Mine:		New Elk		_			
NPDES I	D. No.:	Pond #1		_			
Inspecti	on Period:	Fourth Quar	rter 2022	_			
Inspecti	on Date:	12/11/2022		_			
General	Description o	r Reference to S	ite Plan:				
This por pond.	nd is located W	est of the indust	trial building and serve	s as a mine wat	er settling and w	ater storag	e
EMBAN	KMENT						
1.	Adequacy of	the vegetative co	over:	Excellent	Moderate	Few	Poor
2.	Erosion formi	_		Extensive	Some	Few	None
3.		n causing erosion					
		he upstream em				No	
	At tr	ie principal spillv	way inlet?	Yes		No	X
4.	Erosion of the	e downstream to	e of the embankment	? Yes		No	X
	Caus	e of erosion can	be attributed to:				
5.	Is seepage oc	curring through	the dam?	Yes		No	Х
	Coul	d this seepage c	ause potential instabili	ty?			
PRINICII	PAL SPILLWAY						
1.	Is the principa	al spillway syster	m in working order?	Yes	X	No	
2.			restrictive material?	Yes	X	No	
3.			restrictive material?	Yes	X	No	
4.	Is erosion occ	urring at the dis	charge outlet?	Yes		No	Х
	Evaluate the	severity:	Extensive	Moderate	Just Starting	None	

			NPDES ID. No.: 1
EMERG	ENCY SPILLWAY		
1.	Does it appear that the emergency spillway has dischar	rged water since the las	t inspection?
	YI	ES	NOX
2.	Is erosion occurring at any section of the emergency sp	oillway?	
	YI	ES	NOX
SEDMII	MENT STORAGE CAPACITY		
1.	Has the design storage capacity of the reservoir been s	urpassed? ES	NO <u>X</u>
	Explain: No sediment in pond		
OTHER	OBSERVATIONS		
	Pond liner is visibly in good working condition at time of	of inspection. Pond was	about 1/2 full at time
	Inspection. No issues		

Mine:		<u>New Elk</u>					
NPDES	ID. No.:	Pond #4		<u> </u>			
Inspect	ion Period:	Fourth Qua	arter 2022				
Inspect	ion Date:	12/11/202	2	_			
Genera	l Descriptio	on or Reference to	Site Plan:				
			of the Development W ever received sufficien			form this	
EMBAN	IKMENT						
1.		y of the vegetative o	cover:	Excellent	Moderate	Few	Poor
2.		orming Gullies:		Extensive	Some	Few	None
3.		ction causing erosic On the upstream er		Voc		No	V
		At the principal spil				No No	
	•	At the principal spin	iway iinet:	103_			Λ
4.	Erosion o	of the downstream t	oe of the embankmen	t? Yes_		No	X
	1	Cause of erosion ca	n be attributed to:				
5.	ls seenag	e occurring through	o the dam?	Ves		No	Х
5.					_		
	ı	Could this seepage	cause potential instabi	lity?			
	•						
PRINICI	PAL SPILLV	WAY					
1.	Is the pri	ncipal spillwav svste	em in working order?	Yes	Χ	No	
2.			I restrictive material?	Yes_	X	No	
3.		•	f restrictive material?	Yes_	X	No	
4.	Is erosion	n occurring at the di	scharge outlet?	Yes_		No	X
	Evaluate	the severity:	Extensive	Moderate	Just Starting	None	

EMERG	GENCY SPILLWAY			
1.	Does it appear that the emergency spillway has disc	charged water since the la	st inspection?	
		YES	NO <u>X</u>	
2.	Is erosion occurring at any section of the emergence	y spillway?		
		YES	NO <u>X</u>	
SEDMI	MENT STORAGE CAPACITY			
1.	Has the design storage capacity of the reservoir bee	en surpassed? YES	NO <u>X</u>	
	Explain: Visual observation.			
				
OTHER	OBSERVATIONS			
	Pond was dry and no issues found.			

NPDES ID. No.: 4

Mine:		New Elk					
NPDES	ID. No.:	<u>Pond #7</u>					
nspect	ion Period:	Fourth Qua	arter 2022				
nspect	ion Date:	12/11/202	2				
~~~~	l Dagawintia	w ou Defeuence to	Cita Blanc				
<b>J</b> enera	Descriptio	n or Reference to	Site Plan:				
		•	of the preparation plar s area lying south of St	•		from the	
пајопт	y or the acti	ve surface facilitie	s area lying south of Si	iate fiigiiway 12.			
MBAN	IKMENT						
1.	Adequacy	of the vegetative of	cover:	Excellent	Moderate	Few	Poor
2.		rming Gullies:		Extensive	Some	Few	None
3.	Is wave ac	tion causing erosid	on:				
	C	n the upstream er	mbankment?	Yes_		No	X
	А	t the principal spil	lway inlet?			No	X
4.	Erosion of	the downstream t	toe of the embankmen	nt? Yes_		No	X
	C	ause of erosion ca	n be attributed to:				
	_						
5.	Is seepage	occurring through	n the dam?	Yes_		No	X
	C	ould this seepage	cause potential instab	ilitv?			
		, 0	•	,			
	-						
PRINICI	PAL SPILLW	/AY					
1.	Is the prin	cipal spillway syste	em in working order?	Yes_	X	No	
2.			d restrictive material?	Yes_	Х	No	
3.	Is the disc	harge outlet free o	of restrictive material?	Yes_	Х	No	
4.	Is erosion	occurring at the di	ischarge outlet?	Yes_		No	X
	Evaluate t	he severity:	Extensive	Moderate	Just Starting	None	

	Does it appear that the emergency spillway		
		YES	NO <u>X</u>
2.	Is erosion occurring at any section of the en	nergency spillway?	
		YES	NOX
DMI	MENT STORAGE CAPACITY		
1.	Has the design storage capacity of the reser	•	
		YES	NO <u>X</u>
	Explain: Visual observation. Pond cleaned in	n early 2017.	
ΓHER	OBSERVATIONS		
	Pond is holding water at time of inspection.	Not discharging and no issu	ies found.

NPDES ID. No.: 7

Mine:		<u>New Elk</u>					
NPDES	ID. No.:	Pond #8					
Inspect	ion Perioc	l: <u>Fourth Qua</u>	arter 2022				
Inspect	ion Date:	12/11/202	2				
Genera	l Descript	ion or Reference to	Site Plan:				
	nd lies no use dispos		the base of the refuse	e disposal area. T	he pond receives	run-off for	m
EMBAN	IKMENT						
1.	Adequa	cy of the vegetative o	cover:	Excellent	Moderate	Few	Poor
2.		forming Gullies:		Extensive	Some	Few	None
3.	Is wave	action causing erosic		v			v
		On the upstream en				No	
		At the principal spill	way iniet?	res_		No	Λ
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
			cause potential instab				
PRINICI	PAL SPILL	WAY					
1.	Is the pr	incipal spillway syste	em in working order?	Yes_	X	No	
2.			restrictive material?	Yes_	X	No	
3.		_	f restrictive material?	Yes_	X	No	
4.	Is erosio	n occurring at the di	scharge outlet?	Yes_		No	X
	Evaluate	the severity:	Extensive	Moderate	Just Starting	None	

EMERGE	ENCY SPILLWAY			
1.	Does it appear that the emergency spillway has disch	narged water since the la	ast inspect	ion?
		YES	NO	X
2.	Is erosion occurring at any section of the emergency	spillway?		
		YES	NO	Х
SEDMIN	MENT 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			
	Water is at bottom of the gauge. No issues found at	time of inspection.		

NPDES ID. No.: 8

Mine:		New Elk Pond 6	_			
NPDES	ID. No.:	None	_			
Inspect	ion Period:	Fourth Quarter 2022	_			
Inspect	ion Date:	12/11/2022	_			
Genera	al Description or	Reference to Site Plan:				
	_	ging facility designed to contain plant water in the pond.	processing wat	er. The plant is op	erational	
EMBAN	NKMENT					
1.	Adequacy of th	e vegetative cover:	Excellent	Moderate	Few	Poor
2.	Erosion formin		Extensive	Some	Few	None
3.	Is wave action	causing erosion:				
	On the	e upstream embankment?	Yes_		No	Χ
	At the	principal spillway inlet?	Yes_		No	Х
4.	Erosion of the	downstream toe of the embankment?	Yes_		No	Х
	Cause	of erosion can be attributed to:				
5.	Is seepage occu	urring through the dam?	Yes_		No	Х
	Could	this seepage cause potential instabilit	ty?			
SEDMII	MENT STORAGE	CAPACITY				<del></del> ,
1.	Has the design	storage capacity of the reservoir beer	n surpassed? YES	NO	Х	
	Explain: No de	sign capacity.				
OTHER	OBSERVATIONS					
	Pond holding w	vater in it at time of inspection. No iss	sues	`		
	. ona notating W	atte it at time of inspection. No is.				

Mine:		New Elk WP Containment #1	_			
NPDES	ID. No.:	None	_			
Inspect	ion Period:	Fourth Quarter 2022	_			
Inspect	ion Date:	12/11/2022	_			
Genera	l Description or Ro	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.			Extensive	Some	Few	None
3.						
		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	Χ
	Could th	nis seepage cause potential instabili	ty?			
SEDMI	MENT STORAGE CA	APACITY				
1.	Has the design st	corage capacity of the reservoir been	n surpassed? YES	NO_	Х	
	Explain: Visual o	bservation.				
OTHER	OBSERVATIONS					
	Containment wa	s holding a small amount of water a	at time of inspec	ction. In good sha	pe.	

Mine:		New Elk WP Containment #2	<u> </u>			
NPDES	ID. No.:	None	_			
Inspect	ion Period:	Fourth Quarter 2022	_			
Inspect	ion Date:	12/11/2022	_			
Genera	l Description or Re	eference to Site Plan:				
	ntainment basin is and manway area	a non-discharging facility designed as.	to contain run-o	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					
	On the	upstream embankment?	Yes		No	Χ
	At the p	rincipal spillway inlet?			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?			
SEDMI	MENT STORAGE CA	APACITY				<u> </u>
1.	Has the design st	torage capacity of the reservoir bee	en surpassed? YES	NO_	Х	
	Explain: <u>Visual o</u>	bservation.				
OTHER	OBSERVATIONS					
	The containment	t was dry at time of inspection to a	and shame			
	ine containment	t was dry at time of inspection. In g	oou snape.			

Mine:		New Elk Containment #3	_			
NPDES	ID. No.:	None	_			
Inspect	ion Period:	Fourth Quarter 2022	_			
Inspect	ion Date:	12/11/2022	_			
Genera	l Description or Re	eference to Site Plan:				
		ainment basin is a non-discharging factoring f	acility designed	to contain run-of	ff from the	!
EMBAN	NKMENT					
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	X
	At the p	rincipal spillway inlet?			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_	Х	
	Explain: Visual o	bservation.				
OTHER	OBSERVATIONS					
	Containment Are	ea was dry at time of inspection. No	iccupc			
	Containment Are	a was any at time or mspection. No	133463			_

Mine:  NPDES ID. No.:  Inspection Period:  Inspection Date:		New Elk Containment #4						
		None Fourth Quarter 2022						
		Genera	l Description or	Reference to Site Plan:				
		ntainment basin is a non-discharg elt conveyor and south of Highwa		I to contain run-o	ff from the			
EMBAN	IKMENT							
1.	Adequacy of th	e vegetative cover:	Excellent	Moderate	Few	Poor		
2.	Erosion forming Gullies:		Extensive	Some	Few	None		
3.		causing erosion:						
	On the	e upstream embankment?	Yes		No	Χ		
	At the	principal spillway inlet?	Yes		No	Х		
4.	Erosion of the	downstream toe of the embankm	nent? Yes_		No	X		
	Cause	of erosion can be attributed to:						
5.	Is seepage occi	urring through the dam?	Yes_		No	Х		
	cised cont	ainment 						
SEDMII	MENT STORAGE	CAPACITY						
1.	. Has the design storage capacity of the reservoir been surpassed?  YES NOX							
	Explain: <u>Visual</u>	observation.						
OTHER	OBSERVATIONS							
	Containment A	rea was dry at time of inspection	. In good shape			_		

Mine:		New Elk Containment #5								
NPDES ID. No.:		None	<u> </u>							
Inspection Period:		Fourth Quarter 2022	<u>—</u>							
Inspection Date:		12/11/2022	<u> </u>							
Genera	l Description or Re	eference to Site Plan:								
-	-	ainment basin is a non-discharging orth of Highway 12.	facility designed	I to contain run-o	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	nusing erosion:								
On the		upstream embankment?	Yes			Χ				
	At the p	orincipal spillway inlet?	Yes		No	Х				
4.	Erosion of the do	ownstream toe of the embankment	t? Yes_		No	X				
Cause of 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 containmen basin.									
SEDMI	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 Area was holding water at time of inspection. Has recently been pumped. No issues.									

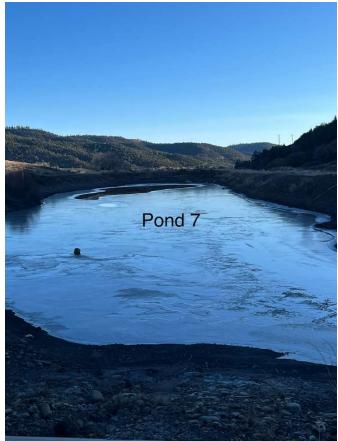
#### QUARTERLY SEDIMENTATION POND INSPECTION REPORT New Elk Mine- December 11, 2022



Pond 1



Pond 4



Pond 7





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. Stormes, 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.

Wand To a

Date

12-20-22

Date

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