South Dakota Spill Report Form

PRCF #: **Case #:** 2025.159

Reported (MM/DD/YY): 10/29/25	Time: 4:05	Recorded By: JS

A. REPORTER

Reported By: Timm Comer		
Organization Name: Dakota Gold	☐ Discharger ☐ Public ☐ State ☐ Local ☐ Federal	
Phone:	Email:	
Address: 106 Glendale Drive, Ste A		
City: Lead	State: SD	Zip: 57754

B. DISCHARGER (Responsible Party) ☒ As Above in A

Name:		
Address:		
City:	State: SD	Zip:
Phone:	Email:	

C. INCIDENT DATE & LOCATION ☐ As Above In B

Spill Date: (MM/DD/YY) 10/29/25	Spill Time: 10:30 AM		
Street or Approx. Location:			
Survey Description: 44.399000, -103.839000			
City: Maitland	County: Lawrence	State: SD	Zip:

D. MATERIAL

Material type (Code/Name): ☐ Hazardous Substance ☐ Material Unknown ☐ Oil ☑ Other	Quantity Spilled	Spilled in Water	Units (Check one)	
Drilling Water/mud	15	yes	☐ lb. ☐ bbl.	☑ gal. ☐ oth.
			☐ lb. ☐ bbl.	☐ gal. ☐ oth.
			☐ lb. ☐ bbl.	☐ gal. ☐ oth.

E. SOURCE

Source of Spill: ☐ AST ☐ UST ☐ Railway ☐ Transport ☑ Fixed Facility ☐ Pipeline ☐ Highway ☐ Other

Description: Exploration drill rig

Regulated Tank Facility: ☐ Tank Facility ID #:

F. MEDIUM

Medium Affected: ☐ Air ☐ Land ☑ Water ☐ Groundwater ☐ Within Facilities Only

Waterway Affected: Burno Gulch

G. CAUSE

Reported Cause: ☐ Transportation Accident ☐ Operational Error ☐ Dumping ☐ Equipment Failure ☐ Natural Phenomenon ☑ Unknown ☐ Other

Description:

H. DAMAGES

# of Injuries: 0	# of Fatalities: 0

I. ACTIONS

Response Action Taken:

K. NOTIFIED

Responding Agency: ☑ DANR ☐ Local ☐ Discharger ☐ Federal ☐ EPA ☐ Other

Agencies Notified: DANR

K. COMMENTS

Comments:

Department of Agriculture and Natural Resources
Inspection, Compliance, and Remediation Program
523 East Capitol Avenue
Pierre, South Dakota 57501

Business Hours M – F 8:00-5:00 pm
Normal Business Hours- (605)773-3296
After Business Hours- (605) 773-3231

INCIDENT FOLLOW-UP REPORT

DANR CASE FILE #: _____

RETURN COMPLETED FORM TO:

SOUTH DAKOTA DEPARTMENT OF AGRICULTURE AND NATURAL RESOURCES (DANR)
INSPECTION, COMPLIANCE, AND REMEDIATION PROGRAM
JOE FOSS BUILDING
523 EAST CAPITOL AVENUE
PIERRE SD 57501-3182

NAME/TYPE OF PRODUCT SPILLED: Exploration drilling water

TOTAL AMOUNT OF PRODUCT SPILLED: Estimated between 10-15 gallons

POUNDS OF ACTIVE INGREDIENT SPILLED (fertilizer/pesticide spills): Main active ingredient added to the exploration drilling water was bentonite, approximately 1.6 ponds ma

AMOUNT OF PRODUCT RECOVERED: It is estimated that minimal amounts of active ingredient was recovered from 10-15 gallons of released material

WAS SURFACE WATER OR GROUND WATER IMPACTED BY THE SPILL?: Yes

SPILL DATE: 10/29/2025 DATE CLEANUP OCCURRED: 10/29/2025

SPILL LOCATION (physical address, directions, distance to nearest intersection or landmark, etc.): NW of Lead near former Richmond Hill Mine site in Chism Gulch in Lawrence County

LATITUDE/LONGITUDE: Latitude: 44.399, Longitude: -13.839

LAND USE (Residential, Commercial, Agricultural, Industrial, Other – describe): _____

RESPONSIBLE PARTY: DTRC LLC

MAILING ADDRESS: 106 Glendale Drive, Suite A

CITY/STATE: Lead, SD TELEPHONE NUMBER: (605) 717-2540

PROPERTY OWNER: Forget the Grind LLC

MAILING ADDRESS: 1728 Rustler Cir

CITY/STATE: Spearfish, SD TELEPHONE NUMBER: (605) 641-3389

CONSULTANT / CLEANUP CONTRACTOR (if applicable): Not Applicable

MAILING ADDRESS _____

CITY/STATE: _____ TELEPHONE NUMBER: _____

INSURANCE PROVIDER (if applicable): Not Applicable

NAME OF INSURED: _____

POLICY NUMBER: _____ CLAIM NUMBER: _____

MAILING ADDRESS: _____

CITY/STATE: _____ TELEPHONE NUMBER: _____

Original – DANR
Copy – Keep for your records.

INCIDENT FOLLOW-UP REPORT (Page 2 of 2)

DANR CASE FILE #: _____

WAS SOIL EXCAVATED?: Not DIMENSIONS OF EXCAVATION: Not Applicable

CUBIC YARDS EXCAVATED: Not Applicable

DISPOSAL SITE (Name of Facility): Not Applicable

DISPOSAL DATE: Not Applicable ***If soil was disposed, attach copies of disposal receipts***

FERTILIZER/PESTICIDE SPILLS ONLY

WAS CONTAMINATED SOIL/MATERIAL LAND APPLIED?: Not Applicable

APPLICATION DATE Not Applicable ***Requires DANR Pre-Approval***

WAS SPILL CONTAINED TO IMMEDIATE AREA?: 10-15 gallons of material released into nearby unnamed stream after existing BMP

DISTANCE TO AND NAME OF NEAREST SURFACE WATER (include currently dry perennial streams): Material released to stream had traveled past existing BMPs, entered an unnamed surface water stream approximately 5' downgradient of BMPs

DISTANCE TO NEAREST WATER WELL (if applicable): A pair (shallow & deep) of new groundwater monitoring wells are approximately 1300' downgradient from the site of the release

OWNER OF NEAREST WATER WELL (if applicable): DTRC LLC

DESCRIBE RESPONSE ACTION AND ADDITIONAL WORK PLANNED:

Immediately after noticing the incident on 10/29/2025, the drilling contracted shutdown drilling operations and immediately notified DTRC LLC personnel in the field at approximately 10:20 am and began mitigation effort. Result of the shutdown of the drilling operations eliminated the flow of any further drilling waters from flowing to the downgradient existing BPBs at the site adjacent to the stream. Further mitigation efforts continued once DTRC LLC staff arrived at the site that included installation of sump pump into containment BMPs below the drilling platform to begin the transferring of drilling waters to a lined drilling water sump collection area on the drilling platform near the drill rig, as well as the installation of additional BMP silt fencing between the adject stream and the existing BMPs, and the recovery of drilling fines that had settled out of the water between the BPMs and stream. This also included an assessment by the DTRC LLC field personnel of the adjacent stream down gradient of the release location until it left private property and entered National Forest lands, where they noted some evidence of the released drilling water within the stream. During that time DTRC LLC field staff also notified management team at DTRC LLC of the incident at approximately 11:50 am. DTRC LLC management team arrived at the at site of the incident at approximately 12:30pm. Once DTRC LLC management team arrived at the scene, Timm Comer, Environmental Director began an assessment of the release on the adjacent stream and ongoing mitigation efforts. Further mitigation efforts included recovering as carefully as possible with a sump pump tan colored drill cutting that had settled in areas of low water flow and pooling at the location of at the release site and areas of pooling water in the stream immediately down gradient. Then at approximately 2:52 pm on 10/29/2025, Timm Comer Notified the South Dakota Department of Natural Resources (SDDANR) [Mr. Jamison Smith] at the Spill Notification telephone number provide at the SDDANR website. As follow up to that conversation, on 10/30/2025 at approximately 9:13 am, Mr. Smith contacted Timm Comer and requested a visual assessment of the stream be conducted. The visual assessment was completed by Timm Comer, Environmental Director with DTRC LLC with assistance from Matthew Abrecht, Environmental Specialist with DTRC LLC. The assessment started at approximately 10:15 am on 10/30/25 and was completed at approximately 11:05 am on 10/30/2025. A copy of the assessment is attached to this report and is titled "Assessment of Potential Impacts to Stream following Incident on 10/29/2025" and dated 10/30/2025. The objective of the assessment was to identify and document any mortality to the fish community downgradient of the release point of the material within the stream. The assessment concluded that there were zero (0) noted mortalities to any fish in the stream downgradient of the release point of the incident and that all noted fish within the reach of stream that was assessed were all alive and active in the stream. At approximately 12:13 pm on 10/30/2025, Timm Comer provided a verbal update of the Visual Assessment conducted on the stream to Mr. Smith.

FORM COMPLETED BY: Timm Comer DATE: 03 November 2025

E-MAIL ADDRESS: tcomer@dakotagoldcorp.com

Original – DANR
Copy – Keep for your records.

DEPARTMENT of AGRICULTURE and NATURAL RESOURCES
JOE FOSS BUILDING
523 E CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

November 10, 2025

Timm Comer
Dakota Gold
106 Glendale Drive, Suite A
Lead, SD 57754

Re: Closure designation for DANR File# 2025.159, pertaining to a drilling fluid release into a creek near Chism Gulch, near Lead, South Dakota.

Dear Mr. Comer:

The Department of Agriculture and Natural Resources (DANR) has reviewed the available information regarding the drilling fluid release and determined further investigation is unwarranted. Based on the information provided there is no current risk to human health or further risk to the environment. Therefore, the department will assign Closure status to DANR file number 2025.159.

Approximately 15 gallons of drilling fluids escaped containment and entered a nearby unnamed creek. Dakota Gold staff performed a survey of the downstream area and did not find any signs of fish mortality and were unable to detect signs of contamination. If any future problems arise related to this event, Dakota Gold may be responsible to perform further assessment and cleanup.

The Closure designation will be recorded in DANR's release database and can be found at https://apps.sd.gov/NR42InteractiveMap. If you have questions or concerns about this site's Closure designation, please contact Jamison Smith of my staff at 605.773.3296. Thank you for your cooperation in this matter.

Sincerely,

Terry Florentz, P.E.
Administrator
Inspection, Compliance, and Remediation Program

cc: Paul Thomson, Lawrence County Emergency Manager
Barbara Baker, Lawrence County
Roberta Hudson, DANR Minerals, Mining, & Superfund Program
Sean Kruger, DANR Water Quality Program

DTRC LLC

To: Environmental Files

From: Timm Comer, Environmental Director

Date: 30 October 2025

Re: Assessment of Potential Impacts to Stream following Incident on 10/29/2025

The following information is being provided to present the results of a visual assessment requested by the South Dakota Department of Agricultural and Natural Resources ("SDDANR") following the Incident that occurred on 29 October 2025 at the location of an active exploration drilling operation in the area of Chism Gulch, hear the former Richmond Hill Mine. This exploration drilling activity was being performed by a third-party entity under direction of DTRC LLC and under State of South Dakota Exploration Notice of Intent Permit 446.

This assessment was requested by the SDDANR of visual impacts to the stream following release of the material from activities conducted by DTRC LLC in the area. A summary of that assessment is that there were no observed mortalities of fish within the segment of the stream assessment and all observed fish within that reach of stream were observed to be alive and active. A total of approximately 21 fish of unknown species were observed in the segment of the stream that was assesses and ranged from an estimated length of approximately 3" to 6".

The visual assessment was request on the morning of 30 October 2025 by SDDANR, as follow-up to a verbal *Spill Notification* completed by Timm Comer, Environmental Director at DTRC LLC on 29 October 2025 at approximately 2:52 pm. Details of this incident will be discussed within the completed SDDANR "***Follow-Up Report"*** that will prepare for this incident, for which this assessment will be an attachment, and submitted to the SDDANR. At the time of the request, the impacts to be assessed were specific to the visual presence of any potential fish mortalities that may have occurred downstream of site of the incident. Also discussed at that time was a visual assessment on whether any potential sedimentation from the incident might be able to be successfully recovered from the stream. SDDANR requested pictures of the site where the release entered the stream and any observed impacts from the incident. Further discussion at that time was that impacts would be pictures of any mortality to the fish community downstream of the incident site. No observations of fish mortalities were noted within the section of stream assessment, thus there are no pictures included in this assessment summary relative to that matter.

The assessment was completed by Timm Comer, Environmental Director with DTRC LLC with assistance from Matthew Abrecht, Environmental Specialist with DTRC LLC. The assessment started at approximately 10:15 am on 30 October 2025 and was completed at approximately 11:05 am on that same day. Skies were clear and there was no precipitation at the time of the

assessment and temperatures were typical of the weather in the Black Hills in the early fall (cooler).

The assessment started at 10:15 am at the point of entry of the released material in the picture below and labeled "***Picture #1***" and with that location shown and labeled as "***Stream entry 466-046***" on figure below that is titled "***DTRC LLC- Incident Investigation – 10/30/2025***".



Picture #1

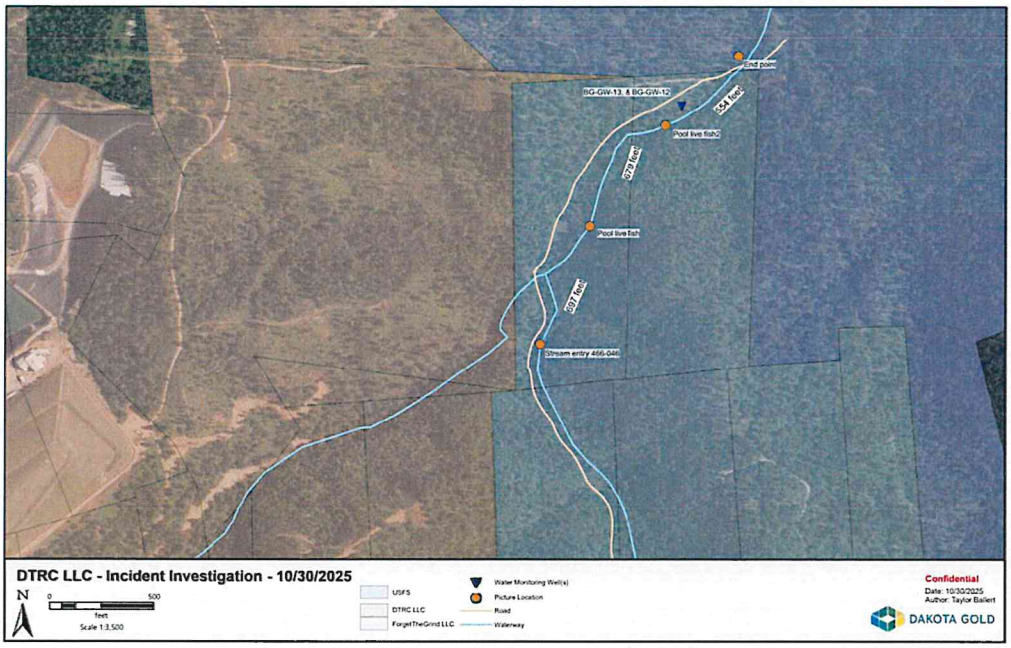


Figure: DTRC LLC - Incident Investigation – 10/30/2025

First observations of fish during the assessment occurred at approximately 10:20 am in area of the picture below and labeled "***Picture #2***" at approximately 700' feet down- gradient from point labeled "***Stream entry 466-046***" and occurred at location labeled "***Pool live fish***" as noted on figure above labeled "***DTRC LLC- Incident Investigation – 10/30/2025***". Observation at that time on the section of the stream visual assessed on color and amount of sedimentation is the stream was difficult to differentia between material that may have been deposited by the incident and material that was deposited from runoff from roads and other areas of the adjacent forest. Depositing of material occurred in all areas where stream flow slowed and allowed for the deposition of solids. No other fish were observed within that section of the stream, other that in the pool and all fish observed (estimated up to 6) where alive, active with a pool of stream water and estimated length of the fish ranged up to 6".



Picture #2

The assessment continued from this point down gradient on the stream to a point labeled as "***Picture #2***" and with location shown and labeled as "***Pool live fish2***" on figure above that is labeled "***DTRC LLC- Incident Investigation – 10/30/2025***".

Three additional individual live fish observation were noted in this section of the stream of the individual fish with each one being in separate smaller pools in that section of the stream and between the large pool documented in "***Picture 2"*** and a second larger pool documented in the picture below labeled "***Picture #3***" that was approximately 700' feet down- gradient from location noted in "***Picture 2***". Observation at that time on the section of the stream assessed on color and amount of sedimentation is the stream was again difficult to differentia between material that may have been deposited by the incident and material that was deposited from runoff from roads and other areas of the adjacent forest. Depositing of material occurred in all areas where stream flow slowed and allowed for the deposition of solids. All three fish observed within that section of the stream, where alive, active with the smaller pools of stream water and estimated length of the fish ranged up to 4".



Picture #3

At approximately 10:50 am observations of live fish (estimated up to 12) were noted in a second larger pool of water on the stream documented in "***Picture 3***" that was approximately 700' feet down- gradient from location noted in "***Picture 2***". Observation again at that time on this section of the stream assessed on color and amount of sedimentation is the stream was again difficult to differentia between material that may have been deposited by the incident and material that was deposited from runoff from roads and other areas of the adjacent forest. Depositing of material occurred in all areas where stream flow slowed and allowed for the deposition of solids. All fish observed within this pool of stream water were alive, active and estimated length of the fish ranged up to 5".

The assessment continued down the stream channel for an approximate distance of 550 feet until a vehicle trail was noted that crossed the stream and as documented in "***Picture #4***" below and noted as "***End point***" figure above labeled "***DTRC LLC- Incident Investigation – 10/30/2025***". Also noted at that location was a black plastic pipe for which is note associated with any activates that DRTC LLC is aware of in the area. Observation at that time within this section of the stream assessed on color and amount of sedimentation is the stream was again difficult to differentia between material that may have been deposited by the incident and material that was deposited from runoff from roads and other areas of the adjacent forest. Depositing of material occurred in all areas where stream flow slowed and allowed for the deposition of solids. No other fish were observed within that section of the stream below the second large pool to the crossing of the stream by the vehicle trail.

Also noted within the portion of the stream assessment and on the western side of the stream and labeled "***BG-GW-13 & BG-GW-12***" on figure above labeled "***DTRC LLC- Incident Investigation – 10/30/2025***", are a pair of new recently installed shallow and deep ground water monitoring wells that are owned by DTRC LLC and will be noted in the "***Follow-Up Report"*** that will prepare for this incident and submitted to the SDDANR.

Again as noted above, there were no observed mortality of fish observed during the assessment area of the stream by the observer.



Picture #4

Below is documentation as "***Picture 5***", of the National Forest marking posts and signs that were approximately 85' to the northeast of the area where the trail crossed the stream and the assessment of the stream concluded at approximately 11:05 am.



Picture #5