



COLORADO

**Division of Reclamation,
Mining and Safety**

Department of Natural Resources

1313 Sherman Street, Room 215
Denver, CO 80203

March 28, 2018

Bernard Frei
Albert Frei and Sons
P.O. Box 700
Henderson, CO 80640

**RE: Priola Pit, M-2007-087
Technical Revision No. 2 (TR02), Adequacy Review No. 1**

Dear Mr. Frei,

The Colorado Division of Reclamation, Mining, and Safety (Division) received the above referenced Technical Revision on March 19, 2018 from Albert Frei and Sons, Inc. (AFS). Please address the following issues:

1. The cover letter submitted with TR02 indicates that reclamation must commence by April 20, 2019 based on the approval of Technical Revision No. 1 (TR01). The DRMS approval letter for TR01 dated March 22, 2016 extended the deadline to complete all phases of reclamation by April 20, 2019. Given this, please acknowledge that all phases of reclamation including backfilling, grading, topsoiling and seeding must be completed by April 20, 2019.
2. The current reclamation plan required AFS to salvage and stockpile 15,600 cubic yards of growth medium. During the Division's June 26, 2017 inspection, soil stockpiles were observed on the site and these piles are labeled on the current conditions map and the proposed reclamation plan map submitted with TR02. The cover letter with TR02 indicates AFS will import growth medium sufficient to place 6" of material over the entire disturbed area. Please clarify, will AFS use the current soil piles on site for reclamation? Will the imported growth medium be used in addition to onsite material?
3. Please revise the reclamation plan map to indicate or depict the dirt piles will not remain on the site after reclamation?
4. The cover letter with TR02 indicates the landowner is using a section in the northeast corner of the site as a slurry dump and AFS will not be responsible for reclaiming this area. AFS is required to reclaim the affected land (which includes the slurry pile/dump area within the permit boundary) in accordance with Rule 3.1 and C.R.S. 34-32.5-116. It is AFS responsibility to work with the landowner to insure they can complete reclamation in accordance with the reclamation plan. Please revise the reclamation plan map to remove the delineation of the slurry dump/piles.



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The Division is required to issue a decision on the application by April 18, 2018. If you need additional time to address these issues please submit a written request waiving your right to a thirty day decision for the technical revision. If you have any questions feel free to contact me at (303) 866-3567, extension 8120.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jared Ebert", with a stylized flourish at the end.

Jared Ebert

Environmental Protection Specialist III

Ec: Gary Priola, gpriola@gmail.com
Stevan O'Brian, Environment, Inc. Environment-inc@outdrs.net