QUARTERLY SEDIMENTATION POND INSPECTION REPORT

CDMR Rule 4.05.9(17)

Mine: New Elk

NPDES ID. No.: Pond #1

Inspection Period: Fourth Quarter 2019

Inspection Date: 11/26/2019

General Description or Reference to Site Plan:

This pond is located West of the industrial building and serves as a mine water settling and water storage pond.

EMBANKMENT

1. Adequacy of the vegetative cover: [Excellent] Moderate Few Poor
2. Erosion forming Gullies: Extensive Some Few [None]
3. Is wave action causing erosion:
   - On the upstream embankment? Yes____ No__X__
   - At the principal spillway inlet? Yes____ No__X__
4. Erosion of the downstream toe of the embankment? Yes____ No__X__

   Cause of erosion can be attributed to: _____

   _____
5. Is seepage occurring through the dam? Yes____ No__X__

   Could this seepage cause potential instability?_____

   _____

PRINICIPAL SPILLWAY

1. Is the principal spillway system in working order? Yes__X__ No____
2. Is the inlet free of debris and restrictive material? Yes__X__ No____
3. Is the discharge outlet free of restrictive material? Yes__X__ No____
4. Is erosion occurring at the discharge outlet? Yes____ No__X__

Evaluate the severity: Extensive Moderate Just Starting [None]

NPDES ID. No.: 1

EMERGENCY SPILLWAY

1. Does it appear that the emergency spillway has discharged water since the last inspection?

   YES_____ NO__X__

2. Is erosion occurring at any section of the emergency spillway?

   YES_____ NO__X__

SEDMIMENT STORAGE CAPACITY

1. Has the design storage capacity of the reservoir been surpassed?

   YES_____ NO__X__

   Explain: No sediment in pond

OTHER OBSERVATIONS

Pond liner is in good working condition at time of inspection.

Vivian Massetti

MSHA CERTIFIED IMPOUNDMENT INSPECTOR

Date: 11-26-2019

QUARTERLY SEDIMENTATION POND INSPECTION REPORT

CDMR Rule 4.05.9(17)

Mine: New Elk

NPDES ID. No.: Pond #4

Inspection Period: Fourth Quarter 2019

Inspection Date: 11/26/2019

General Description or Reference to Site Plan:

This sediment control pond lies west of the Development Waste Pile. The majority of run-off form this waste pile flows to this pond. It has never received sufficient inflow to discharge.

EMBANKMENT

1.	Adequacy of the vegetative cover:	[Excellent]	Moderate	Few	Poor
2.	Erosion forming Gullies:	Extensive	Some	Few	[None]
3.	Is wave action causing erosion:				
	On the upstream embankment?	Yes_____		No__X__	
	At the principal spillway inlet?	Yes_____		No__X__	
4.	Erosion of the downstream toe of the embankment?	Yes_____		No__X__	

Cause of erosion can be attributed to: _____

_____

5. Is seepage occurring through the dam? Yes_____ No__X__

Could this seepage cause potential instability?_____

_____

PRINICIPAL SPILLWAY

1.	Is the principal spillway system in working order?	Yes__X__	No_____
2.	Is the inlet free of debris and restrictive material?	Yes__X__	No_____
3.	Is the discharge outlet free of restrictive material?	Yes__X__	No_____
4.	Is erosion occurring at the discharge outlet?	Yes_____	No__X__

Evaluate the severity: Extensive Moderate Just Starting [None]

NPDES ID. No.: 4

EMERGENCY SPILLWAY

1. Does it appear that the emergency spillway has discharged water since the last inspection?

   YES_____ NO__X__

2. Is erosion occurring at any section of the emergency spillway?

   YES_____ NO__X__

SEDMIMENT STORAGE CAPACITY

1. Has the design storage capacity of the reservoir been surpassed?

   YES_____ NO__X__

   Explain: Visual observation.

OTHER OBSERVATIONS

Pond is holding water but is not close to dischargining.

Vince Mascuotti

MSHA CERTIFIED IMPOUNDMENT INSPECTOR

Date: 11-26-2019

QUARTERLY SEDIMENTATION POND INSPECTION REPORT

CDMR Rule 4.05.9(17)

Mine: New Elk

NPDES ID. No.: Pond #7

Inspection Period: Fourth Quarter 2019

Inspection Date: 11/26/2019

General Description or Reference to Site Plan:

This sediment control pond lies east of the preparation plant and pond #6. It receives run-off from the majority of the active surface facilities area lying south of State Highway 12.

EMBANKMENT

1. Adequacy of the vegetative cover: [Excellent] Moderate Few Poor
2. Erosion forming Gullies: Extensive Some Few [None]
3. Is wave action causing erosion:
   On the upstream embankment? Yes_____ No__X__
   At the principal spillway inlet? Yes_____ No__X__
4. Erosion of the downstream toe of the embankment? Yes_____ No__X__

   Cause of erosion can be attributed to: _____

   _____
5. Is seepage occurring through the dam? Yes_____ No__X__

   Could this seepage cause potential instability?_____

   _____

PRINICIPAL SPILLWAY

1. Is the principal spillway system in working order? Yes__X__ No_____
2. Is the inlet free of debris and restrictive material? Yes__X__ No_____
3. Is the discharge outlet free of restrictive material? Yes__X__ No_____
4. Is erosion occurring at the discharge outlet? Yes_____ No__X__

Evaluate the severity: Extensive Moderate Just Starting [None]

NPDES ID. No.: 7

EMERGENCY SPILLWAY

1. Does it appear that the emergency spillway has discharged water since the last inspection?

   YES_____ NO__X__

2. Is erosion occurring at any section of the emergency spillway?

   YES_____ NO__X__

SEDMIMENT STORAGE CAPACITY

1. Has the design storage capacity of the reservoir been surpassed?

   YES_____ NO__X__

   Explain: Visual observation. Pond cleaned in early 2017.

OTHER OBSERVATIONS

Pond is holding a foot of water, not near the max water level.

Vince Massaro III

MSHA CERTIFIED IMPOUNDMENT INSPECTOR

Date: 11-20-2019

QUARTERLY SEDIMENTATION POND INSPECTION REPORT

CDMR Rule 4.05.9(17)

Mine: New Elk

NPDES ID. No.: Pond #8

Inspection Period: Fourth Quarter 2019

Inspection Date: 11/26/2019

General Description or Reference to Site Plan:

This pond lies north of Highway 12 at the base of the refuse disposal area. The pond receives run-off form the refuse disposal area.

EMBANKMENT

1. Adequacy of the vegetative cover: Excellent [Moderate] Few Poor
2. Erosion forming Gullies: Extensive Some Few [None]
3. Is wave action causing erosion:
   - On the upstream embankment? Yes____ No__X__
   - At the principal spillway inlet? Yes____ No__X__
4. Erosion of the downstream toe of the embankment? Yes____ No__X__

   Cause of erosion can be attributed to: _____

   _____
5. Is seepage occurring through the dam? Yes____ No__X__

   Could this seepage cause potential instability?_____

   _____

PRINICIPAL SPILLWAY

1. Is the principal spillway system in working order? Yes__X__ No____
2. Is the inlet free of debris and restrictive material? Yes__X__ No____
3. Is the discharge outlet free of restrictive material? Yes__X__ No____
4. Is erosion occurring at the discharge outlet? Yes____ No__X__

Evaluate the severity: Extensive Moderate Just Starting [None]

NPDES ID. No.: 8

EMERGENCY SPILLWAY

1. Does it appear that the emergency spillway has discharged water since the last inspection?

   YES_____ NO__X__

2. Is erosion occurring at any section of the emergency spillway?

   YES_____ NO__X__

SEDMIMENT STORAGE CAPACITY

1. Has the design storage capacity of the reservoir been surpassed?

   YES_____ NO__X__

   Explain: Visual observation. Sediment cleaned out in May 2018

OTHER OBSERVATIONS

Pond is holding water, not near the decant level. No new sediment has been deposited.

Vince Marcuccio

MSHA CERTIFIED IMPOUNDMENT INSPECTOR

Date: 11-26-2019

QUARTERLY SEDIMENTATION POND INSPECTION REPORT

CDMR Rule 4.05.9(17)

Mine: New Elk Pond 6

NPDES ID. No.: None

Inspection Period: Fourth Quarter 2019

Inspection Date: 11/26/2019

General Description or Reference to Site Plan:

Pond 6 is a non-discharging facility designed to contain plant processing water. The plant has been idle since 1996 and the pond is now used to dewater other ponds prior to clean-out

EMBANKMENT

1. Adequacy of the vegetative cover: Excellent [Moderate] Few Poor
2. Erosion forming Gullies: Extensive Some Few [None]
3. Is wave action causing erosion:
   On the upstream embankment? Yes____ No X
   At the principal spillway inlet? Yes____ No X
4. Erosion of the downstream toe of the embankment? Yes____ No X

   Cause of erosion can be attributed to: _____
5. Is seepage occurring through the dam? Yes____ No X

   Could this seepage cause potential instability? _____

SEDMIMENT STORAGE CAPACITY

1. Has the design storage capacity of the reservoir been surpassed?
   YES____ NO X

   Explain: No design capacity.

OTHER OBSERVATIONS

Water level is low, not close to full.

Vince Mascratt

MSHA CERTIFIED IMPOUNDMENT INSPECTOR

Date: 11-26-2019

QUARTERLY SEDIMENTATION POND INSPECTION REPORT

CDMR Rule 4.05.9(17)

Mine: New Elk WP Containment #1

NPDES ID. No.: None

Inspection Period: Fourth Quarter 2019

Inspection Date: 11/26/2019

General Description or Reference to Site Plan:

This containment basin is a non-discharging facility designed to contain run-off from the West Portal Warehouse area.

EMBANKMENT

1. Adequacy of the vegetative cover: [Excellent] Moderate Few Poor
2. Erosion forming Gullies: Extensive Some Few [None]
3. Is wave action causing erosion:
   - On the upstream embankment? Yes____ No_X_
   - At the principal spillway inlet? Yes____ No_X_
4. Erosion of the downstream toe of the embankment? Yes____ No_X_

   Cause of erosion can be attributed to: _____
5. Is seepage occurring through the dam? Yes____ No_X_

   Could this seepage cause potential instability? _____

SEDMIMENT STORAGE CAPACITY

1. Has the design storage capacity of the reservoir been surpassed?

   YES____ NO_X_

   Explain: Visual observation.

OTHER OBSERVATIONS

Containment area has little water, water is frozen.

Vince Mascaro

MSHA CERTIFIED IMPOUNDMENT INSPECTOR

Date: 11-26-2019

QUARTERLY SEDIMENTATION POND INSPECTION REPORT

CDMR Rule 4.05.9(17)

Mine: New Elk WP Containment #2

NPDES ID. No.: None

Inspection Period: Fourth Quarter 2019

Inspection Date: 11/26/2019

General Description or Reference to Site Plan:

This containment basin is a non-discharging facility designed to contain run-off from the West Potal airshaft and manway areas.

EMBANKMENT

1. Adequacy of the vegetative cover: [Excellent] Moderate Few Poor
2. Erosion forming Gullies: Extensive Some Few [None]
3. Is wave action causing erosion:
   - On the upstream embankment? Yes____ No_X_
   - At the principal spillway inlet? Yes____ No_X_
4. Erosion of the downstream toe of the embankment? Yes____ No_X_

   Cause of erosion can be attributed to: _____
5. Is seepage occurring through the dam? Yes____ No_X_

   Could this seepage cause potential instability? _____

SEDMIMENT STORAGE CAPACITY

1. Has the design storage capacity of the reservoir been surpassed?
   YES____ NO_X_

   Explain: Visual observation.

OTHER OBSERVATIONS

Cleaned last year, no water in containment.

Vince Massaratti

MSHA CERTIFIED IMPOUNDMENT INSPECTOR

Date: 11-26-2019

QUARTERLY SEDIMENTATION POND INSPECTION REPORT

CDMR Rule 4.05.9(17)

Mine: New Elk RDA Containment SE

NPDES ID. No.: None

Inspection Period: Fourth Quarter 2019

Inspection Date: 11/26/2019

General Description or Reference to Site Plan:

This partially incised containment basin is a non-discharging facility designed to contain run-off from the area east of the RDA belt conveyor and south of Highway 12.

EMBANKMENT

1.	Adequacy of the vegetative cover:	Excellent	Moderate	Few	Poor
2.	Erosion forming Gullies:	Extensive	Some	Few	None

3. Is wave action causing erosion:
   - On the upstream embankment? Yes_____ No__X__
   - At the principal spillway inlet? Yes_____ No__X__

4. Erosion of the downstream toe of the embankment? Yes_____ No__X__

   Cause of erosion can be attributed to: _____

5. Is seepage occurring through the dam? Yes_____ No__X__

   Could this seepage cause potential instability?_____

SEDMIMENT STORAGE CAPACITY

1. Has the design storage capacity of the reservoir been surpassed?
   YES_____ NO__X__

   Explain: Visual observation.

OTHER OBSERVATIONS

Containment Area is dry.

Vince Massaro

MSHA CERTIFIED IMPOUNDMENT INSPECTOR

Date: 11-26-2019

QUARTERLY SEDIMENTATION POND INSPECTION REPORT

CDMR Rule 4.05.9(17)

Mine: New Elk RDA Containment SW

NPDES ID. No.: None

Inspection Period: Fourth Quarter 2019

Inspection Date: 11/26/2019

General Description or Reference to Site Plan:

This partially incised containment basin is a non-discharging facility designed to contain run-off from the area west of the RDA belt conveyor and south of Highway 12.

EMBANKMENT

1. Adequacy of the vegetative cover: Excellent [Moderate] Few Poor
2. Erosion forming Gullies: Extensive Some Few [None]
3. Is wave action causing erosion:
   On the upstream embankment? Yes____ No__X__
   At the principal spillway inlet? Yes____ No__X__
4. Erosion of the downstream toe of the embankment? Yes____ No__X__

   Cause of erosion can be attributed to: _____
5. Is seepage occurring through the dam? Yes____ No__X__

   Could this seepage cause potential instability? No embankment, this is an incised containment basin.

SEDMIMENT STORAGE CAPACITY

1. Has the design storage capacity of the reservoir been surpassed?
   YES____ NO__X__

   Explain: Visual observation.

OTHER OBSERVATIONS

Containment Area is dry.

Vince Massuati

MSHA CERTIFIED IMPOUNDMENT INSPECTOR

Date: 11-26-2019

QUARTERLY SEDIMENTATION POND INSPECTION REPORT

CDMR Rule 4.05.9(17)

Mine: New Elk RDA Containment North

NPDES ID. No.: None

Inspection Period: Fourth Quarter 2019

Inspection Date: 11/26/2019

General Description or Reference to Site Plan:

This partially incised containment basin is a non-discharging facility designed to contain run-off from the RDA belt conveyor area north of Highway 12.

EMBANKMENT

1. Adequacy of the vegetative cover: [Excellent] Moderate Few Poor
2. Erosion forming Gullies: Extensive Some Few [None]
3. Is wave action causing erosion:
   - On the upstream embankment? Yes____ No__X__
   - At the principal spillway inlet? Yes____ No__X__
4. Erosion of the downstream toe of the embankment? Yes____ No__X__

   Cause of erosion can be attributed to: ____
5. Is seepage occurring through the dam? Yes____ No__X__

   Could this seepage cause potential instability? No embankment, this is an incised containment basin.

SEDMIMENT STORAGE CAPACITY

1. Has the design storage capacity of the reservoir been surpassed?
   YES____ NO__X__

   Explain: Visual observation.

OTHER OBSERVATIONS

Containment Area is empty. Sediment will be cleaned from containment within 6 months.

Vince Marcinetti

MSHA CERTIFIED IMPOUNDMENT INSPECTOR

Date: 11-26-2019

QUARTERLY SEDIMENTATION POND INSPECTION REPORT
New Elk Mine- November 26, 2019

Pond 1 – Looking East

Pond 1 – Looking North at Discharge

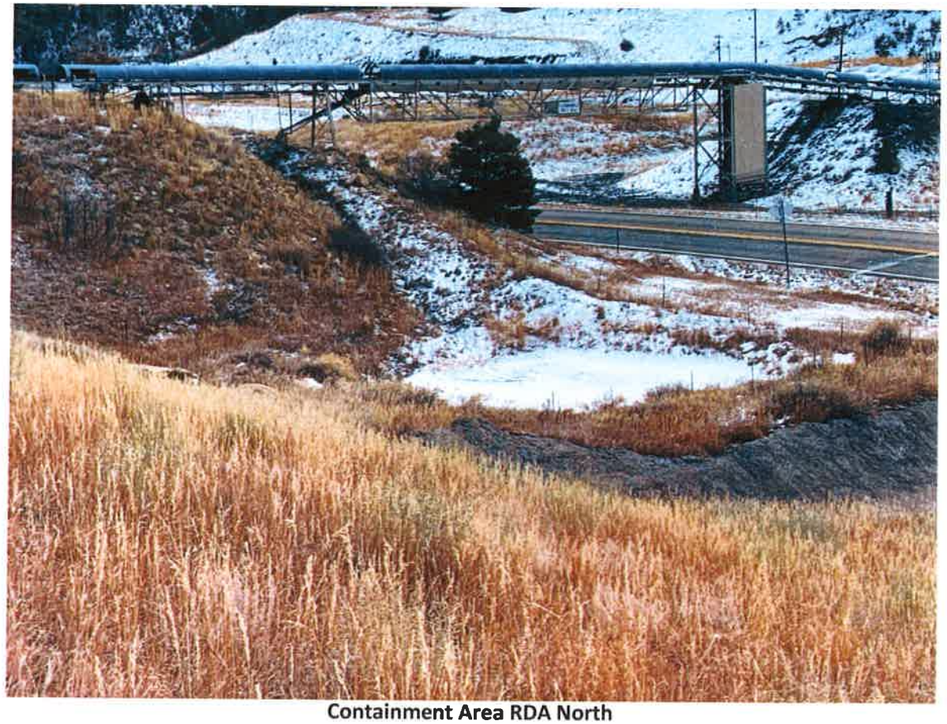
Pond 4

Pond 6

Pond 7

Pond 8

Containment Area #2



Containment Area RDA North

Containment Area RDA Southwest