

REGULAR (112) PERMIT APPLICATION

STATE OF COLORADO
Mined Land Reclamation Board
Department of Natural Resources
1313 Sherman Street, Room 723
Denver, Colorado 80203

Application for Mining and
Reclamation Permit, pursuant
to C.R.S. 1973, 34-32-101 et seq

| | |
|---|---|
| 1 Name of operation (Pit name) | Ute Mine |
| 2 Name of applicant/operator | The Robinson Brick and Tile, Co. |
| 3 Address/phone - local office | None |
| 4 Address/phone - general office | 500 S. Santa Fe Dr., Denver, CO 744-3377 Mail: P. O. Box 5243, Denver, CO 80217 |
| 5 Name and phone - person staff members should contact | Mike Leidich 744-3371 |
| 6 Parent corporation, if applic- able - name and address | During processing of app.-Larry O'Brian None 423-7297/ |
| 7 Owner(s) of record of affected lands - surface area | Sedalia Land Co. |
| 8 Owner(s) of substance to be mined | Sedalia Land Co. |
| 9 Source of legal right to enter | (see Exhibit O, Affidavit) |
| 10 Type of mine and substance to be mined | Open pit, clay |
| 11 General location and elevation (Miles and direction from near- est town and site elevation | 3/4 miles north of the Town of Sedalia, Colorado Elevation: 5900 feet ± sea level datum |
| 12 County | Douglas |
| 13 Acreage of affected lands | 141.76 acres ± |
| 14 Application fee | \$1510.00 |
| 15 Present land use | Clay mining with some horse grazing. |
| 16 Surrounding land uses | West-residential; south-commercial; east- grazing; north-residential & grazing |
| 17 Proposed future land use | Grazing |
| 18 Other mining permits and opera- tions in Colorado | See Exhibit N |
| 19 Lands herein do not affect any lands described in Sec. 1.56(9) | True |
| 20 Exhibits included | A through P |
| Map exhibits included | C, D1, F, I-1 and J-1 |
| 21 Notice requirements | (see Appendix) |
| 22 Additional information | (see Appendix) |

23 I hereby declare that all information presented in this application is true
and correct.

Dated 12/28/79,

By

Wm. Walker Robinson

Wm. Walker Robinson

Title Chairman of the Board

(legally authorized to
bind the operator)

EXHIBIT A

LEGAL DESCRIPTION

Part of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ ^{all} and the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 11, and the
N $\frac{1}{2}$ NE $\frac{1}{4}$ Section 14, Township 7 South, Range 68 West, 6th Principal
Meridian, Douglas County, Colorado.

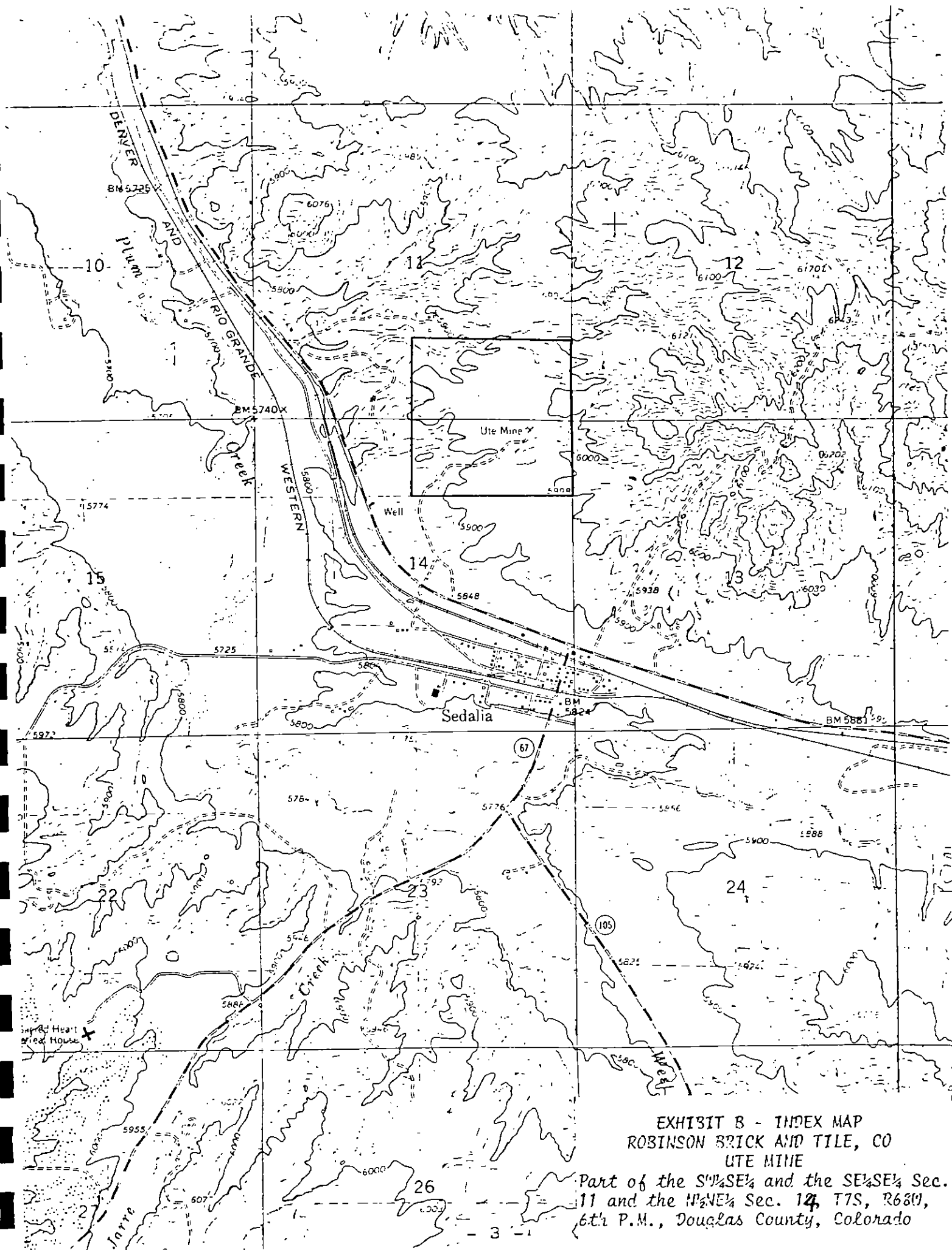


EXHIBIT B - INDEX MAP
ROBINSON BRICK AND TILE, CO
UTE MINE

Part of the S $\frac{1}{4}$ SE $\frac{1}{4}$ and the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec.
11 and the N $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 14, T7S, R6E, 6th P.M., Douglas County, Colorado

PSH
WHE



RECEIVED

✓ APR 05 2017

DIVISION OF RECLAMATION
MINING AND SAFETY

March 27, 2017

Colorado Division of Reclamation, Mining, and Safety
Mr. Peter Hays
Environmental Protection Specialist
1313 Sherman Street, Room 215
Denver, CO 80203

✓ M-1979-221 AR02
✓ Annual Fee/Report: CW
✓ No Violations

Re: M-1979-221 Ute Mine, Douglas County, Colorado
✓ Acreage Reduction Request

Dear Mr. Hays:

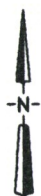
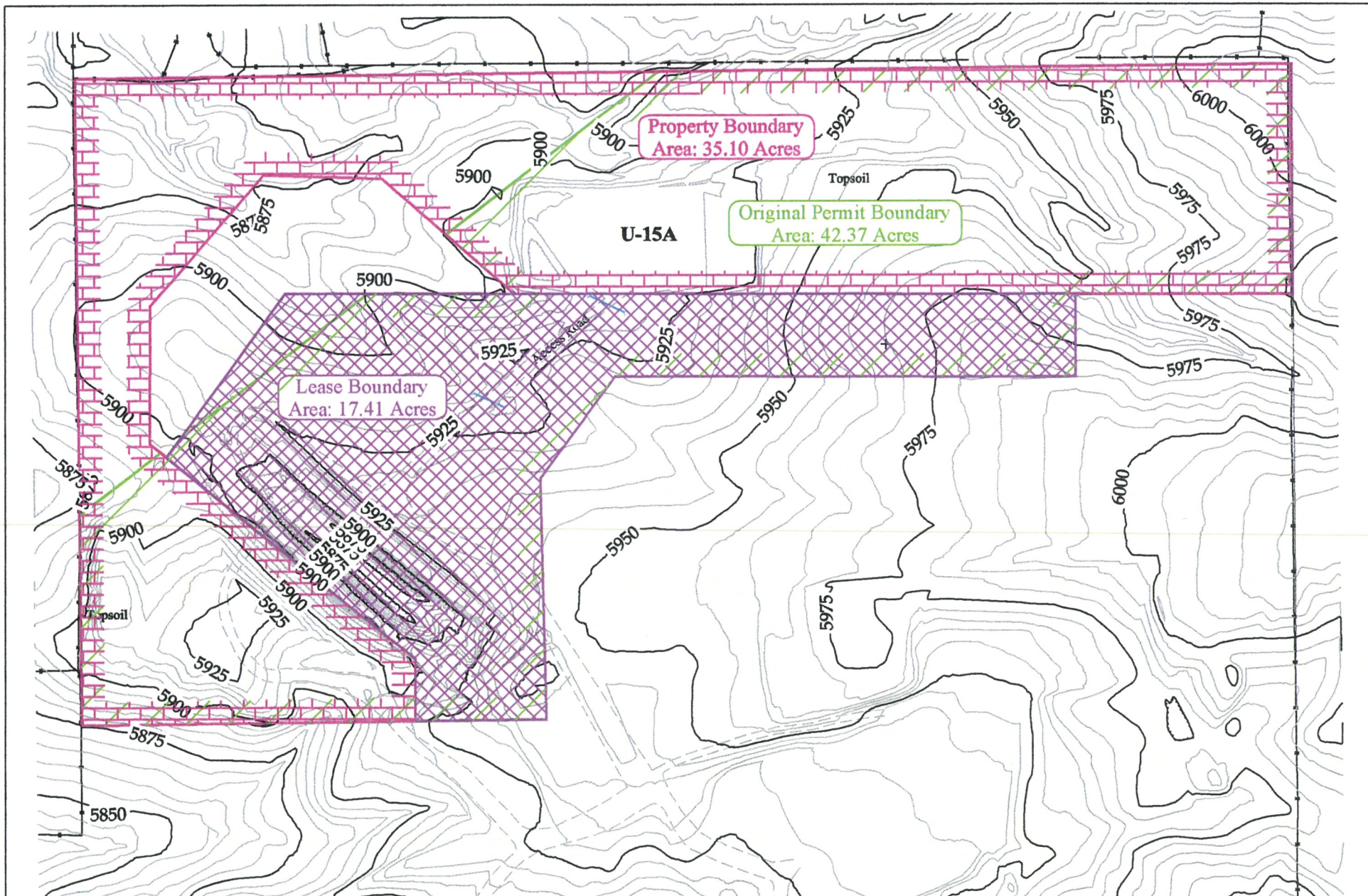
During your recent inspection on December 5, 2016 you noted there was a discrepancy in the permitted acreage for the Ute Mine Site and found that the correct permitted acreage was 42.37 acres. General Shale has reviewed their AutoCAD drawing for the annual report and found the discrepancy comes from the east line of the permit boundary does not follow the section line, which it should. After moving the permit boundary to the section line the acreages agree.

Since the 2004 acreage reduction request, Sedalia Land Company has terminated the 17.41 acre clay lease on August 5, 2014. Approximately 0.65 acres of the clay lease occurs outside the permit boundary. Therefore, General Shale is requesting 16.76 acres of the clay lease to be removed from the permit. The remaining and new permit acreage will be 25.61 acres. Due to the removal of the clay lease this will create two separate permit areas. The northeast permit area is 18.81 acres and the southeast permit area is 6.80 acres. The release area and new permit boundaries are shown in the enclosed acreage reduction site map. Also enclosed are the lease termination letter and certificate of designation letter for the Sedalia Land Company landfill.

Please feel free to contact me with any questions at 303-783-3058 or by email at jason.mcgraw@generalshale.com.

Sincerely,
General Shale Brick, Inc.

Jason E. McGraw P.E.
Mine Supervisor



CONFIDENTIAL

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DRAWING FILE NAME

Ute 2017A.dwg

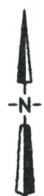
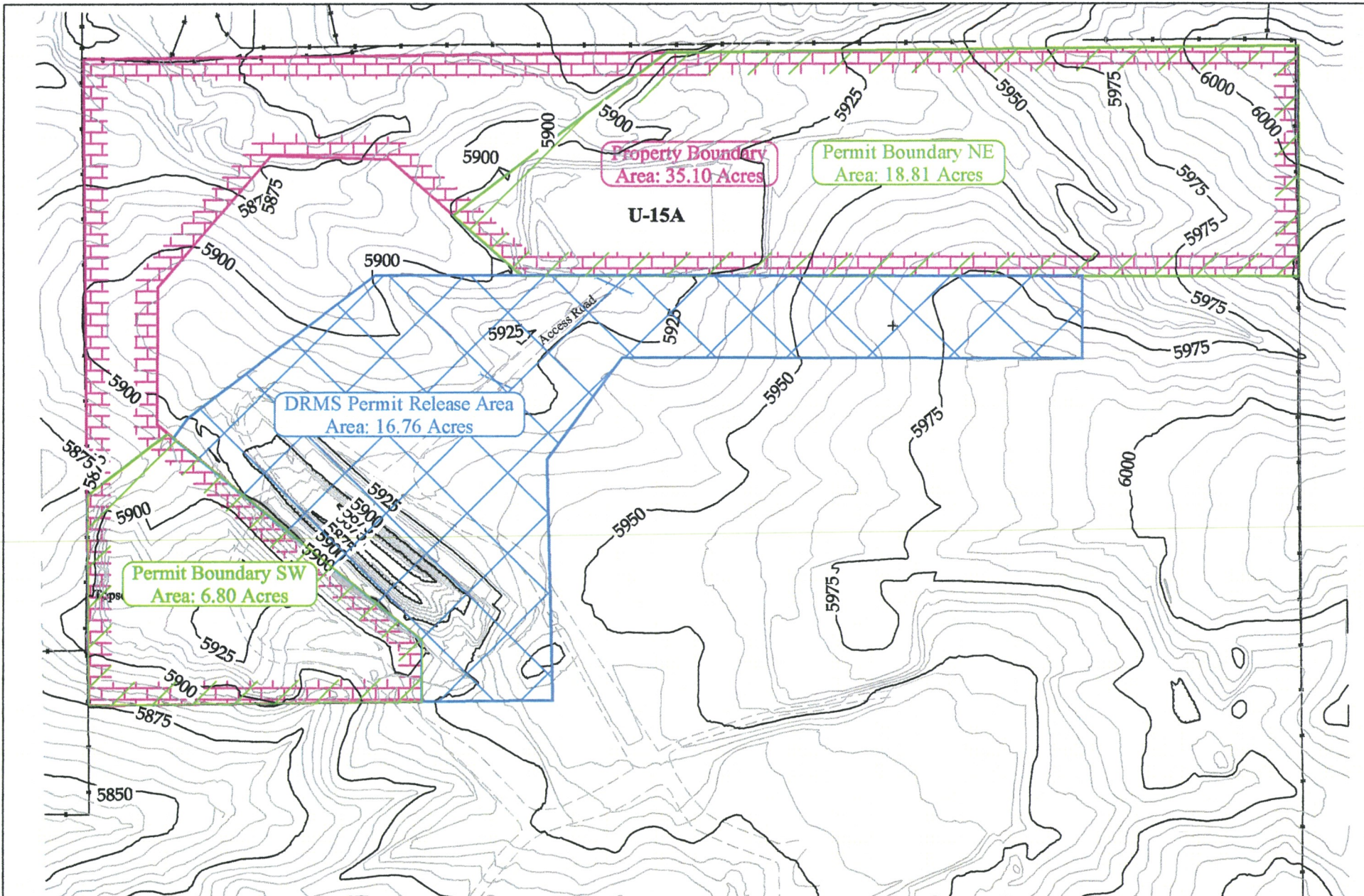
General Shale Brick, Inc.

1845 W. Dartmouth Ave
Denver, Colorado 80110
Phone (303) 783-3000

DRAWING TITLE

Ute Mine M-1979-221
Current Permit and Lease Site Map

| | | | | | |
|-------------------------|-----------------|------------------|-----------|----------------|-------------|
| CONTOUR INTERVAL: 5' | DRAWING NUMBER: | — | REVISION: | A | SHT. 1 OF 1 |
| | DRAWN BY: | Jason E. Malbrau | DATE: | March 27, 2017 | |
| | APPROVAL BY: | | SCALE: | 1"=300' | |



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DRAWING FILE NAME
Ute 2017A.dwg

General Shale Brick, Inc.

1845 W. Dartmouth Ave
Denver, Colorado 80110
Phone (303) 783-3000

DRAWING TITLE

Ute Mine M-1979-221
Acreage Reduction Site Map

| | | | | |
|-------------------|-----------------------------|-----------|----------------|-------------|
| CONTOUR INTERVAL: | DRAWING NUMBER: | REVISION: | A | SHT. 1 of 1 |
| 5' | DRAWN BY: Jason E. Malbraun | DATE: | March 27, 2017 | |
| | APPROVAL BY: | SCALE: | 1"=300' | |

FILE

34523-1-120-12551

September 3, 2004
CERTIFICATE OF DESIGNATION
SEDALIA RECYCLING CENTER AND LANDFILL
Solid Waste Disposal Site and Landfill
Douglas County, Colorado

In accordance with the provisions of the Colorado Solid Waste Disposal Sites and Facilities Act, §30-20-101, *et seq.*, C.R.S., as amended, and the Regulations Pertaining to Solid Waste Disposal Sites and Facilities, the Board of County Commissioners of Douglas County, Colorado, hereby issues a Certificate of Designation, subject to the conditions of approval attached hereto as Exhibit A and incorporated herein by reference, and designates the following site for disposal of solid wastes:

Site: Sedalia Recycling Center and Landfill

Location of Site: Approximately one-half mile north of the Town of Sedalia along U.S. Highway 85 in Douglas County, Colorado

Type of Site or Facility: Non-putrescible solid wastes disposal site and landfill

Name and Address of Landowner: Sedalia Land Company
1899 Wynkoop Street, Suite 700
Denver, Colorado 80202

Name and Address of Operator: Waste Connections Inc.
5970 North US Highway 85
Sedalia, CO 80135

As set forth in §30-20-112, C.R.S., the Board of County Commissioners of Douglas County, Colorado, after notice and public hearing, shall temporarily suspend or revoke this Certificate of Designation for failure of Sedalia Recycling Center and Landfill to comply with all applicable laws, resolutions, and ordinances or to comply with the provisions of Part 1, Article 20 of Title 30, C.R.S., or any rule or regulation adopted pursuant thereto.

ISSUED IN DOUGLAS COUNTY, COLORADO THIS 3rd DAY OF September, 2004.

(SEAL)

BOARD OF COUNTY COMMISSIONERS
DOUGLAS COUNTY, COLORADO

Melanie A. Worlee
Chair, Board of County Commissioners

Attest:

Mary Ann



EXHIBIT A

CONDITIONS OF APPROVAL

CERTIFICATE OF DESIGNATION
SEDALIA RECYCLING CENTER AND LANDFILL

a.k.a

Sedalia Recycling Center and Depository

1. Sedalia Land Company, its successors and assigns, will operate a limited-use, "non putrescible" solid waste landfill to be known as the Sedalia Recycling Center and Depository (Landfill) or (the "Facility") on that parcel of land in Douglas County, Colorado described in Exhibit 1 attached hereto (the "Land"). Said Facility will receive and dispose of complying solid waste generally categorized as "construction and demolition debris, inert debris, and other solid waste which are non putrescible, but in no event, shall the Facility accept, liquids, friable asbestos, regulated Polychlorinated Biphenyl waste, hazardous waste, infectious biomedical waste, radioactive waste, Superfund and Resource Conservation Recovery Act corrective action materials or explosive waste. Any municipal solid waste not specified in this document shall be precluded. Subject to approval of a modified Waste Characterization and Disposal Plan by Colorado Department of Public Health and Environment ("CDPHE"), the Facility may accept special waste which are non-putrescible, meet the above restrictions, and are limited to the following materials: tires, non-friable asbestos, appliances. Nothing shall prevent Douglas County from considering other items requested by the Operator, after proper notice and hearing(s).
2. Sedalia Land Company, its successors and assigns, will provide a free semi-annual cleanup day at the Facility for deposit of a pickup truck-sized load of complying materials from residential households within two miles of the boundaries of the Landfill. Other residential households within Douglas County will receive a reduced gate rate in an amount not more than 80% of the applicable regular gate rate for complying waste on the same day.
3. Following closure of the Facility and reclamation of the site, Sedalia Land Company, its successors and assigns, will deed the Land, consisting of approximately 125 acres, to such person or entity as is designated by Douglas County (hereinafter sometimes referred to as the "County") for purposes of perpetual open space and wildlife habitat, at no cost to the Grantee, provided, however, it is agreed that Sedalia Land Company, its successors and assigns, shall first offer such land to Cherokee Ranch and Castle Foundation, a Colorado not-for-profit organization.
4. Sedalia Land Company, its successors and assigns, will construct and install, at its cost, a full-access, signalized intersection on U.S. Highway 85 to serve the Facility. After installation, such intersection shall be owned, operated and maintained by the Colorado Department of Transportation.

Additionally, Sedalia Land Company, its successors and assigns, will construct at its cost a public road in Douglas County right-of-way and two public entrance roads off of such public road to the adjacent IREA property.

Sedalia Land Company, its successors and assigns, shall construct at its cost a privately owned and maintained paved access road from the paved turnaround in the Douglas County right-of-way to the entrance of the Facility.

All roads shall be constructed in accordance with construction plans accepted by the Douglas County Engineering Division. Sedalia Land Company, its successors and assigns, shall be responsible for maintenance of all roads during a two year warranty period, which begins at such time as the County determines that the constructed improvements are complete and are acceptable. Upon a formal "final acceptance" by Douglas County, the County will assume maintenance responsibility for the road constructed in the County right-of-way, including the two access roads to the IREA parcel. The private paved access road from the paved turnaround in the Douglas County right-of-way to the entrance of the Facility shall be maintained by Sedalia Land Company, its successors and assigns.

5. Sedalia Land Company, its successors and assigns, will fund the cost of a quarterly independent engineering report to be provided to Douglas County by a qualified organization or individual to be selected by Douglas County. The costs of the report will not exceed normal industry costs for similar reports. Nothing in this paragraph or the preceding sentence relieves Sedalia Land Company, its successors and assigns, from providing this quarterly report.

6. The site and facility shall comply with the health laws, standards, rules and regulations of the CDPHE, the Water Quality Control Commission, the Air Quality Control Commission, and all applicable local laws and ordinances.

7. As the site is a property permitted for mining by the Division of Minerals and Geology (DMG permit M-79-221), the property owner is to furnish documentation that planned recycling and disposal operations at the site are compatible with requirements of DMG and the lease holder.

8. Only Construction and Demolition Debris, Inert Materials, tires, appliances, and non-friable asbestos are to be accepted and disposed at the facility. Acceptance of any other waste would require review and approval by Douglas County and CDPHE, after notice and public hearing(s).

9. Financial Assurance in accordance with Section 1.8 of the Solid Waste Disposal Sites and Facilities Regulations will be required for the landfill, landfill systems, and all structures and facilities not related to the mining operation.

10. The facility will be an attended solid waste disposal site, and as such, it is subject to collecting and remitting to CDPHE the quarterly Hazardous Substance Response Fund fee, which is imposed under Title 25, Article 16, Section 101 et. seq. of the Colorado Revised Statutes, as amended. An information package and forms will be provided to the operator.

11. Sedalia Land Company, its successors and assigns, will provide all Construction Quality Assurance Reports, prepared by independent firms, to Douglas County together with a statement of qualifications concerning such independent firms. Agents of the County will be provided full access to the construction of the site at all times.

12. Sedalia Land Company, its successors and assigns, will continually maintain all permits and authorizations necessary and required to operate the Facility and the Facility shall comply with all state, federal and local regulations pertaining to the operation of the site.

13. The terms of the Site Improvement Plan, including the Management Plan and other conditions of approval contained in the Use by Special Review Application, are hereby incorporated into this

Certificate of Designation and shall be binding upon Sedalia Land Company, its successors and assigns, as a material element of this Certificate of Designation.

14. A service fee or "service fees" as authorized under § 30-20-115, C.R.S., shall be imposed at the rate adopted by the Board of County Commissioners, now or at any time in the future for the purpose of financing solid wastes management in the County. Any fee will be posted on the gate rate for disposal.

15. No hauling shall be permitted onto or off the site between the hours of 6:00 p.m. and 7:00 a.m., and other site activities involving the use of heavy equipment shall not be permitted between the hours of 8:00 p.m. and 7:00 a.m. except on an emergency basis. Such emergencies are to be reported to the County by noon the day following such emergency. The hours of operation may not change without the prior authorization of the CDPHE and the County. The facility shall not be open on Sundays.

16. The Engineering Design and Operations Plan (the "EDOP") shall be reviewed by County Staff, their agents, CDPHE, and the operator no less than every 5 (five) years to determine whether the facility meets current industry standards, whether more appropriate buffering, fees, operational/reclamation plan or other items should be amended to appropriately address the conditions and community needs as of the review date.

17. Douglas County and/or its representatives shall be allowed unannounced access to the subject property at any time during normal business hours to conduct any inspections or tests deemed appropriate by the County.

18. The owner/operator of the facility shall be responsible for the prompt retrieval of any landfill related litter and/or trash that is blown off the subject property and/or deposited within one mile of the facility.

19. The facility shall operate a recycling program that shall consist of community convenience and commercial recycling. The facility shall provide receptacles for metals, paper, glass, and as economic plastics. Wood, concrete, and asphalt will be recycled as appropriate in areas specified by the Site Improvement Plan. No composting will be conducted at the site.

Additional Conditions Precedent:

1. Prior to new construction of each new cell, or portion thereof, as shown on the Site Improvement Plan, the operator will develop and submit to Douglas County, its agents, and CDPHE for review and approval, a document containing detailed construction drawings and specifications, including water quality, drainage, and erosion and sediment control, and a Construction Quality Assurance Plan. Douglas County agrees to review such applications and respond to the operator within fifteen (15) calendar days of the date of application.

2. Sedalia Land Company, its successors and assigns, shall install a wind speed monitor equipped with a continuous recording device to monitor wind speed velocities during hours of operation. Wind speed records shall be submitted to Douglas County and its authorized agents on a quarterly basis.

3. Prior to opening the site, Sedalia Land Company shall submit to Douglas County, its authorized agents, and CDPHE for review and approval an updated EDOP incorporating all changes to the document since January 30, 2001.

4. Sedalia Land Company, its successors and assigns, will conduct a groundwater monitoring program in accordance with state regulations for the point of compliance, provided however, said

program will at a minimum, have the following standards of frequency. Such report will be provided quarterly for the first two years following the date hereof, and semiannually thereafter.

CONDITIONS OF APPROVAL US01-018

- *(The First 13 as recorded in the Planning Commission Staff Report for US01-018)*
- *(The last five (5) as approved by the Board of County Commissioners on September 3, 2004, at a Public Hearing)*

Approval with the following conditions:

1. The applicant shall submit a final Site Improvement Plan (SIP) for approval as per Sections 21 and 27 of the Douglas County Zoning Resolution within 180 days of Board of County Commissioners' approval, and prior to any operations on site, or the USR and Certificate of Designation (CD) approvals are null and void.
2. A revised Waste Characterization and Disposal Plan (WCDP) shall be submitted to Douglas County and to the Colorado Department of Public Health and the Environment (CDPHE) for review and approval prior to SIP approval.
3. Sedalia Land Company, its successor or assigns, shall obtain approval of a revised CD from the CDPHE allowing for disposal of non-friable asbestos, appliances, and tires, prior to SIP approval.
4. Documentation and demonstration of financial assurance in the form of the post-closure reclamation bond, as required by the CDPHE, shall be submitted to Douglas County a minimum of 30 days prior to the initial receipt of waste at the facility.
5. Sedalia Land Company, its successors and assigns, shall establish four lysimeter wells along the western property line of the subject property prior to initial receipt of waste at the facility. The lysimeter wells shall be monitored at the same frequency as the CDPHE monitoring wells for the lifespan of the landfill and recycling facility. If wet, samples shall be drawn from the lysimeters and tested for total phosphorus and nitrates and specific conductant values.
6. Sedalia Land Company, its successors and assigns, shall secure an access easement to the groundwater monitoring wells on

Robinson Brick and Tile property (Shown on the SIP as M-2 through M-4).

7. Sedalia Land Company, its successors and assigns, shall provide the Sedalia Water and Sanitation District with access, maintenance, and, as necessary, grading easements, for a proposed water tank on site and a water line running from the tank to off-site locations.
8. Sedalia Land Company, its successors and assigns, shall provide the Sedalia Water and Sanitation District with 100 acre-feet of adjudicated water annually, beginning within one year of Certificate of Designation issuance.
9. All Denver basin aquifer water rights beneath this property shall be dedicated to the land in perpetuity, minus the water that is conveyed to the Sedalia Water and Sanitation District. Denver aquifer water cannot be used for this project unless an augmentation plan is adjudicated in Division 1 Water Court.
10. The existing well that is located within Phase 2 of the project shall be abandoned according to the Colorado Division of Water Resources' "Rules and Regulations for Water Well Construction, Pump Installation, and Monitoring and Observation Hole/Well Construction" (2 C.R.S. 402, June 1, 2000).
11. Sedalia Land Company, its successors and assigns, shall construct and maintain an on-site fire suppression system as committed to in the letter dated 11/13/03 from Darry Ferguson to Bruce Lennox (attached Appendix 'B').
12. Sedalia Land Company, its successors and assigns, agrees to the participation in costs of \$27,817.62 for the preliminary and final design for the widening of US 85 and the realignment of the IREA access. Payment will be made to Douglas County within 90 days of Certificate of Designation issuance.
13. Sedalia Land Company, its successors and assigns, shall provide access rights for Robinson Brick and Tile across the Delva property (Sedalia Business Park) located immediately south of the proposed landfill site to the future public right-of-way located north of the future signalized intersection at Highway 85.
14. The CD will be effective upon execution and recordation by the County. Such execution and recording is subject to technical changes required by Douglas County Community Development

consistent with the original intent and any necessary legal changes required by the County Attorney's office.

15. The Sedalia Land Company, its successors, or assigns, agrees to join a water and sanitation district in order to be part of any future regionwide water supply solution. In accordance with this condition, Sedalia Land Company will file a petition for inclusion into the Sedalia Water and Sanitation District by January 1, 2006.
16. With the exception of construction traffic directly related to activity in the area of Castle Pines, traffic to and from this site for the purposes of waste disposal of construction debris shall be excluded from Happy Canyon Road and Daniels Park Road.
17. Sedalia Land Company, its successors and assigns agrees to purchase the homes of the following property owners adjacent to the landfill, should such owners elect to sell at any time within 5 years:

CLAYTON S THOMAS
6222 N US HWY 85
SEDALIA, CO 80135

FLORENCE BLOHM & STEVEN BLOHM
6200 N HWY 85
SEDALIA, CO 80135

RICKY W MASTERSON & KATHLEEN N MASTERSON
5950 N STATE HWY 85
SEDALIA, CO 80135

EDWARD J & ELSIE M FLYNN
6090 N US HWY 85
SEDALIA, CO 80135

CHARLES W & M ELEANORE SMITH
PO BOX 105
6142 N HWY 85
SEDALIA, CO 80135

WOODSON & WILMINA ADAIR
6046 N HIGHWAY 85
SEDALIA, CO 80135

SLC shall pay the higher of the current market value or the market value at the time of election by the owner(s) to sell. The Sedalia Land Company, its successors, or assigns, shall obtain a current appraisal of each property with an appraiser as agreed upon by the each individual property owner, for the six residential adjacent properties in order to establish a base purchase price unless an owner provides a written waiver of his/her right to such appraisal.

In the event of a dispute, jurisdiction shall be proper in the Douglas County District Court unless the owner and SLC agree to another dispute resolution process.

18. The Sedalia Landfill and Recycling Center shall be allowed to accept tires, at the discretion of the Douglas County Community Development Department, until circumstances are deemed inappropriate as determined by Douglas County. Douglas County Community Development Department may decide, through the process of Annual Reviews associated with US01-018, whether tires shall be a continued acceptable material at the site.

In addition to the conditions of approval listed above, the Certificate of Designation for operation of the landfill (attached Exhibit 'I') contains another 23 conditions that define and limit what will be allowed on site and how operations will be conducted.

The County's management plan for the USR contains more limitations and requirements relating to on-going activities, and further defines specifics of day-to-day operations. Finally, the Engineering Design and Operations Plan, previously approved by the CDPHE, regulates the micro-level details of operational procedures.

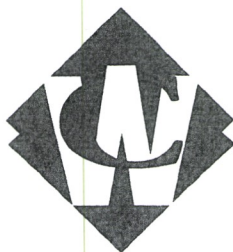
US01-018
5970 N. Highway 85
MANAGEMENT PLAN

1. The operator of the site, Waste Connections, its successors or assigns, shall provide resumes of the qualifications of on-site employees prior to commencing operations on site, and shall provide updated resumes as part of the annual USR inspections.
2. The operator of the landfill shall conduct random inspections of loads at a rate of not less than 1 per 50 trucks.
3. Appliances arriving on site for disposal shall include freon-free certification, or the operator shall have a certified technician on site to remove freon from appliances prior to burial.
4. Recycling piles shall not be visible from Highway 85.
5. No composting operations shall be conducted on site.
6. All on-site roads shall be maintained in a reasonably dust-free condition by spraying with water as needed. Commercial dust-control fluids may be used as necessary to control fugitive dust.
7. Functional mufflers shall be required on all heavy equipment. The use of Jake brakes is prohibited on site and on the access to the site. Sedalia Land Company, its successors and assigns shall post signs to this effect and inform drivers.
8. The use of cameras and mirrors will be required for load inspections as noted on the SIP.
9. If leachate is detected in the collection system, Douglas County shall be notified within 24 hours. Confirmation testing by a qualified laboratory shall be required and the results shall be provided to Douglas County and the CDPHE. The County, in consultation with its experts and CDPHE, shall determine if leachate needs to be removed to a wastewater treatment plant for disposal.
10. Nothing shall prohibit the County and/or its agents from conducting unannounced independent water quality sampling at any time during business hours.

11. The Sedalia Land Company, its successors and assigns, shall provide water quality sampling of the water supply wells of adjacent landowners who request monitoring. The sampling shall be conducted in accordance with state regulations, or, at a minimum, with the following frequency: quarterly for the first two years and semi-annually thereafter, for the life of the landfill and its post-closure monitoring period.
12. Sedalia Land Company, its successors and assigns, will offer to purchase the home and land of any of the current residents or their heirs living between the west side of the landfill site and Highway 85, as per the terms listed in Item 6 of the e-mail from Darry Ferguson to Bruce Lennox dated 4/9/04 (attached Appendix 'B'). Currently Adair, Blohm, Flynn, Masterson, Smith, and Thomas own the subject properties. The landowners may submit up to three independent qualified appraisals to Sedalia Land Company for review as part of this agreement.
13. Sedalia Land Company, its successors and assigns, shall provide clean-up services to Cherokee Ranch for the life of the site, as stated in the commitment letter from Darry Ferguson to Deborah Jordy dated 2/25/04 (attached in Appendix 'G').
14. Within the lease area, Robinson Brick and Tile, its successors and assigns shall operate within the landfill's normal hours of operation.
15. The site shall be reclaimed as per the terms of the approved CDPHE Reclamation Plan, the approved SIP, and the legal agreement between Sedalia Land Company and Robinson Brick and Tile.
16. A Weed Management Plan satisfactory to Douglas County shall be implemented on an on-going basis for the life of the facility and during the reclamation process.
17. An annual survey or aerial photo of the site shall be provided to Douglas County to document progress on the site.
18. Operator shall develop procedures for equipment operation and the flow of traffic in and out of the site to minimize diesel emissions. The program will describe methods of minimizing idling for the site's heavy equipment, including SLC fleet trucks, contract haulers, and incoming diesel vehicles; the use of low sulfur diesel; and best available technology for diesel engine use.
19. (If the Fleet has nine or more vehicles): SLC will perform emission inspections of and certify all fleet vehicles under five years old, and submit results to the Air Pollution Control Division (APCD.) Upon initiation of the Annual Review associated with the USR, SLC will provide a copy of the emissions results to Douglas County. Fleet vehicles owned by SLC will meet manufacturer's

maintenance specifications and all EPA standards for each type of equipment.

20. Emissions testing at a state emissions facility will be performed on all SLC fleet vehicles five years or older. Results of these tests will be forwarded to Douglas County. Should a vehicle fail inspection, SLC will repair or replace accordingly.
21. SLC will purchase only turbo-charged replacement vehicles upon retirement of non-complying fleet vehicles.
22. SLC will explore volunteer pilot program options to reduce vehicle diesel emissions at an accelerated rate.
23. Operators will limit the number of vehicles weighing more than 25,000 pounds (empty weight) to 120 trucks per day based on a rolling 30-day average. At such time as US Highway 85 is completed to four-lanes for at least ½ mile to the north from the proposed intersection with Highway 85, this condition will terminate. If the Operator anticipates that such truck traffic may exceed the 120 trucks per day (based on the 30-day rolling average,) Owner and Operator may submit a request for modification of this condition, which shall be accompanied by any relevant studies and data, required by the county. Notwithstanding the fact that the processing of such request might not require a public hearing pursuant to applicable County regulations, Owner and Operator consent to a public hearing, if requested by the County, for any request to increase the limitation imposed pursuant to this Condition.



WASTE CONNECTIONS INC.

Connect with the Future®

August 5, 2014

Mr. Anthony Fabrizio
Vice President of Manufacturing
Robinson Brick Company, Inc.
1845 West Dartmouth Avenue
Denver, Colorado 80110

**Re: Clay Lease Termination Notification
Sedalia Land Company
Sedalia, Colorado**

Dear Mr. Fabrizio:

In accordance with the Terms of Amendment of the executed Clay Lease Amendment dated February 23, 2010, the Sedalia Land Company is providing this written notice to the Robinson Brick Company that the clay lease will be terminated effective August 6, 2015. The leased property will be utilized as an overburden stockpile area, which is necessary for the landfill operations. Currently, the overburden is stockpiled within the landfill's permitted waste disposal boundary. Future removal of this material will be required as the landfill operations progress; however, the facility does not have a suitable location for the overburden. The leased property will provide this location for the future stockpile area.

Please do not hesitate to contact me at (303) 876-5506 if you have any further questions or comments.

Sincerely,



Matt Crockett, P.E.

Central Region Engineer

cc: Mr. Jacob Rapplean, Sedalia Land Company, Inc. (via email)
Mr. Mark Adams, Waste Connections, Inc. (via email)

General Shale

1845 West Dartmouth Avenue
Denver, CO 80110

RETURN SERVICE REQUESTED
ADDRESS SERVICE REQUESTED

7010 3090 0000 9569 2593



1000



80203

U.S. POST.
PAID
ENGLEWO
80110
APR 04, 17
AMOUNT
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DIVISION OF RECLAMATION,
MINING AND SAFETY

Colorado DRMS
1313 Sherman Street, Room 215
Denver, CO 80203