

STATE OF ALASKA  
DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF MINING, LAND AND WATER  
DAM SAFETY AND CONSTRUCTION UNIT



**Certificate of Approval to Modify a Dam**

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

**Sumitomo Metal Mining Pogo LLC**

The approval to modify the following structure at Pogo Mine in accordance with the terms and conditions contained in this certificate:

**Pogo R.T.P Dam (NID ID# AK00304)**

The location of this project is: S23, T5S, R14E, Fairbanks Meridian

The holder of this certificate shall:

- ☐ Modify the dam and appurtenant works in accordance with the documents listed in Attachment A.
- ☐ 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 listed in Attachment A, attached hereto and made a part hereof.

**CERTIFICATE OF APPROVAL TO MODIFY A DAM**  
**Pogo R.T.P. Dam**

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This *Certificate of Approval to Modify 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. This certificate is valid only for the time period indicated in Attachment A.

APPROVED BY: Charles F. Cobb, P.E.

TITLE: State Dam Safety Engineer  
Division of Mining, Land and Water

SIGNATURE: Charles F. Cobb

DATE: Feb. 3, 2015

State of Alaska       )  
                                  ) SS.  
Third Judicial District )

This is to certify that on February 3<sup>rd</sup>, 2015, before me appeared Charles F. Cobb, 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.

Christine Ballard

Notary Public in and for the State of Alaska

My Commission expires: With Office



**CERTIFICATE OF APPROVAL TO MODIFY A DAM**  
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**Attachment A – Special Conditions**

1. This certificate approves constructing RTP head tank #2 as described in the *Application for Certificate of Approval to Modify a Dam* received on November 12, 2014 including “General Structural Notes, Pogo Mine, RTP Head Tank #2 Foundation, Delta Junction, Alaska” dated October 7, 2014 and “RTP Head Tank #2 Review and Observations” dated September 30, 2014 from Shannon & Wilson, Inc.
2. During the modification and after construction is complete, the Pogo R.T.P. Dam must be operated as a Class I (high) hazard potential classification dam as defined in 11 AAC 93.157.
3. No less than 14 days prior to beginning construction, submit a construction schedule to the Department. Submit a revised construction schedule for any substantial deviations from the schedule previously submitted to the Department.
4. The foundation of the water tank, including the subgrade and any compacted fill, shall be inspected by a qualified geotechnical engineer to verify the bearing capacity, soil types encountered and compaction specifications. Provide a foundation report describing the findings of the inspection within 14 days of the completion of foundation construction.
5. If any conditions are encountered which require substantial clarification, deviation or change in the design from the approved drawings and specifications, the clarification, deviation or change must be approved in writing by the design engineer and submitted to the Department. Any clarification, deviation or change that could affect the safety of the dam must be approved in writing by the Department before continuing that aspect of construction.
6. Notify the Department within one week after the date of substantial completion of the approved modification.
7. Submit the following post-construction documentation within 30 days of substantial completion of the approved modification:
  - ☐ A site plan showing the as-built location of the modification with respect to the abutment of the dam and other features in the vicinity.
8. Commence construction by the October 1, 2016. If construction does not begin by this date, an updated application must be submitted for review and approval by the Department, including application fees required under 11 AAC 05.010.

**End of Attachment A**

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