

STATE OF ALASKA

DEPARTMENT OF NATURAL RESOURCES

DIVISION OF MINING AND WATER MANAGEMENT

DAM SAFETY AND CONSTRUCTION UNIT



Certificate of Approval to Abandon a Dam

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

Alaska Gold Company, Inc.

The approval to breach and abandon the following structure at the **Rock Creek Mine** in accordance with the terms and conditions contained in this certificate:

Rock Creek Tailings Storage Facility Dam (NID ID#AK00309)

The location of this project is: T10S, R34W, S23 and S26, Kateel Meridian

The holder of this certificate shall:

- Breach and modify the dam and appurtenance works in accordance with the construction documents approved by the Department concurrent with this certificate and listed in Attachment A.
- Except for claims or losses arising from the 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 breach and abandonment of this dam as found in Attachment B, attached hereto and made a part hereof.

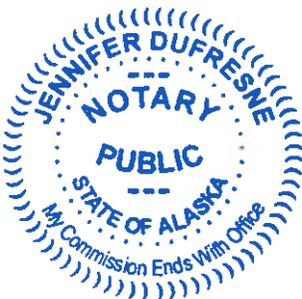
**CERTIFICATE OF APPROVAL TO ABANDON A DAM
Rock Creek Tailings Storage Facility Dam**

This *Certificate of Approval to Abandon 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: Charles F. Cobb
TITLE: State Dam Safety Engineer
SIGNATURE: *Charles F. Cobb*
DATE: *February 10, 2012*

State of Alaska)
) SS.
Third Judicial District)

This is to certify that on *February 10*, 2012, before me appeared Charles F. 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*

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**CERTIFICATE OF APPROVAL TO ABANDON A DAM
Rock Creek Tailings Storage Facility Dam**

Attachment A – Approved Construction Documents

DRAWINGS AND SPECIFICATIONS

Alaska Gold Company
Final Design Rock Creek Mine
Phase 1 – Closure and Reclamation Plan
Drawings P1-1 through P1-8

Marked: “Issued for Construction”
Cover sheet signed and dated: February 9, 2012

End of Attachment A

CERTIFICATE OF APPROVAL TO ABANDON A DAM
Rock Creek Tailings Storage Facility Dam

Attachment B – Special Conditions

1. This certificate approves the work indicated in the construction documents listed in Attachment A and generally described as follows:
 - Rock Creek Tailings Storage Facility Dam (AK00309) will be breached and abandoned in place.
 - The remnants of the dam shall be reclaimed in accordance with the Rock Creek Mine Reclamation and Closure Plan dated October, 2011 and the memorandum with the subject “Rock Creek Mine Closure Plan – Supplement to Phase 1 Construction” dated December 5, 2011, as approved by the Department under separate cover.
2. Prior to beginning of construction, submit to the Department a schedule for construction including the estimated date of substantial completion.
3. The work shall be observed and inspected by an engineer qualified in accordance with 11 AAC 93.193(c) for compliance with the approved plans, drawings and specifications and for developing the completion report required under Special Condition 5.
4. If any conditions are encountered which require substantial deviations or change in the design from the approved drawings listed in Attachment A, the deviation or change must be approved in writing by the design engineer. Any changes that could affect the safety of the dam must be approved in writing by the Department before implementing the deviation or change.
5. Submit the following post-construction documentation, within approximately 30 days of substantial completion of the breach:
 - A completion report prepared in accordance with the requirements of 11 AAC 93.172(b)
6. Commence construction by June 1, 2012 and complete the breach by September 30, 2012. If construction is not complete 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. This certificate of Approval expires on October 1, 2012.
7. Notify the Department of the date of substantial completion of the breach within one week after that date occurs.
8. For any modifications or major repairs intended to bring the dam back into service, a separate certificate of approval must be obtained from the Department.

End of Attachment B

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