| Mine: | | New Elk | | <u> </u> | | | |
|-------------------|---|----------------------|--------------------|------------------|--------------------|------------|------|
| NPDES I | D. No.: | Pond #1 | | <u> </u> | | | |
| Inspecti | on Period: | First Quarter 202 | 21 | <u> </u> | | | |
| Inspecti | on Date: | 3/17/2021 | | _ | | | |
| | | | | | | | |
| General | Description or Re | eference to Site P | lan: | | | | |
| This por pond. | nd is located West | of the industrial b | building and serve | es as a mine wat | er settling and wa | ter storag | e |
| EMBAN | KMENT | | | | | | |
| 1. | Adequacy of the | vegetative cover: | | Excellent | Moderate | Few | Poor |
| 2. | Erosion forming | = | | Extensive | Some | Few | None |
| 3. | Is wave action ca | | | EXCENSIVE | Joine | 1 0 00 | None |
| 3. | | upstream embank | ment? | Yes | | No | Х |
| | | rincipal spillway ii | | | | No | X |
| | 7 tt tt:0 p | о.ра. орта у | | . 55 | | | |
| 4. | Erosion of the do | ownstream toe of | the embankment | :? Yes | | No | Х |
| | Cause of | f erosion can be a | ttributed to: | | | | |
| | | | | | | | |
| 5. | Is seepage occur | ring through the c | dam? | Yes | | No | X |
| | Could th | nis seepage cause | potential instabil | ity? | | | |
| | | | | | | | |
| | | | | | | | |
| PRINICI | PAL SPILLWAY | | | | | | |
| | . , , , , , , , , , , , , , , , , , , , | | | | | | |
| 1. | | oillway system in v | _ | Yes | X | No | |
| 2. | | of debris and restr | | Yes | X | No | |
| 3. | _ | outlet free of restr | | Yes | X | No | |
| 4. | Is erosion occurri | ing at the dischar | ge outlet? | Yes | | No | Χ |
| | Evaluate the seve | erity: | Extensive | Moderate | Just Starting | None | |

| | | | NPDES ID. No.: 1 |
|---------------------------|--|-----------------------------------|-----------------------------|
| 1ERG | ENCY SPILLWAY | | |
| 1. | Does it appear that the emergency spills | way has discharged water since | the last inspection? |
| | | YES | NO <u>X</u> |
| 1. D 2. Is SEDMIME 1. H E | Is erosion occurring at any section of the | e emergency spillway? | |
| | | YES | NO <u>X</u> |
| DMII | MENT STORAGE CAPACITY | | |
| 1. | Has the design storage capacity of the re | eservoir been surpassed? YES | NO <u>X</u> |
| | Explain: No sediment in pond | | |
| HER | OBSERVATIONS | | |
| | Pond liner is in good working condition | at time of inspection. Pond was | holding water at time of |
| | Inspection. Mine dewatering in the Bate | es Portal is currently underway s | o the water level is rising |
| | | | <u>-</u> |
| | | | |

| Mine: | | New Elk | | | | | |
|----------|--------------------|--------------------|---|-----------|---------------|-----------|------|
| NPDES I | D. No.: | Pond #4 | | | | | |
| Inspecti | on Period: | First Quarter 20 | 021 | <u> </u> | | | |
| Inspecti | on Date: | 3/17/2021 | | | | | |
| This sed | • | nd lies west of th | Plan: The Development William received sufficients | | | form this | |
| · | · | | | | | | |
| EMBAN | KMENT | | | | | | |
| 1. | Adequacy of the | e vegetative cove | r: | Excellent | Moderate | Few | Poor |
| 2. | Erosion forming | | | Extensive | Some | Few | None |
| 3. | Is wave action ca | | | | | | |
| | | upstream embar | | | | No | X |
| | At the p | principal spillway | inlet? | Yes | | No | Χ |
| 4. | Erosion of the de | ownstream toe o | of the embankmen | t? Yes_ | | No | X |
| | Cause o | of erosion can be | attributed to: | | | | |
| 5. | Is seepage occur | rring through the | dam? | Yes_ | | No | X |
| | Could t | his seepage caus | e potential instabi | lity? | | | |
| | | | | | | | |
| PRINICI | PAL SPILLWAY | | | | | | |
| 1. | Is the principal s | spillway system ir | n working order? | Yes | X | No | |
| 2. | | of debris and rest | _ | Yes | - | | |
| 3. | | | strictive material? | Yes_ | | | |
| 4. | | ring at the discha | | Yes_ | | No | Χ |
| | Evaluate the sev | verity: | Extensive | Moderate | Just Starting | None | |

| ИERG | ENCY SPILLWAY | | | |
|------|---|----------------------------|----------------|-------|
| 1. | Does it appear that the emergency spillway ha | s discharged water since t | he last inspec | tion? |
| | | YES | NO | Х |
| 2. | Is erosion occurring at any section of the emer | gency spillway? | | |
| | | YES | NO | Х |
| DMI | MENT STORAGE CAPACITY | | | |
| 1. | Has the design storage capacity of the reservo | r been surpassed? YES | NO | Х |
| | Explain: Visual observation. | | | |
| HER | OBSERVATIONS | | | |
| | Pond is holding very little amount water but is | not close to discharging | | |
| | 1 Ond 15 Holding Very Title amount water but is | mot close to discharging. | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |

NPDES ID. No.: 4

| Mine: | | <u>New Elk</u> | | <u> </u> | | | |
|----------|------------|--|---|-----------|--------------------|----------|------|
| NPDES | ID. No.: | Pond #7 | | <u></u> | | | |
| Inspect | ion Period | d: <u>First Quart</u> | er 2021 | | | | |
| Inspect | ion Date: | 3/17/2021 | | | | | |
| Genera | l Descript | ion or Reference to | Site Plan: | | | | |
| | | | of the preparation plar s area lying south of St | | t receives run-off | from the | |
| EMBAN | IKMENT | | | | | | |
| 1. | - | cy of the vegetative o | cover: | Excellent | Moderate | Few | Poor |
| 2. 3. | | forming Gullies: action causing erosic | an: | Extensive | Some | Few | None |
| Э. | 15 Wave | On the upstream er | | Yes | | No | Χ |
| | | At the principal spill | | _ | | No | X |
| 4. | Erosion | of the downstream t | oe of the embankmen | t? Yes | | No | Х |
| | | Cause of erosion ca | n be attributed to: | | | | |
| | | | | | | | |
| 5. | Is seepa | ge occurring through | the dam? | Yes_ | | No | X |
| | | Could this seepage | cause potential instabi | ility? | | | |
| | | | | | | | |
| | | | | | | | |
| PRINIC | PAL SPILL | .WAY | | | | | |
| 1. | Is the pr | incipal spillway syste | em in working order? | Yes_ | X | No | |
| 2. | Is the in | let free of debris and | restrictive material? | Yes_ | X | No | |
| 3. | | _ | f restrictive material? | Yes_ | X | No | |
| 4. | Is erosic | on occurring at the di | scharge outlet? | Yes_ | | No | Х |
| | Evaluate | the severity. | Extensive | Moderate | Just Starting | None | |

| | | | NPDES ID. No.: 7 |
|--------|--|---------------------------------|---------------------------|
| EMERG | ENCY SPILLWAY | | |
| 1. | Does it appear that the emergency spills | way has discharged water since | the last inspection? |
| | | YES | NO <u>X</u> |
| 2. | Is erosion occurring at any section of the | e emergency spillway? | |
| | | YES | NO <u>X</u> |
| SEDMII | MENT STORAGE CAPACITY | | |
| 1. | Has the design storage capacity of the re | eservoir been surpassed? YES | NO <u>X</u> |
| | Explain: Visual observation. Pond cleaner | ed in early 2017. | |
| OTHER | OBSERVATIONS | | |
| | Pond is holding some water, not near th | e decant level. The pond has ah | out 6 inches of sediment. |
| | i ona io noranig some water, not near the | ne decame leven the pond has as | out o mones of seament. |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |

| Mine: | | New Elk | | <u> </u> | | | |
|----------|--------------------|------------------------------------|------------------------|-------------------|-------------------|------------|------|
| NPDES I | D. No.: | Pond #8 | | _ | | | |
| Inspecti | on Period: | First Quarter 2 | 2021 | _ | | | |
| Inspecti | on Date: | 3/17/2021 | | _ | | | |
| | | | | | | | |
| General | Description or R | eference to Site | Plan: | | | | |
| | | ghway 12 at the | base of the refuse of | disposal area. Th | e pond receives r | un-off for | m |
| ine reiu | se disposal area. | | | | | | |
| | VNAFNIT | | | | | | |
| | KMENT | | | Free Hank | 0.41 | F | D |
| 1. | Adequacy of the | = | er: | Excellent | Moderate | Few | Poor |
| 2. | Erosion forming | | | Extensive | Some | Few | None |
| 3. | Is wave action ca | _ | nleman+2 | Vos | | No | V |
| | | upstream emba principal spillwa | | | | No | |
| | At the p | orincipai spiliwa | y met? | Yes | | No | Χ |
| 4. | Erosion of the do | ownstream toe | of the embankment | ? Yes | | No | Х |
| | Cause o | of erosion can be | e attributed to: | | | | |
| | | | | | | | |
| 5. | Is seepage occur | ring through the | e dam? | Yes | | No | X |
| | | | | | | | |
| | Could ti | his seepage cau | se potential instabili | ty? | | | |
| | | | | | | | |
| | | | | | | | |
| PRINICI | PAL SPILLWAY | | | | | | |
| 1. | Is the principal s | pillway system i | n working order? | Yes | X | No | |
| 2. | | | strictive material? | Yes | | No | |
| 3. | | | strictive material? | Yes | | No | |
| 4. | Is erosion occurr | | | Yes | | No | Χ |
| | Evaluate the sev | ority: | Fytensive | Moderate | lust Starting | None | |
| | | | | | | | |

| 1. | Does it appear that the emergency spillway | has discharged water since | the last inspection? |
|-------|---|----------------------------|----------------------|
| | | YES | NOX |
| 2. | Is erosion occurring at any section of the en | nergency spillway? | |
| | | YES | NO <u>X</u> |
| EDMIN | MENT STORAGE CAPACITY | | |
| 1. | Has the design storage capacity of the reser | voir been surpassed? | |
| | | YES | NO X |
| | Explain: Visual observation. Sediment clear | ned out in May 2018 | |
| | | | |
| | _ | | |
| | | | |
| THER | OBSERVATIONS | | |
| | Pond is holding water, not near the decant | level. No new sediment has | s been deposited. |
| | | | |
| | There is very little sediment in the pond. | | |

NPDES ID. No.: 8

| Mine: | | New Elk Pond 6 | <u> </u> | | | |
|----------|--------------------|--|------------------------|------------------|------------|--------------|
| NPDES | ID. No.: | None | | | | |
| Inspect | ion Period: | First Quarter 2021 | | | | |
| Inspect | ion Date: | 3/17/2021 | | | | |
| Genera | l Description or R | eference to Site Plan: | | | | |
| | | ng facility designed to contain plan is now used to dewater other pon | | | oeen idle | |
| EMBAN | IKMENT | | | | | |
| 1. 2. | Erosion forming | | Excellent Extensive | Moderate Some | Few Few | Poor None |
| 3. | | nusing erosion: upstream embankment? orincipal spillway inlet? | | | No No | |
| 4. | Erosion of the do | ownstream toe of the embankmer | nt? Yes | | No | Х |
| | Cause o | f erosion can be attributed to: | | | | |
| 5. | Is seepage occur | ring through the dam? | Yes | | No | Х |
| | Could th | nis seepage cause potential instab | ility? | | | |
| SEDMII | MENT STORAGE C | APACITY | | | | <u> </u> |
| 1. | Has the design s | torage capacity of the reservoir be | een surpassed? YES | NO | Х | |
| | Explain: No desi | gn capacity. | | | | |
| OTHER | OBSERVATIONS | | | | | |
| | Pond is holding v | water, not close to full. | | | | |

| Mine: | | New Elk WP Containment #1 | _ | | | |
|---------|----------------------------------|--|---------------------|-------------------|--------|------|
| NPDES | ID. No.: | None | _ | | | |
| Inspect | ion Period: | First Quarter 2021 | _ | | | |
| Inspect | ion Date: | 3/17/2021 | _ | | | |
| Genera | l Description or Re | eference to Site Plan: | | | | |
| | ntainment basin is ouse area. | a non-discharging facility designed | to contain run-c | off from the West | Portal | |
| EMBAN | IKMENT | | | | | |
| 1. | Adequacy of the | vegetative cover: | Excellent | Moderate | Few | Poor |
| 2. | Erosion forming | | Extensive | Some | Few | None |
| 3. | Is wave action ca | using erosion: | | | | |
| | On the (| upstream embankment? | Yes | | No | Χ |
| | At the p | rincipal spillway inlet? | Yes | | No | Х |
| 4. | Erosion of the do | ownstream toe of the embankment? | Yes | | No | X |
| | Cause o | f erosion can be attributed to: | | | | |
| 5. | Is seepage occur | ring through the dam? | Yes | | No | Х |
| | Could th | nis seepage cause potential instabilit | ty? | | | |
| SEDMII | MENT STORAGE CA | APACITY | | | | |
| 1. | Has the design st | corage capacity of the reservoir beer | n surpassed? YES | NO_ | X | |
| | Explain: <u>Visual o</u> | bservation. | | | | |
| OTHER | OBSERVATIONS | | | | | |
| | Containment are | a has little water | | | | |
| | containment are | a has little water. | | | | _ |

| Mine: | | New Elk WP Containment #2 | _ | | | |
|----------|---------------------------------------|---|----------------------|-------------------|--------|------|
| NPDES | ID. No.: | None | _ | | | |
| Inspecti | ion Period: | First Quarter 2021 | | | | |
| Inspecti | ion Date: | 3/17/2021 | | | | |
| Genera | l Description or Re | eference to Site Plan: | | | | |
| | ntainment basin is and manway area | a non-discharging facility designed as. | to contain run- | off from the West | Portal | |
| EMBAN | IKMENT | | | | | |
| 1. | Adequacy of the | vegetative cover: | Excellent | Moderate | Few | Poor |
| 2. | Erosion forming | | Extensive | Some | Few | None |
| 3. | Is wave action ca | using erosion: | | | | |
| | | upstream embankment? | Yes | | No | |
| | At the p | rincipal spillway inlet? | Yes | | No | Х |
| 4. | Erosion of the do | ownstream toe of the embankment | :? Yes | | No | Х |
| | Cause o | f erosion can be attributed to: | | | | |
| 5. | Is seepage occur | ring through the dam? | Yes | | No | Х |
| | Could th | nis seepage cause potential instabil | ity? | | | |
| SEDMIN | MENT STORAGE CA | APACITY | | | | |
| 1. | Has the design st | corage capacity of the reservoir bee | en surpassed? YES | NO | Х | |
| | Explain: Visual o | bservation. | | | | |
| OTHER | OBSERVATIONS | | | | | |
| | Containment is e | emntv | | | | |
| | Contaminent is E | inibri. | | _ | | |

| Mine: | | New Elk Containment #3 | | | | |
|----------|--------------------|--|------------------------|-------------------|------------|--------------|
| NPDES | ID. No.: | None | | | | |
| Inspect | ion Period: | First Quarter 2021 | | | | |
| Inspect | ion Date: | 3/17/2021 | | | | |
| Genera | l Description or R | eference to Site Plan: | | | | |
| | | ainment basin is a non-dischargir conveyor and south of Highway 1 | | to contain run-of | f from the | |
| EMBAN | IKMENT | | | | | |
| 1. 2. | Erosion forming | | Excellent Extensive | Moderate Some | Few Few | Poor None |
| 3. | | ausing erosion: upstream embankment? orincipal spillway inlet? | Yes Yes | | No No | |
| 4. | Erosion of the do | ownstream toe of the embankme | nt? Yes | | No | X |
| | Cause c | of erosion can be attributed to: | - | | | |
| 5. | Is seepage occur | ring through the dam? | Yes | | No | Х |
| | Could t | his seepage cause potential instal | bility? | | | |
| SEDMII | MENT STORAGE C | APACITY | | | | <u> </u> |
| 1. | Has the design s | torage capacity of the reservoir b | een surpassed? YES | NO | Х | |
| | Explain: Visual o | bservation. | | | | |
| OTHER | OBSERVATIONS | | | | | |
| | Containment Are | ea is dry. | | | | |

| Mine: | | New Elk Containment #4 | | | | | | | |
|--|---|--|-----------|---------------------|-------------|----------|--|--|--|
| NPDES ID. No.: | | None | | | | | | | |
| Inspection Period: | | First Quarter 2021 | | | | | | | |
| Inspection Date: | | 3/17/2021 | | | | | | | |
| Genera | l Description or R | eference to Site Plan: | | | | | | | |
| | | ainment basin is a non-dischargin conveyor and south of Highway | | l to contain run-of | ff from the | : | | | |
| EMBAN | IKMENT | | | | | | | | |
| 1. | Adequacy of the vegetative cover: | | Excellent | Moderate | Few | Poor | | | |
| 2. | Erosion forming | Gullies: | Extensive | Some | Few | None | | | |
| 3. | Is wave action ca | ausing erosion: | | | | <u> </u> | | | |
| On the | | upstream embankment? | Yes | | No | Χ | | | |
| | At the p | orincipal spillway inlet? | Yes | | No | Х | | | |
| 4. | Erosion of the do | ownstream toe of the embankme | nt? Yes | | No | Χ | | | |
| Cause of erosion can be attributed to: | | | | | | | | | |
| 5. | Is seepage occur | ring through the dam? | Yes | | No | X | | | |
| | Could this seepage cause potential instability? No embankment, this is an incised contains basin. | | | | | | | | |
| SEDMI | MENT STORAGE C | APACITY | | | | | | | |
| 1. | . Has the design storage capacity of the reservoir been surpassed? YES NOX | | | | | | | | |
| | Explain: Visual o | bservation. | | | | | | | |
| OTHER | OBSERVATIONS | | | | | | | | |
| | Containment Area is dry. | | | | | | | | |
| | | | | | | | | | |

| Mine: | | New Elk Containment #5 | | | | | | | | |
|---|--|--|----------------------|------------------|-------------|------|--|--|--|--|
| NPDES ID. No.: | | None | | | | | | | | |
| Inspection Period: | | First Quarter 2021 | | | | | | | | |
| Inspection Date: | | 3/17/2021 | | | | | | | | |
| Genera | l Description or Ro | eference to Site Plan: | | | | | | | | |
| | • | ainment basin is a non-dischargir orth of Highway 12. | ng facility designed | to contain run-o | ff from the | | | | | |
| EMBAN | IKMENT | | | | | | | | | |
| 1. | Adequacy of the | vegetative cover: | Excellent | Moderate | Few | Poor | | | | |
| 2. | _ | | Extensive | Some | Few | None | | | | |
| 3. | Is wave action ca | | | | | | | | | |
| | | upstream embankment? | Yes | | No | Χ | | | | |
| | | rincipal spillway inlet? | | | No | Х | | | | |
| 4. | Erosion of the do | ownstream toe of the embankme | ent? Yes | | No | Χ | | | | |
| | 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. | | | | | | | | | |
| SEDMII | MENT STORAGE CA | APACITY | | | | | | | | |
| 1. | . Has the design storage capacity of the reservoir been surpassed? YES NOX | | | | | | | | | |
| | Explain: Visual o | bservation. | | | | | | | | |
| OTHER | OBSERVATIONS | | | | | | | | | |
| Containment Area is empty. Sediment was cleaned in quarter 2 of 2020. | | | | | | | | | | |

QUARTERLY SEDIMENTATION POND INSPECTION REPORT New Elk Mine- March 17. 2021



Pond 1





Pond 6







Containment Area #1



Containment Area #2



Containment Area #3



Containment Area #4



Containment Area #5

Certification

This inspection was conducted by Vince Massarotti, a qualified professional and MSHA certified inspector of earth and rock-fill embankments, waste banks and impoundments, under the direction of Mr. Randal S. Simpson, a registered professional engineer licensed in the State of Colorado.

This is to certify, to the best of my knowledge and belief, that maintenance, since the previous certification and as determined during this inspection and discussions with mine personnel, is in accordance with designs as approved by the Division of Reclamation, Mining and Safety.

Inspector

Date

Randal S. Simpson

13-24-2021

Date

Inspections completed in compliance with Rule 4.09.1(11)(b) must be submitted to exercise within two weeks of completion.