

2) Collection ditches, silt fencing, borrow pits, and berms throughout the mines did not appear to be incorporated into the company's routine inspections;

3) Twin Pines silt fence was overwhelmed with sand; process water and tailings fill deposited in a wetland without permit authorization;

4) Significant amounts of material on the ground with some running off into the ditch (Highland Facility);

5) The borrow pit treatment system at the toe of the Trailridge treatment ponds appears not to be included in regular inspections, is not readily accessible, and has places along the railroad tracks where water has the potential to flow out of the permit boundary, possibly bypassing the NPDES outfall;

6) Brushy vegetation on dams of Trailridge treatment pond system does not allow visual inspection of dams that are actively used as part of the process water treatment systems; large trees growing on dam walls could potentially affect dam integrity; water in borrow pits abuts the toe of the dam; some areas in the pond system may not have sufficient freeboard (Trailridge Facility);

7) Road filling sediment stored about 1/3 mile from the Maxville Property boundary was not within secondary containment and the BMP does not address the prevention or minimization of runoff from this material storage area (Maxville Facility);

8) Leaky gate at D-002 (Highland Facility);

9) Noted or potential discharges observed in the Highlands wastewater treatment area, the processing plant area, and the collection ditches;

10) Seepage is visible at toe of process water treatment ponds that is not captured and treated prior to discharge (e.g., Pond JD-9 at North Maxville Facility). Respondent claims this is groundwater seepage, not seepage from the pond, but will be addressed in the Best Management

Practices Plan;

11) Stormwater runoff from laydown yard is not managed through an engineered stormwater system and stormwater enters adjacent wetlands without treatment (North Maxville). There are treatment structures included in the approved ERP drawing to treat runoff from the laydown yard that have not been constructed (North Maxville);

12) The permit limits for radium 226 + 228 and gross alpha were exceeded in