




**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> Worthing Pit	<b>MINE/PROSPECTING ID#:</b> M-1977-526	<b>MINERAL:</b> Sand and gravel	<b>COUNTY:</b> Adams
<b>INSPECTION TYPE:</b> Surety Release Inspection SR2	<b>WEATHER:</b> Clear	<b>INSP. DATE:</b> December 11, 2023	<b>INSP. TIME:</b> 11:00
<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 Related	<b>BOND CALCULATION TYPE:</b> Complete Bond	<b>BOND AMOUNT:</b> \$230,800.00	
<b>DATE OF COMPLAINT:</b> NA	<b>POST INSP. CONTACTS:</b> None	<b>JOINT INSP. AGENCY:</b> None	
<b>INSPECTOR(S):</b> Nikie Gagnon	<b>INSPECTOR'S SIGNATURE:</b> 	<b>SIGNATURE DATE:</b> December 18, 2023	

**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>N</u>	(RD) ROADS----- <u>N</u>
(HB) HYDROLOGIC BALANCE----- <u>Y</u>	(BG) BACKFILL & GRADING----- <u>Y</u>	(EX) EXPLOSIVES----- <u>N</u>
(PW) PROCESSING WASTE/TAILING---- <u>N</u>	(SF) PROCESSING FACILITIES----- <u>N</u>	(TS) TOPSOIL----- <u>N</u>
(MP) GENL MINE PLAN COMPLIANCE- <u>N</u>	(FW) FISH & WILDLIFE----- <u>N</u>	(RV) REVEGETATION---- <u>Y</u>
(SM) SIGNS AND MARKERS----- <u>N</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>N</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 Worthing Pit was inspected by Nikie Gagnon with The Division of Reclamation, Mining and Safety (Division/DRMS). This inspection was completed as part of a Surety Reduction Request (SR2), submitted in accordance with Rule 4.14, received by the Division on November 20, 2023. Ben Frei and Joel Bolduc, representing Albert Frei & Sons (Operator), accompanied the Division during the inspection.

The original 112c permit area encompassed 110.6 acres. In 2005, Amendment 2 was approved which added 50.3 acres for a total of 160.9 acres. Over the years, three acreage reductions have been approved, leaving 59.7 acres in the permit area. According to the Operator, final fill, grading and seeding is completed across the remaining 59.7 acres. The Operator is requesting a Surety Reduction from \$230,500 to \$42,240. The approved post-mining land use in the remaining permit area is general agriculture and rangeland.

### **Backfill and Grading**

The Division observed evidence of recent grading across the remaining permit area. The south side of the permit area is graded flat to the elevation of the surrounding area, with shallow (3H:1V or less) contours sloping to the west, consistent with the approved reclamation plan. Approximately 30 acres in the north end of the permit area has been backfilled with inert fill. According to the Operator, inert fill activities were completed in 2022. The Division observed the inert fill area and noted it has been graded level to the elevation of Brighton Road and slopes gently to the west, towards the South Platte River.

### **Reclamation**

During the inspection, the Operator confirmed that six inches of topsoil was replaced across the remaining acres. The Division observed evidence of recent drill seeding. Straw mulch was observed across most of the reclaimed areas. One area in the southwest section of the permit area had little or no straw mulch. The Division pointed this out to the Operator to correct.

Just south of the entrance, a 3.5-acre area was seeded last fall and wheatgrass was observed growing here during this inspection. Erosion gullies were noted on the western slope of this area. The Operator should keep an eye on this and repair the slope as necessary.

The Division observed the side slopes along the access road on the north end, across from the pond. Reclamation of the slope is incomplete. The Operator indicated this area will be seeded and mulched.

Since most of the permit area was recently graded and seeded, little evidence of regrowth was observed. The Division recommends monitoring the vegetation growth and reseeding with the approved seed mix as necessary until adequate vegetation is established. The Operator should also monitor weeds and conduct weed control as necessary.

### **Hydrologic Balance**

A French drain is installed on the eastern boundary of the clay lined inert fill area. The Division observed manhole covers along the eastern perimeter of this area. A small amount of water was observed discharging into an adjacent pond, between the north and south areas.

**Financial Warranty**

The Division currently holds a letter of credit in the amount of \$230,800.00. The Division estimates the remaining reclamation liability at the site to be \$61,038.00. Based on observations made during the inspection, the Division will approve the Surety Reduction Request (SR2) from the currently held amount of \$230,800.00 to \$61,038.00, a reduction of \$169,762.00. Notice of the Division's decision regarding the reduction request will be sent under separate cover.

This concludes the Division's report. A subset of photographs taken during the time of the inspection are included below. If you need additional information or have any questions, please contact me at the Division of Reclamation, Mining and Safety, 1313 Sherman Street, Room 215, Denver, CO 80203, by telephone at 303-866-3567 x8126, or by email at [nikie.gagnon@state.co.us](mailto:nikie.gagnon@state.co.us).

## **PHOTOGRAPHS**



Photo 1: View looking west across the south side of the permit area.



Photo 2: View looking north across the south end of the permit area. Shallow contours in this area slope to the west.





Photo 3: View looking east across the south side of the permit area. Evidence of topsoiling and drill seeding noted here.



Photo 4: View looking north across area reseeded in the fall on the south end of the permit area.





Photo 5: View looking west across recently graded area in the southwest section of the permit area. Straw mulch is thin or missing here.



Photo 6: View looking north from the southeast end of the permit area. Shallow contours slope to the west.





Photo 7: View of access road adjacent to pond on the north end of the permit area.



Photo 8: Discharge point for the French drain on the north end of the permit area.





Photo 9: Manhole cover for the French drain along the eastern side of the clay lined inert fill area.



Photo 10: View looking northwest across the graded inert fill area on the north end of the permit area.





Photo 11: Side slope along the access road on the north end of the permit area. This area has not been seeded or mulched.



Photo 12: Erosion gullies observed on the western slope of the reseeded area near the entrance, on the south end.



**Inspection Contact Address**

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