CDMR Rule 4.05.9(17)

Mine:		New Elk WP Containment #1	-2				
NPDES	ID. No.:	None					
Inspect	tion Period:	Fourth Quarter 2023	=:				
Inspect	tion Date:	12/18/2023	<u>-</u>				
Genera	al Description or R	eference to Site Plan:					
	ntainment basin is ouse area.	a non-discharging facility designed	to contain run-of	f from the West	Portal		
EMBA	NKMENT						
1. 2. 3.	Adequacy of the Erosion forming Is wave action ca		Excellent Extensive	Moderate Some	Few Few	Poor None	
٥.		upstream embankment?	Ves		No	Х	
		principal spillway inlet?			No	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?		n		Х	
	Could th	nis seepage cause potential instabilit	ty?				
SEDMI		ADACITY				_	
SEDIVIII	VILINI STORAGE CA	AFACIT					
1.	Has the design st	corage capacity of the reservoir beer	surpassed?				
			YES	NO	X		
	Explain: <u>Visual o</u>	bservation.					
OTHER	OTHER OBSERVATIONS						

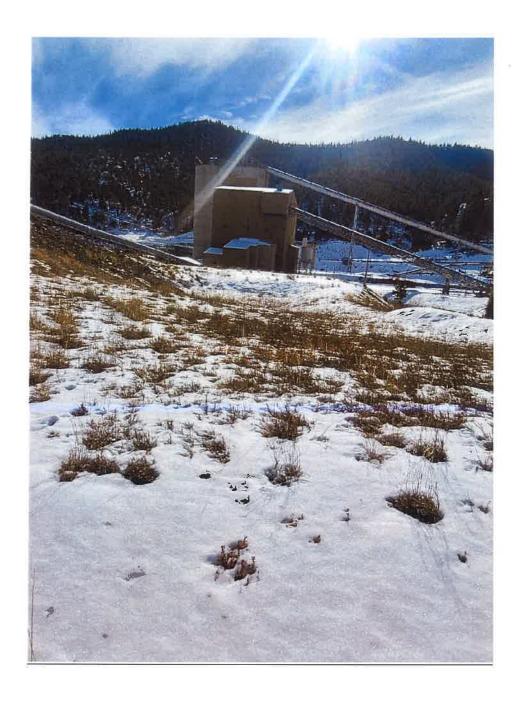
Containment was holding water and was Frozen at the time of inspection.



Mine:		New Elk WP Containment #2	==			
NPDES	ID. No.:	None	 -			
Inspect	ion Period:	Fourt Quarter 2023	2			
Inspect	ion Date:	12/18/2023	<u>⇒</u> ,			
Genera	l Description or Re	eference to Site Plan:				
	ntainment basin is and manway area	a non-discharging facility designed to s.	to contain run-of	f from the West	Portal	
EMBAN	IKMENT					
6.	Adequacy of the	vegetative cover:	Excellent	Moderate	Few	Poor
7.	Erosion forming (Extensive	Some	Few	None
8.	Is wave action ca	using erosion:				
	On the ι	ıpstream embankment?	Yes		No	Χ
	At the p	rincipal spillway inlet?			No	X
9.	Erosion of the do	wnstream toe of the embankment?	Yes		No	X
	Cause of	ferosion can be attributed to:	-			
10.	ls seepage occurr	ing through the dam?	Yes	4	No	Х
	Could th	is seepage cause potential instabilit	y?			
SEDMIN	леnt Storage CA	NPACITY				_
2.	Has the design st	orage capacity of the reservoir beer	surpassed? YES	NO	Х	-
	Explain: Visual of	oservation.				
OTHER (OBSERVATIONS					
	Containment was	empty at time of inspection.				



wiine:	New Elk Containment #3				
NPDES ID. No.:	None				
Inspection Peri	od: Fourth Quarter 2023				
Inspection Date	2: 12/18/2023				
General Descri	ption or Reference to Site Plan:				
	cised containment basin is a non-discha RDA belt conveyor and south of Highw		l to contain run-o	ff from the	!
EMBANKMENT					
12. Erosio	acy of the vegetative cover: n forming Gullies: e action causing erosion:	Excellent Extensive	Moderate Some	Few Few	Poor None
13. 13 ****	On the upstream embankment?			No	
	At the principal spillway inlet?	Yes		No	Х
14. Erosio	n of the downstream toe of the embank	kment? Yes_	<u> </u>	No	X
	Cause of erosion can be attributed to				
15. Is seep	page occurring through the dam?	Yes_		No	Χ
	Could this seepage cause potential in	stability?			
CEDA/IA/ENIT CT	ORAGE CAPACITY				:
SEDIVITIVIENT ST	ORAGE CAPACITY				
3. Has the	e design storage capacity of the reservo	oir been surpassed? YES	NO	X	-)
Explair	: Visual observation.				
OTHER OBSERV	ATIONS				
<u>Contai</u>	nment Area was holding water and was	frozen at time of insp	ection.		



Mine:	New Elk Containment #4	=			
NPDES ID. No.:	None	=			
Inspection Period:	Fourth Quarter 2023	_			
Inspection Date:	12/18/2023	- 9			
General Description or	Reference to Site Plan:				
	ntainment basin is a non-discharging f elt conveyor and south of Highway 12		to contain run-o	ff from the	
EMBANKMENT					
16. Adequacy of th	ne vegetative cover:	Excellent	Moderate	Few	Poor
17. Erosion formin	_	Extensive	Some	Few	None
18. Is wave action	_				
	e upstream embankment?	Yes		No	
At the	principal spillway inlet?	Yes	5	No	X
19. Erosion of the	downstream toe of the embankment?	Yes		No	X
Cause	of erosion can be attributed to:	-			
20. Is seepage occi	urring through the dam?	Yes		No	X
Could <u>basin.</u>	this seepage cause potential instabili				inment
SEDMIMENT STORAGE					
4 - 11		12			
4. Has the design	storage capacity of the reservoir beer	r surpassed ? YES	NO_	Χ	
Explain: <u>Visual</u>	observation.				
OTHER OBSERVATIONS					
<u>Containment A</u>	rea was cover with snow at time of in	spection.			45



Mine:		New Elk Containment #5	_			
NPDES ID. No.:		None	_			
Inspection Peri	od:	Fourth Quarter 2023				
Inspection Dat	e:	12/18/2023	_			
General Descri	ption or Re	ference to Site Plan:				
		ninment basin is a non-discharging orth of Highway 12.	facility designed	to contain run-of	ff from the	:
EMBANKMEN1	-					
21. Adequ	acy of the	vegetative cover:	Excellent	Moderate	Few	Poor
	n forming (Gullies: using erosion:	Extensive	Some	Few	None
		pstream embankment?	Yes		No	X
	At the pr	rincipal spillway inlet?			No	X
24. Erosio	n of the do	wnstream toe of the embankment	? Yes		No	Χ
	Cause of	erosion can be attributed to:				
	-					
25. Is seep	age occurr	ing through the dam?	Yes		No	X
	Could th	is seepage cause potential instabili	ity? <u>No embankr</u>	ment, this is an in	cised conta	ainment
SEDMIMENT \$1	ORAGE CA	PACITY				
5. Has th	e design sto	orage capacity of the reservoir bee	n surpassed?			
			YES	NO	X	
Explair	n: <u>Visual ob</u>	servation.				
OTHER OBSERV	'ATIONS					
Contai	nment Area	a was holding water and was Froze	in over at time o	finspection It w	as claanad	in 2022
		e cleaned of sediment in the comi		i inspection. It w	us cicaricu	111 2022



Mine:		New Elk		_			
NPDES	ID. No.:	Pond #1		=5:			
Inspect	ion Period:	Fourth Quarter	2023	_			
Inspecti	ion Date:	12/18/2023		_			
Genera	l Description or	Reference to Site	Plan:				
This por pond.	nd is located We	est of the industrial	building and serve	es as a mine wat	er settling and wa	ter storage	9
EMBAN	KMENT						
27.	Erosion formin	ne vegetative cover g Gullies: causing erosion:	:	Excellent Extensive	Moderate Some	Few Few	Poor None
		e upstream emban e principal spillway				No No	X
29.	Erosion of the	downstream toe of	the embankment	? Yes		No	X
	Cause	of erosion can be	attributed to:	<u></u>			
30.	Is seepage occu	urring through the	dam?	Yes		No	X
	Could	this seepage cause	potential instabili	ty?			
							2.
PRINICIF	PAL SPILLWAY						
1. 2. 3.	Is the inlet free	spillway system in of debris and restre outlet free of rest	rictive material?	Yes Yes Yes	X X X		
4.		rring at the dischar		Yes	=======================================	No	X
	Evaluate the se	verity:	Extensive	Moderate	Just Starting	None	

NPDES ID.	No ·	1
INI DESID.	140	

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__

SEDMIMENT 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.



Mine:			New Elk		→				
NPDES	ID. No.:		Pond #4		_				
Inspect	ion Perio	d:	Fourth Quarter 2	2023	-				
Inspect	ion Date:		12/18/2023		-				
Genera	l Descript	ion or Re	ference to Site P	lan:					
				Development Wa eceived sufficient				form this	
EMBAN	KMENT								
31.	Adequa	cy of the v	regetative cover:		Excellent	t	Moderate	Few	Poor
32.	Erosion	forming G	iullies:		Extensive		Some	Few	None
33.	Is wave		ısing erosion:						
			pstream embank			Yes		No	Χ
		At the pr	incipal spillway ir	nlet?		Yes		No	X
34.	Erosion	of the dov	wnstream toe of	the embankment	?	Yes		No	X
		Cause of	erosion can be a	ttributed to:	8				
35.	ls seepa	ge occurri	ng through the d	am?		Yes		No	Х
		Could thi	s seepage cause	potential instabili	ty?				
		-			===				
PRINICII	PAL SPILL	WAY							
5.	Is the pri	incipal spi	llway system in v	vorking order?		Yes	X	No	
6.			debris and restri				X		
7.	Is the dis	charge ou	utlet free of restr	ictive material?			Χ		
8.	Is erosio	n occurrin	ng at the discharg	e outlet?		Yes		No	Χ
	Evaluate	the sever	rity:	Extensive	Moderat	e	Just Starting	None	

NPDES ID.	No · 4	
INI DESTID.	140	

3.	Does it appear that the emergency	spillway has discharged w	vater since the last insp	ection?
		YFS	NO	Υ

4. Is erosion occurring at any section of the emergency spillway?

YES	NO	X	

SEDMIMENT STORAGE CAPACITY

7. Has the design storage capacity of the reservoir been surpassed?

YES_____NO

NO X

Explain: Visual observation.

OTHER OBSERVATIONS

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



Mi	ne:		New Elk Pond 6	2			
NΡ	DES	ID. No.:	None	<u> </u>			
Ins	pect	ion Period:	Fourth Quarter 2023	_			
Ins	pect	ion Date:	12/18/2023	-			
Ge	nera	l Description or	Reference to Site Plan:				
			ging facility designed to contain plant water in the pond.	processing wate	r. The plant is op	erational	
ΕM	1BAN	IKMENT					
	37.	Erosion formin	ne vegetative cover: ng Gullies: causing erosion:	Excellent Extensive	Moderate Some	Few Few	Poor None
		On th	e upstream embankment?	Yes		No	Χ
		At the	e principal spillway inlet?	Yes		No	Χ
	39.	Erosion of the	downstream toe of the embankment?	Yes		No	Х
		Cause	of erosion can be attributed to:	-			
	40.	Is seepage occ	urring through the dam?	Yes		No	Х
		Could	this seepage cause potential instabilit	:y?			
SEC	MIMC	 MENT STORAGE	CAPACITY				
	8.	Has the design	storage capacity of the reservoir beer	n surpassed? YES	NO	X	
		Explain: No de	sign capacity.				
ОТН	HER (OBSERVATIONS					
		Pond is holding	g water at time of inspection; Water ha	as been pumped	to pond 4.		



wiine:		New FIK		_			
NPDES	ID. No.:	Pond #7					
Inspect	tion Period:	Fourth Quarter	2023	=			
Inspect	tion Date:	12/18/2023		_			
Genera	al Description or R	eference to Site I	Plan:				
	diment control poi cy of the active sur					rom the	
EMBAN	NKMENT						
	. Adequacy of the . Erosion forming	_	:	Excellent Extensive	Moderate	Few	Poor
	. Is wave action ca	ausing erosion:		extensive	Some	Few	None
		upstream emban principal spillway i		Yes_ Yes		No No	X
44.	Erosion of the do			? Yes		No	
	Cause o	f erosion can be a	attributed to:			-	
45.	ls seepage occuri	ring through the	dam?	Yes_	©	No	X
	Could th	nis seepage cause	potential instabili	ty?			
	-						
PRINICI	PAL SPILLWAY						
9. 10	Is the principal sp Is the inlet free o		•	Yes	X		
	Is the discharge of			Yes Yes	X		
12.	Is erosion occurri	ng at the dischar	ge outlet?	Yes			Х
	Evaluate the seve	erity:	Extensive	Moderate	Just Starting	None	

NPDES ID.	No.:	7
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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

SEDMIMENT 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

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



Mine:		New Elk		 3			
NPDES	ID. No.:	Pond #8		-			
Inspect	ion Period:	Third Quarter 20	023	=			
Inspect	ion Date:	9/8/2023		_			
Genera	l Description or Re	eference to Site F	Plan:				
	nd lies north of Hig use disposal area.	ghway 12 at the b	ase of the refuse o	disposal area. Th	e pond receives	run-off forr	n
EMBAN	IKMENT						
	Adequacy of the	_		Excellent	Moderate	Few	Poor
	Erosion forming (Extensive	Some	Few	None
48.	Is wave action ca	using erosion: ipstream embanl	rment?	Vos		No.	V
		rincipal spillway i				No	X
		,				-	
49.	Erosion of the do	wnstream toe of	the embankment	? Yes		No	X
	Cause of	f erosion can be a	ittributed to:				
50.	Is seepage occurr	ing through the o	dam?	Yes		No	X
	Could th	is seepage cause	potential instabili	ty?			
PRINICII	PAL SPILLWAY						
13	Is the principal sp	illway system in i	working order?	Yes	V	No	
	Is the inlet free of			Yes	X		
	Is the discharge o			Yes	X	No	
16.	Is erosion occurri	ng at the dischar	ge outlet?	Yes		No	Х
	Evaluate the seve	rity:	Extensive	Moderate	Just Starting	None	

NPDES ID.	No	8	
141 050 10	140.	U	

7.	Does it appear that the emergency spillway has discharged	I water since the last i	nspectio	n?
	YES_		NO	X

8.	Is erosion occurring at any section of the emergency spillway?	-	
	VES	NO V	

SEDMIMENT 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

Date

12/20/2023

vo weeks of Completion

Date

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