COLORADO
Division of Reclamation, Mining and Safety
Department of Natural Resources

MINERALS PROGRAM INSPECTION REPORT
PHONE: (303) 866-3567

The Division of Reclamation, Mining and Safety has conducted an inspection of the mining operation noted below. This report documents observations concerning compliance with the terms of the permit and applicable rules and regulations of the Mined Land Reclamation Board.

MINE NAME:	**MINE/PROSPECTING ID#:**	**MINERAL:**	**COUNTY:**
Priola Pit	M-2007-087	Sand and gravel	Adams
INSPECTION TYPE:	**INSPECTOR(S):**	**INSP. DATE:**	**INSP. TIME:**
Monitoring	Jared L. Ebert	June 26, 2017	10:00
OPERATOR:	**OPERATOR REPRESENTATIVE:**	**TYPE OF OPERATION:**	
Albert Frei & Sons Inc.	Ben Frei	112c - Construction Regular Operation	

REASON FOR INSPECTION:	**BOND CALCULATION TYPE:**	**BOND AMOUNT:**
Normal I&E Program	Partial Bond	$77,000.00
DATE OF COMPLAINT:	**POST INSP. CONTACTS:**	**JOINT INSP. AGENCY:**
NA	None	None
WEATHER:	**INSPECTOR'S SIGNATURE:**	**SIGNATURE DATE:**
Clear	Jared Ebert	June 28, 2017

GENERAL INSPECTION TOPICS

This list identifies the environmental and permit parameters inspected and gives a categorical evaluation of each. No problems or possible violations were noted during the inspection. The mine operation was found to be in full compliance with Mineral Rules and Regulations of the Colorado Mined Land Reclamation Board for the Extraction of Construction Materials and/or for Hard Rock, Metal and Designated Mining Operations. Any person engaged in any mining operation shall notify the office of any failure or imminent failure, as soon as reasonably practicable after such person has knowledge of such condition or of any impoundment, embankment, or slope that poses a reasonable potential for danger to any persons or property or to the environment; or any environmental protection facility designed to contain or control chemicals or waste which are acid or toxic-forming, as identified in the permit.

(AR) RECORDS----------	N	(FN) FINANCIAL WARRANTY--------	Y	(RD) ROADS----------	NA
(HB) HYDROLOGIC BALANCE----------	Y	(BG) BACKFILL & GRADING----------	Y	(EX) EXPLOSIVES---------	NA
(PW) PROCESSING WASTE/TAILING----	NA	(SF) PROCESSING FACILITIES-------	NA	(TS) TOPSOIL----------	Y
(MP) GENL MINE PLAN COMPLIANCE-	Y	(FW) FISH & WILDLIFE----------	NA	(RV) REVEGETATION----	Y
(SM) SIGNS AND MARKERS----------	Y	(SP) STORM WATER MGT PLAN----	NA	(CI) COMPLETE INSP----	NA
(ES) OVERBURDEN/DEV. WASTE---------	NA	(SC) EROSION/SEDIMENTATION---	Y	(RS) RECL PLAN/COMP--	Y
(AT) ACID OR TOXIC MATERIALS-------	NA	(OD) OFF-SITE DAMAGE----------	Y	(ST) STIPULATIONS-------	NA

Y = Inspected and found in compliance / N = Not inspected / NA = Not applicable to this operation / PB = Problem cited / PV = Possible violation cited

OBSERVATIONS

This was a monitoring inspection of the Priola Pit, DRMS Permit No. M-2007-087, operated by Albert Frei & Sons, Inc. (AFS). I, Jared Ebert and Wally Erickson of the Colorado Division of Reclamation, Mining and Safety (Division) conducted the inspection. Present during the inspection was Al Frei and Ben Frei with AFS, Steve O'Brian with Environment, Inc., and Jack Storti with Berg Hill Greenleaf Ruscitti Attorneys at Law who represents AFS. Also present during the inspection was Gary Priola and Lena Vander Laan of CAP Land CO who own the property.

This is a 13.68 acre 112c operation in Adams County. The approved post mine land use for the site is Industrial/Commercial.

Backfilling and Grading:
Mining of the site is complete and the Operator has backfilled the pit excavation with inert material. The site consists of an elevated area with a generally level top with side embankments around the perimeter. The reclamation plan calls for creating a level pad with a consistent top elevation of 5,107 feet with side embankment graded to a 3H:1V slope. Mr. Ben Frei provided the Division with a map that shows 86 location points where AFS had surveyed the final site elevation. This data was collected on October 3, 2014. Also, Mr. Ben Frei provided a copy of a notebook that listed the 86 survey points and cited the "desired" elevation, the actual elevation and the elevation difference between the two measurements. The "desired" elevations listed appear to be based on a site configuration/drainage plan that is different than the approved reclamation plan. This data is included as an attachment with this report.

Based on a review of the data and map submitted, the final top elevation of the site ranges from 5,114.15 feet on the northwest end of the site, 5,096.2 feet at the south end of the site and about 5,105 feet at the east end of the site. The northern portion of the top of the backfilled area gently slopes to the southeast. The southern portion of the top of the backfilled area gently slopes to the east. The currently approved mining and reclamation plan indicated that a 25 foot buffer zone would exist around the pit and backfilled area and that mining and backfilling would not occur within this area. However, it appears the Operator has backfilled material within this 25 foot buffer zone as the toe of the fill extended to the boundary of the site.

The side slopes of the backfilled embankment were observed. The side slopes appeared to be graded to a 3H:1V slope with the exception of one portion of the embankment on the western most end of the northern portion of the site. The slope at this location appears to be steeper than a 3H:1V slope and appeared to be closer to a 2H:1V slope. Several erosion gullies were observed on the slopes of the embankment that will need to be repaired and stabilized.

Financial Warranty:
The current financial warranty held for the site appears to be adequate at this time but may be re-evaluated if the Operator revises the reclamation plan as discussed in the Reclamation Success section of the report.

Hydrologic Balance:
The exposed groundwater at the site has been completely backfilled. According to the mining plan, the northern most well was to remain at the site. The wellhead for this well was observed during the inspection and appeared functional. Two wells were said to be located in the south and central part of the mining operation that were to be extended above the top of the fill when reclamation was complete. It does not appear these wells have been extended.

This permit was approved with the following condition:

"Operator will monitor ground water levels up gradient and downgradient of the backfilled area for a period of two years following completion of reclamation to ensure that ground water is not mounding to levels that could adversely impact surrounding structures. If the City of Thornton does not allow use of their wells for needed monitoring, the

Operator must install piezometers to conduct the monitoring prior to initiating mining activities."

According to Mr. O'Brian, monitoring has occurred. Prior to final bond release the Operator will need to submit the results of this monitoring and demonstrate groundwater mounding is not occurring.

Gen. Compliance With Mine Plan:
Mining is complete at the site.

Reclamation Success:
As indicated above the approved post mine land use for the site is Industrial/Commercial. The Operator was to create a level pad area with 3H:1V side slopes around the fill embankment. The embankment side slopes are to be topsoiled and seeded with a specific seed mixture approved in the reclamation plan and the top of the filled area was to be stabilized with gravel or with crested wheatgrass. The site is not currently configured in accordance with the reclamation plan. As discussed in the Backfilling and Grading section of the report, the top of the fill is not a level area at a 5,107 foot elevation. This area has been backfilled and graded to create a gentle south and east slope for site drainage. Also, the Operator has backfilled material within the 25 foot buffer area. The side slopes of the fill embankment are not all graded to the required 3H:1V slope. Topsoil is stockpiled in several piles and berms along the east side of the site. The vegetation throughout the site consists primarily of annual and biennial weeds including several noxious species.

Regarding the site configuration/final topography, AFS has two options. Option one, AFS will need to grade the site to conform to the currently approved reclamation plan which would require removing the material from the 25 foot buffer zone and grading the area of the top of the embankment to a consistent 5,107 foot elevation. Option 2, AFS may revise the reclamation plan to update the site configuration that resembles the current site configuration/elevations.

During the permit review process, AFS committed to supplying the Division evidence that the entire site is zoned for Industrial use. To date, this evidence has not been submitted. Prior to final bond release, the Operator will need to demonstrate the site is zoned for industrial use.

Revegetation:
The vegetation at the site was weedy. The dominant species noted at the site was cheatgrass, field bindweed, and several types of noxious thistle. Other annual and biennial species existed at the site and there were areas where crested wheatgrass was observed. The Operator will need to conduct weed control activities and the site will need to be revegetated in accordance with the approved reclamation plan.

Sediment Control:
Several rills and gullies were noted along the embankment slopes that will need to be repaired and the area stabilized.

Topsoil:
Topsoil has been stockpiled in berms and piles on the east side of the site. These piles were stable.

Steeper than 3H:1V Slopes

PHOTOGRAPHS

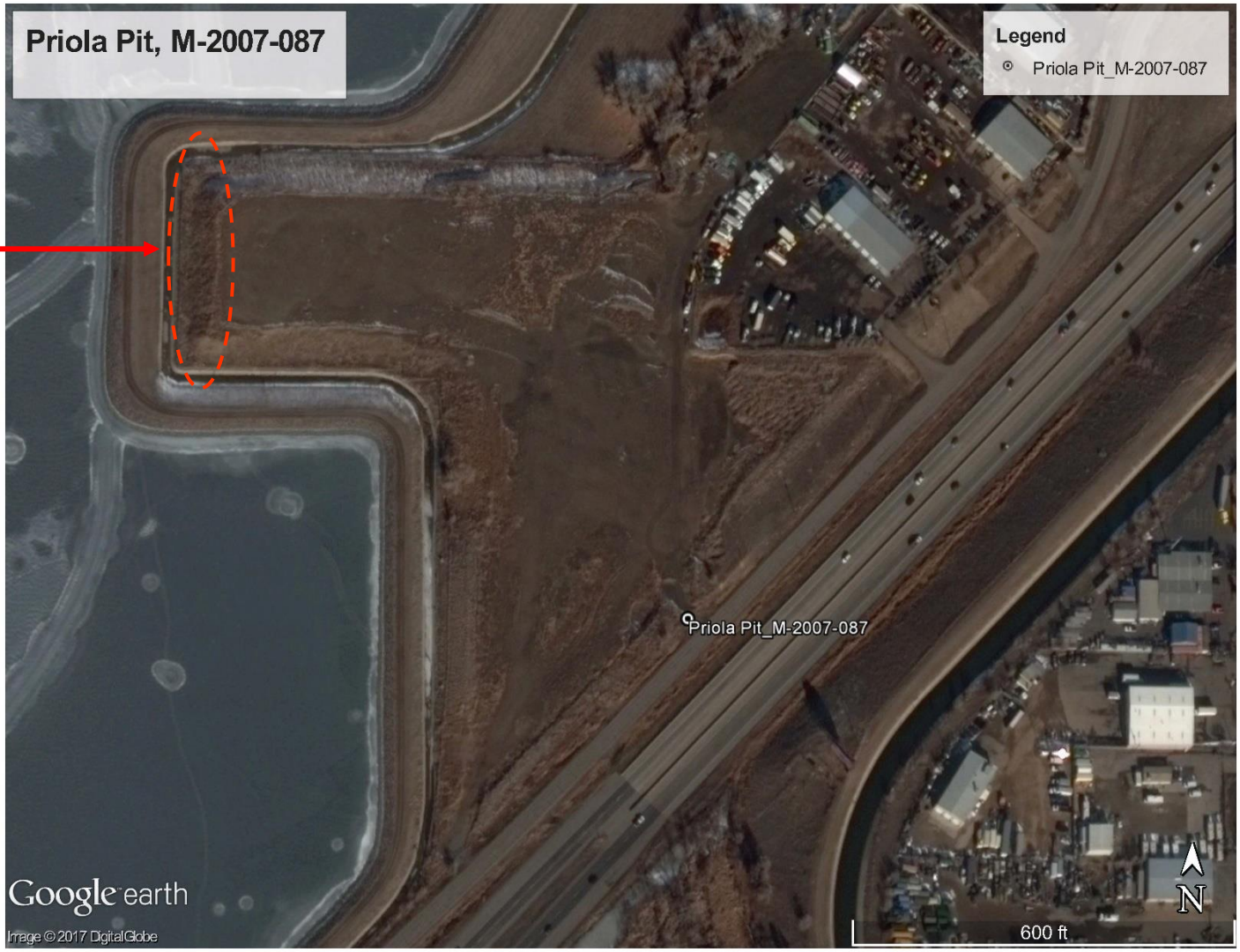

Figure 1. Google earth Photo Map, Image Date 1/20/2017

Figure 2. Southwest fill slope. From the south end looking north.

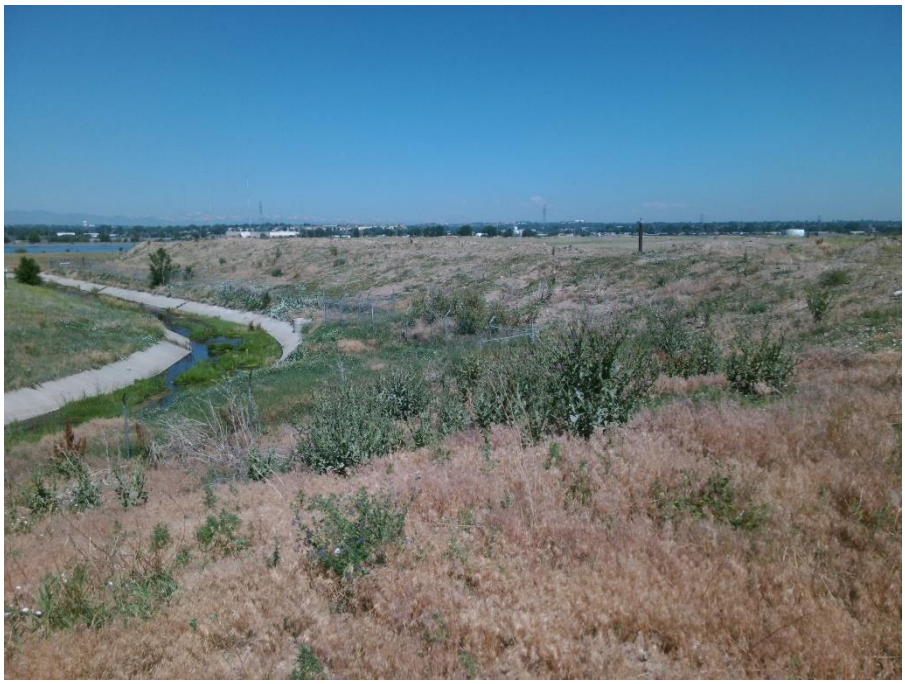

Figure 3. North central corner looking northwest.

Figure 4. Erosion gully on fill embankment.

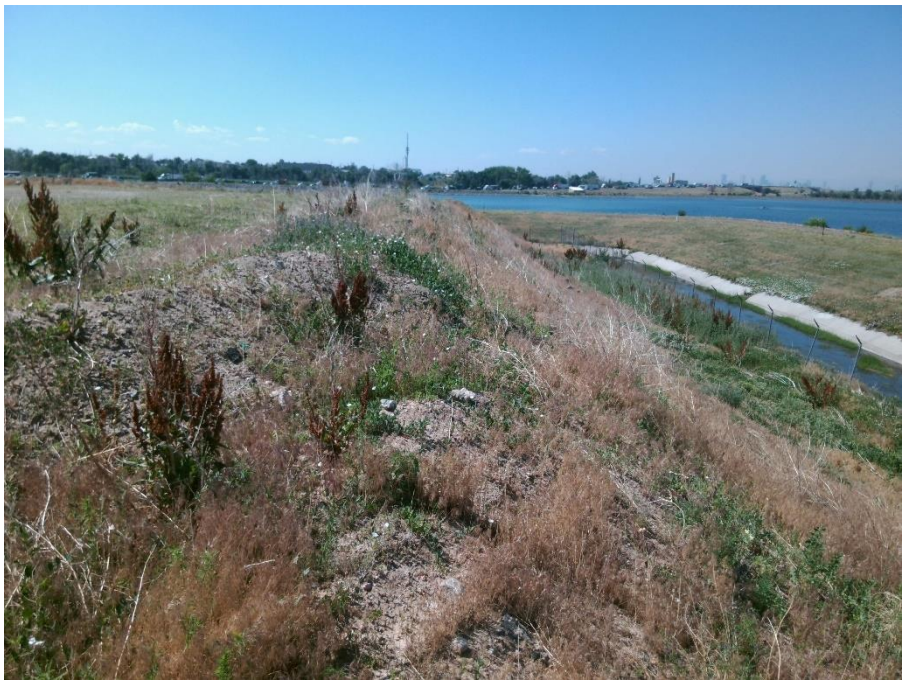

Figure 5. Western most fill slopes on the north side of the site. Greater than 3H:1V slope.

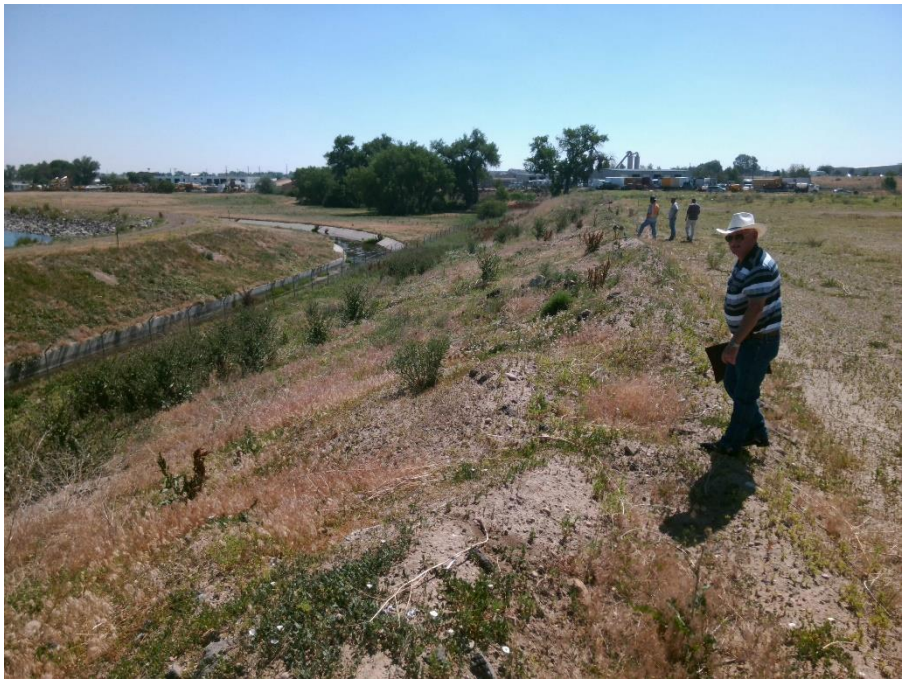

Figure 6. Northern most fill slope. From the west side looking east.

Figure 7. From the northwest end of the site looking southeast.

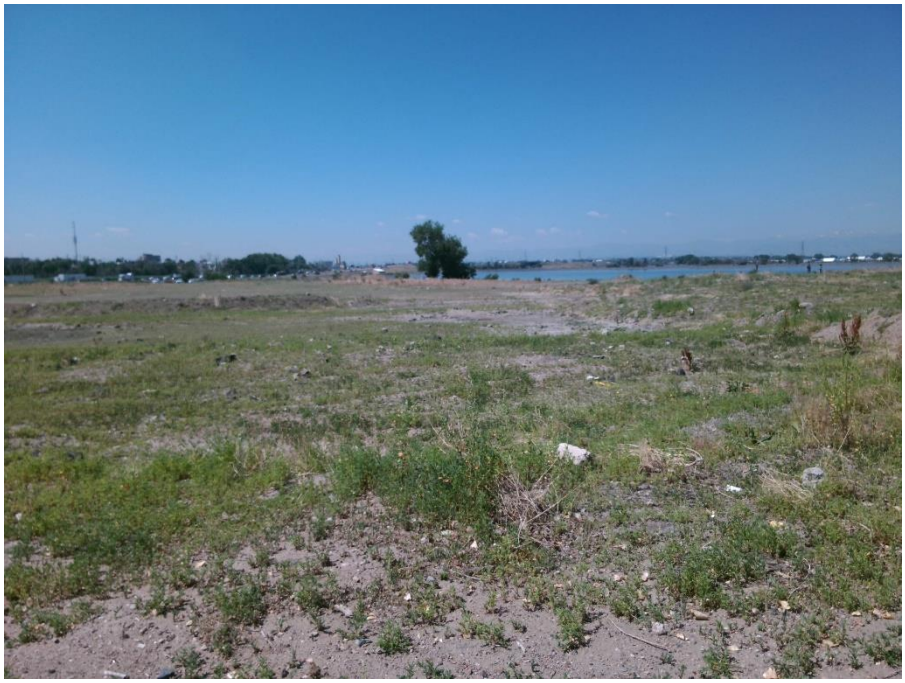

Figure 8. From the north end of the site looking south.

Inspection Contact Address

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Albert Frei & Sons Inc.
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Henderson, CO 80640

Enclosures

EC: Gary Priola, via e-mail
Lena Vander Laan, via e-mail
Steve O'Brian with Environment, Inc., via e-mail

CONCRETE DITCH

SW

SW

SW

EXISTING BUILDING

RETENTION POND
103.0 T.O.B.

+93.0

OVERFLOW WEIR (SEE DETAIL)

T.O.B.

I-76 FRONTAGE ROAD

CONCRETE DITCH

PRIOLA SITE I-76 & DANUA

POINT	DES ELEV	ELEV	C/F	NOTE
1100	5111.7	96.2	F13⁵	Top Slope
1101	111.85	96.2	F13⁶	" Slope
1102	5112.0	99.7	F12³	" "
1103	112.15	5102.7	F9⁵	" "
1104	112.4	5103.2	F9²	" "
1105	112.5	5104.0	F6⁵	(5) W. To Top Slope
1106	112.6	5105.1	F7⁴	If moved 2'E old 5 = F6⁵ 9.17 Top Slope
1107	5111.6	5104.2	F7⁴	moved 2'W old F8⁴ Top Slope
1108	5111.5	5104.8	F6²	Top Slope old 69 F but was a/c thru
1109	111.7	5105.1	F6⁶	" "
1110	111.9	5105.5	F6⁴	Top Ditch // F5⁴ @ 3' Toe Ditch // F5⁴ @ 1' on Back Top Slope
1111	5112.8	5107.1	F5²	Top Ditch // F4⁷ @ 3' Toe Ditch // F5² @ 1' Top Slope
1112	113.6	5108.0	F5⁶	" // F4⁶ @ 3' Toe Ditch // F5⁶ @ 1' Top Slope
1113	114.2	5108.5	F5²	// F4⁷ @ 3' Toe Ditch // F5⁷ @ 1' Top Slope
1114 Cor	5114.4	5107.0	F7³	
1115	114.5	5108.6	F5⁹	
1116 Cor	115.1	5108.6	F6⁵	
1117	114.4	5110.1	F4⁴	T (5) E. to Top Slope
1118 Cor	114.2	5108.9	F5²	
1119 Cor	114.5	5108.4	F6⁰	
1120	113.3	5107.3	F6⁰	
1121	112.65	5106.1	F6⁶	
1122	5111.9	5104.2	F7⁷	

ROGER

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Oct. 3, 2014 (3rd + OVRLOT DESIGN)

Oct. 6, 2014 HI 4.81

B665 P77

POINT	DES EL	EL GR	C/F	DES TOP	NOTES
1123	5111.1	5104.9	F6⁸		
1124	110.7				
1125	110.2				
1126	937	5110.5	107.3	F3²	Top Slope
1127	938	5110.8	107.8	F3⁸	"
1141	28	5107.1	5108.0	C0⁹	Toe Slope // 5111.3 Des F3² @ 12.6' Top Slope
1142	29	5106.9	107.8	C0²	" // 5111.0 Des F3² @ 12.3' Top Slope // F3² @ 13.3' Top Ditch // F2² @ 16.3' Toe Ditch
1143	30	5106.4	106.5	C0¹	" // 5110 Des Top Slope // F3⁸ @ 10.8' // F3⁵ @ 11.8' // F2⁵ @ 14.8' Toe Ditch
1144	31	5105.9	5105.8	F0¹	" // 5109 Des Top Slope // F3⁸ @ 9.3' // F3² @ 10.3' // F2¹ @ 13.3' Toe Ditch
1145	32	5105.6	5102.8	F2⁸	" // 5108.0 Des // F5² @ 7.2' // F5² @ 8.2' // F5.2 @ 11.2' Toe Ditch
	33				
1134	5114.15		5108.6	F5²	℄ GRID
1135	113.3		5108.2	F5⁰	
1136	112.5		5107.9	F4⁶	
1137	5111.7		5106.3	F5⁴	
1138	110.9		5105.3	F5⁶	
1139	110.2		5104.3	F5⁹	
1140	5109.4		5104.9	F4⁴	

5094 BOT

POINT	DES ELEV	ELEV	C/F	NOTES
1156	5105.53	5102.85	FE 5 TOP POND /// C8 8 @ 33 9	TOE POND
1157	5104.0	5103.6	FO 4 " " /// C9 6 @ 30'	TOE POND
1158 FA	5103.0	5103.1	CO 1 " " /// C9 1 @ 27'	TOE POND
1159 "	"	5105.3	C2 3 " "	WEST SIDE WEIR —
1160 "		5104.3	C1 3	EAST SIDE WEIR —
1161		5100.3	F2 7	TOP POND COR
1162		5100.6	F2 4 TOP POND	C6 4 @ 27' TOE BOT. COR
1163		5101.9	F1 1 TOP POND /// C7 9 @ 27'	TOE POND
1164 COR		5102.8	FO 2 " " /// C8 8 @ 27'	TOE COR POND
1165			C3 6	TOP POND GB Grade Break
1166	5105.0	5109.2	C4 2	TOP POND SWALE DOWN
1169	5107.50	5104.1	F3 4 @ 17' E. to TOP POND	
1168	5108.0	5103.8	F4 2 TOP POND / C9 8 @ 42'	TOE ANGLE POND
1169	"	5103.2	F4 9 " " " /// C9 2 @ 42'	" "
1170	"	5102.7	F9 3 " " POND /// C8 7 @ 42'	TOE POND COR
1171	5108.65	5103.5	F5 0 GRID	
1172	5109.8	5103.6	F6 2 "	
1173	5109.7	5102.8	F6 9 "	
1174	5109.6	5104.9	F7 5 "	
1175	5110.58	5102.8	F7 5 "	
1176	5110.74	5102.7	F8 1 "	
1177	5110.9	5104.2	F6 7 "	
1178	5110.9	5104.7	F6 2 "	

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POINT	ELEV	Des ELEV	C/F	NOTES
1179	5099.5	5112.0	F12 6 Top Slope /// F12 6 @ 1' TOP DITCH /// F11 6 @ 4' TOE FE DITCH	
1180	5102.8	5111.0	F8 2 Top Slope /// F8 2 @ 1' TOP DIT /// F7 2 @ 4' TOE FE DITCH	
1181	5105.2	5110.0	F4 8 " " /// F4 8 @ 1' TOP DITCH /// F3 8 @ 4' TOE FE DITCH	
1182	5105.0	5109.0	F4 0 " " /// F4 0 @ 1' TOP DITCH /// F3 0 @ 4' TOE FE DITCH	
1183	5101.2	5108.85	F7 7 " " /// F7 7 @ 1' TOP DIT /// F6 7 @ 4' TOE FE DITCH	
1184	5103.5	5108.1	F5 2 " " /// F5 2 @ 1' TOP DITCH /// F4 2 @ 4' TOE FE DITCH	
1185	5105.9	5108.6	F2 7 " " /// F2 7 @ 1' TOP DITCH /// F1 7 @ 4' TOE FE DITCH	
1186	5107.7	5108.0	FO 3 TOP SLOPE /// FO 3 @ 1' TOP DITCH /// CO 7 @ 4' TOE FE DITCH	