

# STATE OF ALASKA

## DEPARTMENT OF NATURAL RESOURCES

DIVISION OF MINING AND WATER MANAGEMENT

DAM SAFETY AND CONSTRUCTION UNIT



## Certificate of Approval to Operate a Dam

The **State of Alaska** under Alaska Statute Title 46 and the regulations adopted under this statute, grants to:

**Coeur Alaska Inc.**

The approval to construct the following structure on **Lower Slate Creek** in accordance with the terms and conditions contained in this certificate:

### **Lower Slate Lake Tailings Back Dam (NID ID#AK00320)**

The location of this project is: T35S, R62E, S26, Copper River Meridian

The holder of this certificate shall:

- Operate and maintain the Lower Slate Lake Tailings Back Dam and appurtenant works in accordance with accepted practices and the document titled: *Operations and Maintenance Manual, Lower Slate Lake Tailings Treatment Facility, Kensington Mine, Alaska* (O&M Manual), dated March 27, 2025.
- 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**  
**Lower Slate Lake Tailings Back Dam**

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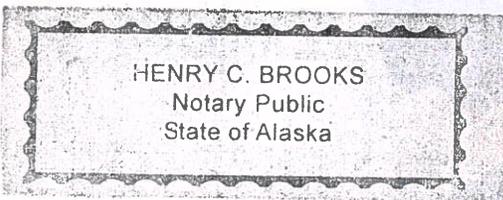
This *Certificate of Approval to Operate a Dam* supersedes any other *Certificate of Approval to Operate a Dam* for the Lower Slate Lake Tailings Back Dam and shall become invalid 60 days after the Periodic Safety Inspection due date specified under Attachment A. A new certificate may be issued with 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 Construct a Dam* is granted subject to the pertinent statutory provisions in AS 46.15 and AS 46.17 and administrative regulations in 11 AAC 93.

APPROVED BY: Benjamin Wagner, P.E.  
TITLE: State Dam Safety Engineer  
SIGNATURE: *Ben Wagner*  
DATE: *April 14, 2025*

State of Alaska            )  
  ) SS.  
Third Judicial District )

This is to certify that on *April 14*, 2025, before me appeared Benjamin Wagner, known by me to be the Director or 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.



*Henry C Brooks*  
Notary Public in and for the State of Alaska  
My Commission expires: *with office*

**CERTIFICATE OF APPROVAL TO OPERATE A DAM**  
**Lower Slate Lake Tailings Back Dam**

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**Attachment A – Special Conditions**

1. The Lower Slate Lake Tailings Back Dam (AK00320) is approved to operate as a Class II (significant) hazard potential dam as defined in 11 AAC 93.157 at a nominal crest elevation of 760 feet.
2. Operate, monitor, inspect and maintain the Lower Slate Lake Tailings Back Dam in accordance with the best practices and the procedures described in the O&M. 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 and submit a revised O&M Manual.
4. Perform a Periodic Safety Inspection (PSI) on the dam and appurtenant works as required by 11 AAC 93.159 by June 28, 2026. 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. An Emergency Action Plan (EAP) shall be maintained in accordance with the requirements of 11 AAC 93.164(a). The EAP may be included in the O&M Manual as provided under 11 AAC 93.164(e) for a Class II dam. The EAP shall be reviewed, exercised, and revised in accordance with the following schedule:

<u>DATE</u>	<u>ACTION</u>
Annually	Internal review
Annually	Orientation exercise with all responsible parties
Annually	Revise as needed and distribute updated pages
Biennially	Drill exercise (Internal responsible parties)
Triennially	Tabletop exercise with all responsible parties
Triennially	Revise and distribute to all responsible parties

The drill exercise is not required in the same year as the tabletop exercise. EAP exercises must include responsible parties listed in the plan as indicated in the schedule. Provide written notice to the Department within 7 days after all EAP exercises

6. Notify the Department immediately if the EAP is activated, or within 24 hours for any significant problems that may develop which could affect the safety of the dam or for discharge through the spillway prior to mine closure. 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.
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.

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8. No less than twelve months prior to permanent closure of the Kensington Mine, submit to the Department an application to transfer the *Certificate of Approval to Operate a Dam* in accordance with 11 AAC 93.173(j) to the entity responsible for post-closure operation and maintenance of the Lower Slate Lake Tailings Back Dam, if the entity is different from Coeur Alaska, Inc. Transfer is subject to Department approval, and the Department may issue a new certificate of approval with any terms and conditions that the Department determines are necessary to ensure that the dam will be operated and maintained in a safe manner.
9. This *Certificate of Approval to Operate a Dam* expires on August 27, 2026.

**End of Attachment A**