Mine:		New Elk		<u> </u>			
NPDES I	D. No.:	Pond #1		<u> </u>			
Inspecti	on Period:	Third Quar	ter 2021				
Inspecti	on Date:	9/20/2021		_			
Canaral	Doccrinti	on or Reference to	Cita Diani				
	-		strial building and serve	as as a mina wat	er settling and wa	ter storage	۵
pond.	iu is iocate	ed West of the made	striai bullullig allu sei ve	es as a fillife wat	er settillig allu wa	ter storage	C
EMBAN	KMENT						
1.	Adequacy	y of the vegetative o	cover:	Excellent	Moderate	Few	Poor
2.		orming Gullies:		Extensive	Some	Few	None
3.		ction causing erosic	on:				
		On the upstream er		Yes		No	Χ
		At the principal spill		Yes		No	X
4.	Erosion o	f the downstream t	oe of the embankment	:? Yes		No	Х
		Cause of erosion ca	n be attributed to:				
	-						
5.	Is seepag	e occurring through	the dam?	Yes		No	Х
		Could this seepage	cause potential instabil	ity?			
	-						
PRINICII	PAL SPILLV	VAY					
1	la tha mri	acinal cailly averages	Caphae anishasse or den	Vos	V	No	
1. 2.	-		em in working order? I restrictive material?	Yes	X 	No	
				Yes		No	
3.		-	f restrictive material?	Yes	X	No	
4.	is erosior	occurring at the di	scharge outlet?	Yes		No	X
	Evaluate	the severity:	Extensive	Moderate	Just Starting	None	

EMERG	ENCY 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 emergence	y spillway?				
		YES	NO	X		
SEDMII	MENT STORAGE CAPACITY					
1.	Has the design storage capacity of the reservoir bee	en surpassed? YES	NO	X		
	Explain: No sediment in pond					
OTHER	OBSERVATIONS					
	Pond liner is in good working condition at time of in	nspection. Pond was holdin	g water	at time of		
	Inspection. The mine is putting water into the pond	. Water level has not raise	d much s	since mining		

began in late May.

Mine:		New Elk					
NPDES	ID. No.:	<u>Pond #4</u>		<u></u>			
nspect	ion Period:	Third Quar	ter 2021				
nspect	ion Date:	9/20/2021		<u> </u>			
	-	or Reference to	Site Plan: of the Development W	aste Pile. The ma	ijority of run-off f	orm this	
		•	ever received sufficien				
- N A D A N	IVA A FAIT						
	IKMENT	f +la		Eventlant	Madayata	Fa	Dear
1.		f the vegetative of	cover:	Excellent	Moderate	Few	Poor
2.	Erosion forn	_		Extensive	Some	Few	None
3.		on causing erosic					
	On	the upstream er	nbankment?	Yes		No	X
	At '	the principal spill	way inlet?			No	Χ
			·				
4.	Erosion of tl	ne downstream t	oe of the embankmen	t? Yes		No	X
	Cau	use of erosion ca	n be attributed to:				
5.	Is seepage o	occurring through	the dam?	Yes		No	X
	Cor	uld this seepage	cause potential instabi	lity?			
PRINICI	PAL SPILLWA	Y					
1.	Is the princi	pal spillwav syste	em in working order?	Yes	Х	No	
2.			restrictive material?	Yes	X	No	
3.			f restrictive material?	Yes	X	No	
3. 4.		ccurring at the di		Yes	Λ	No	X
т.	13 01 031011 01	ccarring at the al	Jenaige Outiet:	163	,	110	
	Evaluate the	e severity:	Extensive	Moderate	Just Starting	None	

EMERG	ENCY SPILLWAY			
1.	Does it appear that the emergency spillway has disc	charged water since the las	t inspect	ion?
		YES	NO	Х
2.	Is erosion occurring at any section of the emergency	y spillway?		
		YES	NO	X
SEDMI	MENT STORAGE CAPACITY			
1.	Has the design storage capacity of the reservoir bee	en surpassed? YES	NO	Х
	Explain: <u>Visual observation.</u>			
OTHER	OBSERVATIONS			
	Pond is holding a very little amount water and is no	t close to discharging. Area	a around	<u>decant</u>
	needs to be cleaned of vegetation.			

Mine:		New Elk Pond 6	<u> </u>			
NPDES	ID. No.:	None				
Inspect	ion Period:	Third Quarter 2021	<u> </u>			
Inspect	ion Date:	9/20/2021	<u> </u>			
Genera	l Description or Ro	eference to Site Plan:				
	is a non-dischargir paringly placing wa	ng facility designed to contain plant ater in the pond.	processing wate	er. The plant is op	erational	
EMBAN	IKMENT					
1.	Adequacy of the	vegetative cover:	Excellent	Moderate	Few	Poor
2.	Erosion forming		Extensive	Some	Few	None
3.	Is wave action ca	=				
		upstream embankment?			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?			
SEDMII	MENT STORAGE CA	APACITY				<u> </u>
1.	Has the design st	torage capacity of the reservoir bee	en surpassed? YES	NO	Х	
	Explain: No desi	gn capacity.				
OTHER	OBSERVATIONS					
	Pond is holding v	vater, but it is not close to full.				

Mine:		<u>New Elk</u>					
NPDES	ID. No.:	Pond #7					
Inspect	ion Period	d: <u>Third Quar</u>	ter 2021				
Inspect	ion Date:	9/20/2021					
Genera	l Descript	ion or Reference to	Site Plan:				
			of the preparation pla s area lying south of S			from the	
EMBAN	IKMENT						
1.	Adequa	cy of the vegetative o	cover:	Excellent	Moderate	Few	Poor
2. 3.		forming Gullies: action causing erosic	un:	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 embankmer	nt? Yes		No	Х
		Cause of erosion ca	n be attributed to:				
5.	Is seepa	ge occurring through	the dam?	Yes_		No	Х
		Could this seepage	cause potential instab	ility?			
PRINICI	PAL SPILL	.WAY					
1.			m in working order?	Yes_	X	No	
2.			restrictive material?	Yes_	X	No	
3.		_	f restrictive material?		X	No	
4.	Is erosic	on occurring at the di	scharge outlet?	Yes_		No	Х
	Evaluate	the severity	Extensive	Moderate	Just Starting	None	

MERC	GENCY SPILLWAY		
1.	Does it appear that the emergency spillwa	y has discharged water sinc	ce the last inspection?
		YES	NOX
2.	Is erosion occurring at any section of the e	mergency spillway?	
		YES	NO X
SEDMI	MENT STORAGE CAPACITY		
1.	Has the design storage capacity of the rese	ervoir been surpassed? YES	NOX
	Explain: Visual observation. Pond cleaned	in early 2017.	
OTHER	R OBSERVATIONS		
	Pond is holding water, not near the decant	level. The pond is in good	working condition.

Mine:		New Elk					
NPDES I	ID. No.:	<u>Pond #8</u>		<u></u>			
Inspecti	ion Period	: <u>Third Quar</u>	ter 2021				
Inspecti	ion Date:	9/20/2021					
Genera	l Descript	ion or Reference to	Site Plan:				
-	nd lies noi ise dispos		the base of the refus	e disposal area. [°]	The pond receives	run-off for	m
EMBAN	KMENT						
1.	Adequad	cy of the vegetative o	cover:	Excellent	Moderate	Few	Poor
2.		forming Gullies:		Extensive	Some	Few	None
3.		action causing erosic	on:				
		On the upstream en		Yes		No	Χ
		At the principal spill				No	
4.	Erosion	of the downstream t	oe of the embankme	nt? Yes_		No	Х
		Cause of erosion ca	n be attributed to:				
5.	Is seepa	ge occurring through	the dam?	Yes_		No	Х
		Could this seepage	cause potential instab	oility?			
PRINICI	PAL SPILL	WAY					
1.	Is the pr	incipal spillway syste	em in working order?	Yes	Х	No	
2.			restrictive material?	Yes			
3.			f restrictive material?	-			
4.		n occurring at the di		Yes			Χ
		-	-	- -			
	Evaluate	the severity:	Extensive	Moderate	Just 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 em	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 <u>X</u>
	Explain: Visual observation. Sediment clean	ed out in May 2018	
THER (OBSERVATIONS		
	Pond is holding water, not near the decant l	evel. No new sediment has	been deposited.
	_		
	There is very little sediment in the pond.		

Mine:		New Elk WP Containment #1	_			
NPDES	ID. No.:	None	_			
Inspect	ion Period:	Third Quarter 2021	_			
Inspect	ion Date:	9/20/2021	_			
Genera	l Description or Re	eference to Site Plan:				
	ntainment basin is ouse area.	a non-discharging facility designed	to contain run-o	ff from the West	Portal	
EMBAN	IKMENT					
2.	Adequacy of the Erosion forming Is wave action ca	Gullies:	Excellent Extensive	Moderate Some	Few Few	Poor None
<i>J</i> .	On the	upstream embankment? rincipal spillway inlet?				X
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 instabili	ty?			
SEDMI	MENT STORAGE CA	APACITY				
1.	Has the design st	orage capacity of the reservoir beer	n surpassed? YES	NO	Х	_
	Explain: Visual o	bservation.				
OTHER	OBSERVATIONS					
	Containment are	a was holding water at the time of i	nspection. Not r	near top of embar	nkment.	

Mine:		New Elk WP Containment #2	_			
NPDES	ID. No.:	None	_			
Inspect	ion Period:	Third Quarter 2021	_			
Inspect	ion Date:	9/20/2021	_			
Genera	l Description or R	eference to Site Plan:				
	ntainment basin is t and manway area	a non-discharging facility designed as.	to contain run-o	ff from the West	Portal	
EMBAN	IKMENT					
1. 2. 3.			Excellent Extensive	Moderate Some	Few Few	Poor None
		upstream embankment?			No	
	At the p	orincipal spillway inlet?	Yes		No	Χ
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 the	nis seepage cause potential instabili	ty?			
SEDMII	MENT STORAGE C	APACITY				
1.	Has the design s	torage capacity of the reservoir bee	n surpassed? YES	NO	Х	
	Explain: Visual o	bservation.				
OTHER	OBSERVATIONS					
	Containment wa	s empty at time of inspection. There	e were signs of re	ecent sediment a	nd water i	<u>n</u>

Mine:		New Elk Containment #3				
NPDES	ID. No.:	None	_			
Inspecti	ion Period:	Third Quarter 2021	_			
Inspecti	ion Date:	9/20/2021	_			
Genera	l Description or Ro	eference to Site Plan:				
-	•	ainment basin is a non-discharging conveyor and south of Highway 12	-	to contain run-of	f from the	1
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 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 instabil	ity?			
SEDMIN	MENT STORAGE CA	APACITY				<u> </u>
1.	Has the design st	torage capacity of the reservoir bee	en surpassed? YES	NO	Х	
	Explain: Visual o	bservation.				
OTHER	OBSERVATIONS					
	Containment Are	ea was dry at time of inspection.				

Mine:		New Elk Containment #4							
NPDES ID. No.:		None							
Inspection Period:		Third Quarter 2021							
Inspection Date:		9/20/2021							
Genera	l Description or Ro	eference to Site Plan:							
-	•	ainment basin is a non-discharg conveyor and south of Highwa		I to contain run-of	f from the	<u>)</u>			
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	using erosion:							
On the		upstream embankment?	Yes		No	Χ			
	At the p	rincipal spillway inlet?	Yes		No	Х			
4. Erosion of the downs		ownstream toe of the embankm	ent? Yes_		No	Х			
	Cause of erosion can be attributed to:								
5.	Is seepage occurring 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 NOX								
	Explain: <u>Visual o</u>	bservation.							
OTHER	OBSERVATIONS								
	Containment Are	ea was dry at time of inspection							

Mine:		New Elk Containment #5								
NPDES ID. No.:		None								
Inspection Period:		Third Quarter 2021								
Inspection Date:		9/20/2021								
Genera	l Description or	Reference to Site Plan:								
		ntainment basin is a non-dischar north of Highway 12.	ging facility designed	I to contain run-o	ff from the	!				
EMBAN	IKMENT									
1.	Adequacy of th	ne vegetative cover:	Excellent	Moderate	Few	Poor				
2.	Erosion forming Gullies:		Extensive	Some	Few	None				
3.	•									
		e upstream embankment?	Yes	Yes		Χ				
	At the	principal spillway inlet?			No	Χ				
4.	Erosion of the	downstream toe of the embankr	nent? Yes_		No	Х				
	Cause	of erosion can be attributed to:								
5.	Is seepage occ	urring through the dam?	Yes_		No	Х				
Could this seepage cause potential instability? No embankment, this is an incised contain basin.										
SEDMII	MENT STORAGE	CAPACITY								
1.	Has the design storage capacity of the reservoir been surpassed? YES NOX NO YES NO X									
	Explain: <u>Visual</u>	observation.								
OTHER	OBSERVATIONS									
	Containment Area was holding water. Sediment was cleaned in quarter 2 of 2020.									
	Containment Area was notuing water. Sediment was cleaned in quarter 2 of 2020.									

QUARTERLY SEDIMENTATION POND INSPECTION REPORT New Elk Mine- September 20, 2021



Pond 1



Pond 4



Pond 6



Pond 7



Pond 8





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. Steve Miller 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

09/25/2021

Date

Inspections completed in compliance with Rule 4.09.1(11)(b) must be suf-

thin two weeks of completion.