



COLORADO
Department of Public
Health & Environment

Dedicated to protecting and improving the health and environment of the people of Colorado

Ben Frei, Secretary
Albert Frei and Sons Inc
PO Box 700
Henderson, CO 80640

TO: Albert Frei and Sons Inc
FROM: WQCD Permits Section 303-692-3517
DATE: 9/1/2021
RE: WQCD CDPS Permit Administrative Extension for COG501862

The Water Quality Control Division received an application from Albert Frei and Sons Inc renewal on 7/2/2021. The application requests discharge authorization for AFS Bennett Pit aka Bennett Sand and Gravel Pit 2 located at 50000 E 72 Ave Bennett Facility SIC 1442.

The application has been reviewed and is considered complete for the purposes of filing. The Division has not verified all of the information contained in your application and has relied upon your signed certification to determine that the information is true, accurate, and complete. No renewal permit has been issued at this time.

In the event that the Division does not issue a renewal permit in advance of the permit expiration date of 12/31/2021, the expired permit shall be administratively extended and continue in force to the effective date of the new permit. **THIS IS OFFICIAL NOTICE OF YOUR ELIGIBILITY OF ADMINISTRATIVE EXTENSION AND THE PERMIT SHALL BECOME ADMINISTRATIVELY EXTENDED ON THE DATE FOLLOWING YOUR PERMIT EXPIRATION.**

The General Permit will be scheduled for a permit writer to begin the renewal process in the near future. At that time the Division will contact you to inform you that permit renewal process has started. There may be outreach at that time to shareholders for input.

Based on the locational information provided in your application we have determined that your discharge would be to Segment: **COSPLS02b**. This discharge designation is solely for permit tracking and work planning purposes. The Division may evaluate other waterbody segments, particularly downstream segment(s), as part of the permit development process.

If any of the information submitted in your application is no longer true, accurate, and complete please submit an application supplement using the form found on the Division's web site.

We have the following contacts on file, if any of this information changes from the date your application was submitted until we issue your permit, please send a revised application/change of contacts form

Permittee Contact the person authorized to sign and certify the permit application. This person receives all permit correspondences *[Including invoice; is contacted for any questions relating to the facility; and receives DMRs as appropriate]* and is the person responsible for ensuring compliance with the permit

Ben Frei, Secretary
Albert Frei and Sons Inc
PO Box 700
Henderson, CO 80640
Phone number: 303-289-1837
Email: bfrei@albertfreiansons.com



Facility Contact *(contacted for general inquiries regarding the facility):*

Ben Frei, Secretary
Albert Frei and Sons Inc
PO Box 700
Henderson, CO 80640
Phone number: 303-289-1837
Email: bfrei@albertfreiandsons.com

Billing Contact *(receives the invoice pertaining to the permit certification):*

Aaron Harrington Controller
Albert Frei and Sons Inc
Henderson, CO 80640
Phone number: 303-289-1837
Email: aharrington@albertfreiandsons.com

DMR Contact:

Joel Bolduc, Land and Env Mgr
Albert Frei and Sons Inc
PO Box 700
Henderson, CO 80640
Phone number: 303-913-6583
Email: jbalduc@albertfreiandsons.com

If you have any questions, feel free to contact the Permits Section and refer to the permit number COG501862. We have detailed email and telephone contact information available on the Division website at the "[Division Contacts](#)". You may also contact us by calling the permits line at 303-692-3517.



COLORADO
Department of Public
Health & Environment

Received
JUL 07 2021
Water Quality Control
DIVISION

For Agency Use Only:
Permit Number Assigned

COG50 - _____

**APPLICATION FOR CDPS GENERAL PERMIT COG500000
DISCHARGES FROM SAND AND GRAVEL MINING AND PROCESSING**

Please print or type. Original signatures are required.
Photo, faxed, pdf or email copies will not be accepted.

The application must be submitted to the Water Quality Control Division at least **60 days** prior to the anticipated date of discharge, and must be considered complete by the division before the review and approval process begins. The division will notify the applicant if additional information is needed to complete the application. If more space is required to answer any question, please attach additional sheets to the application form. Applications must be submitted by mail or hand delivered to:

**Colorado Department of Public Health and Environment
Water Quality Control Division, WQCD-P-B2
4300 Cherry Creek Drive South
Denver, Colorado 80246-1530**

A. PERMIT INFORMATION

Reason for Application:

☐ NEW CERT

☒ RENEW CERT

EXISTING CERT # COG-501862

Applicant is:

☐ Property Owner

☒ Contractor/Operator

The applicant requests authorization for the following discharge type(s).

- ☒ **Mine (pit) dewatering:** includes any water, such as groundwater, seepage, and stormwater (precipitation and surface runoff), that is impounded or that collects in the mine pit (surface or underground workings) and is pumped, drained, or otherwise removed from the mine through the efforts of the mine operator. In addition, for construction sand and gravel facilities and industrial sand facilities only, mine dewatering includes wet pit overflow caused solely by direct rainfall and/or groundwater seepage;
- ☐ **Process generated wastewater:** includes any wastewater used in slurry transport of mined materials, air emissions control, and processing exclusive to mining.
- ☐ **Water used in processing the mined commodity:** includes water from washing, sorting, screening, crushing, classifying, etc.
- ☒ **Stormwater runoff, comingled** with the above listed wastewaters before the discharge point.
- ☐ **Stormwater runoff (not comingled)** with the above listed wastewaters) from facility pollutant sources: includes runoff from stockpiles, disturbed areas, roads, maintenance areas, etc.; asphalt batch plants (SIC code 2951); concrete batch plants (SIC code 3273); or asphalt and concrete recycling activities conducted at the facility.

Note: the following discharge types **are not eligible** for coverage under CDPS General Permit COG500000:

- Stormwater discharges associated with construction activity that disturbs one acre or more;
- Process water discharges from asphalt batch plants (resulting from the production of asphalt concrete);
- Process water discharges from concrete batch plants, including drum and truck wash water (concrete wash out);
- Stormwater and process water discharges from placer mining industrial activities (SIC Major Group 10).
- Process water discharges from the SIC codes identified in **Appendix 1** of this application.

B. CONTACT INFORMATION**1. Permittee Information**

Organization Formal Name: Albert Frei & Sons Inc

Permittee Name: the person **authorized to sign and certify** the permit application. This person receives all permit correspondences and is **responsible** for ensuring compliance with the permit.

Responsible Position (Title): Land & Environment Manager

Currently Held By (Person): Joel Bolduc

Telephone No: 303-913-6583

Email address: jbolduc@albertfreiansons.com

Mailing Address: 35715 Hwy 40, Building B, Suite 120

City: Evergreen **State:** CO **Zip:** 80439

This form must be signed by the permittee to be considered complete. **Per Regulation 61, in all cases**, it shall be signed as follows:

- a) In the case of corporations, by a responsible corporate officer. For the purposes of this section, the responsible corporate officer is responsible for the overall operation of the facility from which the discharge described in the application originates.
- b) In the case of a partnership, by a general partner.
- c) In the case of a sole proprietorship, by the proprietor.
- d) In the case of a municipal, state, or other public facility, by either a principal executive officer or ranking elected official.

2. **DMR Cognizant Official** (i.e. authorized agent) the person or position authorized to sign and certify reports required by permits including Discharge Monitoring Reports [DMR's], Annual Reports, Compliance Schedule submittals, and other information requested by the division. The division will transmit pre-printed DMR's to this person. If more than one, please add additional pages.

☒ Same as 1) Permittee

Responsible Position (Title): _____

Currently Held By (Person): _____

Telephone No: _____

Email address: _____

Organization: _____

Mailing Address: _____

City: _____ **State:** _____ **Zip:** _____

Per Regulation 61: All reports required by permits, and other information requested by the Division shall be signed by the permittee or by a duly authorized representative of that person. A person is a duly authorized representative only if:

- a) The authorization is made in writing by the permittee
- b) The authorization specifies either an individual or **a position having responsibility for the overall operation of the regulated facility or activity** such as the position of plant manager, operator of a well or a well field, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company. (A duly authorized representative may thus be either a named individual or any individual occupying a named position)
- c) Submitted in writing to the Division

B. CONTACT INFORMATION (cont.)

3. **Site/Local Contact** (contact for questions relating to the facility & discharge authorized by this permit.)

☐

Same as 1) Permittee

Responsible Position (Title): SecretaryCurrently Held By (Person): Ben FreiTelephone No: 303-289-1837Email address: bfrei@albertfreiandsons.comOrganization: Albert Frei & Sons IncMailing Address: P.O. Box 700City: Henderson State: CO Zip: 80640

4. **Operator in Responsible Charge** ☐ Same as 1) Permittee ☒ Same as 3) Site/ Local Contact

Responsible Position (Title): _____

Currently Held By (Person): _____

Telephone No: _____

Email address: _____

Organization: _____

Mailing Address: _____

City: _____ State: _____ Zip: _____

5. **Billing Contact** ☒ Same as 1) Permittee

Responsible Position (Title): _____

Currently Held By (Person): _____

Telephone No: _____

Email address: _____

Organization: _____

Mailing Address: _____

City: _____ State: _____ Zip: _____

6. **Other Contact Types (check below) Add pages if necessary:**

Responsible Position (Title): _____

Currently Held By (Person): _____

Telephone No: _____

Email address: _____

Organization: _____

Mailing Address: _____

City: _____ State: _____ Zip: _____

- ☐ Environmental Contact ☐ Other _____
☐ Facility Inspection Contact
☐ Consultant
☐ Compliance Contact
☐ Property Owner

C. PERMITTED FACILITY INFORMATION

Facility or Project Name Bennett Pit
 Street Address (or cross streets) 50000 E 72nd Ave
 City Bennett Colorado, Zip Code 80102
 County Adams

Type of Facility Ownership

- ☐ City Government ☒ Corporation ☐ Private ☐ Municipal or Water District
☐ State Government ☐ Mixed Ownership _____

Facility or Project Latitude/Longitude – List the latitude and longitude of the center point of the facility.

Latitude: 39 .817006 Longitude: -104 .397350

(Provide coordinates in decimal degrees to 6 decimal places (e.g., 39.703345°, -104.933567°))

Standard Industrial Classification (SIC) Code(s) for this FACILITY (please use dropdown menu to select up to 4 SIC codes, in order of importance)

Note: see the [SIC codes covered by permit](#) link (general permit COG500000) on the division website for descriptions of SIC codes associated with this permit.

1. 1442 2. _____ 4. _____

D. PROJECT DESCRIPTION - Provide an overview of the industrial activities that are conducted at the facility.

Construction Sand and Gravel SIC 1442, extraction and processing.

E. SITE MAPS AND SCHEMATICS - provide as an attachment to the application - no larger than 11x17 inches

- Location Map** - Application must include a location map that shows the location of the project/facility, the boundaries of the area subject to the application, and all receiving water(s). A north arrow must be shown.
- Legible Site Sketch** - showing all surface features (buildings, ponds, diversion ditches, stockpiles, processing areas, batch plants, other pollutant sources, etc.); stream location(s); numbered outfalls; and direction(s) of water flow at the facility indicated by arrows (stormwater and process water). Label outfalls to correspond with the numbers listed **Table G.1** of this application.

Are the required maps/sketches attached?

☒ Yes
☐ No

- Application cannot be processed without required maps

F. SITE-SPECIFIC CONDITIONS - Nearby Sources of Potential Groundwater Contamination/Facility pollutant sources

Note: The division may require representative analytical data of the effluent (e.g., mine pit water or discharge) as part of the application review process. The division will notify the applicant if any additional information is required. Failure to provide this data may delay permit application processing until such data is submitted to the division.

Note: see Appendix B of [Application Guidance Document](#) (Construction Dewatering - COG070000) on the division website for resources useful in identifying ground water contamination near the facility.

1. Has the applicant reviewed the surrounding area for possible groundwater contamination, such as plumes from leaking underground storage tanks (LUSTs), hazardous waste sites, or additional sources? *Applicants are expected to exercise due diligence in evaluating their sites prior to applying for a discharge permit.*
☒ Yes ☐ No ☐ NA (no water leaves the pit, or stormwater-only discharge)
2. Is an open LUST located within **0.5 mile** of the site? ☐ Yes ☒ No
**If yes, BTEX analytical data for the mine pit water or discharge must be included with the permit application. The division may request analytical data for additional parameters. Failure to include this data may delay permit application processing until such data is submitted to the division.*
3. Is a Superfund site or National Priorities List (NPL) site located within **1 mile** of the site? ☐ Yes ☒ No
**If yes, analytical data for the mine pit water or discharge, for those parameters associated with the Superfund or NPL facility, must be included with the permit application. Failure to include this data may delay permit application processing until such data is submitted to the division.*
4. Is a UMTRA facility located within **1 mile** of the site? ☐ Yes ☒ No
**If yes, analytical data for the mine pit water or discharge, for those parameters associated with the UMTRA facility, must be included with the permit application. Failure to include this data may delay permit application processing until such data is submitted to the division.*
5. Is any other (non-LUST, non-Superfund, non-NPL site) known source of contamination, such as a Voluntary Cleanup (VCUP), Environmental Covenant, open RCRA Corrective Action site, or brownfields site located within **0.5 mile** of the site? ☐ Yes ☒ No
**If yes, analytical data for the mine pit water or discharge, for those parameters associated with the known source of contamination, must be included with the permit application. Failure to include this data may delay permit application processing until such data is submitted to the division.*
6. Is the sand and gravel facility within the footprint of an historic landfill? ☐ Yes ☒ No

If **Yes** for any of questions 1 - 6 above, show location of the source(s) of possible groundwater contamination on the maps required in **Item E of this application**. In the box below, describe the location, extent of contamination, and possible effect on the discharges from this facility.

N/A

7. Is concrete truck washout conducted at the facility? ☐ Yes ☒ No

If **Yes**, please provide the following additional information with respect to this discharge:

- Location of concrete washout water discharge. Check all that apply.

<input type="checkbox"/> to surface water	<input type="checkbox"/> to a lined impoundment or excavation
<input type="checkbox"/> to the ground	<input type="checkbox"/> washout water not discharged - water is reused, or evaporates
<input type="checkbox"/> to an unlined impoundment or excavation	
- What is the proximity of the discharge to a lake, pond, stream/river, intermittent or ephemeral creek, drainage, irrigation ditch, wetland, etc? _____
- Is the discharge within the DRMS permit boundary? _____
- What is discharge volume and frequency? _____

8. Does the facility discharge stormwater runoff from a **concrete batch plant**? (SIC code 3273) ☐ Yes ☒ No
9. Does the facility discharge stormwater runoff from an **asphalt batch plant**? (SIC code 2951) ☐ Yes ☒ No
10. Does the facility discharge stormwater runoff from **recycled concrete**? ☐ Yes ☒ No
11. Does the facility discharge stormwater runoff from **recycled asphalt**? ☐ Yes ☒ No

G. OUTFALLS

1. For EACH process water or stormwater-only outfall, provide the information identified in the table. Instructions for filling out this table (superscripts 1-12) are provided in **Attachment 2** of this application. Please copy this page and submit with the application if more than 6 outfalls are required.

Table G.1

Outfall and Activity information					Discharge information				Receiving water information	
Outfall Number	Latitude Longitude ¹	Activity Description(s) ²	SIC Code ³	Process water or stormwater ⁴	Discharge type ⁵	Continuous or instantaneous flow measure ⁶	Flow rate in MGD ⁸	Chemicals ⁹	Distance from pit to surface water ¹⁰	Immediate ¹¹
						Specific flow method ⁷				Ultimate ¹²
001	39.813041, -104.395787	Mine dewatering (precipitation) Stormwater runoff from stockpiled gravel	1442	Process water	Detained stormwater, pumped pit dewatering	Instantaneous	0.01	N/A	50 ft	Kiowa Creek
						Pump capacity				South Platte River
002										
003										
004										
005										
006										

2. Are any of the receiving waters identified in the Table G.1 above a storm sewer system, ditch, or manmade conveyance?

☐ Yes ☒ No

Note: if discharge is to a storm sewer system, ditch, or manmade conveyance, approval from the owner of the system must be obtained before discharge.

3. Did the applicant obtain approval from the owner of the storm sewer system, ditch, or manmade conveyance?

☐ Yes ☐ No ☒ NA - discharge is not to a storm sewer system, ditch, or manmade conveyance.

H. CHEMICAL ADDITION/TREATMENT

If chemical additives, settling agents, flocculants, or other materials are proposed for use in or to treat wastewater/stormwater prior to discharge, please submit a **Chemical Approval Form** with this application.

1. Is chemical addition/treatment proposed for this facility?

☐ Yes ☒ No

2. Did applicant submit a **Chemical Approval Form** with this application?

☐ Yes ☒ No - chemical addition/treatment not proposed

I. OTHER ENVIRONMENTAL PERMITS

Does this facility currently hold any environmental permits, or is it subject to regulation, under any of the following programs?

Permit Name	Yes	No	Effective Date	Permit No.
1. Colorado Division of Reclamation, Mining and Safety	<input checked="" type="checkbox"/>	<input type="checkbox"/>	8/6/2001	M2001038
2. Underground Injection Control	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
3. Clean Water Act (CWA) Section 404 - US COE	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
4. Resource Conservation and Recovery Act (RCRA)	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
5. CDPS Stormwater	<input checked="" type="checkbox"/>	<input type="checkbox"/>	9/4/2019	COG501862
6. Colorado State Air Pollution Emission	<input checked="" type="checkbox"/>	<input type="checkbox"/>	3/4/2021	01AD0479F
7. Other	<input type="checkbox"/>	<input type="checkbox"/>		

J. ACTIVITY DURATION

When did the activity commence?

2001

What is the estimated life of the activity generating the discharge(s) ?

20 years.

K. STORMWATER MANAGEMENT PLAN (SWMP) CERTIFICATION - required ONLY for applications requesting stormwater-only outfalls.**The Stormwater Management Plan must be completed prior to signing the following certifications!**

A Stormwater Management Plan (SWMP) shall be prepared prior to applying for stormwater coverage under the general permit, and the following certification signed.

"I certify under penalty of law that a complete Stormwater Management Plan has been prepared for my activity. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the Stormwater Management Plan is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for falsely certifying the completion of said SWMP, including the possibility of fine and imprisonment for knowing violations."

Signature of Legally Responsible Person or Authorized Agent

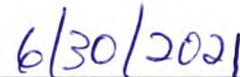

Date Signed

Name (printed)

Title

L. REQUIRED CERTIFICATION SIGNATURE [REG 61.4(1)(H)]

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."



Signature of Legally Responsible Person or Authorized Agent

Date Signed

Joel Bolduc

Land and Environment Manager

Name (printed)

Title

This form must be signed by the permittee to be considered complete. **Per Regulation 61**, in all cases, it shall be signed as follows:

- a) In the case of corporations, by a responsible corporate officer. For the purposes of this section, the responsible corporate officer is responsible for the overall operation of the facility from which the discharge described in the application originates.
- b) In the case of a partnership, by a general partner.
- c) In the case of a sole proprietorship, by the proprietor.
- d) In the case of a municipal, state, or other public facility, by either a principal executive officer or ranking elected official.

DO NOT INCLUDE A COPY OF THE STORMWATER MANAGEMENT PLAN with the application

DO NOT INCLUDE PAYMENT - AN INVOICE WILL BE SENT AFTER THE CERTIFICATION IS ISSUED.

COG-501862 Renewal Application Map – Bennett Site
Albert Frei & Sons, Inc. 6/30/2021





Dedicated to protecting and improving the health and environment of the people of Colorado

**CERTIFICATION TO DISCHARGE UNDER CDPS GENERAL PERMIT COG500000
DISCHARGES ASSOCIATED WITH SAND & GRAVEL MINING AND PROCESSING
(and other Nonmetallic Minerals except fuel)**

Certification Number: **COG501862**

This Certification to Discharge specifically authorizes:

Albert Frei and Sons Inc
to discharge from the facility identified as

AFS Bennett Pit aka Bennett Sand and Gravel Pit 2
to:
Kiowa Creek - South Platte River

Facility Located at:	50000 East 72nd Ave, Bennett, Adams County, CO 80102
	Center Point Latitude 39.8203, Longitude -104.394166

Defined Discharge Outfall(s) to Surface Water	Outfall(s) Lat, Long	Discharge Outfall(s) Description	Receiving Stream
Outfall Number 001-A	39.813041, -104.395787	Stormwater discharge	Kiowa Creek South Platte River

All discharges must comply with the lawful requirements of federal agencies, municipalities, counties, drainage districts and other local agencies regarding any discharges to storm drain systems, conveyances, or other water courses under their jurisdiction.

Stormwater Monitoring Requirements

Permit Limitations and/or Monitoring Requirements apply to outfall 001A as outlined in the Permit in Part I.C.2 and Parts I.G through I.Q.

On the effective date of this certification, the Bennett Sand and Gravel Pit 2 is subject to the monitoring requirements identified below at each discharge point of stormwater from the facility.

A. Visual monitoring, Part I.I.1

Per Part I.I.1 of the permit, the permittee must collect a stormwater sample from each outfall (or a substantially identical outfall pursuant to Part I.H.1 of the permit) and conduct a visual assessment of each of these samples once each **quarter** for the entire permit term.

B. WQBEL/Water Quality Standards, Part I.I.4

Discharges authorized under this permit must be controlled as necessary to meet applicable water quality standards.



Stormwater Reporting Requirements

ICIS Code	Description	Due date	Frequency
00308	The permittee shall submit an annual report to the division for the reporting period January 1 through December 31.	February 28	Annual(10)

Modified and reissued: 9/4/2019 Effective: 9/4/2019 Expiration Date: 12/31/2021

Modification 2 updates the location of outfall 001A and the facility address.

Modified and reissued: 5/26/2017 Effective: 7/1/2017 Expiration Date: 12/31/2021

Modification 1 transfers permit from Bennett Sand and Gravel to Albert Frei and Sons Inc.

Certification issued: 4/24/2017 Effective: 7/1/2017 Expiration Date: 12/31/2021

This certification under the permit requires that specific actions be performed at designated times. The certification holder is legally obligated to comply with all terms and conditions of the permit.

Approved by
Erin Scott - Unit Manager
Industrial & Natural Resource Extraction Permitting Unit
Water Quality Control Division

