



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

1313 Sherman Street, Room 215
Denver, CO 80203

June 27, 2019

Victoria Katchen
7230 Provost Rd
Bennett, CO 80102

**RE: Notice of Formal Board Hearing, Pre-hearing Conference,
and Recommendation Date for a 112c Amendment Application (AM01)
Albert Frei and Sons, Inc.
AFS – Bennett Pit, File No. M-2001-038**

Dear Party and/or Interested Person:

The Division of Reclamation, Mining and Safety (Division) appreciates you taking time to participate in the review process of the above referenced application. The amendment application for the AFS – Bennett Pit was submitted to the Division on February 13, 2019, by Albert Frei and Sons, Inc. (Applicant). The application was considered filed for review on February 21, 2019. The public comment period for the application closed on May 30, 2019. The review period for the application will close on July 26, 2019.

An explanation of the Division's review process, your rights and responsibilities as either a party or a non-party, and the jurisdiction of the Mined Land Reclamation Board (Board), is provided in a 12-page memorandum, "Guide to Citizen Participation in the 112 Reclamation Permit Application Process for Construction Materials and Hard Rock/Metal Mining Operation", dated October 2, 2001, revised January 12, 2006. This memo is enclosed. You are strongly encouraged to read this guide to understand your responsibilities to participate in the application process. As noted in the citizen's guide memo, in these proceedings the Division's authority is limited to enforcement of the Colorado Land Reclamation Act for the Extraction of Construction Materials, 34-32.5-101 *et seq.*, C.R.S. (Act) and the Mineral Rules and Regulation of the Colorado Mined Land Reclamation Board for the Extraction of Construction Materials (Rules). The AM01 application, the citizen's guide memo, the Act and the Rules can be accessed through the Division's website, <http://mining.state.co.us>.

The Division has received written objections to the application. Therefore, pursuant to Rule 1.4.9(2)(a) and 1.7.4(2), the Division has scheduled the application for a Formal Board Hearing for consideration. The hearing has been scheduled for the August 21 and 22, 2019 Board meeting, which will occur at 1313 Sherman Street, Room 318, Denver, Colorado, beginning at 9:00 a.m. or as soon thereafter as the matter can be considered. During the hearing the Board will consider the application with objections and may decide to approve, approve with conditions, or deny the application.



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Pursuant to Rule 1.4.9, on or before July 26, 2019, the Division shall issue its recommendation to the Board for approval, approval with conditions, or denial of the application. A copy of the Division's recommendation will be forwarded to all parties and interested persons.

Please contact me at the Division's office at 1313 Sherman Street, Room 215, Denver Colorado 80203, Jared.Ebert@state.co.us or at (303) 866-3567 ext. 8120, if you have any questions.

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

Enclosure: Guide to Citizen Participation

cc w/enclosure: Michael Cunningham, DRMS Senior Environmental Protection Specialist



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

1313 Sherman Street, Room 215
Denver, CO 80203

June 27, 2019

Mark Faber
7230 Provost Rd
Bennett, CO 80102

**RE: Notice of Formal Board Hearing, Pre-hearing Conference,
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Albert Frei and Sons, Inc.
AFS – Bennett Pit, File No. M-2001-038**

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Jared Ebert
Environmental Protection Specialist III

Enclosure: Guide to Citizen Participation

cc w/enclosure: Michael Cunningham, DRMS Senior Environmental Protection Specialist



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**Division of Reclamation,
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1313 Sherman Street, Room 215
Denver, CO 80203

June 27, 2019

Alethea Copeland
50180 East 64th Ave.
Bennett, CO 80102

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Environmental Protection Specialist III

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Jennifer Curtis
49850 E 72nd Ave
Bennett, CO 80102

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Jared Ebert
Environmental Protection Specialist III

Enclosure: Guide to Citizen Participation

cc w/enclosure: Michael Cunningham, DRMS Senior Environmental Protection Specialist



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Kimberly Chainhalt
49850 E 72nd Ave
Bennett, CO 80102

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Environmental Protection Specialist III

Enclosure: Guide to Citizen Participation

cc w/enclosure: Michael Cunningham, DRMS Senior Environmental Protection Specialist



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Denver, CO 80203

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Kelsey Magnuson
7490 Provost Road
Bennett, CO 80102

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Nancy Donaldson
7550 Provost Road
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Elva Munoz
7550 Provost Road
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Denver, CO 80203

June 27, 2019

Joe Munoz
7550 Provost Road
Bennett, CO 80102

**RE: Notice of Formal Board Hearing, Pre-hearing Conference,
and Recommendation Date for a 112c Amendment Application (AM01)
Albert Frei and Sons, Inc.
AFS – Bennett Pit, File No. M-2001-038**

Dear Party and/or Interested Person:

The Division of Reclamation, Mining and Safety (Division) appreciates you taking time to participate in the review process of the above referenced application. The amendment application for the AFS – Bennett Pit was submitted to the Division on February 13, 2019, by Albert Frei and Sons, Inc. (Applicant). The application was considered filed for review on February 21, 2019. The public comment period for the application closed on May 30, 2019. The review period for the application will close on July 26, 2019.

An explanation of the Division's review process, your rights and responsibilities as either a party or a non-party, and the jurisdiction of the Mined Land Reclamation Board (Board), is provided in a 12-page memorandum, "Guide to Citizen Participation in the 112 Reclamation Permit Application Process for Construction Materials and Hard Rock/Metal Mining Operation", dated October 2, 2001, revised January 12, 2006. This memo is enclosed. You are strongly encouraged to read this guide to understand your responsibilities to participate in the application process. As noted in the citizen's guide memo, in these proceedings the Division's authority is limited to enforcement of the Colorado Land Reclamation Act for the Extraction of Construction Materials, 34-32.5-101 *et seq.*, C.R.S. (Act) and the Mineral Rules and Regulation of the Colorado Mined Land Reclamation Board for the Extraction of Construction Materials (Rules). The AM01 application, the citizen's guide memo, the Act and the Rules can be accessed through the Division's website, <http://mining.state.co.us>.

The Division has received written objections to the application. Therefore, pursuant to Rule 1.4.9(2)(a) and 1.7.4(2), the Division has scheduled the application for a Formal Board Hearing for consideration. The hearing has been scheduled for the August 21 and 22, 2019 Board meeting, which will occur at 1313 Sherman Street, Room 318, Denver, Colorado, beginning at 9:00 a.m. or as soon thereafter as the matter can be considered. During the hearing the Board will consider the application with objections and may decide to approve, approve with conditions, or deny the application.



Pursuant to Rule 2.7, the Division has scheduled a Pre-hearing Conference to occur on Monday August 5, 2019 beginning at 12:00pm and will end no later than 2:00pm. The Pre-hearing Conference will be held to describe the Division's review process, to explain the rights and responsibilities of parties, to discuss and resolve issues to the extent possible, to describe the Board Hearing processes, to propose a list of issues under the Board's jurisdiction, to simplify that list, and to identify parties. The Pre-hearing Conference will occur at the Bennett Community Center, 1100 W. Colfax Avenue, Bennett, CO 80102 in the Lions Room. In accordance with Rule 2.7.3(4), any party who does not attend the Pre-hearing Conference forfeits its party status and all associated rights and privileges, unless such party provides a fully executed proxy authorization form to the Pre-hearing Conference Officer and the party's authorized representative is present at the Pre-hearing Conference. The proxy authorization form is included in the enclosed citizen's guide.

Pursuant to Rule 1.4.9, on or before July 26, 2019, the Division shall issue its recommendation to the Board for approval, approval with conditions, or denial of the application. A copy of the Division's recommendation will be forwarded to all parties and interested persons.

Please contact me at the Division's office at 1313 Sherman Street, Room 215, Denver Colorado 80203, Jared.Ebert@state.co.us or at (303) 866-3567 ext. 8120, if you have any questions.

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

Enclosure: Guide to Citizen Participation

cc w/enclosure: Michael Cunningham, DRMS Senior Environmental Protection Specialist



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

1313 Sherman Street, Room 215
Denver, CO 80203

June 27, 2019

David Murphy
7140 Highway 79
Bennett, CO 80102

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Jared Ebert
Environmental Protection Specialist III

Enclosure: Guide to Citizen Participation

cc w/enclosure: Michael Cunningham, DRMS Senior Environmental Protection Specialist



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**Division of Reclamation,
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Department of Natural Resources

1313 Sherman Street, Room 215
Denver, CO 80203

June 27, 2019

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

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June 27, 2019

Steve O'Brian
Environment, Inc.
7985 Vance Dr. #205A
Arvada, CO 80003

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