

# STATE OF ALASKA

## DEPARTMENT OF NATURAL RESOURCES

DIVISION OF MINING AND WATER MANAGEMENT

DAM SAFETY AND CONSTRUCTION UNIT



### Certificate of Approval to Repair 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 repair the following structure on **Liese Creek** in accordance with the terms and conditions contained in this certificate:

#### **Pogo RTP Dam (NID ID#AK00304)**

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

The holder of this certificate shall:

- ☐ Repair the dam in accordance with the repair plan and specification referenced in Attachment A, approved by the Department concurrent with this certificate.
- ☐ 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 repair of this dam as found in Attachment A, attached hereto and made a part hereof.

**CERTIFICATE OF APPROVAL TO REPAIR A DAM**  
**Pogo RTP Dam**

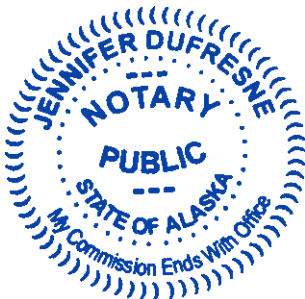
---

This *Certificate of Approval to Repair a Dam* is granted subject to the pertinent statutory provisions in AS 46.17 and the Administrative Regulations in 11 AAC 93 and is valid only through the period specified 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: May 23, 2012

State of Alaska            )  
                                      ) SS.  
Third Judicial District )

This is to certify that on May 23, 2012, before me appeared Charles Cobb known by me to be the Director or Authorized Representative of the Dam Safety and Construction Unit 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.



Jennifer Dufresne  
Notary Public in and for the State of Alaska  
My Commission expires: with office

**CERTIFICATE OF APPROVAL TO REPAIR A DAM**  
**Pogo RTP Dam**

---

**Attachment A - Conditions**

1. The work authorized by this certificate is described in the grouting plan prepared by Tetra Tech titled: "Remedial Grouting Plan, Pogo Mine Recycle Tailing Pond" dated April 30, 2012, and the technical specifications prepared by Aspen Hydrologic Services, LLC titled "Pogo Mine, RTP Right Abutment Grout Curtain Specifications" dated February 10, 2012.
2. The work associated with the repairs must be inspected by the owner's representative for compliance with the specifications at least daily.
3. Within 60 days after the repair is substantially completed, submit to the Department a letter report describing the work and all quality control/quality assurance testing.
4. If any conditions are encountered which require substantial clarification, deviation or change in the design from the approved construction documents listed in Special Condition 1, the clarification, deviation or change must be described in a sequentially numbered and dated record, approved in writing by the design engineer, and submitted to the Department for review within 48 hours of the design engineer's approval. 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. The sequential records of clarifications, deviations and changes must be included and described in the letter report required under Special Condition 3.
5. Commence construction by the first day of June, 2013. 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**

D/F: J:damsafe/damprojects/pogo/grouting/COA REP FY2012-16-AK00304