory provisions in AS 46.17 and the administrative regulations in Article 3 of 11 AAC 93.

APPROVED BY: Benjamin Wagner, P. E.
TITLE: State Dam Safety Engineer
Division of Mining, Land and Water
SIGNATURE: 
DATE: August 8, 2023

State of Alaska)
) SS.
Third Judicial District)

This is to certify that on August 8, 2023, before me appeared Benjamin Wagner, known by me to be the Authorized Representative of the Division of Mining, Land and Water, Alaska Department of Natural Resources, and acknowledged to me that this Certificate of Approval was voluntarily executed on behalf of the State of Alaska.




Notary Public in and for the State of Alaska

My commission expires: With office

CERTIFICATE OF APPROVAL TO OPERATE A DAM
Comet Ponds Dam System

Attachment A – Special Conditions

1. The Comet Ponds Dam System is approved to operate as a Class III (Low) hazard potential dam as defined in 11 AAC 93.157 with a nominal crest elevation of the South Pond at 615.6 feet and of the North Pond at 608.7 feet.
2. Operate, monitor, inspect and maintain the Comet Ponds Dam System in accordance with best practices and the procedures described in the “Operations and Maintenance Manual Comet Ponds Dam System Kensington Mine, Alaska” dated September 27, 2021 (O&M Manual). Inspect the dam and appurtenant works after all significant seismic or precipitation events. Maintain records of all inspections, monitoring data, and routine maintenance.
3. Document any routine operations and maintenance procedures that deviate from or are not included in the current version of the O&M Manual. Review and revise the O&M Manual concurrent with the Periodic Safety Inspection described in Special Condition 4.
4. Perform a Periodic Safety Inspection (PSI) on the dam and appurtenant works as required by 11 AAC 93.159 by July 24, 2024. The frequency for the PSI shall be in accordance with 11 AAC 93.159(a). The PSI must be performed by an engineer qualified in accordance with 11 AAC 93.193(b). Approval of the engineer and the scope of the inspection must be obtained from the Department in advance of the inspection. Submit a draft PSI report to the Department for review within 30 days of the visual inspection of the dam.
5. Notify the Department within 24 hours for any significant problems that may develop which could affect the safety of the dam. An incident report shall be completed and submitted to the Department in accordance with 11 AAC 93.177 within 14 days after the conclusion of the incident.
6. The reclamation and closure plan required under 11 AAC 97.310 must include sufficient consideration for the Comet Ponds Dam System and the respective financial assurance, subject to approval by the Department.
7. An application for a certificate of approval must be submitted to the Department for any modifications or major repairs that may affect the safety of the dam, or for removal or abandonment of the dam, or for transfer of ownership.
8. This *Certificate of Approval to Operate a Dam* expires on September 22, 2024.

End of Attachment A