CDMR Rule 4.05.9(17)

Mine:		New Elk						
NPDE	S ID. No.:	Pond #1		_				
Inspec	tion Period:	Fourth Quarter 201	9	_				
Inspec	tion Date:	11/26/2019		_				
Gener	al Description or R	eference to Site Plan	:					
This population	ond is located West	of the industrial buil	lding and serv	es as a mine wate	er settling and wa	ter storag	e	
EMBA	NKMENT							
1.		vegetative cover:		Excellent	Moderate	Few	Poor	
2. 3.				Extensive	Some	Few	None	
		upstream embankme	nt?	Yes		No	Х	
	At the p	rincipal spillway inlet	?			No	Х	
4.	Erosion of the do	wnstream toe of the	embankment	? Yes		No	X	
	Cause o	f erosion can be attri	buted to:	10-10-10-10-10-10-10-10-10-10-10-10-10-1				
5.	Is seepage occur	ing through the dam	?	Yes		No	X	
	Could th	is seepage cause pot	ential instabili	ty?				
PRINIC	PAL SPILLWAY							
1.		illway system in worl		Yes	X	No		
2. 3.		debris and restrictiv		Yes	<u>X</u>			
4.	_	ng at the discharge o		Yes Yes	X	No No	X	
	Evaluate the seve		tensive	Moderate	Just Starting	None		

			NPDES	S ID. No.:
MERG	ENCY SPILLWAY			
1.	Does it appear that the emergency spillway has o	discharged water since the	last inspec	tion?
		YES	NO	Х
2.	Is erosion occurring at any section of the emerge	ncy spillway?		
		YES	NO	Х
EDMII	MENT STORAGE CAPACITY			
1.	Has the design storage capacity of the reservoir b	peen surpassed? YES	NO	Х
	Explain: No sediment in pond			
THER	OBSERVATIONS			
	Pond liner is in good working condition at time o	f inspection.		

Min Massuration

MSHA CERTIFIED IMPOUNDMENT INSPECTOR

Date: 11-26-2019

Page 2 of 2

CDMR Rule 4.05.9(17)

Mine:		New Elk		_			
NPDES	ID. No.:	Pond #4		_			
Inspect	tion Period:	Fourth Quarter	2019	_			
Inspect	tion Date:	11/26/2019		-			
Genera	al Description or Re	eference to Site I	Plan:				
	diment control pon pile flows to this po		•		- •	form this	
EMBAN	NKMENT						
1.	Adequacy of the	vegetative cover	:	Excellent	Moderate	Few	Poor
2.	Erosion forming (Gullies:		Extensive	Some	Few	None
3.	Is wave action ca	_					
		pstream emban				No	X
	At the p	rincipal spillway i	inlet?	Yes		No	X
4.	Erosion of the do	wnstream toe of	the embankment?	Yes		No	X
	Cause of	ferosion can be a	attributed to:				
5.	Is seepage occurr	ing through the	dam?	Yes		No	X
	Could th	is seepage cause	potential instabilit	y?			
PRINICI	PAL SPILLWAY						
1.	Is the principal sp	illway system in	working order?	Yes	X	No	
2.	Is the inlet free of			Yes	Χ .	No	
3.	Is the discharge o			Yes	X	No	100 S
4.	Is erosion occurring	ng at the dischar	ge outlet?	Yes		No	X
	Evaluate the seve	rity:	Extensive	Moderate	Just Starting	None	

			NPDES ID. No.: 4
EMERG	GENCY SPILLWAY		
1.	Does it appear that the emergency spillway h	as discharged water since th	he last inspection?
		YES	NOX
2.	Is erosion occurring at any section of the eme	ergency spillway?	
		YES	NOX
CEDRAL	MENT STORAGE CAPACITY	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	NOX
			5 1
1.	Has the design storage capacity of the reserve	oir been surpassed? YES	NOX
	Explain: Visual observation.		
THER	OBSERVATIONS		
	Pond is holding water but is not close to disch	nargining.	
	 		
	-		
1/5	/1 H.		
1 mi	Massenath.		
MSHA	CERTIFIED IMPOUNDMENT INSPECTOR		
1	4 10		
	11 7/2-2019		
ate:	11-26-2019		

Page **2** of **2**

CDMR Rule 4.05.9(17)

Mine:		New Elk		_			
NPDES	ID. No.:	Pond #7		_			
Inspec	tion Period:	Fourth Quarter	2019	_			
Inspec	tion Date:	11/26/2019		<u></u>			
This se	al Description or Red diment control por ty of the active surf	nd lies east of the	preparation plant	and pond #6. It ite te Highway 12.	receives run-off fr	om the	
EMBAN	NKMENT						
1. 2.	Adequacy of the Erosion forming	_	:	Excellent	Moderate	Few	Poor
2. 3.	Is wave action ca			Extensive	Some	Few	None
٥.		using erosion. Ipstream embanl	kment?	Vos		No	v
		rincipal spillway i				No No	X
	т	······································		103		110	
4.	Erosion of the do	wnstream toe of	the embankment	Yes	₹	No	X
	Cause of	f erosion can be a	attributed to:	4			
	-						
5.	Is seepage occurr	ing through the o	dam?	Yes		No	X
	Could th	is seepage cause	potential instabili	ty?			
PRINICI	PAL SPILLWAY						
1.	Is the principal sp	illway system in v	working order?	Yes	X	No	
2.	Is the inlet free of			Yes	X	No	
3.	Is the discharge o			Yes	X	No	
4.	Is erosion occurri	ng at the dischar	ge outlet?	Yes	E ±	No	X
	Evaluate the seve	rity:	Extensive	Moderate	Just Starting	None	

		NPDES ID. No.:_	7							
EMERG	ENCY SPILLWAY									
1.										
	YES	NOX								
2.	Is erosion occurring at any section of the emergency spillway?									
	YES	NOX	_							
SEDMI	MENT STORAGE CAPACITY									
1.	Has the design storage capacity of the reservoir been surpassed? YES	NOX								
	Explain: Visual observation. Pond cleaned in early 2017.		_							
OTHER	OBSERVATIONS									
	Pond is holding a foot of water, not near the max water level.		_							
			_0							
			-							
			_							

Page 2 of 2

MSHA CERTIFIED IMPOUNDMENT INSPECTOR

Date: 11-20-2019

CDMR Rule 4.05.9(17)

Mine:		New Elk					
NPDE	S ID. No.:	Pond #8		_			
Inspec	ction Period:	Fourth Quarte	r 2019				
Inspec	tion Date:	11/26/2019		_			
Gener	al Description or R	eference to Site	Plan:				
This po	ond lies north of Hi use disposal area.	ghway 12 at the	base of the refuse	disposal area. Tl	ne pond receives	run-off for	m
EMBAI	NKMENT						
1.	Adequacy of the		r:	Excellent	Moderate	Few	Poor
2. 3.	Erosion forming Is wave action ca			Extensive	Some	Few	None
		upstream embar	nkment?	Yes		No	X
	At the p	rincipal spillway	inlet?			No	Х
4.	Erosion of the do	wnstream toe o	f the embankment	? Yes		No	X
	Cause o	f erosion can be	attributed to:	<u> </u>			
5.	Is seepage occurr	ring through the	dam?	Yes		No	X
	Could th	is seepage cause	e potential instabilit	:y?			
	-						
PRINICI	PAL SPILLWAY						
1.	Is the principal sp			Yes	X	No	
2.	Is the inlet free of			Yes	X	No	
3. 4 <i>.</i>	Is the discharge o	utiet free of rest	rictive material?	Yes Yes	X		X
			Pe outlett	163		INO	Λ
	Evaluate the seve	rity:	Extensive	Moderate	Just Starting	None	

			NPDES ID. No.: 8	
MERG	ENCY SPILLWAY			
1.	Does it appear that the emergency spillway has disc	charged water since the last	t inspection?	
		YES	NOX	
2.	Is erosion occurring at any section of the emergency	y spillway?		
		YES	NOX	
EDMIN	MENT STORAGE CAPACITY			
1.	Has the design storage capacity of the reservoir bee	en surpassed? YES	NOX	
	Explain: Visual observation. Sediment cleaned out i	n May 2018		
THER	OBSERVATIONS			
	Pond is holding water, not near the decant level. No	new sediment has been d	eposited.	
				

MSHA CERTIFIED IMPOUNDMENT INSPECTOR

Date: 11-26-2019

Page 2 of 2

CDMR Rule 4.05.9(17)

		CDMR Rule 4.	05.9(17)			
Mine:	New E	lk Pond 6	_			
NPDES ID. No	.: <u>None</u>		_			
Inspection Pe	riod: <u>Fourth</u>	Quarter 2019				
Inspection Da	te: <u>11/26/</u>	2019	_			
General Desc	ription or Reference	e to Site Plan:				
Pond 6 is a no since 1996 an	n-discharging facilit d the pond is now u	y designed to contain plant sed to dewater other ponds	processing wate prior to clean-e	er. The plant has l out	been idle	
EMBANKMEN	т					
2. Erosi	uacy of the vegetati on forming Gullies: ve action causing er On the upstrean	osion: n embankment?	Excellent Extensive Yes	Moderate Some	Few Few No_	Poor None
	At the principal	spillway inlet?			No	Х
4. Erosio	on of the downstrea	m toe of the embankment?	Yes		No	Х
	Cause of erosion	can be attributed to:				
5. Is see	page occurring thro	ugh the dam?	Yes		No	Х
	Could this seepa	ge cause potential instabilit	y?			
SEDMIMENT S	TORAGE CAPACITY					_
1. Has th	e design storage ca	pacity of the reservoir been	surpassed? YES	NO	Х	
Explai	n: No design capaci	ty.				
OTHER OBSERV	/ATIONS					
<u>Water</u>	level is low, not clo	se to full.				_
-					•	
Vincel	lassisatt.					
MSHA CERTIFIE	D IMPOUNDMENT	INSPECTOR				
Date: //-26	-2019					

CDMR Rule 4.05.9(17)

		CDIVIR Rule 4	.05.9(17)			
Mine:		New Elk WP Containment #1	_			
NPDES	ID. No.:	None	_			
Inspec	tion Period:	Fourth Quarter 2019				
Inspec	tion Date:	11/26/2019	_			
Genera	al Description or R	eference to Site Plan:				
This co Wareh	ntainment basin is ouse area.	a non-discharging facility designed	to contain run-c	off from the West	: Portal	
EMBAN	KMENT					
1. 2. 3.	Adequacy of the Erosion forming of the Is wave action ca		Excellent Extensive	Moderate Some	Few Few	Poor None
5.	On the ι	using erosion. upstream embankment? rincipal spillway inlet?			No No	X X
4.	Erosion of the do	wnstream toe of the embankment?	Yes		No	Х
	Cause of	erosion can be attributed to:			772	
5.	Is seepage occurr	ing through the dam?	Yes		No	Х
	Could thi	is seepage cause potential instabilit				
SEDMIN	IENT STORAGE CA	PACITY				
1.	Has the design sto	rage capacity of the reservoir been	surpassed? YES	NO	X	
	Explain: Visual ob	servation.				
OTHER O	BSERVATIONS					
s	Containment area	has little water, water is frozen.				
1					: « :	
MSHAGE	nce Massa					
Date: /	- 26 - 2019	DMENT INSPECTOR				
t						

CDMR Rule 4.05.9(17)

Mine:	New Elk WP Containment #2	<u></u>					
NPDES ID. No.:	None	<u></u>					
Inspection Period:	Fourth Quarter 2019	_					
Inspection Date:	11/26/2019	_					
General Description	or Reference to Site Plan:						
This containment bas airshaft and manway	in is a non-discharging facility designed areas.	to contain run-o	off from the West	Potal			
EMBANKMENT							
2. Erosion form	the vegetative cover: ing Gullies: n causing erosion:	Excellent Extensive	Moderate Some	Few Few	Poor None		
On t	the upstream embankment?	Yes		No	Χ		
At th	he principal spillway inlet?	Yes		No	Χ		
4. Erosion of the	e downstream toe of the embankment	Yes		No	Х		
Caus	se of erosion can be attributed to:						
5. Is seepage oc	curring through the dam?	Yes		No	Х		
Coul	ld this seepage cause potential instabili	ty?					
SEDMIMENT STORAG	E CAPACITY				_		
1. Has the desig	n storage capacity of the reservoir bee	n surpassed? YES	NO	X			
Explain: <u>Visu</u>	al observation.						
OTHER OBSERVATION	S						
Cleaned last y	year, no water in containment.	15					
3 							
Vince Masseratt							
MSHA CERTIFIED IMPO	OUNDMENT INSPECTOR						
Date: 1-26-2019							

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	<u>=</u>				
General Description or F	Reference to Site Plan:					
•	tainment basin is a non-discharging conveyor and south of Highway 12		to contain run-off	from the	:	
EMBANKMENT						
 Adequacy of the Erosion forming Is wave action of 		Excellent Extensive	Moderate Some	Few Few	Poor None	
	upstream embankment?	Yes		No	Χ	
At the	principal spillway inlet?			No	Χ	
4. Erosion of the d	ownstream toe of the embankment	? Yes		No	Х	
Cause	of erosion can be attributed to:					
5. Is seepage occur	rring through the dam?	Yes		No	Х	
Could t	his seepage cause potential instabili	ity?				
SEDMIMENT STORAGE C	APACITY					
1. Has the design s	torage capacity of the reservoir bee	n surpassed? YES	NO	х	_	
Explain: Visual o	observation.					
OTHER OBSERVATIONS						
Containment Ar	ea is dry.		•	-		
8-						
MSHA CERTIFIED IMPOUNDMENT INSPECTOR						
Date: 11-26-2019						

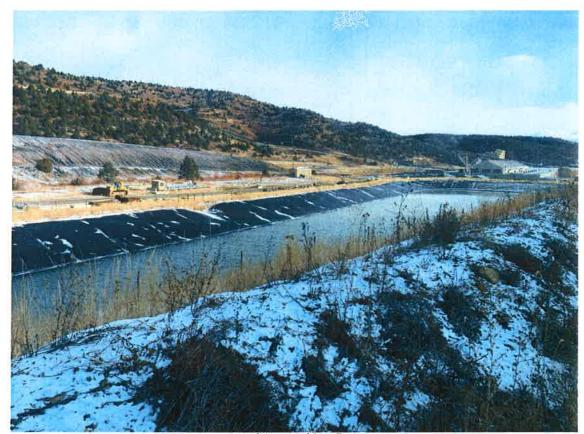
CDMR Rule 4.05.9(17)

Mine:	New Elk RDA Containment SW							
NPDES ID. No.:	None	_						
Inspection Period:	Fourth Quarter 2019	_						
Inspection Date:	11/26/2019	_						
General Description or I	Reference to Site Plan:							
	tainment basin is a non-discharging f It conveyor and south of Highway 12		to contain run-off	from the	!			
EMBANKMENT								
 Erosion forming Is wave action of 	ausing erosion:	Excellent Extensive	Moderate Some	Few Few	Poor None			
	upstream embankment?			No				
At the	principal spillway inlet?	res		No				
4. Erosion of the d	ownstream toe of the embankment?	Yes		No	Х			
Cause	of erosion can be attributed to:							
5. Is seepage occu	rring through the dam?	Yes		No	Х			
Could t basin.	his seepage cause potential instabili				ainment —			
SEDMIMENT STORAGE	CAPACITY							
1. Has the design s	storage capacity of the reservoir bee	n surpassed? YES	NO	X	_			
Explain: Visual	observation.							
OTHER OBSERVATIONS								
Containment Ar	ea is dry.							
				•				
Vinice Massuatt								
MSHA CERTIFIED IMPOU	MSHA CERTIFIED IMPOUNDMENT INSPECTOR							
Date: 11-26-2019								

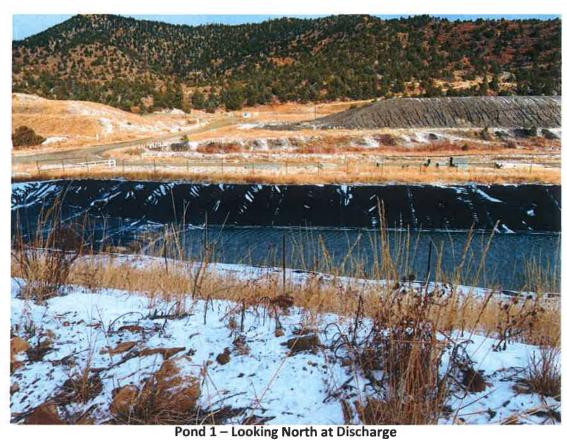
CDMR Rule 4.05.9(17)

Mine:		New Elk RDA Containment Nortl	<u>1</u>				
NPDES	ID. No.:	None	<u>= 10</u>				
Inspect	ion Period:	Fourth Quarter 2019					
Inspect	ion Date:	11/26/2019					
Genera	l Description or R	eference to Site Plan:					
		ainment basin is a non-discharging north of Highway 12.	facility designed	to contain run-of	f from the	2	
EMBAN	IKMENT						
1. 2. 3.	Erosion forming Is wave action ca On the	ausing erosion: upstream embankment?	Excellent Extensive Yes	Moderate Some	Few Few No	Poor None	
	At the p	principal spillway inlet?	Yes		No	Х	
4.	Erosion of the do	ownstream toe of the embankment	t? Yes		No	Х	
	Cause o	f erosion can be attributed to:					
5.	Is seepage occur	ring through the dam?	Yes		No	Х	
Could this seepage cause potential instability? No embankment, this is an incised containment basin.							
SEDMIN	MENT STORAGE CA	APACITY					
1.	Has the design st	orage capacity of the reservoir bee	and the same of th				
			YES	NO	X	<u></u>	
	Explain: Visual o	bservation.					
OTHER (OBSERVATIONS						
Containment Area is empty. Sediment will be cleaned from containment within 6 months.							
	·						
MSHA C		IDMENT INSPECTOR					
Date: /	1-26-20	19					

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



Pond 1 – Looking East





Pond 4



Pond 6



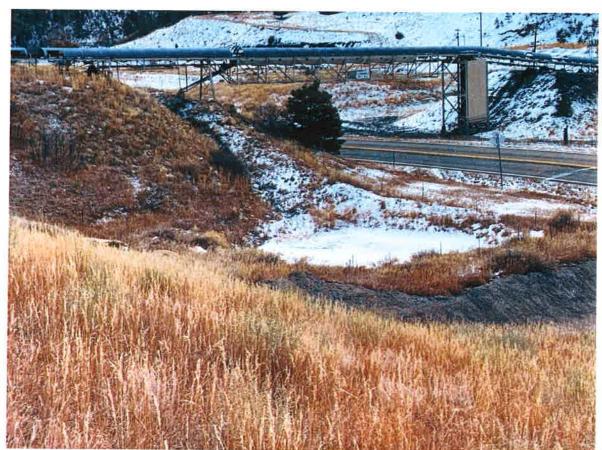
Pond T



Pond 8



Containment Area #2



Containment Area RDA North

