

QUARTERLY SEDIMENTATION POND INSPECTION REPORT

CDMR Rule 4.05.9(17)

Mine: New Elk WP Containment #1

NPDES ID. No.: None

Inspection Period: Second Quarter 2024

Inspection Date: 06/14/24

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

- | | Excellent | Moderate | Few | Poor |
|---|-----------|----------|----------|---------|
| 1. Adequacy of the vegetative cover: | Extensive | Some | Few | None |
| 2. Erosion forming Gullies: | | | | |
| 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 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: Second Quarter 2024

Inspection Date: 06/14/24

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: | <u>Excellent</u> | Moderate | Few | Poor |
| 7. Erosion forming Gullies: | <u>Extensive</u> | Some | Few | <u>None</u> |
| 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: First Quarter 2024

Inspection Date: 06/14/24

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: | <u>Excellent</u> | Moderate | Few | Poor |
| 12. Erosion forming Gullies: | <u>Extensive</u> | Some | Few | <u>None</u> |
| 13. Is wave action causing erosion: | | | | |
| On the upstream embankment? | Yes _____ | | No _____ | X _____ |
| At the principal spillway inlet? | Yes _____ | | No _____ | X _____ |
| 14. Erosion of the downstream toe of the embankment? | Yes _____ | | 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 a small amount water 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: Secon Quarter 2024

Inspection Date: 06/14/24

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: | <u>Extensive</u> | 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> | | | | |
| _____ | | | | |

SEDMIMENT STORAGE CAPACITY

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

Explain: Visual observation.

OTHER OBSERVATIONS

Containment Area was in good condition 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: Second Quarter 2024

Inspection Date: 06/14/24

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 r at time of inspection. It was cleaned in May of 2024.



QUARTERLY SEDIMENTATION POND INSPECTION REPORT

CDMR Rule 4.05.9(17)

Mine: New Elk

NPDES ID. No.: Pond #1

Inspection Period: Second Quarter 2024

Inspection Date: 06/14/24

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: | <u>Excellent</u> | Moderate | Few | Poor |
| 27. Erosion forming Gullies: | Extensive | Some | Few | <u>None</u> |
| 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 _____ |

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 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: Second Quarter 2024

Inspection Date: 06/14/24

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

NPDES ID. No.: 4

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 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.



QUARTERLY SEDIMENTATION POND INSPECTION REPORT

CDMR Rule 4.05.9(17)

Mine: New Elk Pond 6

NPDES ID. No.: None

Inspection Period: Second Quarter 2024

Inspection Date: 06/14/24

General Description or Reference to Site Plan:

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.

EMBANKMENT

- | | | | | |
|---------------------------------------|-----------|-----------------|-----|-------------|
| 36. Adequacy of the vegetative cover: | Excellent | <u>Moderate</u> | Few | Poor |
| 37. Erosion forming Gullies: | Extensive | Some | Few | <u>None</u> |
38. Is wave action causing erosion:
- | | | |
|----------------------------------|-----------|-------------------|
| On the upstream embankment? | Yes _____ | No <u>X</u> _____ |
| At the principal spillway inlet? | Yes _____ | No <u>X</u> _____ |
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? _____

SEDIMENT STORAGE CAPACITY

8. Has the design storage capacity of the reservoir been surpassed?
- | | |
|-----------|-------------------|
| YES _____ | NO <u>X</u> _____ |
|-----------|-------------------|
- Explain: No design capacity.

OTHER OBSERVATIONS

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: Second Quarter 2024

Inspection Date: 06/14/24

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: | <u>Excellent</u> | Moderate | Few | Poor |
| 42. Erosion forming Gullies: | Extensive | Some | Few | <u>None</u> |
| 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 _____ |

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. West end of Pond by inlet was cleaned in Spring of 2024

OTHER OBSERVATIONS

Pond is holding water at time of inspection. No issues observed.

No discharges have occurred, water level was lowered by pumping to Pond 4.



QUARTERLY SEDIMENTATION POND INSPECTION REPORT

CDMR Rule 4.05.9(17)

Mine: New Elk

NPDES ID. No.: Pond #8

Inspection Period: Second Quarter 2024

Inspection Date: 06/14/24

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:	<u>Excellent</u>	Moderate	Few	Poor
47. Erosion forming Gullies:	Extensive	Some	Few	<u>None</u>
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 _____

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

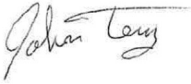
Pond is holding water at time of Inspection. The water level is now about 3 feet below the measuring device and has more than the design compacity. No discharges have occurred and No issues were found during the inspection.



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.

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.



08/08/2024

Inspector

Date

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