Mine:		New Elk		<u> </u>			
NPDES I	D. No.:	Pond #1		_			
Inspecti	on Period:	Third Quar	ter 2023	<u> </u>			
Inspecti	on Date:	9/8/2023		_			
General	Description	n or Reference to	Site Plan:				
This por pond.	nd is located	West of the indus	strial building and serve	es as a mine wate	er settling and wa	ter storag	e
EMBAN	KMENT						
1.	Adequacy	of the vegetative o	cover:	Excellent	Moderate	Few	Poor
2.		ming Gullies:		Extensive	Some	Few	None
3.	Is wave act	ion causing erosic	n:				
		n the upstream en		Yes		No	Х
	A	t the principal spill	way inlet?	Yes		No	Х
4.	Erosion of	the downstream t	oe of the embankment	? Yes		No	Х
	Ca	ause of erosion ca	n be attributed to:				
	_						
5.	Is seepage	occurring through	the dam?	Yes		No	Х
	Co	ould this seepage	cause potential instabili	ty?			
	_						
PRINICII	PAL SPILLW	AY					
1.	Is the princ	cipal spillway syste	m in working order?	Yes	X	No	
2.	Is the inlet	free of debris and	restrictive material?	Yes	Х	No	
3.		_	f restrictive material?	Yes	X	No	
4.	Is erosion	occurring at the di	scharge outlet?	Yes		No	Х
	Evaluate th	ne 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	X
2.	Is erosion occurring at any section of the emergence	y spillway?		
		YES	NO	X
SEDMIN	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	spection. Pond was holdin	g water a	at time of
	Inspection. The mine is putting water into the pond	. No issues observed.		

Mine:		New Elk		_			
NPDES	ID. No.:	Pond #4		_			
Inspecti	ion Period:	Third Quarter 20	023	_			
Inspect	ion Date:	9/8/2023		-			
Genera	l Description or R	eference to Site F	Plan:				
	•		e Development Wa received sufficient			form this	
EMBAN	IKMENT						
1.	Adequacy of the	e vegetative cover	:	Excellent	Moderate	Few	Poor
2.	Erosion forming	Gullies:		Extensive	Some	Few	None
3.	Is wave action ca	_					
		upstream emban				No	X
	At the p	principal spillway i	inlet?	Yes		No	Х
4.	Erosion of the de	ownstream toe of	the embankment?	Yes		No	Χ
	Cause o	of erosion can be a	attributed to:				
5.	Is seepage occur	rring through the	dam?	Yes		No	X
	Could t	his seepage cause	potential instabilit	:y?			
PRINICI	PAL SPILLWAY						
1.	Is the principal s	pillway system in	working order?	Yes	Χ	No	
2.		of debris and resti		Yes	X	· · · · · · · · · · · · · · · · · · ·	
3.	Is the discharge	outlet free of rest	rictive material?	Yes	X	No	
4.	Is erosion occur	ring at the dischar	ge outlet?	Yes		No	X
	Evaluate the sev	verity:	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	Х
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 was water at the time of inspection, not near	the discharge level. No Issu	ues obse	rved.
	Water has been pumped into the pond recently from	m pond 7 and pond 6.		
				_

Mine:		<u>New Elk</u>					
NPDES	ID. No.:	Pond #7					
Inspect	ion Period	d: <u>Third Quar</u>	ter 2023				
Inspect	ion Date:	9/8/2023					
Genera	l Descript	ion or Reference to	Site Plan:				
			of the preparation pla s area lying south of S			f from the	
EMBAN	IKMENT						
1.	-	cy of the vegetative o	cover:	Excellent	Moderate	Few	Poor
2. 3.		forming Gullies: action causing erosic	nn:	Extensive	Some	Few	None
Э.	15 Wave	On the upstream er		Yes		No	Х
		At the principal spill		·		No	X
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	n the dam?	Yes		No	X
		Could this seepage	cause potential instab	oility?			
PRINICI	PAL SPILL	.WAY					
1.	Is the pr	incipal spillway syste	em in working order?	Yes	X	No	
2.			I restrictive material?	Yes		No	
3.		_	f restrictive material?	-	·	No	
4.	Is erosic	on occurring at the di	scharge outlet?	Yes		No	Х
	Evaluate	the severity	Extensive	Moderate	lust Starting	None	

es it appear that the emergency spillway has dis	YES		tion?
erosion occurring at any section of the emergend		NO	Х
erosion occurring at any section of the emergend	rv snillway?		
	cy spinway.		
	YES	NO	Х
T STORAGE CAPACITY			
s the design storage capacity of the reservoir be	en surpassed?		
	YES	NO	X
olain: Visual observation. Pond cleaned in early	2017.		
SERVATIONS			
nd is holding water at time of inspection, water	is boing numped to pand 4	No issu	os obsorvad
nu is notuing water at time of hispection, water	is being pumped to pond 4	. INO 155U	es observed.
discharges have occurred.			
	s the design storage capacity of the reservoir be plain: Visual observation. Pond cleaned in early security of the reservoir be plain: Visual observation. Pond cleaned in early security of the reservoir be plain: Visual observation. Pond cleaned in early security of the reservoir be plain.	s the design storage capacity of the reservoir been surpassed? YES plain: Visual observation. Pond cleaned in early 2017. SERVATIONS Ind is holding water at time of inspection, water is being pumped to pond 4	s the design storage capacity of the reservoir been surpassed? YES NO plain: Visual observation. Pond cleaned in early 2017.

Mine:		New Elk		<u>—</u>			
NPDES I	ID. No.:	Pond #8					
Inspecti	on Period:	Third Quar	ter 2023				
Inspecti	on Date:	9/8/2023		_			
Genera	l Description o	r Reference to	Site Plan:				
	nd lies north of use disposal are		the base of the refuse	disposal area. Th	ne pond receives r	un-off for	m
EMBAN	KMENT						
1.	Adequacy of	the vegetative o	cover:	Excellent	Moderate	Few	Poor
2.	Erosion form			Extensive	Some	Few	None
3.		n causing erosic	on:	Exterisive	301116		110116
٥.		he upstream er		Yes		No	Χ
		ne principal spil		Yes		No	X
4.	Erosion of the	e downstream t	oe of the embankmen	t? Yes		No	Х
	Caus	se of erosion ca	n be attributed to:				
5.	Is seepage oo	curring through	n the dam?	Yes		No	Х
	Coul	d this seepage	cause potential instabi	lity?			
PRINICI	PAL SPILLWAY	,					
1.	Is the principa	al spillwav svste	em in working order?	Yes	Х	No	
2.			I restrictive material?	Yes	X	No	
3.			of restrictive material?	Yes	X	No	
4.		_	scharge outlet?	Yes		No	Х
-7•	.5 2. 25.011 000	za at the ul	ounde outlet.	163			
	Evaluate the	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	Χ
2.	Is erosion occurring at any section of the emergence	y spillway?		
		YES	NO	X
SEDMI	MENT STORAGE CAPACITY			
1.	Has the design storage capacity of the reservoir bee	en surpassed? YES	NO	X
	Explain: Visual observation. Sediment cleaned out i	n May 2018		
OTHER	OBSERVATIONS			
	Pond is holding significant water and is planned to be	pe pumped down in the ne	ar future	. The water
	Level is about 7 to 8 feet below the decant. No disc	harges have occurred and	No issues	found

during the inspection.

Mine:		New Elk Pond 6	_			
NPDES	ID. No.:	None	_			
Inspect	ion Period:	Third Quarter 2023	_			
Inspect	ion Date:	9/8/2023	_			
Genera	l Description or Re	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	Gullies:	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	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?			
SEDMI	MENT STORAGE CA	APACITY				_
1.	Has the design st	corage capacity of the reservoir beer	n surpassed? YES	NO	Х	
	Explain: No design	gn capacity.				
OTHER	OBSERVATIONS					
	Pond is holding v	vater at time of inspection, Water is	being pumped	to pond 4.		

Mine:	New Elk WP Containment #1				
NPDES ID. No.:	None				
Inspection Period:	Third Quarter 2023				
Inspection Date:	9/8/2023				
General Description or Re	ference to Site Plan:				
This containment basin is a Warehouse area.	a non-discharging facility designe	ed to contain run-o	off from the West	Portal	
EMBANKMENT					
1. Adequacy of the v	egetative cover:	Excellent	Moderate	Few	Poor
2. Erosion forming G	_	Extensive	Some	Few	None
3. Is wave action cau	using erosion:				
	pstream embankment?	Yes		No	
At the pr	incipal spillway inlet?	Yes		No	Х
4. Erosion of the do	wnstream toe of the embankme	nt? Yes		No	Х
Cause of	erosion can be attributed to:				
5. Is seepage occurr	ing through the dam?	Yes		No	Х
Could th	is seepage cause potential instab	oility?			
SEDMIMENT STORAGE CA	PACITY				<u> </u>
1. Has the design sto	orage capacity of the reservoir b	een surpassed? YES	NO_	Х	
Explain: Visual ob	oservation.				
OTHER OBSERVATIONS					
Containment was	holding water at the time of ins	spection.			

Mine:		New Elk WP Containment #2	<u> </u>			
NPDES	ID. No.:	None	_			
Inspect	ion Period:	Third Quarter 2023				
Inspect	ion Date:	9/8/2023	<u> </u>			
Genera	l Description or Re	eference to Site Plan:				
	ntainment basin is and manway area	a non-discharging facility designed as.	to contain run-c	off from the West	Portal	
EMBAN	IKMENT					
1. 2.	Erosion forming		Excellent Extensive	Moderate Some	Few Few	Poor None
3.		using erosion: upstream embankment? rincipal spillway inlet?	Yes Yes		No No	
4.	Erosion of the do	ownstream toe of the embankment	? Yes		No	Х
	Cause o	f erosion can be attributed to:				
5.	Is seepage occurr	ring through the dam?	Yes		No	Х
	Could th	nis seepage cause potential instabil	ity?			
SEDMI	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 was	s empty at time of inspection.				

Mine:		New Elk Containment #3	<u> </u>			
NPDES	ID. No.:	None	<u> </u>			
Inspect	ion Period:	Third Quarter 2023	_			
Inspect	ion Date:	9/8/2023	<u>—</u>			
Genera	l Description or Re	eference to Site Plan:				
-	•	ainment basin is a non-discharging conveyor and south of Highway 12	-	I to contain run-of	f from the	!
EMBAN	IKMENT					
1. 2.	Adequacy of the Erosion forming	vegetative cover: Gullies:	Excellent Extensive	Moderate Some	Few Few	Poor None
3.		using erosion: upstream embankment? rincipal spillway inlet?	Yes Yes		No No	
4.	Erosion of the do	ownstream toe of the embankmen	t? 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 instabi	lity?			
SEDMI	MENT STORAGE CA	APACITY				
1.	Has the design st	corage capacity of the reservoir bed	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	<u>—</u>									
NPDES ID. No.:		None	_									
Inspection Period:		Third Quarter 2023	<u> </u>									
Inspection Date:		9/8/2023										
General Description or Reference to Site Plan:												
This partially incised containment basin is a non-discharging facility designed to contain run-off from the area west of the RDA belt conveyor and south of Highway 12.												
EMBAN	IKMENT											
2.	U	Gullies:	Excellent Extensive	Moderate Some	Few Few	Poor None						
3.	3. Is wave action causing erosion: On the upstream embankment? At the principal spillway inlet?		Yes Yes			X X						
4.	Erosion of the do	wnstream toe of the embankmen	t? Yes		No	Х						
	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 containment basin.											
SEDMI	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 was dry at time of inspection.											

Mine:		New Elk Containment #5	_								
NPDES ID. No.:		None	_								
Inspection Period:		Third Quarter 2023	_								
Inspection Date:		9/8/2023	_								
General Description or Reference to Site Plan:											
This partially incised containment basin is a non-discharging facility designed to contain run-off from the RDA belt conveyor area north of Highway 12.											
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	=									
		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 this seepage cause potential instability? No embankment, this is an incised containment basin.										
SEDMII	MENT STORAGE CA	APACITY									
4			12								
1.	 Has the design storage capacity of the reservoir been surpassed? YES 			NO	Х	<u>—</u>					
	Explain: Visual observation.										
OTHER OBSERVATIONS											
Containment Area was holding water. It was cleaned in 2022 and will need to be cleaned of sediment in the coming months.											

March Inspection Report New Elk Mine- September 8, 2023



Pond 1 looking West





Pond 4





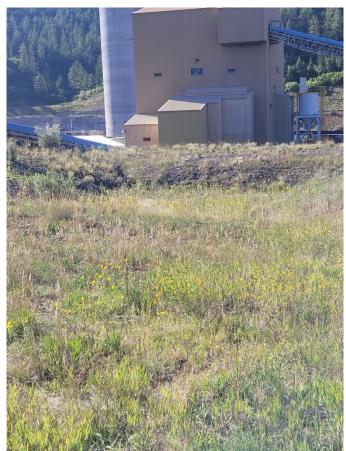
Pond 8



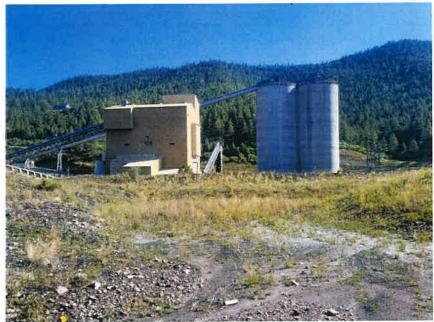
Containment Area #1



Containment Area #2



Containment Area #3



Containment Area #4



Containment Area #5

Certification

This inspection was conducted by John Terry, a qualified professional and MSHA certified inspector of earth and rock-fill embankments, waste banks and impoundments.

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

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