



FORENSIC APPLICATIONS CONSULTING TECHNOLOGIES, INC.

December 7, 2015

Colleen Brisnehan
Hazardous Waste Corrective Action Unit
Hazardous Waste Program
4300 Cherry Creek Drive S., Denver, CO 80246-1530

Via: email: cbrisne@smtpgate.dphe.state.co.us, colleen.brisnehan@state.co.us

RE: 366 Regulatory violations associated with invalid Clearance Sampling and Post Decontamination Report, for 410 Garfield Avenue, Carbondale, CO 81623

Dear Ms. Brisnehan:

Forensic Applications Consulting Technologies, Inc. (FACTs) has begun a series of regulatory audits of reports submitted to the Colorado Department of Public Health and Environment (CDPHE) pursuant to 6 CCR 1014-3 "*Regulations Pertaining To The Cleanup Of Methamphetamine-Affected Properties.*"

Using a degree of scrutiny for reviews developed and deployed by your office, FACTs has thus far identified a total of seven *thousand* and thirteen (7, 013) violations of 6 CCR 1014-3; a total of 2,009 (two *thousand* and nine) have come from this one untrained geologist alone in just nine reports. The number of Mr. Woellner's victims is mounting.

As you know, Section 3.1 of Part 3, of 6 CCR 1014-3 requires enforcement actions on the part of the CDPHE whenever the CDPHE has reason to believe that a person has violated any requirement of the regulations. FACTs performed a detailed regulatory audit for the report titled:

Robert Woellner
Methamphetamine Post-Decontamination / Final Clearance Report
Residence at 410 Garfield Avenue in Carbondale, CO 81623
April 20, 2015
Prepared for
Ken Olson
410 Garfield Ave.
Carbondale, CO 81623

As you know, the author of the report, Mr. Woellner, is a geologist who has no documented training in illegal drug laboratories or their assessment and has openly stated that he is not an Industrial Hygienist (but was nevertheless granted Qualified Instructor status by you, and also granted status as an approved consultant). Mr. Woellner has an extended history of regulatory violations, and misleading information regarding his credentials and performing invalid drug laboratory assessments.^{1,2,3,4,5,6,7,8,9,10} As a matter of fact, for this property,

¹ 131 South Benton Street Denver, CO <http://forensic-applications.com/meth/censoredcriticalreview.pdf>

² 100 W. Spaulding Street, Lafayette, Colorado http://forensic-applications.com/meth/Spaulding_Regulatory_audit_Redacted.pdf

FACTs identified 198 violations associated with the Preliminary Assessment as discussed in our detailed audit. Overall, FACTs, Inc. has thus far identified a total of 2,009 (two *thousand* and nine) regulatory violations by Mr. Woellner in just the first six months of the new regulations.

As discussed in detail in the actual audit, for this particular property, Mr. Woellner falsified the clearance sampling information in his report, and the areas supposedly cleared by sampling were not actually cleared at all.

The section below summarizes the 366 regulatory violations that have been identified by FACTs in our regulatory audit of the public domain Post Decontamination report for the Garfield Avenue property:

- Violation of Paragraph 4.7 (11 Violations)
- Violation of Paragraph 4.17
- Violation of Section 6.1.3
- Violation of Section 6.1.3.2
- Violation of Section 6.1.3.3
- Violation of Section 6.1.3.5
- Violation of Section 6.2
- Violation of Section 6.2.2 (9 Violations)
- Violation of Section 6.2.2 (28 Violations)
- Violation of Section 6.2.3 (9 violations)
- Violation of Section 6.2.7 Second Pass (39 violations)
- Violation of Section 6.2.7 Third Pass (39 violations)
- Violation of Section 6.2.11 (7 violations)
- Violation of Section 6.2.11 Times (39 violations)
- Violation of Section 6.2.14.5 (5 violations)
- Violation of Section 6.2.14.6 (14 violations)
- Violation of Section 6.2.14.7 (14 violations)
- Violation of Section 6.2.14.8 (14 collection time violations)
- Violation of Section 6.2.14.8 (14 collection date violations)

³ 4893 S Johnson Street, Denver http://www.forensic-applications.com/meth/Johnson_Critical_review.pdf

⁴ 788 W. Lois Ct., Louisville, CO 80027

⁵ 1138 West 32nd Street, Unit 201, Denver, CO

⁶ 48400 Routt County Road 56C, Steamboat Springs, CO 80487

⁷ 11767 Grant Street, Northglenn, Colorado 80233

⁸ 690 S. Lincoln Street, Denver, CO 80203

⁹ 410 Garfield Avenue Carbondale, CO 81623, (Preliminary Assessment)

¹⁰ 8347 S Reed Street, Unit 2, Littleton CO 80128

- Violation of Section 6.2.14.9 (14 violations)
- Violation of Section 6.3.5 (8 violations)
- Violation of Section 6.3.6 (8 violations)
- Violation of Section 6.5
- Violation of Section 6.9 (Failure to Verify Clean-up Standards)
- Violation of Section 6.9 (Failure to Sample All Structures – 2 violations)
- Violation of Section 6.9.1 (10 violations)
- Violation of Section 6.9.4 (4 violations)
- Violation of Section 6.9.6 (2 violations)
- Violation of Section 6.9.7 (4 violations)
- Violation of 6.9.11.1 (21 violations)
- Violation of 6.9.11.1 (7 violations)
- Violation of 6.9.11.3
- Violation of 7.1.1
- Failure to Comply with Section 7.2
- Failure to Comply with Paragraph 7.3
- Failure to Comply with Paragraph 7.4 (14 Violations)
- Violation of Section 8
- Violation of Section 8.2
- Section 8.2 Site Conditions:
 - Section 8.2 Previously Identified Cooking Areas: (1 violation)
 - Section 8.2 Chemical Storage Areas: (1 violation)
 - Section 8.2 Waste Disposal Areas: (1 violation)
 - Section 8.2 Areas of Obvious Contamination: (1 violation)
- Violation of Section 8.3
- Violation of Section 8.5
- Violation of Section 8.6
- Violation of Section 8.6.1 (Photographs Missing)
- Violation of Section 8.6.1 (Descriptions Missing)
- Violation of Section 8.6.2 (3 violations)
- Violation of Section 8.6.4
- Violation of Section 8.6.5
- Violation of Section 8.6.6
- Violation of Section 8.6.7
- Colorado Criminal Code CRS 18-5-113. Criminal impersonation
- Colorado Criminal Code – Fraud; Offering a false instrument for recording
- Colorado Consumer Protection Act

Naturally, we are concerned for the public safety of the innocent occupants, and the construction personnel, who may now be exposed to potentially toxic materials.

This communication is being sent to your office in good faith pursuant to the provisions of C.R.S. 18-8-115 *Duty to report a crime - liability for disclosure*.

Kind regards,



Caoimhín P. Connell

Forensic Industrial Hygienist

CC: Daniel S. Miller, Senior Assistant Attorney General

CC: Howard Thigpen, Esq.