

QUARTERLY SEDIMENTATION POND INSPECTION REPORT

CDMR Rule 4.05.9(17)

Mine: New Elk WP Containment #1

NPDES ID. No.: None

Inspection Period: Fourth Quarter 2023

Inspection Date: 12/18/2023

General Description or Reference to Site Plan:

This containment basin is a non-discharging facility designed to contain run-off from the West Portal Warehouse area.

EMBANKMENT

- | | | | | |
|---|------------------|----------|----------|-------------|
| 1. Adequacy of the vegetative cover: | <u>Excellent</u> | Moderate | Few | Poor |
| 2. Erosion forming Gullies: | <u>Extensive</u> | Some | Few | <u>None</u> |
| 3. Is wave action causing erosion: | | | | |
| On the upstream embankment? | Yes _____ | | No _____ | X _____ |
| At the principal spillway inlet? | Yes _____ | | No _____ | X _____ |
| 4. Erosion of the downstream toe of the embankment? | Yes _____ | | No _____ | X _____ |
| Cause of erosion can be attributed to: _____ | | | | |
| _____ | | | | |
| 5. Is seepage occurring through the dam? | Yes _____ | | No _____ | X _____ |
| Could this seepage cause potential instability? _____ | | | | |
| _____ | | | | |

SEDIMENT STORAGE CAPACITY

1. Has the design storage capacity of the reservoir been surpassed?
- YES _____ NO _____ X _____

Explain: Visual observation.

OTHER OBSERVATIONS

Containment was holding water and was Frozen at the time of inspection.



QUARTERLY SEDIMENTATION POND INSPECTION REPORT

CDMR Rule 4.05.9(17)

Mine: New Elk WP Containment #2

NPDES ID. No.: None

Inspection Period: Four Quarter 2023

Inspection Date: 12/18/2023

General Description or Reference to Site Plan:

This containment basin is a non-discharging facility designed to contain run-off from the West Portal airshaft and manway areas.

EMBANKMENT

6.	Adequacy of the vegetative cover:	Excellent	Moderate	Few	Poor
7.	Erosion forming Gullies:	Extensive	Some	Few	None
8.	Is wave action causing erosion:				
	On the upstream embankment?	Yes		No	X
	At the principal spillway inlet?	Yes		No	X
9.	Erosion of the downstream toe of the embankment?	Yes		No	X

Cause of erosion can be attributed to: _____

10. Is seepage occurring through the dam? Yes _____ No X

Could this seepage cause potential instability? _____

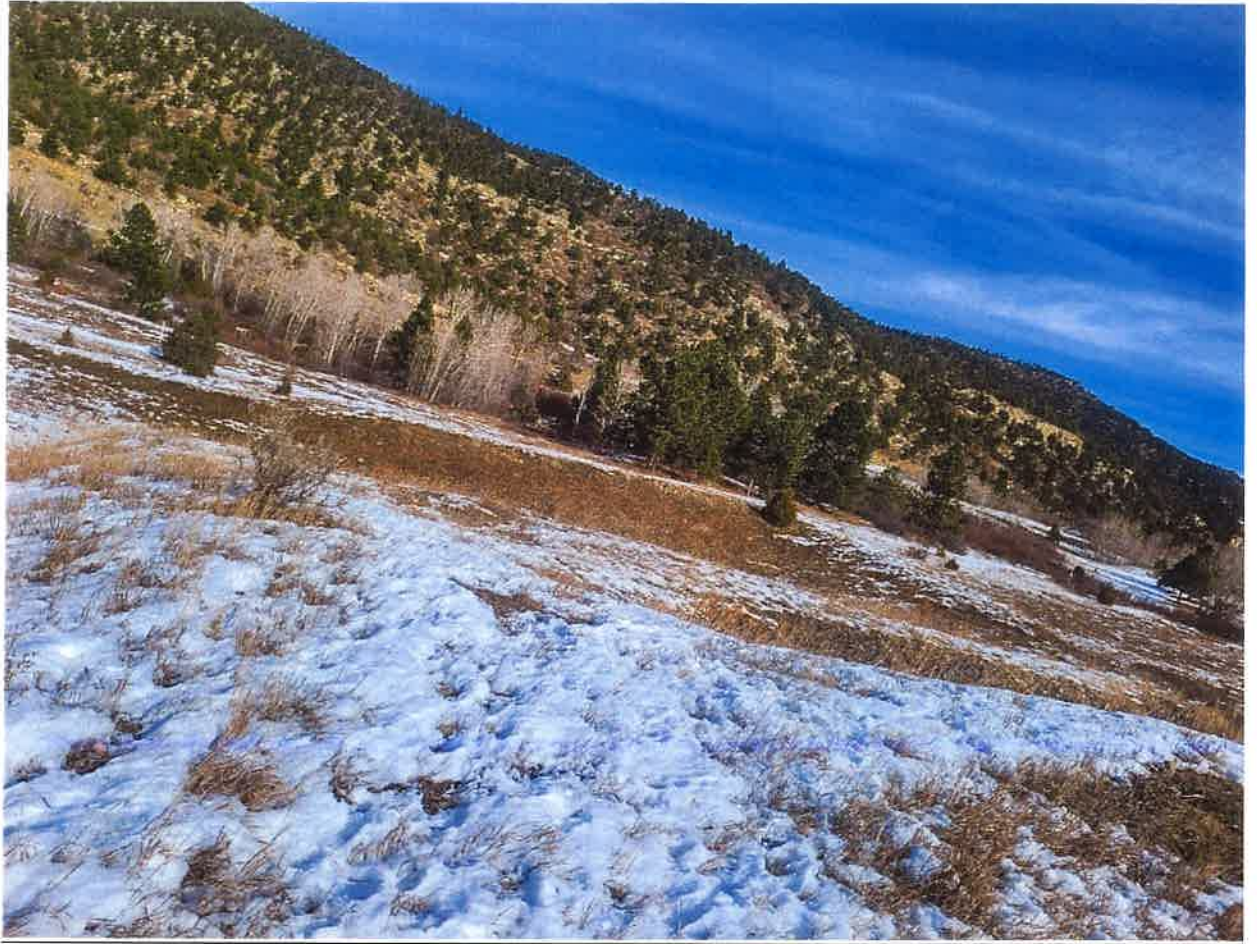
SEDIMENT STORAGE CAPACITY

2. Has the design storage capacity of the reservoir been surpassed? YES _____ NO X

Explain: Visual observation.

OTHER OBSERVATIONS

Containment was empty at time of inspection.



QUARTERLY SEDIMENTATION POND INSPECTION REPORT

CDMR Rule 4.05.9(17)

Mine: New Elk Containment #3

NPDES ID. No.: None

Inspection Period: Fourth Quarter 2023

Inspection Date: 12/18/2023

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 east of the RDA belt conveyor and south of Highway 12.

EMBANKMENT

11. Adequacy of the vegetative cover:	<div>Excellent</div>	Moderate	Few	Poor
12. Erosion forming Gullies:	<div>Extensive</div>	Some	Few	<div>None</div>
13. Is wave action causing erosion:				
On the upstream embankment?	<div>Yes</div> _____		No	X
At the principal spillway inlet?	<div>Yes</div> _____		No	X
14. Erosion of the downstream toe of the embankment?	<div>Yes</div> _____		No	X

Cause of erosion can be attributed to: _____

15. Is seepage occurring through the dam? Yes _____ No X

Could this seepage cause potential instability? _____

SEDIMENT STORAGE CAPACITY

3. Has the design storage capacity of the reservoir been surpassed? YES _____ NO X _____

Explain: Visual observation.

OTHER OBSERVATIONS

Containment Area was holding water and was frozen at time of inspection.



QUARTERLY SEDIMENTATION POND INSPECTION REPORT

CDMR Rule 4.05.9(17)

Mine: New Elk Containment #4
NPDES ID. No.: None
Inspection Period: Fourth Quarter 2023
Inspection Date: 12/18/2023

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.

EMBANKMENT

- | | | | | |
|---|------------------|----------|----------|-------------|
| 16. Adequacy of the vegetative cover: | <u>Excellent</u> | Moderate | Few | Poor |
| 17. Erosion forming Gullies: | Extensive | Some | Few | <u>None</u> |
| 18. Is wave action causing erosion: | | | | |
| On the upstream embankment? | Yes _____ | | No _____ | X _____ |
| At the principal spillway inlet? | Yes _____ | | No _____ | X _____ |
| 19. Erosion of the downstream toe of the embankment? | Yes _____ | | No _____ | X _____ |
| Cause of erosion can be attributed to: _____ | | | | |
| _____ | | | | |
| 20. Is seepage occurring through the dam? | Yes _____ | | No _____ | X _____ |
| Could this seepage cause potential instability? <u>No embankment, this is an incised containment basin.</u> | | | | |

SEDIMENT STORAGE CAPACITY

4. Has the design storage capacity of the reservoir been surpassed?
YES _____ NO X

Explain: Visual observation.

OTHER OBSERVATIONS

Containment Area was cover with snow at time of inspection.



QUARTERLY SEDIMENTATION POND INSPECTION REPORT

CDMR Rule 4.05.9(17)

Mine: New Elk Containment #5

NPDES ID. No.: None

Inspection Period: Fourth Quarter 2023

Inspection Date: 12/18/2023

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.

EMBANKMENT

- | | | | | |
|---|------------------|----------|----------|-------------|
| 21. Adequacy of the vegetative cover: | <u>Excellent</u> | Moderate | Few | Poor |
| 22. Erosion forming Gullies: | <u>Extensive</u> | Some | Few | <u>None</u> |
| 23. Is wave action causing erosion: | | | | |
| On the upstream embankment? | Yes _____ | | No _____ | X _____ |
| At the principal spillway inlet? | Yes _____ | | No _____ | X _____ |
| 24. Erosion of the downstream toe of the embankment? | Yes _____ | | No _____ | X _____ |
| Cause of erosion can be attributed to: _____ | | | | |
| _____ | | | | |
| 25. Is seepage occurring through the dam? | Yes _____ | | No _____ | X _____ |
| Could this seepage cause potential instability? <u>No embankment, this is an incised containment basin.</u> | | | | |

SEDIMENT STORAGE CAPACITY

5. Has the design storage capacity of the reservoir been surpassed?
- YES _____ NO _____ X _____

Explain: Visual observation.

OTHER OBSERVATIONS

Containment Area was holding water and was Frozen over at time of inspection. It was cleaned in 2022 and will need to be cleaned of sediment in the coming months.



QUARTERLY SEDIMENTATION POND INSPECTION REPORT

CDMR Rule 4.05.9(17)

Mine: New Elk
NPDES ID. No.: Pond #1
Inspection Period: Fourth Quarter 2023
Inspection Date: 12/18/2023

General Description or Reference to Site Plan:

This pond is located West of the industrial building and serves as a mine water settling and water storage pond.

EMBANKMENT

26. Adequacy of the vegetative cover: Excellent Moderate Few Poor
27. Erosion forming Gullies: Extensive Some Few None
28. Is wave action causing erosion:
On the upstream embankment? Yes _____ No X
At the principal spillway inlet? Yes _____ No X
29. Erosion of the downstream toe of the embankment? Yes _____ No X
Cause of erosion can be attributed to: _____

30. Is seepage occurring through the dam? Yes _____ No X
Could this seepage cause potential instability? _____

PRINCIPAL SPILLWAY

1. Is the principal spillway system in working order? Yes X No _____
2. Is the inlet free of debris and restrictive material? Yes X No _____
3. Is the discharge outlet free of restrictive material? Yes X No _____
4. Is erosion occurring at the discharge outlet? Yes _____ No X
Evaluate the severity: Extensive Moderate Just Starting None

EMERGENCY 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 emergency spillway?
YES _____ NO X

SEDIMENT STORAGE CAPACITY

6. Has the design storage capacity of the reservoir been surpassed?
YES _____ NO X

Explain: No sediment in pond

OTHER OBSERVATIONS

Pond liner is in good working condition at time of inspection. Pond was holding water and was frozen at time of inspection. No issues observed.



QUARTERLY SEDIMENTATION POND INSPECTION REPORT

CDMR Rule 4.05.9(17)

Mine: New Elk

NPDES ID. No.: Pond #4

Inspection Period: Fourth Quarter 2023

Inspection Date: 12/18/2023

General Description or Reference to Site Plan:

This sediment control pond lies west of the Development Waste Pile. The majority of run-off from this waste pile flows to this pond. It has never received sufficient inflow to discharge.

EMBANKMENT

31. Adequacy of the vegetative cover: Excellent Moderate Few Poor
32. Erosion forming Gullies: Extensive Some Few None
33. Is wave action causing erosion:
- On the upstream embankment? Yes _____ No X
- At the principal spillway inlet? Yes _____ No X
34. Erosion of the downstream toe of the embankment? Yes _____ No X
- Cause of erosion can be attributed to: _____
- _____
35. Is seepage occurring through the dam? Yes _____ No X
- Could this seepage cause potential instability? _____
- _____

PRINCIPAL SPILLWAY

5. Is the principal spillway system in working order? Yes X No _____
6. Is the inlet free of debris and restrictive material? Yes X No _____
7. Is the discharge outlet free of restrictive material? Yes X No _____
8. Is erosion occurring at the discharge outlet? Yes _____ No X
- Evaluate the severity: Extensive Moderate Just Starting None

EMERGENCY SPILLWAY

3. Does it appear that the emergency spillway has discharged water since the last inspection?
 YES _____ NO X
4. Is erosion occurring at any section of the emergency spillway?
 YES _____ NO X

SEDIMENT STORAGE CAPACITY

7. Has the design storage capacity of the reservoir been surpassed?
 YES _____ NO X

Explain: Visual observation.

OTHER OBSERVATIONS

Pond was holding water and was frozen over at the time of inspection, not near the discharge level. No issues observed. Water has been pumped into the pond recently from pond 7 and pond 6.



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Inspection Date: 12/18/2023

Pond 6 is a non-discharging facility designed to contain plant processing water. The plant is operational but is sparingly placing water in the pond.

36. Adequacy of the vegetative cover:	Excellent	<div>Moderate</div>	Few	<div>Poor</div>
37. Erosion forming Gullies:	Extensive	Some	Few	<div>None</div>
38. Is wave action causing erosion:				
On the upstream embankment?	Yes	_____	No	_____X
At the principal spillway inlet?	Yes	_____	No	_____X
39. Erosion of the downstream toe of the embankment?	Yes	_____	No	_____X
Cause of erosion can be attributed to: _____				

40. Is seepage occurring through the dam?	Yes	_____	No	_____X
Could this seepage cause potential instability? _____				

8. Has the design storage capacity of the reservoir been surpassed? YES _____ NO X

Explain: No design capacity.

Pond is holding water at time of inspection; Water has been pumped to pond 4.



QUARTERLY SEDIMENTATION POND INSPECTION REPORT

CDMR Rule 4.05.9(17)

Mine: New Elk

NPDES ID. No.: Pond #7

Inspection Period: Fourth Quarter 2023

Inspection Date: 12/18/2023

General Description or Reference to Site Plan:

This sediment control pond lies east of the preparation plant and pond #6. It receives run-off from the majority of the active surface facilities area lying south of State Highway 12.

EMBANKMENT

41. Adequacy of the vegetative cover: Excellent Moderate Few Poor
42. Erosion forming Gullies: Extensive Some Few None
43. Is wave action causing erosion:
- On the upstream embankment? Yes _____ No X
- At the principal spillway inlet? Yes _____ No X
44. Erosion of the downstream toe of the embankment? Yes _____ No X
- Cause of erosion can be attributed to: _____
- _____
45. Is seepage occurring through the dam? Yes _____ No X
- Could this seepage cause potential instability? _____
- _____

PRINCIPAL SPILLWAY

9. Is the principal spillway system in working order? Yes X No _____
10. Is the inlet free of debris and restrictive material? Yes X No _____
11. Is the discharge outlet free of restrictive material? Yes X No _____
12. Is erosion occurring at the discharge outlet? Yes _____ No X
- Evaluate the severity: Extensive Moderate Just Starting None

EMERGENCY SPILLWAY

5. Does it appear that the emergency spillway has discharged water since the last inspection?
YES _____ NO X
6. Is erosion occurring at any section of the emergency spillway?
YES _____ NO X

SEDIMENT STORAGE CAPACITY

9. Has the design storage capacity of the reservoir been surpassed?
YES _____ NO X

Explain: Visual observation. Pond cleaned in early 2017.

OTHER OBSERVATIONS

Pond is holding water and frozen at time of inspection, water has been pumped to pond 4. No issues observed. No discharges have occurred.



QUARTERLY SEDIMENTATION POND INSPECTION REPORT

CDMR Rule 4.05.9(17)

Mine: New Elk
NPDES ID. No.: Pond #8
Inspection Period: Third Quarter 2023
Inspection Date: 9/8/2023

General Description or Reference to Site Plan:

This pond lies north of Highway 12 at the base of the refuse disposal area. The pond receives run-off from the refuse disposal area.

EMBANKMENT

46. Adequacy of the vegetative cover: Excellent Moderate Few Poor
47. Erosion forming Gullies: Extensive Some Few None
48. Is wave action causing erosion:
On the upstream embankment? Yes _____ No X
At the principal spillway inlet? Yes _____ No X
49. Erosion of the downstream toe of the embankment? Yes _____ No X
Cause of erosion can be attributed to: _____

50. Is seepage occurring through the dam? Yes _____ No X
Could this seepage cause potential instability? _____

PRINCIPAL SPILLWAY

13. Is the principal spillway system in working order? Yes X No _____
14. Is the inlet free of debris and restrictive material? Yes X No _____
15. Is the discharge outlet free of restrictive material? Yes X No _____
16. Is erosion occurring at the discharge outlet? Yes _____ No X
Evaluate the severity: Extensive Moderate Just Starting None

EMERGENCY SPILLWAY

7. Does it appear that the emergency spillway has discharged water since the last inspection?
YES _____ NO X
8. Is erosion occurring at any section of the emergency spillway?
YES _____ NO X

SEDIMENT STORAGE CAPACITY

10. Has the design storage capacity of the reservoir been surpassed?
YES _____ NO X
- Explain: Visual observation. Sediment cleaned out in May 2018

OTHER OBSERVATIONS

Pond is holding water and is frozen over. It has been pumped down. The water level is now about 2 to 3 feet below the measuring device and has more than the design compacity. No discharges have occurred and No issues were found during the inspection.



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, 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

12/18/23
Date



12/20/2023
Date

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