



September 10, 2021

Joel Bolduc  
Albert Frei & Sons, Inc.  
35715 Hwy 40, Building B, Suite 120  
Evergreen, CO 80439

**Re: Albert Frei & Sons, Inc.; Walstrum Quarry; File No. M-1983-033;  
112c Permit Amendment Application (AM-09) Second Adequacy Review**

Mr. Bolduc,

The Division of Reclamation, Mining and Safety (Division/DRMS/Office) reviewed the contents of the adequacy response received on August 18, 2021 for the Albert Frei & Sons, Inc. (Frei) 112c permit amendment application (AM-09) for the Walstrum Quarry, File No. M-1983-033 and submits the following comments. The Division is required to issue a recommendation to the Board no later than October 8, 2021, since a timely objection was received by the Office. Therefore, a response to the following adequacy review concerns should be submitted to the Division as soon as possible.

2. In response to Item #2, the Operator stated fines generated from the proposed amendment area will be placed on-site and in the approved, exempt location in Gilpin County. Please respond to Item #25 below.
9. In response to Item #9, the Operator stated fines generated from the proposed amendment area will be placed on-site and in the approved, exempt location in Gilpin County, additional language regarding fines handling has been added to Section 3.1 of the Mining Plan and the Exhibit C-3 Mining Map was revised. Please respond to Item #25 below and update Exhibit D accordingly.
11. In response to Item #11, the Operator stated with this response, AFS requests approval for a slope of 2:1 (horizontal to vertical ratio) on all reservoir slopes. The two private reservoirs with restricted access and 2:1 slope for granite slopes are acceptable in this case as with reclamation permits for other quarries.

The Division recommends the Operator complies with Rule 3.1.5(7) and commits to constructing the reservoirs at a 3H:1V slope from 5 feet above to 10 feet below the expected water line. Alternatively, the Operator must demonstrate how access to the



reservoirs will be restricted to prevent access by persons and wildlife. The Division requests the Operator provides examples of other quarries reclaimed with final 2H:1V slopes.

17. The Division calculated the cost for an independent contractor to reclaim the site based on the information submitted by the Operator in the amendment application at \$1,100,000.00. A copy of the Division's bond estimate is attached for review.
20. Please provide an affidavit or receipt indicating the date on which the revised amendment application information required to address this adequacy letter was placed with the Clear Creek County Clerk and Recorder for public review, pursuant to Subparagraph 1.6.2(1)(c).
25. In response to Item #25, the Operator stated see Attachment 9 for the fill material slope stability analysis. Attachment 9 contained a Slope Stability Analysis for Proposed Section 35 Fill Area in Gilpin County, Colorado from Arcadis dated April 16, 2007.

The Arcadis stability analysis does not address the fines material currently being stockpiled on-site or the proposed fines stockpile location for the Spur amendment area indicated on the revised Exhibit C-3 map. Please provide the following information regarding the on-site fines stockpiles:

- a. Please provide a geotechnical stability analysis for the current and proposed fines stockpiles pursuant to Rule 6.5.
  - b. Please provide the material placement procedures for the current and proposed fines stockpiles pursuant to Rule 3.1.5.
  - c. Please explain how the current and proposed fines stockpiles are/will be stabilized to prevent potential down gradient movement.
  - d. Please provide parallel and perpendicular cross-sections for the current and proposed fines stockpiles at final reclamation.
  - e. Please revise the Exhibit C-3 map to indicate the current fines stockpiles locations.
27. The Division sent a copy of the Geotechnical Review Memo from Zach Trujillo dated August 31, 2021 to the Operator on September 2, 2021. Please respond to the adequacy concern in the memo.

Please be advised the Walstrum Quarry amendment application may be deemed inadequate, and the amendment application may be denied on October 8, 2021, unless the above mentioned adequacy review items are addressed to the satisfaction of the Division. If more time is needed to complete the reply, the Division can grant an extension to the decision date. This will be done upon receipt of a written waiver of the Operator's right to a decision by October 8, 2021 and request for additional time. This must be received no later than the deadline date.

If you have any questions, please contact me at [peter.hays@state.co.us](mailto:peter.hays@state.co.us) or (303) 866-3567 Ext. 8124.

Sincerely,



Peter S. Hays  
Environmental Protection Specialist

Enclosures – DRMS Financial Warranty Estimate

Ec: Jared Ebert; Division of Reclamation, Mining & Safety