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October 18, 2022

State of Colorado
Division of Reclamation, Mining & Safety
1313 Sherman St., Room 215
Denver, CO 80203

Attn: Janet Binns, Environmental Protection Specialist III

Re: GCC Energy, LLC, King II Mine
CDRMS Permit # C-1981-035
Stoner Engineering: Quarterly Inspection: Refuse Pile
3rd Quarter 2022

Ms. Binns:

Please find enclosed a copy of Stoner Engineering's Quarterly Inspection report of the King I mine refuse pile/embankment for the 3rd quarter of 2022.

Please contact me at 505.238.8272 or svance@gcc.com if you have any questions or require any additional information.

Sincerely,

A handwritten signature in blue ink, appearing to read "Sarah Vance", is positioned above a faint, illegible line of text.

Sarah Vance
Environmental Manager
GCC Energy, LLC

Stoner Engineering & Surveying
Engineering, Testing & Surveying

Date: October 4, 2022

To: Jordan McCourt
Project Coordinator
GCC Energy, LLC
6473 County Road 120
Hesperus, CO 81326
(970) 385-4528



From: Ryan Griglak, P.E.
Project Manager
Stoner Engineering & Surveying

Re: King Coal I – Quarterly Waste Pile/Embankment Inspection

On September 28, 2022, Ryan Griglak, P.E. visited the GCC Energy, LLC King I Mine site to conduct the quarterly inspection of the coal waste pile/embankment. Mr. Griglak, P.E. has conducted inspections for the placement of earthwork/embankment fill material for numerous commercial, residential and municipal projects in which buildings, roadways and parking facilities were installed over the placed materials.

The south treated water ditch (Reach 10) and the north clear water ditch (Reach 1) are in generally good condition. The sedimentation at the culvert inlet under the haul road located under the vertical face has been cleaned out since the last inspection. There has been some additional sedimentation of the north clear water ditch as a result of the recent storm events. This needs to be cleaned out to maintain ditch capacities (see Pic. 1).

There has been a limited amount of waste material placed at the top of the main waste embankment pile since the previous inspection. There has been additional material placed on the lower pile (see Pic. 2). The slope of the top of the existing pile is closer to that defined in the Waste Bank Design produced by Don May, 1997.

The face of the main embankment appeared to be in generally good condition. There were no signs of excessive erosion, instability, sloughing or weakness observed on the face of either of the waste embankment piles at the time of the inspection (see Pic. 3).

The only structure with any proximity to the embankment material is the old, abandoned bath house which is no longer utilized. The temporary construction/project office trailer and fueling station that had been located in the area of the mine rescue training area (south of the east sediment pond) have been removed (see Pic. 4).

The waste pile has been and continues to be constructed and maintained as specified in the design approved by the Division of Reclamation, Mining & Safety. Potential hazards to life and property are minimal due to the fact that GCC has moved most of their operations to their King II facility and the temporary construction office is located away from the waste embankment pile.

Please let me know if you have any additional questions or concerns in regards to the issues that are discussed above.

Sincerely,



Ryan M. Griglak, P.E.
Project Manager



Pic. 1 –Reach 1, sedimentation of channel due to recent storms.



Pic. 2 –Additional waste material, lower pile.



Pic. 3 – Face of main embankment waste pile, typical.



Pic 4 – Temporary construction office and fueling station removed from site.