



FORENSIC APPLICATIONS CONSULTING TECHNOLOGIES, INC.

**Preliminary Assessment
Resulting in a
Decision Statement
for an
Identified Illegal Drug Laboratory
at
1571 Newton Street
Denver, CO 80204-1565**

Prepared for:

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Prepared by:

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October 6, 2010

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EXECUTIVE SUMMARY

On Monday, September 13, 2010, pursuant to the Colorado Real Estate methamphetamine disclosure and testing statute as described by CRS §38-35.7-103(2)(a), personnel from Forensic Applications Consulting Technologies, Inc. (FACTs) performed a standard cursory evaluation for the presence of methamphetamine at 1571 Newton Street, Denver, CO (the subject property).

On September 21, 2010, FACTs issued a report of our September 13, 2010 findings; a copy of that report is found on the DVD which is included with this discussion.

Samples for methamphetamine taken during the cursory evaluation conclusively demonstrated the presence of methamphetamine. Pursuant to CRS §25-18.5-101(2.7), the residence met the statutory definition of an “illegal drug laboratory,” triggering the regulatory requirement of a Preliminary Assessment.

Personnel from FACTs performed a State mandated Preliminary Assessment pursuant to Colorado Regulation 6 CCR 1014-43, Part 4. Based on the totality of the circumstances, FACTs makes the following observations:

- This document serves as both the Preliminary Assessment¹ and the Final Report of verification sampling resulting in a Decision Statement.²
- An illegal drug lab, as that term is defined in CRS §25-18.5-101 (2.7), existed at the subject property at the time of our September 13, 2010 evaluation.
- A Class 1 Public Nuisance, as defined in CRS §16-13-303(1) existed at the property at the time of our September 13, 2010 evaluation.
- Based on the best information available, this property was contaminated by fugitive emissions originating in the attached structure to the north, 1575 Newton Street, Denver, CO
- Pursuant to 6 CCR 1014-3 (Mandatory Appendix A) FACTs hereby issues, by virtue of this document, a *Decision Statement*³ affirming that:

¹ The Colorado State Board Of Health Regulations Pertaining to the Cleanup of Methamphetamine Laboratories, 6-CCR 1014-3 (§4)

² Ibid. (§8)

³ 6-CCR 1014-3, Appendix A: If, based on the totality of the circumstances, the consultant finds that insufficient evidence exists to support the hypothesis that any given area is non-compliant, that area shall be deemed to be compliant with section 25-18.5-103 (2), C.R.S., and shall be released. If objective sampling data indicates contamination is less than the cleanup level, that data may be used as *prima facie* evidence that insufficient evidence exists to support the hypothesis that any given area is non-compliant.



- a. The initial hypothesis was rejected and the initial null hypothesis was accepted (sufficient evidence existed to confirm the presence of methamphetamine).
 - b. Upon the performance of the required *Preliminary Assessment*, the second hypothesis was sequentially tested, and no support was found; the null hypothesis was accepted, the property was found to be compliant.
- Pursuant to this *Decision Statement*, FACTs recommends to the Governing Body that the property be released for immediate occupancy: no harmful chemical residues were found at concentrations above the regulatory thresholds or that may present an immediate or long-term threat to human health and/or the environment.

BACKGROUND

On September 13, 2010, personnel from FACTs visited the subject property to perform a cursory industrial hygiene evaluation for the presence of methamphetamine. The data quality objectives of the methamphetamine evaluation were not to determine representative concentrations, nor to characterize degree and/or extent of any extant contamination, but rather to merely provide a “Yes” or “No” answer to the question: “Is methamphetamine present at the property?”

During the September 13, 2010 evaluation, a five parted composite sample was collected from five locations at the residence. The reportable limit during the evaluation was set at the lowest regulatory limit for a five-parted composite for methamphetamine in Colorado, namely 0.1 µg/100cm². The composite sample conclusively confirmed the presence of methamphetamine at the property at a concentration greater than the reportable limit.

Based on the sample results and other observations made during the evaluation, the property was “discovered” and on September 21, 2010, the Property Owner was given “notice” as those terms are found in CRS §25-18.5-103. As a result of the cursory evaluation, a Preliminary Assessment was required, and is presented here.

REGULATORY REQUIREMENTS

Federal Requirements

All work associated with this Preliminary Assessment was performed in a manner consistent with regulations promulgated by the Federal Occupational Safety and Health Administration (OSHA).

State Requirements

According to Colorado State Regulation 6-CCR 1014-3, following the “discovery” and “notification” of an illegal drug laboratory, as those terms are used in CRS §25-18.5-103, a “Preliminary Assessment” of the property must be conducted. The Preliminary



Assessment must be conducted according to specified requirements⁴ by an authorized Industrial Hygienist as that term is defined in CRS §24-30-1402.

PRELIMINARY ASSESSMENT

Pursuant to State regulations, during the Preliminary Assessment (PA), the initial hypothesis is made that the subject area is clean and data is collected to find support for this hypothesis. Any reliable data that disproves the hypothesis, including police records, visual clues of illegal production, any evidence of storage or use, or documentation of drug paraphernalia being present, *is considered conclusive*, and compels the Industrial Hygienist to accept the null hypothesis and declare the area non-compliant.⁵ The strength of evidence needed to reject the hypothesis is low, and is only that which would lead a reasonable person, trained in aspects of meth laboratories, to conclude the *presence* of methamphetamine, and/or its precursors as related to processing, drug use, storage, or waste products.

Sampling during a cursory evaluation or a Preliminary Assessment is not required. However, if performed, it is conducted in the areas with the highest probability of containing the highest possible concentrations of contaminants. According to the State regulations:⁶

Identification and documentation of areas of contamination. This identification may be based on visual observation, law enforcement reports, proximity to chemical storage areas, waste disposal areas, or cooking areas, or based on professional judgment of the consultant; or the consultant may determine that assessment sampling is necessary to verify the presence or absence of contamination.

If the Industrial Hygienist performing the assessment finds *evidence* of contamination, and no Decision Statement is issued, the property owner is required to either remediate the property or demolish the property.⁷

Normally, after the Preliminary Assessment is issued, the subject property is remediated, and an Industrial Hygienist must perform verification sampling to quantify the remaining contamination or verify that the remediation has reduced the contamination in the property to below statutory limits. If, based on the totality of the circumstances, the Industrial Hygienist fails to find sufficient evidence to support the second hypothesis that any given area is non-compliant, that area must be deemed to be compliant and a Decision Statement must be issued, releasing the property. If objective sampling data indicates contamination is below the cleanup levels, those data may be used as *prima facie* evidence that insufficient evidence exists to support the hypothesis that any given area is non-compliant.⁸ In this case, sampling performed during the Preliminary Assessment was simultaneously compliant with the final

⁴ Section 4 of 6 CCR 1014-3

⁵ Appendix A (mandatory) of 6 CCR 1014-3

⁶ Section 4.6 of 6 CCR 1014-3

⁷ Colorado Revised Statutes §25-18.5-103

⁸ No guarantee is ever made or implied that the property is completely free of contamination. Rather, a reasonable, standardized approach to decontamination is executed.



verification sampling protocols found in regulation, and lead directly to a Decision Statement without the need for any remediation.

The visual indicators FACTs observed at the property (primarily yellow staining, gangland graffiti, substantial documented criminal activity, squalor and unexplained burns) failed to carry sufficient weight to challenge the initial hypothesis to the extent that it could override the results of the samples gathered during the PA pursuant to regulatory requirements.

Elements of the Preliminary Assessment

Specific mandatory information must be presented as part of the complete documentation. This discussion, in its totality, contains the mandatory information for a Preliminary Assessment as follows:

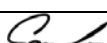

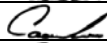
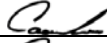
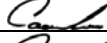
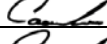

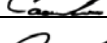
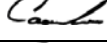
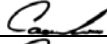
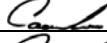




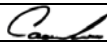

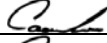



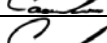
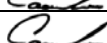


Mandatory Final Documents 6-CCR1014-3	DOCUMENTATION	Included
§8.1	Property description field form	
§8.2	Description of manufacturing methods and chemicals	
§8.3	Law Enforcement documentation review discussion	
§8.4	Description and Drawing of Storage area(s)	
§8.5	Description and Drawing of Waste area(s)	
§8.6	Description and Drawing of Cook area(s)	
§8.7	Field Observations field form	
	FACTs Functional space inventory field form	
§8.8	Plumbing inspection field form	
	FACTs ISDS field form	
§8.9	Contamination migration discussion	
§8.10	Identification of common ventilation systems	
§8.11	Description of the sampling procedures and QA/QC	
§8.12	Analytical Description and Laboratory QA/QC	
§8.13	Location and results of initial sampling with figures	
§8.14	FACTs health and safety procedures in accordance with OSHA	
§8.15 -18, 20	Post-remediation contractor documentation and photographs	NA
§8.19	Drawing, location and results of final verification samples	
§8.20	FACTs Pre-remediation photographs and log	
§8.21	FACTs SOQ	
§8.22	Certification of procedures, results, and variations	
§8.23	Mandatory Certification Language	
§8.24	Signature Sheet	
NA	Analytical Laboratory Reports	
	FACTs final closeout inventory document	
	Analytical procedure	
§8.3	Available Law Enforcement documents	
NA	FACTs Field Sampling Forms	

Table 1
Inventory of Mandatory Information



Pursuant to the regulations, information obtained during the Preliminary Assessment and subsequent Decision Statement, enter the public domain and are not subject to confidentiality.⁹

Included with this discussion is a read-only DVD. The digital disc contains mandatory information and photographs required by State regulation for a Preliminary Assessment and Decision Statement. Also included is all pertinent documentation associated with the assessment. This Public Record is not complete without the DVD and all associated support documents.

Review of Law Enforcement Documentation

As part of the Preliminary Assessment, FACTs is required by regulation¹⁰ to review available law enforcement documents pertinent to a subject property. During this project, there was only one law enforcement agency with original jurisdiction who could reasonably be involved in controlled substance related activities at the property – The Denver Police Department (DPD).

The Denver Police Department exhibited the highest degree of professionalism and fully cooperated with our requests for information. The Civil Liabilities Bureau with the DPD promptly responded to our requests, and DPD personnel made an extra effort to expedite records information to FACTs. DPD indicated that they had no record of controlled substances or hazardous materials responses at the property. This information suggests that no other state or federal agency was likely to have any involvement at the property independent of DPD.

None of our other law enforcement or governmental sources were able to provide any additional information for the property. Therefore, based on the best information available, there are no records available pertinent to the objectives of this PA.

GOVERNING BODY

Based on the best information available, the Denver Department of Environmental Health is the “Governing Body” as defined in CRS §25-18.5-101. A copy of this report must be filed with that office at:

Denver Dept. of Environmental Health
c/o Gene C. Hook
200 W. 14th Avenue, Dept. #310
Denver, CO 80204

FACTs will provide a copy of this report to the Governing Body on behalf of the Registered Property Owner pursuant to 6 CCR 1014-3 (§8.26).

⁹ Section 8.26 of 6 CCR 1014-3

¹⁰ 6 CCR 1014-3 (Section 4.2)



VISUAL INSPECTION OF THE PROPERTY

As a mandatory element of the Preliminary Assessment, on September 28, 2010, personnel from FACTs performed a visual inspection of the subject property.

General Building Overview

The subject property is a duplex (semi-detached) residence built *circa* 1924. The construction is a dug-out basement with a poured or cinderblock foundation wall. The Denver County Assessor's Office lists the property as 911 square feet of floor space; FACTs determined approximately 1,822 square feet of floor space including the basement, and we have used this figure for regulatory sampling purposes.

The structure is apparently a plaster and lathe structure with a self contained forced air heating system. A gabled roof results in an attic that appears to be bound by a firewall to the north, separating the two residences.

Upon our September 28, 2010 arrival, personnel from FACTs found the property unsecured, unoccupied and emptied of all chattels and furniture.

In the photograph below, we have presented the general layout of the structure and surrounding features. The duplex structure of 1571/1575 Newton Street is outlined in red. The subject property occupies the southern half of the red outline.



Photograph 1
General Building Layout



Functional Space Summary

Pursuant to regulatory requirements, the subject property was assigned into “functional spaces,” and an indicia inventory and assessment was performed for each functional space.

During a Preliminary Assessment, the Industrial Hygienist is required to divide the study area into “functional spaces” and evaluate the potential for contamination in each area. The idea is to segment a property into specific spaces which may present different potentials for contamination, based on the anticipated use, or function conducted in that area. Thus, functions of bedrooms and bathrooms may differ, kitchens and living rooms may be different, etc., and a building is divided into such areas based solely on professional judgment. A drawing depicting the Functional Spaces for this property is included in the body of this assessment and the spaces have been summarized in the table below:

Functional Space	Functional space
1	Northeast corner bedroom and closet
2	Southeast corner bedroom
3	Living room, entrance closet and stairway
4	Kitchen
5	Bathroom
6	Basement open area
7	Basement bedroom
8	Attic

Table 1
Functional Space Summary

Functional Space 1: Northeast Corner Bedroom

This space is the bedroom to the north immediately upon entry through the front door. The room exhibited signs of squalor, and gang related indicia. The attic is accessed through the closet of this room.

The discreet sample collected from this space contained methamphetamine at a concentration below the regulatory cleanup threshold.

Functional Space 2: Southeast Corner Bedroom

This space is the bedroom to the south immediately upon entry through the front door. The room exhibited signs of squalor, and gang related indicia. The discreet sample collected from this space contained methamphetamine at a concentration below the regulatory cleanup threshold.

Functional Space 3: Entrance Hall, Living Room and Closet

This space is delineated by the walls of those spaces as the terms are commonly understood. This space exhibited signs of squalor, burn marks, and inconclusive staining. The discreet sample collected from this space did not contain methamphetamine at a concentration above the detection limit for the method.



Functional Space 4: Kitchen

This space is delineated as the term is commonly understood. The space exhibited visual signs of squalor, yellow staining and ghosting.¹¹ A discreet sample was collected from the top of the crown molding ledge. The discreet sample collected from this space contained methamphetamine at a concentration below the regulatory cleanup threshold.

Functional Space 5: Bathroom

Delineated as that term is commonly used, this room did not contain any visual indicators. However, the discreet sample collected from this space contained the second highest methamphetamine concentration observed; the concentration was below the regulatory cleanup threshold.

Functional Space 6: Basement Recreation Room

This room is the large open basement area housing the boiler and the hot water heater. This space contained several visual indicators including unexplained burn marks, and gang related graffiti. The discreet sample collected from this space contained methamphetamine at a concentration below the regulatory cleanup threshold.

Functional Space 7: Downstairs Bedroom

This space contained several visual indicators including unexplained burn marks, signs of violence and gang related graffiti. The discreet sample collected from this space contained methamphetamine at a concentration below the regulatory cleanup threshold.

Functional Space 8: Attic

The attic is the space delineated as the term is commonly known. The attic does not appear to be conducive to storage or occupancy. We did not observe any visual indicators in the attic. A discreet sample was collected from the top of the electrical conduit in the attic. The sample collected from this space contained the highest observed methamphetamine concentration. The relative concentration of methamphetamine found in this space supports the argument that fugitive emissions migrated from 1575 Newton into 1571 Newton via the communal attic space. The discreet sample collected from this space contained methamphetamine at a concentration of 20% the regulatory cleanup threshold.

Exterior Grounds

Although arguably not a functional space, the exterior grounds were examined for signs of contamination migration. The exterior grounds included a covered porch in the front and back and a covered back portico to the north.

¹¹ “Ghosting” is a surface deposition phenomenon wherein ultrafine airborne particles, usually consisting of reduced carbon, are deposited in visually spatial differential patterns due to thermophoretic properties.



The exterior, and in particular the backyard, was heavily overgrown with active vegetation. We did not observe any overt signs of contaminant migration or waste disposal. We did not discern any obvious signs of stressed vegetation.

Contaminant Migration

FACTs did not observe any conditions that would indicate that contamination migration occurred from this location or from the interior of the subject property.

Based on the totality of circumstances, FACTs concludes that the methamphetamine in this residence occurred as a result of contamination migration from the adjoining residence at 1575 Newton, Denver, CO into the subject property.

Sample Collection

We collected samples from the subject property in an effort to support the initial hypothesis (i.e., the residence was compliant), and, if applicable, and in conjunction with the findings of the visual assessment and law enforcement document review, to support the second hypothesis as well (that the area was noncompliant). In other words, we simultaneously tested the two primary regulatory hypotheses.

Samples were submitted for analysis to Analytical Chemistry Inc. (ACI) in Tukwila, Washington. ACI is one of the laboratories identified in State regulation 6-CCR 1014-3 as being proficient in performing methamphetamine analysis.

To protect against the introduction of contaminants into the subject property, the Industrial Hygienist and his Technicians donned fresh Tyvek[®] suits upon entry into the property. All equipment brought into the subject property was staged outside at the front door. The ladder used during the assessment had been decontaminated at a car wash prior to entry into the residence.

Wipe Samples

Wipe samples were collected in a manner consistent with State regulations for final verification sampling. The wipe sample medium was commercially available Johnson & Johnson[®] Brand pharmaceutical grade gauze (Lot Number 3369A). Each gauze material was assigned an in-house lot number (G1004) for quality assurance and quality control (QA/QC) purposes and recorded on a log of results. Each pad was moistened with reagent grade methyl alcohol. Each batch of alcohol was assigned a lot number (A1001) for QA/QC purposes and recorded on a log of results.

Consistent with State Regulations and good sampling theory, the location of the samples was based on professional judgment. In this case, it was FACTs' Industrial Hygienist's professional judgment that judgmental authoritative biased sampling would be appropriate.

As such, during this project, the Industrial Hygienist selected those areas which had the highest probability of exhibiting the highest concentrations of methamphetamine. Based



on our experience, state of the art information on indoor methamphetamine migration patterns and professional judgment, FACTs selected specific locations throughout the structure in an attempt to represent the highest possible concentrations of methamphetamine. Each sample area was delineated with a measured outline and sampled.

Each wipe sample was collected by methodically wiping the entire surface of the selected area with moderate pressure; first in one direction and then in the opposite direction, folding the gauze to reveal fresh material as necessary. Each sample was returned to its centrifuge tube and capped with a screw-cap. In several cases, surface residue was not completely removed or removable. In those cases, FACTs visually estimated the percentage of material remaining and corrected the final concentration accordingly.

QA/QC Precautions

The sampling media were prepared in small batches in a clean environment (FACTs Corporate Offices). The sample media were inserted into individually identified disposable plastic centrifuge tubes with caps.

Field Blanks

For QA/QC purposes, and in accordance with state regulations, a field blank was randomly selected from the numbered batch, randomly inserted in the sampling sequence and submitted along with the samples for methamphetamine analysis. To ensure the integrity of the blanks, FACTs personnel were unaware, until the actual time of sampling, which specific sample would be submitted as a blank. To ensure the integrity of the blank, laboratory personnel were not informed which specific sample (if any) was a blank and all samples were submitted blind. The history of the FACTs field blank media has demonstrated a media and solvent contamination level below the analytical detection limit for the method. The blank submitted for this project contained no measurable mass of methamphetamine.

Field Duplicates

For the purposes of the data quality objectives associated with this Preliminary Assessment, no duplicates were required, and none were collected.

Cross Contamination

Prior to the collection of each specific sample area, a fresh pair of surgical gloves was donned to protect against the possibility of cross contamination.

Collection Rationale

The samples collected throughout the subject property comprised of “discreet” samples. Discreet samples are collected at a single isolated location. In the following table, the “Decision Level” is that value below which the sample result would need to be to confirm compliance.



Sample Results

In the following table, the cursory samples are represented by the shaded entries.

Sample ID	Location	Area	Result	Decision Level	Status
NM091310-01A	Top of window in US NE Bedroom	6.4	0.2	0.1	FAIL
NM091310-01B	Top of radiator in living room	6.4			
NM091310-01C	Top of microwave oven in kitchen	6.4			
NM091310-01D	Electrical cable in basement	6.4			
NM091310-01E	Top of pipe in basement bedroom	6.4			
1571M092810-01	Living room shelving on east wall, top shelf	523	<0.006	0.50	PASS
1571M092810-02	NE Bedroom ceiling light cover	853	0.022	0.50	PASS
1571M092810-03	SE Bedroom ceiling light cover	853	0.025	0.50	PASS
1571M092810-04	Kitchen, top of south window frame	645	0.095	0.50	PASS
1571M092810-05	Field Blank	97	<0.030	0.03	PASS
1571M092810-06	Bathroom, top of medicine chest	581	0.017	0.50	PASS
1571M092810-08	Basement, top of iron gas pipe	516	0.019	0.50	PASS
1571M092810-09	Basement bedroom, top of S PVC pipe	516	0.009	0.50	PASS
1571M092810-11	Attic, electrical conduit	516	0.103	0.50	PASS

Area is expressed in square centimeters

Result and Decision Level are expressed as $\mu\text{g}/100\text{cm}^2$ (Field blanks are reported as absolute mass)

The symbol "<" indicates that methamphetamine was not detected at the detection limit expressed.

Table 2
Summary of Sample Results

The distribution of the data is such that there is a 95% confidence that 6% of all samples collected in the future from this property would exceed the regulatory threshold of $0.5 \mu\text{g}/100\text{cm}^2$. Similarly, there is a 95% certainty that approximately one third of any future randomly collected samples would exceed $0.1 \mu\text{g}/100\text{cm}^2$.

Although this information does not affect the current regulatory status of the residence, it will serve as an affirmative defense for a future seller of the property if a test is performed, and the result of that test indicates that the methamphetamine is greater than $0.1 \mu\text{g}/100\text{cm}^2$ but less than $0.5 \mu\text{g}/100\text{cm}^2$.

The sample results exhibit the expected lognormal distribution. However, the Gaussian distribution goodness of fit is somewhat better than expected.¹² This distribution would be consistent with a deposition of methamphetamine residue due to homogenous infiltration from a fugitive emission coming from the residence to the north.

Sample Locations

In the figures that follow, the sample locations from the Preliminary Assessment have been presented. The locations of the initial (cursory) samples are identified by an alpha character. The drawings are stylized and not to scale.

¹² One tailed percentage point of the Shapiro-Wilks W test = 0.8180; Normal goodness of fit = 0.7248 and Lognormal goodness of fit = 0.9127



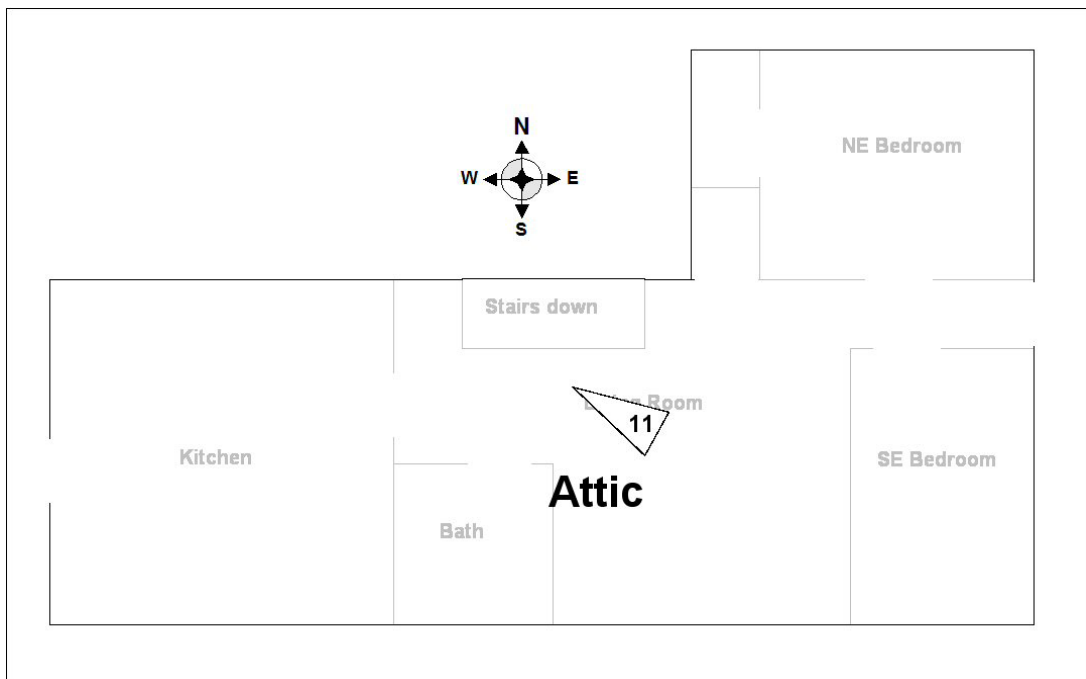


Figure 1
Attic Sample

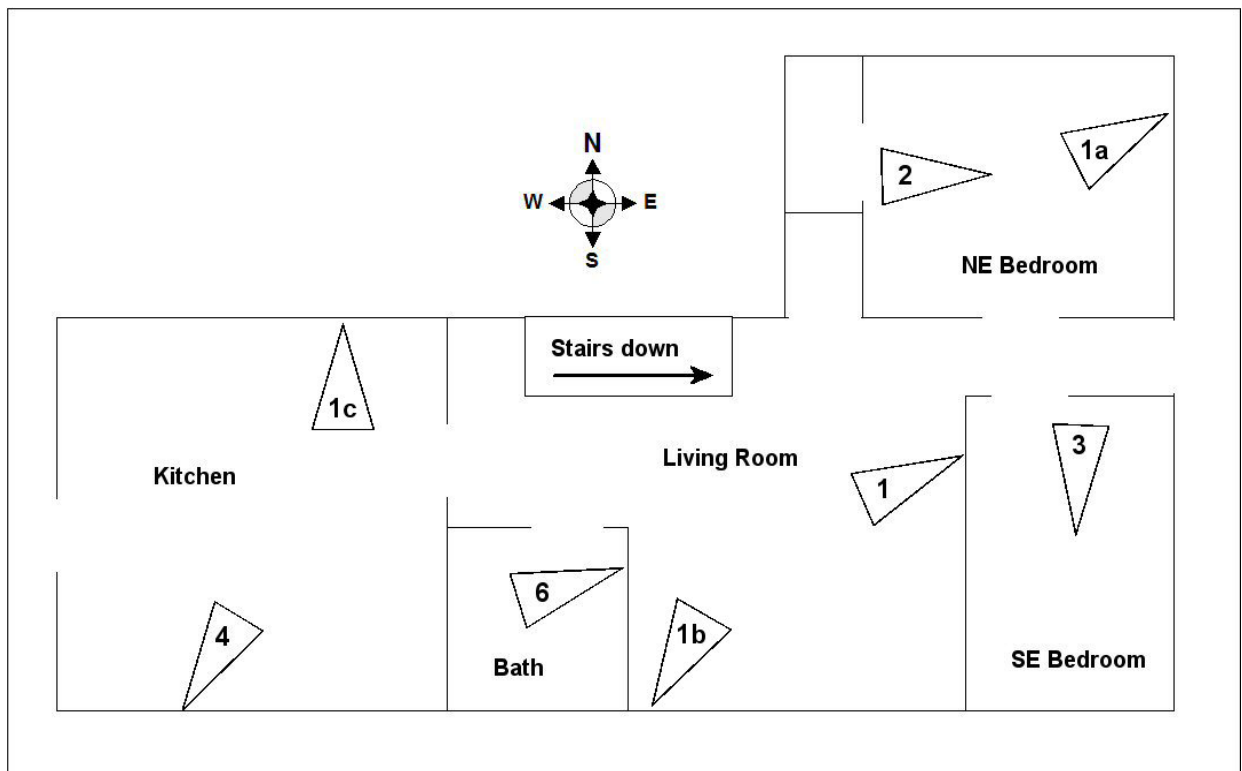


Figure 2
Top Floor Sampling Locations



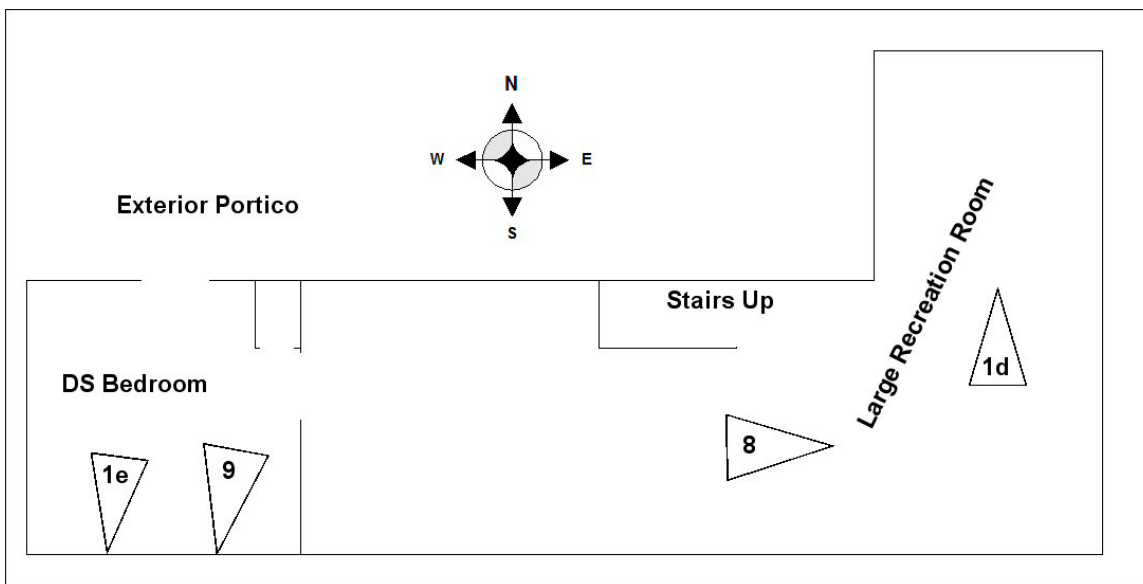


Figure 3
Basement Sampling Locations

Quality Assurance/Quality Control

The following section pertains to the PA samples only and is required by regulation and is not intended to be understood by the casual reader. All abbreviations are standard laboratory use.

MDL was 0.004 µg; LOQ was 0.03 µg; MBX <MDL; LCS 0.1 µg (RPD 7%, recovery 107%); Matrix spike 0.020 µg (RPD <1%; recovery 100%); Matrix spike Dup 0.020 µg; (RPD 18%; recovery 120%); Surrogate recovery (all samples): High 107% (Sample 4), Low 85% (Sample 2); FACTs reagents: MeOH lot #A1001 <MDL for n=8 and >MDL for n=0; Gauze lot G1004 <MDL for n=16 and >MDL for n=1. The QA/QC indicate that the data met the data quality objectives and no significant bias was observed.

CONCLUSIONS

Based on the totality of the circumstances, our subjective observations and objective data from sampling, and in strict adherence to State statutes and State regulations, FACTs concludes the following:

- An illegal drug lab, as that term is defined in CRS §25-18.5-101, existed at the subject property from before September 13, 2010.
- A Class 1 Public Nuisance, as defined in CRS §16-13-303(1) existed at the subject property from before September 13, 2010.
- Widespread, but trace, concentrations of methamphetamine were confirmed to be present at the property.



- The concentrations of methamphetamine in the subject property were not sufficiently elevated to be considered a “contaminant” as that term is defined in 6 CCR 1014-3 (§3).
- Final verification sampling indicates the property is compliant.
- FACTs hereby issues, by virtue of this document, a *Decision Statement* affirming that:
 - a. The initial hypothesis was rejected and the initial null hypothesis was accepted (sufficient evidence existed to confirm the presence of methamphetamine).
 - b. Upon the performance of the required *Preliminary Assessment* the second hypothesis was contemporaneously tested, and no support for the hypothesis was found; the null hypothesis was subsequently accepted (in the totality of the circumstances the property was found to be compliant).
- No harmful chemical residues were found at concentrations that may present an immediate or long-term threat to human health and/or the environment.
- Therefore, pursuant to this *Decision Statement*, the property is to be released for immediate occupancy without the need for any further action.

RECOMMENDATIONS

To avail of the civil liability immunity provided by CRS §25-18.5-103(2) and to ensure complete compliance with State regulations, this Preliminary Assessment and Decision Statement must be submitted to the Governing Body with jurisdiction over the property. Based on the best information available, The Governing Body is:

Denver Dept. of Environmental Health
 c/o Gene C. Hook
 200 W. 14th Avenue, Dept. #310
 Denver, CO 80204

FACTs will provide a copy of this report to the Governing Body on behalf of the Registered Owner pursuant to 6 CCR 1014-3 (§8.26).

Enclosures: One digital disc; Data package, and Appendices

-END-



APPENDIX A:
SUPPORTING DOCUMENTS



**FORENSIC APPLICATIONS CONSULTING TECHNOLOGIES, INC.
CLANDESTINE METHAMPHETAMINE LABORATORY
ASSESSMENT FIELD FORMS®**

FACTs project name: 1571	Form # ML1
Date: September 28, 2010	
Reporting IH:	Caoimhin P. Connell, Forensic IH

PROPERTY DESCRIPTION:

Physical address	1571 Newton Street Denver, CO 80204-1565					
Legal description or VIN	PIERSONS ADD BLK 7 PT L21 & 22 BEG SE COR L21 TH N 25.00FT W 24.89FT N 3.10FT W 17.85FT S 11.00FT W 18.10FT N 1.75FT W 21.05FT N 6.15FT W 43.11FT S 25.0FT E 125.0FT TO POB					
Registered Property Owner	Second Mariners Res Fund II, 1303 Avocado Ave Suite 200, Newport Beach, CA 92660-7849					
Number of structures	One					
Type of Structures (Each affected structure will need a "Functional Space" inventory)	<table border="1"><tr><td>Semi-detached residence</td><td>1,822 Square feet</td></tr></table>		Semi-detached residence	1,822 Square feet		
Semi-detached residence	1,822 Square feet					
Adjacent and/ or surrounding properties	<table border="1"><tr><td>North: Attached residential structure</td></tr><tr><td>South: Residential structure</td></tr><tr><td>East: Residential street front</td></tr><tr><td>West: City alley way</td></tr></table>		North: Attached residential structure	South: Residential structure	East: Residential street front	West: City alley way
North: Attached residential structure						
South: Residential structure						
East: Residential street front						
West: City alley way						
General Property Observations	Poorly kempt, fair condition					
Presumed Production Method	Contamination from fugitive emission migration					

PLUMBING INSPECTION AND INVENTORY

FACTs project name: 1571	Form # ML2
Date: September 28, 2010	
Reporting IH:	Caoimhin P. Connell, Forensic IH

Functional Space	Room	Fixture	Indicia?	Comments
5	Bathroom # 1	Bath	N	Unremarkable
5	Bathroom # 1	Sink 1	N	Unremarkable
5	Bathroom # 1	Toilet	N	Unremarkable
4	Kitchen	Dishwasher	NA	NA
4	Kitchen	Sink	N	Unremarkable
6	Laundry Room	Washing machine	NA	NA

This Area is Blank

VENTILATION INSPECTION AND INVENTORY

Item	Y/N	Indicia ?	Sampled ?	Comments
Isolated AHU?	N	NA	NA	NA
Common air intake?	N			
Common bathroom exhausts?	N			
Forced air system?	N			
Steam heat?	Y			
Common ducts to other properties?	N	NA	NA	NA
Passive plena to other properties?	Y			
Active returns to other properties?	N			
Passive wall grilles to other properties?	N			
Industrial ventilation?	N			
Residential ventilation?	Y			
Pressurized structure?	N			



FORENSIC APPLICATIONS CONSULTING TECHNOLOGIES, INC.

FUNCTIONAL SPACE INVENTORY

FACTs project name: 1571	Form # ML3
Date: September 28, 2010	
Reporting IH:	Caoimhin P. Connell, Forensic IH

Structure Number	Functional Space Number	Indicia (Y/N)	Describe the functional space (See drawings for delineating structural features)
1	1	Y	Northeast corner bedroom and closet
1	2	Y	Southeast corner bedroom
1	3	Y	Living room, entrance closet and stairway
1	4	Y	Kitchen
1	5	Y	Bathroom
1	6	Y	Basement open area
1	7	Y	Basement bedroom
1	8	N	Attic

This Area is Blank



FORENSIC APPLICATIONS CONSULTING TECHNOLOGIES, INC.

LAW ENFORCEMENT DOCUMENTATION

FACTs project name: 1571	Form # ML4
Date: September 28, 2010	
Reporting IH:	Caoimhin P. Connell, Forensic IH

Inventory of Reviewed Documents	DPD Premise History
Described method(s) of production	No documents available
Chemicals identified by the LEA as being present	No documents available
Cooking areas identified	No documents available
Chemical storage areas identified	No documents available
LE Observation on areas of contamination or waste disposal	No documents available





FORENSIC APPLICATIONS CONSULTING TECHNOLOGIES, INC.

September 23, 2010

Detective Bowser
Denver Police Civil Liability Bureau
1331 Cherokee Street,
Room 504
Denver CO 80204

Via Fax: 720-913-7035

Dear Det. Bowser:

Forensic Applications, Inc. has been contracted to perform a "Preliminary Assessment" an illegal clandestine drug lab pursuant to Colorado Board Of Health Regulations 6-CCR-1014-3, and CRS §25-18.5-101 *et seq.* The property comprises of two addresses in the City of Denver at:

1571 and 1575 Newton Street, Denver CO

As you are aware, as part of that assessment, the Industrial Hygienist is required by regulation 6-CCR-1014-3 (§4.2) to review available Law Enforcement documents associated with the property. Generally, we initially do not require copies of any documents; and, if preferable, we can visit the records offices and review available information there.

We would like to review any narratives regarding controlled substances or hazardous materials responses, or speak with any Law Enforcement personnel who may be familiar with the property. We are only interested in issues involving controlled substances or hazardous materials responses in the last five years. If no such records are available please let us know and we will merely make that notation in our report to the City and County of Denver Department of Health.

We will be performing the on-site assessment on about Sept. 28, 2010 and would like to review any available documents before then. We apologize for the short notice, however, we generally do not have any control over the timeframes involved.

Forensic Applications takes extreme caution to protect all Law Enforcement Sensitive information. When requested by the Law Enforcement Agency, we do NOT reveal names, document identities, or include any information considered sensitive by an investigating agency. We have developed a close working relationship with Denver Police Department, and we value and respect that open line of communication. I have included my SOQ. Please feel free to call me directly with any comments or questions.

Pursuant to CRS §24-72-305.5, I affirm that upon receipt of requested records of official actions and/or criminal justice records from the Denver Police Department, such records shall not be used for the direct solicitation of business for pecuniary gain.

Sincerely,

Caoimhin P. Connell
Forensic Industrial Hygienist

#217 P.001/006

Invoice

Date	Invoice #
9/24/2010	7071

Bill To
Forensic Applications Consulting 185 Bounty Hunter's Lane Bailey, Colorado 80421

Ship To

Case #	Terms	Rep	Ship	Via	Location
	Due on receipt	DSM	9/24/2010	Fax	Newton

Quantity	Item Code	Description	Price Each	Amount
5	Premise History	Premise History Documents	0.25	1.25
1	Search Fee	Search Fee	15.00	15.00

Please remit to above address.	Total	\$16.25
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Premise_History

1571 Newton St				Dist 1- Sector 2			
Address	Resp. Date	Incident #	Problem	Bldg	Apt	Received	Dispatch
				Priority		Arrived	Closed
						Cancel Reason	
	05/27/08 22:49	DPD-08-0337269	DVP Domestic Viol -In Prog	1	P1 Emergency	22:51:39	22:53:25
	06/12/08 14:02	DPD-08-0375472	Information Call	6	P6 Report Low	14:04:22	15:54:50
	06/17/08 23:27	DPD-08-0389382	DVP Domestic Viol -In Prog	1	P1 Emergency	23:29:27	23:36:00
	07/03/08 17:00	DPD-08-0430404	ASLTP Assault In Progress	1	P1 Emergency	17:04:06	17:09:26
	07/22/08 18:07	DPD-08-0480251	DVP Domestic Viol -In Prog	1	P1 Emergency	18:10:24	18:11:12
	09/07/08 8:08	DPD-08-0596623	Domestic Violence IP-JO	1	P1 Emergency	8:10:53	8:09:46
	09/09/08 13:03	DPD-08-0601354	Transfer to Another Agency	99	P99 File Only	13:03:39	13:05:09
	09/09/08 13:09	DPD-08-0601366	Transfer to Another Agency	99	P99 File Only	13:09:55	13:10:00
							FO For File Only
							FO For File Only
1571 Newton St S				Dist 4- Sector 3			
Address	Resp. Date	Incident #	Problem	Bldg	Apt	Received	Dispatch
				Priority		Arrived	Closed
						Cancel Reason	
	04/26/06 18:19	DPD-06-0262871	ALSN Silent-No Permit	99	P99 File Only	18:19:55	18:19:56
	10/20/06 0:48	DPD-06-0702856	FIT Fight	2	P2 Urgent	0:49:33	0:54:24
	04/04/07 18:59	DPD-07-0216770	Music / Noise	3	P3 Public Need	18:59:35	19:00:05
	05/14/07 4:58	DPD-07-0311467	BURGP Burglary - In Progr	1	P1 Emergency	4:58:43	4:58:56
	05/31/07 12:39	DPD-07-0354404	BURGP Burglary - In Progr	1	P1 Emergency	12:40:31	12:41:40
	06/03/07 2:25	DPD-07-0361530	BURGP Burglary - In Progr	1	P1 Emergency	2:26:29	2:26:49
	06/03/07 22:01	DPD-07-0363319	SUSP Suspicious Person	3	P3 Public Need	22:01:09	22:14:11
							22:16:53
							22:32:10
							D Dispatcher Cancellation

Friday, September 24, 2010

Page 1 of 2

Premise_History

<u>Address</u>		<u>1571 N Newton St</u>		<u>Bldg</u>		<u>Apt</u>		<u>Dist 1- Sector 2</u>	
<u>Resp. Date</u>	<u>Incident #</u>	<u>Problem</u>	<u>Priority</u>	<u>Received</u>	<u>Dispatch</u>	<u>Arrived</u>	<u>Closed</u>	<u>Cancel</u>	<u>Reason</u>
10/24/08 19:32	DPD-08-0706729	Domestic Violence IP-JO	1	P1 Emergency	19:38:30	19:37:10	19:37:37	19:51:28	
11/02/08 16:37	DPD-08-0727523	Noise Complaint	3	P3 Public Need	16:38:03	16:42:10	16:42:13	D Dispatcher Cancellation	
11/02/08 17:18	DPD-08-0727601	Noise Complaint	3	P3 Public Need	17:18:29	17:28:26	18:34:13		
11/02/08 21:23	DPD-08-0728083	Domestic Violence IP-JO	1	P1 Emergency	21:26:31	21:29:41	21:31:16	21:51:51	D Dispatcher Cancellation
11/02/08 21:26	DPD-08-0728088	Domestic Violence IP-JO	1	P1 Emergency	21:28:43	21:29:46	21:47:16	D Dispatcher Cancellation	
11/03/08 7:34	DPD-08-0728752	Burglary IP-JO	1	P1 Emergency	7:36:06	7:36:14	7:38:44	7:55:39	D Dispatcher Cancellation
12/22/08 2:37	DPD-08-0835065	Domestic Violence IP-JO	1	P1 Emergency	2:39:48	2:42:05	2:44:14	3:11:33	
12/22/08 2:39	DPD-08-0835066	Check Welfare	2	P2 Urgent	2:40:29	2:42:12	2:44:14	3:11:33	
01/01/09 3:40	DPD-09-0000752	Domestic Violence IP-JO	1	P1 Emergency	3:40:31	3:43:26	3:47:12	4:36:10	
02/07/09 20:48	DPD-09-0083348	Fight	2	P2 Urgent	20:48:37	20:51:11	20:58:52	21:29:00	
02/08/09 3:41	DPD-09-0084158	Disturbance Family	2	P2 Urgent	3:44:15	4:07:09	4:12:05	5:40:29	
02/15/09 23:52	DPD-09-0101523	Domestic Violence IP-JO	1	P1 Emergency	23:55:59	23:53:36	23:58:02	0:36:05	
03/26/09 20:41	DPD-09-0184669	Nature Unknown	2	P2 Urgent	20:43:26	20:42:54	20:49:31	21:29:25	
03/26/09 21:31	DPD-09-0184717	Domestic Violence IP-JO	1	P1 Emergency	21:39:37	21:32:38	21:36:19	1:18:15	
04/25/09 2:34	DPD-09-0242870	Criminal Mischief	6	P6 Report Low	2:35:21	2:47:29	2:51:38	4:16:42	
05/17/09 23:39	DPD-09-0290276	Noise Complaint	3	P3 Public Need	23:40:28	23:40:17	23:40:21	D Dispatcher Cancellation	
06/23/09 11:53	DPD-09-0368725	Attempt Contact or Pickup	4	P4 Routine	11:53:44	11:53:44	11:53:44	13:22:05	

06/25/09 4:34	DPD-09-0372540	Domestic Violence IP-JO	1	P1 Emergency	4:43:27	4:35:47	4:38:50	7:38:12	D Dispatcher Cancellation
07/29/09 3:07	DPD-09-0447283	Domestic Violence IP-JO	1	P1 Emergency	3:10:43	3:08:38	3:12:55	4:08:33	
09/09/09 18:14	DPD-09-0533884	Information Call	6	P6 Report Low	18:14:08	18:14:54		19:09:27	D Dispatcher Cancellation
11/13/09 0:45	DPD-09-0649968	Fight	2	P2 Urgent	0:47:19	0:49:02	0:51:19	1:48:56	
11/13/09 0:47	DPD-09-0649970	Fight	2	P2 Urgent	0:51:26	0:50:38		0:52:18	D Dispatcher Cancellation
12/18/09 12:13	DPD-09-0707998	Self Initiated Action	3	P3 Public Need	12:13:26	12:13:26	12:13:26	12:36:57	
12/29/09 16:29	DPD-09-0725006	Self Initiated Action	3	P3 Public Need	16:29:47	16:29:47	16:29:47	16:41:58	
04/08/10 20:17	DPD-10-0164774	Welfare Check	2	P2 Urgent	20:20:47	21:02:53	21:14:00	1:55:33	
04/10/10 19:17	DPD-10-0168665	Attempt Contact or Pickup	4	P4 Routine	19:17:50	19:17:50	19:17:50	19:42:03	D Dispatcher Cancellation
04/12/10 0:29	DPD-10-0171062	Attempt Contact or Pickup	4	P4 Routine	0:29:33	0:29:33	0:29:33	0:47:44	D Dispatcher Cancellation

FIELD OBSERVATIONS

FACTs project name: 1571	Form # ML5
Date: September 28, 2010	
Reporting IH:	Caoimhin P. Connell, Forensic IH

Structure: Residence

Indicator	Functional Space	Indicator	Functional Space
Acids	No comment	Lead	No comment
Aerosol cans	No comment	Lithium	No comment
Alcohols	No comment	Marijuana	No comment
Ammonia	No comment	Match components	No comment
Ammunition	No comment	Mercury	No comment
Artistic expressions	No comment	Methamphetamine	1,2,3,4,5,6,7
Bags of salt	No comment	Modified coolers	No comment
Bases	No comment	Modified electrical	No comment
Basters/Pipettes	No comment	Modified structural	No comment
Batteries	No comment	Modified ventilation	No comment
Bi-phasic wastes	No comment	Needles/Syringes	No comment
Booby traps	No comment	OTC Containers	No comment
Bullet holes	No comment	OTC drugs	No comment
Burn marks	1,3,6,7	pH papers/indicators	No comment
Cat litter	No comment	Phenyl-2-propanone	No comment
Chemical storage	No comment	Pornography, Sex toys	No comment
Colored wastes	No comment	Prescription drugs	No comment
Corrosion on surfaces	No comment	Presence of cats	No comment
Delaminating paint	5	Pseudoephedrine	No comment
Drug paraphernalia	No comment	Red P	No comment
Electrical modifications	No comment	Red Staining	1,2,3,6,7
Empty OTC Containers	No comment	Salt or Salters	No comment
Ephedrine	No comment	Security devices	No comment
Feces	No comment	Signs of violence	No comment
Filters	No comment	Smoke detectors disabled	No comment
Forced entry marks	No comment	Solvents - (organic)	No comment
Gang markings	2,6,7	Squalor	1,2,3,4,5,6,7
Gas cylinders	No comment	Staining on floors	1,2,3,4,5,6,7
Gerry cans	No comment	Staining walls/ceiling	1,2,3,4,5,6,7
Glassware	No comment	Stash holes	No comment
Graffiti	6,7	Structural damage	2,3
Heating mantle	No comment	Tubing	No comment
Heet or similar	No comment	Urine containers	No comment
Hidden items	No comment	Ventilation modified	No comment
Hydrogen peroxide	No comment	Weapons	No comment
Iodine	No comment	Window block	No comment
Kitty litter	No comment	Yellow staining	1,2,3,4,5,7

① Present but not as indicia ② Copious or unusual quantities



FORENSIC APPLICATIONS CONSULTING TECHNOLOGIES, INC.

INDIVIDUAL SEWAGE DISPOSAL SYSTEM FIELD FORM

FACTs project name: 1571	Form # ML7
Date: September 28, 2010	
Reporting IH:	Caoimhin P. Connell, Forensic IH

	Yes	No	N/C
Does the property have an ISDS		X	
Is there unusual staining around internal drains		X	
Are solvent odors present from the internal drains		X	
Is there evidence of wastes being disposed down internal drains		X	
Are solvent odors present from the external sewer drain stacks			X
Was the septic tank lid(s) accessible	NA		
Was the leach field line accessible			
Was the septic tank or leach field lines opened			
Are solvent odors present from the leach field lines (if "yes" see below)			
Are solvent odors present from the septic tank (if "yes" see below)			
Is "slick" present in the septic tank			
Are biphasic (aqueous-organic) layers present in the septic tank			
Was pH measured in the septic tank			
Were organic vapors measured in the septic tank (if "yes" see below)			
Is sampling of the ISDS warranted			
Were calawasi/drum thief samples collected from the septic tank			

*NC = Not checked

Qualitative Organic Vapor Monitoring

Instrument Type	Make and Model
Hydrocarbon detector	EnMet Target Series, MOS detector
This line is blank	
This line is blank	
This line is blank	

Location	MOS*	PID*	FID*
All internal sinks	<1	NA	
This line is blank			
This line is blank			
This line is blank			

*Units of measurement are in parts per million equivalents compared to the toluene calibration vapor. Detection limit 1 ppm

Locator Notes: NONE





























































FORENSIC APPLICATIONS CONSULTING TECHNOLOGIES, INC.

PRE-REMEDIATION PHOTOGRAPH LOG SHEET

FACTs project name: 1571	Form # ML8
Date: September 28, 2010	
Reporting IH:	Caoimhin P. Connell, Forensic IH

Cursory evaluation photographs

Name ▲	Date Picture Taken	Name ▲	Date Picture Taken
 IMG_2043	9/13/2010 10:20 AM	 IMG_2077	9/13/2010 10:37 AM
 IMG_2044	9/13/2010 10:20 AM	 IMG_2078	9/13/2010 10:37 AM
 IMG_2045	9/13/2010 10:21 AM	 IMG_2079	9/13/2010 10:38 AM
 IMG_2046	9/13/2010 10:21 AM	 IMG_2080	9/13/2010 10:38 AM
 IMG_2047	9/13/2010 10:22 AM	 IMG_2081	9/13/2010 10:38 AM
 IMG_2048	9/13/2010 10:22 AM	 IMG_2082	9/13/2010 10:38 AM
 IMG_2049	9/13/2010 10:22 AM	 IMG_2083	9/13/2010 10:38 AM
 IMG_2050	9/13/2010 10:28 AM	 IMG_2084	9/13/2010 10:38 AM
 IMG_2051	9/13/2010 10:28 AM	 IMG_2085	9/13/2010 10:38 AM
 IMG_2052	9/13/2010 10:28 AM	 IMG_2086	9/13/2010 10:38 AM
 IMG_2053	9/13/2010 10:29 AM	 IMG_2087	9/13/2010 10:39 AM
 IMG_2054	9/13/2010 10:29 AM	 IMG_2088	9/13/2010 10:39 AM
 IMG_2055	9/13/2010 10:29 AM	 IMG_2089	9/13/2010 10:39 AM
 IMG_2056	9/13/2010 10:29 AM	 IMG_2090	9/13/2010 10:39 AM
 IMG_2057	9/13/2010 10:29 AM	 IMG_2091	9/13/2010 10:39 AM
 IMG_2058	9/13/2010 10:29 AM	 IMG_2092	9/13/2010 10:39 AM
 IMG_2059	9/13/2010 10:30 AM	 IMG_2093	9/13/2010 10:39 AM
 IMG_2060	9/13/2010 10:30 AM	 IMG_2094	9/13/2010 10:40 AM
 IMG_2061	9/13/2010 10:30 AM	 IMG_2095	9/13/2010 10:40 AM
 IMG_2062	9/13/2010 10:30 AM	 IMG_2096	9/13/2010 10:40 AM
 IMG_2063	9/13/2010 10:30 AM	 IMG_2097	9/13/2010 10:41 AM
 IMG_2064	9/13/2010 10:30 AM	 IMG_2098	9/13/2010 10:41 AM
 IMG_2065	9/13/2010 10:30 AM	 IMG_2099	9/13/2010 10:42 AM
 IMG_2066	9/13/2010 10:30 AM	 IMG_2100	9/13/2010 10:42 AM
 IMG_2067	9/13/2010 10:30 AM		
 IMG_2068	9/13/2010 10:30 AM		
 IMG_2069	9/13/2010 10:31 AM		
 IMG_2070	9/13/2010 10:32 AM		
 IMG_2071	9/13/2010 10:32 AM		
 IMG_2072	9/13/2010 10:32 AM		
 IMG_2073	9/13/2010 10:34 AM		
 IMG_2074	9/13/2010 10:34 AM		
 IMG_2075	9/13/2010 10:36 AM		
 IMG_2076	9/13/2010 10:37 AM		



PRE-REMEDIATION PHOTOGRAPH LOG SHEET

FACTs project name: 1571	Form # ML8
Date: September 28, 2010	
Reporting IH:	Caoimhin P. Connell, Forensic IH

Preliminary Assessment photos:

Name ▲	Date Created	Name ▲	Date Created
Attic	9/28/2010 3:56 PM	Exterior (21)	9/28/2010 3:54 PM
Attic (2)	9/28/2010 3:56 PM	Exterior (22)	9/28/2010 3:54 PM
Attic (3)	9/28/2010 3:56 PM	Exterior (23)	9/28/2010 3:54 PM
Attic (4)	9/28/2010 3:56 PM	Exterior (24)	9/28/2010 3:54 PM
Attic (5)	9/28/2010 3:56 PM	Exterior (25)	9/28/2010 3:54 PM
Attic (6)	9/28/2010 3:56 PM	Exterior (26)	9/28/2010 3:54 PM
Back stairs	9/28/2010 3:59 PM	Exterior (27)	9/28/2010 3:54 PM
Basement	9/28/2010 3:56 PM	Exterior (28)	9/28/2010 3:54 PM
Basement BR	9/28/2010 3:56 PM	Exterior (29)	9/28/2010 3:54 PM
Basement BR (2)	9/28/2010 3:56 PM	Exterior (30)	9/28/2010 3:54 PM
Bathroom	9/28/2010 3:56 PM	Exterior (31)	9/28/2010 3:55 PM
Bathroom (2)	9/28/2010 3:56 PM	Exterior (32)	9/28/2010 3:55 PM
Bathroom (3)	9/28/2010 3:56 PM	Exterior (33)	9/28/2010 3:55 PM
Entrance hall	9/28/2010 3:56 PM	Exterior (34)	9/28/2010 3:55 PM
Exterior	9/28/2010 3:55 PM	Exterior (35)	9/28/2010 3:55 PM
Exterior (2)	9/28/2010 3:55 PM	Exterior (36)	9/28/2010 3:55 PM
Exterior (3)	9/28/2010 3:55 PM	Exterior (37)	9/28/2010 3:55 PM
Exterior (4)	9/28/2010 3:55 PM	Exterior (38)	9/28/2010 3:55 PM
Exterior (5)	9/28/2010 3:55 PM	Exterior (39)	9/28/2010 3:55 PM
Exterior (6)	9/28/2010 3:55 PM	Exterior (40)	9/28/2010 3:55 PM
Exterior (7)	9/28/2010 3:55 PM	Exterior (41)	9/28/2010 3:55 PM
Exterior (8)	9/28/2010 3:55 PM	Exterior (42)	9/28/2010 3:55 PM
Exterior (9)	9/28/2010 3:59 PM	Exterior (43)	9/28/2010 3:55 PM
Exterior (10)	9/28/2010 3:59 PM	Exterior (44)	9/28/2010 3:55 PM
Exterior (11)	9/28/2010 3:59 PM	Exterior (45)	9/28/2010 3:55 PM
Exterior (12)	9/28/2010 3:59 PM	Exterior (46)	9/28/2010 3:55 PM
Exterior (13)	9/28/2010 3:59 PM	Exterior (47)	9/28/2010 3:55 PM
Exterior (14)	9/28/2010 3:59 PM	Gloves	9/28/2010 3:57 PM
Exterior (15)	9/28/2010 3:59 PM	Kitchen	9/28/2010 3:56 PM
Exterior (16)	9/28/2010 3:59 PM	Kitchen (2)	9/28/2010 3:56 PM
Exterior (17)	9/28/2010 3:54 PM	Kitchen (3)	9/28/2010 3:56 PM
Exterior (18)	9/28/2010 3:54 PM	Kitchen (4)	9/28/2010 3:56 PM
Exterior (19)	9/28/2010 3:54 PM	Kitchen (5)	9/28/2010 3:56 PM
Exterior (20)	9/28/2010 3:54 PM	Kitchen (6)	9/28/2010 3:56 PM

**FORENSIC APPLICATIONS CONSULTING TECHNOLOGIES, INC.**

PRE-REMEDIATION PHOTOGRAPH LOG SHEET

FACTs project name: 1571	Form # ML8
Date: September 28, 2010	
Reporting IH:	Caoimhin P. Connell, Forensic IH

Preliminary Assessment photos:

Name ▲	Date Created
Living room	9/28/2010 3:55 PM
Living room (2)	9/28/2010 3:56 PM
Living room (3)	9/28/2010 3:56 PM
Living room (4)	9/28/2010 3:56 PM
Living room (5)	9/28/2010 3:56 PM
Living room (6)	9/28/2010 3:56 PM
Living room (7)	9/28/2010 3:56 PM
Living room (8)	9/28/2010 3:56 PM
Living room (9)	9/28/2010 3:56 PM
NE Bedroom	9/28/2010 3:55 PM
NE Bedroom (2)	9/28/2010 3:56 PM
NE Bedroom (3)	9/28/2010 3:56 PM
NE Bedroom (4)	9/28/2010 3:56 PM
NE Bedroom (5)	9/28/2010 3:56 PM
NE Bedroom (6)	9/28/2010 3:55 PM
NE or SE BR	9/28/2010 3:56 PM
NE or SE BR (2)	9/28/2010 3:56 PM
Porch	9/28/2010 3:57 PM
Portico	9/28/2010 4:00 PM
Sample 1	9/28/2010 3:57 PM
Sample 1 (2)	9/28/2010 3:57 PM
Sample 1 (3)	9/28/2010 3:57 PM
Sample 1 (4)	9/28/2010 3:57 PM
Sample 2	9/28/2010 3:56 PM
Sample 2 (2)	9/28/2010 3:56 PM
Sample 2 (3)	9/28/2010 3:56 PM
Sample 3	9/28/2010 3:56 PM
Sample 3 (2)	9/28/2010 3:56 PM
Sample 3 (3)	9/28/2010 3:56 PM
Sample 4	9/28/2010 3:56 PM
Sample 4 (2)	9/28/2010 3:56 PM
Sample 4 (3)	9/28/2010 3:56 PM
Sample 6	9/28/2010 3:56 PM
Sample 6 (2)	9/28/2010 3:56 PM

Name ▲	Date Created
Sample 6 (3)	9/28/2010 3:56 PM
Sample 8	9/28/2010 3:56 PM
Sample 8 (2)	9/28/2010 3:56 PM
Sample 9	9/28/2010 3:56 PM
Sample 9 (2)	9/28/2010 3:56 PM
Sample 9 (3)	9/28/2010 3:56 PM
Sample 11	9/28/2010 3:56 PM
Sample 11 (2)	9/28/2010 3:56 PM
SE Bedroom	9/28/2010 3:56 PM
SE Bedroom (2)	9/28/2010 3:56 PM
SE Bedroom (3)	9/28/2010 3:56 PM
SE Bedroom (4)	9/28/2010 3:56 PM
Stairs	9/28/2010 3:56 PM
Stairs (2)	9/28/2010 3:56 PM
Stairs (3)	9/28/2010 3:56 PM
Stairs (4)	9/28/2010 3:56 PM
Stairs (5)	9/28/2010 3:56 PM

**FORENSIC APPLICATIONS CONSULTING TECHNOLOGIES, INC.**

DRAWING OF COOK AREA(S)

FACTs project name: 1571		Form # ML10
Date: September 28, 2010		
Reporting IH:	Caoimhín P. Connell, Forensic IH	

See body of report

Each grid equals approximately _____ (Approximate lay-out; Not to scale)

Describe the area:



FORENSIC APPLICATIONS CONSULTING TECHNOLOGIES, INC.

DRAWING OF STORAGE/DISPOSAL AREA(S)

FACTs project name: 1571	Form # ML11
Date: September 28, 2010	
Reporting IH:	Caoimhín P. Connell, Forensic IH

See body of report

Each grid equals approximately _____ (Approximate lay-out; Not to scale)

Describe the area:



FORENSIC APPLICATIONS CONSULTING TECHNOLOGIES, INC.

DRAWING OF GENERAL LAB AREA

FACTs project name: 1571	Form # ML12
Date: September 28, 2010	
Reporting IH:	Caoimhín P. Connell, Forensic IH

See body of report

Each grid equals approximately _____ (Approximate lay-out; Not to scale)

Describe the area:







FORENSIC APPLICATIONS CONSULTING TECHNOLOGIES, INC.

CERTIFICATION, VARIATIONS AND SIGNATURE SHEET

FACTs project name: 1571	Form # ML14
Date: September 28, 2010	
Reporting IH:	Caoimhín P. Connell, Forensic IH

Certification

Statement	Signature
I do hereby certify that I conducted a preliminary assessment of the subject property in accordance with 6 CCR 1014-3, § 4.	
I do hereby certify that the property has been decontaminated in accordance with the procedures set forth in 6 CCR 1014-3, § 5.	XXXXXXXXXXXXXX
I do hereby certify that I conducted post-decontamination clearance sampling in accordance with 6 CCR 1014-3, §6.	
I do hereby certify that the cleanup standards established by 6 CCR 1014-3, § 7 have been met as evidenced by testing I conducted.	
I do hereby certify that the analytical results reported here are faithfully reproduced.	

In the section below, describe any variations from the standard.

No known material deviation from standard occurred.

I do hereby certify that I conducted a preliminary assessment of the subject property in accordance with 6 CCR 1014-3, § 4. I further certify that the cleanup standards established by 6 CCR 1014-3, § 7 have been met as evidenced by testing I conducted.

Signature 

Date: October 6, 2010



FORENSIC APPLICATIONS CONSULTING TECHNOLOGIES, INC.



**FORENSIC APPLICATIONS CONSULTING TECHNOLOGIES, INC.
CONSULTANT STATEMENT OF QUALIFICATIONS**

(as required by State Board of Health Regulations 6 CCR 1014-3 Section 8.21)

FACTs project name:	1571	Form # ML15
Date: October 6, 2010		
Reporting IH:	Caoimhín P. Connell, Forensic IH	

Caoimhín P. Connell, is a private consulting forensic Industrial Hygienist meeting the definition of an "Industrial Hygienist" as that term is defined in the Colorado Revised Statutes §24-30-1402. He has been a practicing Industrial Hygienist in the State of Colorado since 1987; and he is the contract Industrial Hygienist for the National Center for Atmospheric Research and has been involved in clandestine drug lab (including meth-lab) investigations since 2002.

Mr. Connell is a recognized authority in methlab operations and is a Certified Meth-Lab Safety Instructor through the Colorado Regional Community Policing Institute (Colorado Department of Public Safety, Division of Criminal Justice). Mr. Connell has provided over 200 hours of methlab training for officers of over 25 Colorado Police agencies, 20 Sheriff's Offices, federal agents, and probation and parole officers from the 2nd, 7th and 9th Colorado judicial districts. He has provided meth-lab lectures to prestigious organizations such as the County Sheriff's of Colorado, the American Industrial Hygiene Association, and the National Safety Council.

Mr. Connell is Colorado's only private consulting Industrial Hygienist certified by the Office of National Drug Control Policy High Intensity Drug Trafficking Area Clandestine Drug Lab Safety Program, and P.O.S.T. certified by the Colorado Department of Law; he is a member of the Colorado Drug Investigators Association, the American Industrial Hygiene Association (where he serves on the Clandestine Drug Lab Work Group), and the Occupational Hygiene Society of Ireland. Mr. Connell is an Subject Matter Expert for the Department of Homeland Security, IAB Health, Medical, and Responder Safety SubGroup, and he conducted the May 2010 Clandestine Drug Lab Professional Development Course for the American Industrial Hygiene Association.

He has received over 128 hours of highly specialized law-enforcement sensitive training in meth-labs and clan-labs (including manufacturing and identification of booby-traps commonly found at meth-labs) through the Iowa National Guard/Midwest Counterdrug Training Center and the Florida National Guard/Multijurisdictional Counterdrug Task Force, St. Petersburg College as well as through the U.S. Bureau of Justice Assistance (US Dept. of Justice). Additionally, he received extensive training in the Colorado Revised Statutes, including Title 18, Article 18 "Uniform Controlled Substances Act of 1992."

Mr. Connell is a current law enforcement officer in the State of Colorado, who has conducted clandestine laboratory investigations and performed risk, contamination, hazard and exposure assessments from both the law enforcement (criminal) perspective, and from the civil perspective in residences, apartments, motor vehicles, and condominiums. Mr. Connell has conducted over 200 assessments in illegal drug labs, and collected over 1,900 samples during assessments (a detailed list of drug lab experience is available on the web at:

<http://forensic-applications.com/meth/DrugLabExperience2.pdf>

He has extensive experience performing assessments pursuant to the Colorado meth-lab regulation, 6 CCR 1014-3, (State Board Of Health *Regulations Pertaining to the Cleanup of Methamphetamine Laboratories*) and was an original team member on two of the legislative working-groups which wrote the regulations for the State of Colorado. Mr. Connell was the primary contributing author of Appendix A (*Sampling Methods And Procedures*) and Attachment to Appendix A (*Sampling Methods And Procedures Sampling Theory*) of the Colorado regulations. He has provided expert witness testimony in civil cases and testified before the Colorado Board of Health and Colorado Legislature Judicial Committee regarding methlab issues. Mr. Connell has provided services to private consumers, Indian Nations, state officials and Federal Government representatives with forensic services and arguments against fraudulent industrial hygienists and other unauthorized consultants performing invalid methlab assessments.

Mr. Connell, who is a committee member of the ASTM International Forensic Sciences Committee, was the sole sponsor of the draft ASTM E50 *Standard Practice for the Assessment of Contamination at Suspected Clandestine Drug Laboratories*, and he is a coauthor of a 2007 AIHA Publication on methlab assessment and remediation.

**185 BOUNTY HUNTER'S LANE, BAILEY, COLORADO 80421
PHONE: 303-903-7494 www.forensic-applications.com**

FINAL SAMPLING CHECKLIST

FACTs project name:	1571 Newton	Form # ML18
Date: October 6, 2010		
Reporting IH:	Caoimhín P. Connell, Forensic IH	

Functional Space #	Collected 500 cm ² ?	General Sampling Considerations	
		Floor Space Area of Lab (ft ²)	1,822
1	Y	One extra sample is required for every 500 ft ² of floor space >1,500ft ² . Enter number of <u>extra</u> samples required:	1
2	Y	Enter minimum number of final samples required based on floor space.	6
3	Y	Enter Number of Functional Spaces to be included	8
4	Y	Enter the minimum number of sample required based on the number of functional spaces	8
5	Y	Is the lab a motor vehicle?	No
6	Y	Does the lab contain motor vehicles?	No
7	Y	Enter number of motor vehicles associated with the lab:	0
8	Y	Are the vehicles considered functional spaces of the lab?	NA
		For vehicles that are merely functional spaces, one extra 500 cm ² sample is required for each vehicle. Enter the number of extra samples for functional space vehicles:	0
		Enter number of large vehicles (campers, trailers, etc)	0
		One extra sample is required for every 50 ft ² of floor space of large vehicles. Enter number of extra samples required:	0
		Enter total number of samples to be collected.	8
		One BX must be included for every 10 samples. Enter the number of BX required.	1
		Enter total number of samples/BXs required	9
		Enter total number of samples/BXs actually collected	9
		Collected a minimum of 5 samples from the lab?	Yes
		Collected a minimum of 3 discrete samples from the lab?	Yes
		Collected minimum of 500 cm ² per functional space?	Yes
		Collected minimum of 1,000 cm ² surface area from the lab?	Yes
		Sketch of the sample locations performed?	Yes



APPENDIX B

ANALYTICAL REPORTS FOR FACTS SAMPLES

SAMPLING FIELD FORM

FACTs project name: 1571	Form # ML17
Date: September 28, 2010	Alcohol Lot#: A1001 Gauze Lot#: G1004
Reporting IH: Caoimhín P. Connell, Forensic IH	Preliminary X Intermediate ____ Final ____

Sample ID 1571M092810	Type	Location	Funct. Space	Dimensions	Substrate
-01	W	Living room, east wall top shelf	3	9" X 9"	PW
-02	W	NE bedroom, ceiling light cover	1	See note	G
-03	W	SE bedroom, ceiling light cover	2	See note	G
-04	W	Kitchen top of window frame S side	4	2.5" X 40"	PW
-05	W	BX	NA	NA	NA
-06	W	Bathroom, top of medicine chest	5	20" X 4.5"	LW
-07	W	RESERVED	NA	NA	NA
-08	W	Basement recreation room top of central iron gas pipe	7	80" X 1"	M
-09	W	Basement bedroom, top of south side PVC pipe	8	2" X 40"	PVC
-10	W	RESERVED	NA	NA	NA
-11	W	Attic electrical conduit	9	80" X 1"	M

Sample Types: W=Wipe; V=Microvacuum; A=Air; B=Bulk; L=liquid

Surfaces: DW= Drywall, P=Painted; W= Wood, L= Laminated, V= Varnished, M= Metal, C=Ceramic, PI=Plastic

-02 13" diameter and 5% under sampled

-03 13" diameter and 5% under sampled

-04 50% under sampled

-06 10% under sampled



FORENSIC APPLICATIONS CONSULTING TECHNOLOGIES, INC.



ANALYTICAL CHEMISTRY INC.

Established in 1979

4611 S. 134th Place, Ste 200
Tukwila WA 98168-3240

Website: www.acilabs.com

Phone: 206-622-8353

E-mail: info@acilabs.com

Lab Reference:	10159-09
Date Received:	October 1, 2010
Date Completed:	October 5, 2010

October 5, 2010

CAOIMHIN P CONNELL
FORENSIC APPLICATIONS INC
185 BOUNTY HUNTER'S LN
BAILEY CO 80421

CLIENT REF: 1571

SAMPLES: wipes/9

ANALYSIS: Methamphetamine by Gas Chromatography-Mass Spectrometry.

RESULTS: in total micrograms (ug)

Sample	Methamphetamine, ug	% Surrogate Recovery
1571M092810-01	< 0.030	99
1571M092810-02	0.180	85
1571M092810-03	0.199	102
1571M092810-04	0.305	107
1571M092810-05	< 0.030	87
1571M092810-06	0.089	98
1571M092810-08	0.096	99
1571M092810-09	0.046	95
1571M092810-11	0.530	105
QA/QC Method Blank	< 0.004	
QC 0.100 ug Standard	0.107	
QA 0.020 ug Matrix Spike	0.020	
QA 0.020 ug Matrix Spike Duplicate	0.024	
Method Detection Limit (MDL)	0.004	
Practical Quantitation Limit (PQL)	0.030	

'<': less than, not detected above the PQL

Robert M. Orheim
Director of Laboratories



ANALYTICAL CHEMISTRY INC.



4611 S 134th Pl, Ste 200 Tukwila WA 98168-3240
Website: www.acilabs.com

Phone: 206-622-8353
FAX: 206-622-4623

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Page 2 of 2

Please do not write in shaded areas

SAMPLING DATE:		September 28, 2010		REPORT TO:		Caoimhin P. Connell		ANALYSIS REQUESTED						
PROJECT Name/No:		1571		COMPANY:		Forensic Applications, Inc.								
eMail:		Fiosrach@aol.com		ADDRESS:		185 Bounty Hunters Lane, Bailey, CO 80421								
SAMPLER NAME:		Caoimhin P. Connell		PHONE		303-903-7494								
LAB Number	Sample Number	SAMPLE MATRIX			ANALYSIS REQUESTS						SAMPLER COMMENTS	LAB COMMENTS	No of Containers	
		Wipe	Vacuum	Other	1	2	3	4	5	6				
	1571M092810-11	X			X	X	X							1
	1571M092810-12	X			X	X	X			X				0
	1571M092810-13	X			X	X	X			X				0
	1571M092810-14	X			X	X	X							0
	1571M092810-15	X			X	X	X							0
CHAIN OF CUSTODY RECORD		Wipes Results in:			<input type="checkbox"/> µg/100cm ²	<input checked="" type="checkbox"/> Total µg					Total Number of Containers (verified by laboratory)			1
PRINT NAME	Signature	COMPANY	DATE	TIME	Turnaround Time	Custody Seals:	Yes	No	Container:	Intact	Broken	Temperature:	Ambient	Cooled
Caoimhin P. Connell		FACTS, Inc.	9/28/2010	1600	<input type="checkbox"/> 24 Hours (2X)									
MIA SAZON		ACI	10/01/10	1500	<input type="checkbox"/> 2 Days (1.75X)									
					<input type="checkbox"/> 3 Days (1.5X)									
					<input checked="" type="checkbox"/> Routine									
						Inspected By:	MIA SAZON			10/59-09				
						Lab File No.								



4611 S. 134th Place, Ste 200
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Website: www.acilabs.com

Phone: 206-622-8353

E-mail: info@acilabs.com

Lab Reference:	10157-04
Date Received:	September 16, 2010
Date Completed:	September 20, 2010

September 20, 2010

CAOIMHIN P CONNELL
FORENSIC APPLICATIONS INC
185 BOUNTY HUNTER'S LN
BAILEY CO 80421

Cursory results

CLIENT REF: Newton

SAMPLES: wipes/2

ANALYSIS: Methamphetamine by Gas Chromatography-Mass Spectrometry.

RESULTS: in total micrograms (ug)

Sample	Methamphetamine, ug	% Surrogate Recovery
NM091310-01	0.059	97
████████████████████	████████████████████	████████
QA/QC Method Blank	< 0.004	
QC 0.100 ug Standard	0.097	
QA 0.020 ug Matrix Spike	0.017	
QA 0.020 ug Matrix Spike Duplicate	0.018	
Method Detection Limit (MDL)	0.004	
Practical Quantitation Limit (PQL)	0.030	

'<': less than, not detected above the PQL

Robert M. Orheim
Director of Laboratories



CDL SAMPLING & CUSTODY FORM

Phone: 206-622-8353
FAX: 206-622-4623

Page 1 of 1

Page 1 of 1

[illegible]

APPENDIX C

**ANALYTICAL METHODS
(SEE ATTACHED DVD)**

APPENDIX D

**INITIAL INDUSTRIAL HYGIENE REPORT
(SEE ATTACHED DVD)**

APPENDIX E

COMPACT DIGITAL DISC (DVD) PHOTOGRAPHS AND VIDEO(S)