




**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.

<b>MINE NAME:</b> Hatchery Pit	<b>MINE/PROSPECTING ID#:</b> M-2014-043	<b>MINERAL:</b> Gravel, sand and bor for construction	<b>COUNTY:</b> Adams
<b>INSPECTION TYPE:</b> Surety Reduction	<b>INSPECTOR(S):</b> Nikie Gagnon	<b>INSP. DATE:</b> April 7, 2022	<b>INSP. TIME:</b> 10:00
<b>OPERATOR:</b> Albert Frei & Sons Inc.	<b>OPERATOR REPRESENTATIVE:</b> Joel Bolduc and Ben Frei	<b>TYPE OF OPERATION:</b> 112c - Construction Regular Operation	
<b>REASON FOR INSPECTION:</b> Surety Release Requested	<b>BOND CALCULATION TYPE:</b> Complete Bond	<b>BOND AMOUNT:</b> \$1,056,600.00	
<b>DATE OF COMPLAINT:</b> NA	<b>POST INSP. CONTACTS:</b> None	<b>JOINT INSP. AGENCY:</b> None	
<b>WEATHER:</b> Windy	<b>INSPECTOR'S SIGNATURE:</b> 	<b>SIGNATURE DATE:</b> April 14, 2022	

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

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

## **OBSERVATIONS**

The Hatchery Pit was inspected by Nikie Gagnon and Patrick Lennberg with the Division of Reclamation, Mining and Safety (Division/DRMS). The inspection was conducted in response to a Surety Reduction Request (SR-1) from the operator submitted in accordance with Rule 4.14 on March 8, 2022. The site was previously inspected by the Division on May 5, 2021. Ben Frei, Joel Boldoc with Albert Frei & Sons (AFS) representing the operator were present during the inspection. The weather was clear with moderate to high wind.

The entrance to the Hatchery Pit is approximately 0.25 mile west of the intersection of 88th avenue and I-76 in Commerce City, CO in Adams County. The pit is a Construction Materials 112c permit and is approved for 53.17 acres. A mine sign was posted at the entrance as required by Rule 3.1.12 (Photo 1).

**General Observations:** The site was active and the processing plant was operating during the inspection (Photos 2 & 3). Trucks entered from 89<sup>th</sup> Avenue and exited via a scale house to Monaco Street. The operation was in compliance with the mining plan and confined within the permit boundary at the time of the inspection. The inspection proceeded along a perimeter road, observing the water monitoring wells, the Bull Seep, and the two pre-1981 unlined ponds on site (Photos 4-7). Mined material was stored in stockpiles in the Phase 1 fill area inside the permit boundary (Photos 8-9). A bulldozer was observed moving inert fill material in the Phase 2 area (Photo 10). A new double walled polyethylene waste oil containment tank was installed on the northern side of the permit area (Photo 11). The area around the waste oil and diesel tanks were free of spills and debris at the time of the inspection (Photos 11-12).

**Bond Reduction Items:** The purpose of this inspection was to evaluate the completion of a clay liner and French drain in the Phase 2 area approved under Technical Revision No. 01 (TR-01) to prevent groundwater from interacting with inert fill material planned to be used as backfill in the pit. The lined pit will not hold water and therefore, as noted in the last inspection, does not require a leak test. Along with the request for a bond reduction, the Division received as-built drawings of the completed slurry wall (Attachment C of the SR-1) and a Phase 2 Liner Construction Report (Attachment D of the SR-1) describing the placement and compaction of the clay liner and installation of the groundwater drain. The French drain was installed at the current water table elevation to channel groundwater around the inert fill in the pit area. The 2021 Liner Construction Report indicates the project is controlling groundwater levels as intended. During the inspection, the two outlet locations for the French drain were observed. No water was draining at the time of the inspection, however, Joel Boldoc, representing the operator, confirmed the drains are exhibiting flow as expected and sent the Division a photo showing water flowing from the drain on a previous date (Photos 13-14, & 18). According to the Liner Construction Report, the slope liner is claystone bedrock of the Denver Formation taken from the bottom of the open pit mine. The material was placed on the slopes and compacted in 10 to 12 inch lifts and keyed into the in-place bedrock. The inspection included walking around the pit to observe the clay liner which was intact, appropriately graded, and no concerning erosional channels were noted (Photo 15-16).

**Hydrologic Balance:** During the inspection, 2-3 feet of water was observed in the bottom of the clay lined pit in Phase 2 (Photos 15-16). Joel Boldoc, representing the operator, stated the water in the pit comes from vacuum tanker trucks which deposit slurry into the pit to be used as backfill. The solids settle into the pit and the water is pumped out weekly into a settling pond in the Phase 1 area (Photo 7). At the time of the inspection, a vacuum truck was observed depositing material into the pit area (Photo 17). The Division

understands that most of the water observed in the pit comes from the vacuum trucks and recommend that the operator run the sump pump in the pit after large storm events, ensuring that stormwater is pumped out within 48-72 hours. The two ponds in the Phase 1 area are pre-1981 regulations.

Future Reclamation: At the time of the inspection, topsoil was stored above the highwalls in the Phase 2 pit and no erosion issues were noted (Photos 19-20). Since the last inspection, manholes in the pit area have been completed and Joel Boldoc indicated new sections will be added to the top of the manholes as the pit fills in with inert material (Photo 21).

Based on observations made during the inspection, the Division will approve SR-01 Surety Reduction Request from the currently held amount of \$1,056,600 to \$350,000, a reduction of \$706,600. Notice of the Division's decision regarding the reduction request will be sent under a separate cover letter.

Photographs taken during the inspection are attached.

Please contact Nikie Gagnon (303) 866-3567 ext. 8126 or email at [nikie.gagnon@state.co.us](mailto:nikie.gagnon@state.co.us) if you have any questions regarding this report of the recommended bond amount.

## PHOTOGRAPHS



**Photo 1:** Signs posted at mine entrance on 89<sup>th</sup> Ave.



**Photo 2:** Looking west at processing facility in Phase 1 area.



**Photo 3:** Looking west across mine. Stockpiles and processing plant in Stage 1 area. Yellow arrow pointing to Phase 2 pit and compacted liner in foreground.





**Photo 4:** Monitoring well MW-5.



**Photo 5:** Bull Seep.



**Photo 6:** Looking southeast across pond, arrow pointing to inlets releasing water from settling pond on far side.





**Photo 7:** Looking west across settling pond, pre-1981.



**Photo 8:** Looking north, near mine entrance. Stockpiles staged on Phase 1 fill areas.



**Photo 9:** Stockpiles staged on Phase 1.





**Photo 13:** Outlet for French drain on south side near mine entrance, no water flowing during inspection.



**Photo 14:** Outlet for French drain near mine entrance on south side, water flowing (operator supplied photo).



**Photo 15:** Looking northwest across completed compacted clay liner and pit. Yellow arrows pointing to water pump and drain pipeline.





**Photo 16:** Looking west across Phase 2 pit. Water observed in pit.



**Photo 17:** Looking southwest across Phase 2 pit area. Vacuum truck on far side draining water into pit. Yellow circle is topsoil stockpile location.



**Photo 18:** Looking southwest, newly installed French drain outlet into unlined pond (pre-1981). Yellow arrow is water coming in through drain pipes from the adjacent settling pond.





**Photo 19:** Looking east at high wall and topsoil storage in Phase 2.



**Photo 20:** Looking south at compacted clay liner, pit wall and topsoil piles along top of pit.



**Photo 21:** Completed manhole inside Phase 2 pit.

**Inspection Contact Address**

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