



FORENSIC APPLICATIONS CONSULTING TECHNOLOGIES, INC.

**Preliminary Assessment
Resulting in a
Decision Statement
for an
Identified Illegal Drug Laboratory
at
1575 Newton Street
Denver, CO 80204-1565**

Prepared for:

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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 1575 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.
- Pursuant to 6 CCR 1014-3 (Mandatory Appendix A) FACTs hereby issues, by virtue of this document, a *Decision Statement*³ affirming that:
 - a. The initial hypothesis was rejected and the initial null hypothesis was accepted (sufficient evidence existed to confirm the presence of methamphetamine).

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.



- 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 following 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.

⁴ Section 4 of 6 CCR 1014-3



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

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.



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:



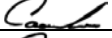
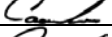
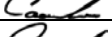
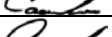

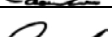
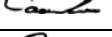
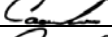
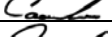
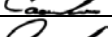



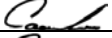

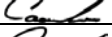
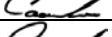
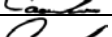





Mandatory Final Documents 6-CCR1014-3	DOCUMENTATION	Included
§8.1	Property description field form	
§8.2	Description of manufacturing methods and chemicals	
§8.3	Law Enforcement documentation review discussion	
§8.4	Description and Drawing of Storage area(s)	
§8.5	Description and Drawing of Waste area(s)	
§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

⁹ Section 8.26 of 6 CCR 1014-3



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).

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.

¹⁰ 6 CCR 1014-3 (Section 4.2)



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 910 square feet of floor space; for regulatory purposes, FACTs determined approximately 1,619 square feet of floor space including the basement and garage, and we have used this figure for regulatory sampling purposes.

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

Upon our September 28, 2010 arrival, personnel from FACTs found the property secured, 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 northern 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	Living room, closet and stairwell
2	Upstairs Bathroom
3	Kitchen and pantry
4	Upstairs bedroom and closet
5	Downstairs living room
6	Area under the stairs
7	Furnace room
8	Downstairs bedroom and closet
9	Downstairs bathroom
10	Downstairs utility room
11	Attic
12	Garage

Table 2
Functional Space Summary

Functional Space 1: Living Room, Stairs and Closet

This space is the main room one enters the structure through the front door. The closet is a large closet and is contiguous to the living room, proper. The stairway is the main thermal bypass leading from the basement.

A portion of this space shares a common wall with the adjoining address of 1571 Newton. This wall may have acted as a conduit for methamphetamine contamination which most likely migrated to 1571 Newton.

This space did not contain any visual indicators. The discreet sample collected from this space contained methamphetamine at a concentration below the regulatory cleanup threshold.

Functional Space 2: Upstairs Bathroom

Delineated as that term is commonly used, this room did not contain any visual indicators. The discreet sample collected from this space contained methamphetamine at a concentration below the regulatory cleanup threshold.

Functional Space 3: Kitchen

This space is delineated as the term is commonly understood. The space did not contain any visual indicators. A discreet sample was collected from the top of the window frame ledge. The discreet sample collected from this space contained methamphetamine at a concentration below the regulatory cleanup threshold.



Functional Space 4: Upstairs Bedroom and Closet

Delineated by the walls as the term is commonly understood. This space contained nonconclusive yellow and red-brown staining. The discreet sample collected from this space contained methamphetamine at a concentration below the regulatory cleanup threshold.

Functional Space 5: Downstairs Living Room

This is the main finished lounge located in the basement, excluding the area under the stairs. The space did not contain any visual indicators. The discreet sample collected from this space contained methamphetamine at a concentration below the regulatory cleanup threshold.

Functional Space 6: Area Under the Stairs

This space is the small compartment under the stairs. This space did not exhibit any visual indicators. The discreet sample collected from this space contained methamphetamine at a concentration below the regulatory cleanup threshold.

Functional Space 7: Furnace Room

This space did not contain any visual indicators. The discreet sample collected from this space contained the second highest methamphetamine concentration; which was at a concentration of approximately 50% the regulatory cleanup threshold.

Functional Space 8: Downstairs Central Bedroom

This finished space shares a common basement wall with the residence located to the south, 1571 Newton Street. We believe that, based on the totality of circumstances, migration occurred from this space into 1571 Newton via the attic and common walls. The discreet sample collected from this space contained methamphetamine at a concentration below the regulatory cleanup threshold.

Functional Space 9: Downstairs Bathroom

This space is the small bath and toilet room defined as the term is normally understood. This space did not contain any visual indicators. The discreet sample collected from this space contained methamphetamine at a concentration below the regulatory cleanup threshold.

Functional Space 10: Downstairs Utility Room

This is the western-most room of the basement and contains an exit door that leads directly to the outside. It is an unfinished area, and contained the highest methamphetamine concentration observed for this residence and for the duplex as a whole (0.23 $\mu\text{g}/100\text{ cm}^2$). If there was a methamphetamine cook area, it most probably was set up in this room – otherwise, we believe that methamphetamine was mostly smoked in this room. We did not observe any visual indicators in the room.



Based on the best information available, the exterior door to this room remained unsecured for an extended period of time. FACTs has information that suggests that criminals may have unlawfully entered this area on several occasions.

Functional Space 11: Attic

The attic is the space delineated as the term is commonly known. The attic is conducive to storage and occupancy. The attic is accessed through a set of pull-down stairs from the living room. During our assessment, when FACT opened the attic stairwell, a large quantity of debris fell from the stairs onto the living room floor.

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 which contained the third highest concentration of methamphetamine observed in the property.

We believe that the primary route of migration of methamphetamine from this residence into the adjoining residence located at 1571 Newton Street was via the attic space. The fact that the concentrations of methamphetamine for the attic in this residence is virtually identical to that observed in the attic of the adjoining residence supports the argument.

Functional Space 12: Garage

The garage is an external, stand-alone, detached structure as the term is commonly understood. The garage contained several nonconclusive visual indicators. The discreet sample collected from this space contained methamphetamine at a concentration below 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, a covered porch in the back and a covered back portico to the south.

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. We did observe several nonconclusive visual indicators (batteries).

Contaminant Migration

Based on the totality of circumstances, FACTs concludes that the methamphetamine in this residence migrated to the south and infiltrated the residence located at 1571 Newton Street.

The figure below presents the relationship between the 1571 and 1575 Newton Street. The shaded area is the subject property and best represents the most likely source of contamination.



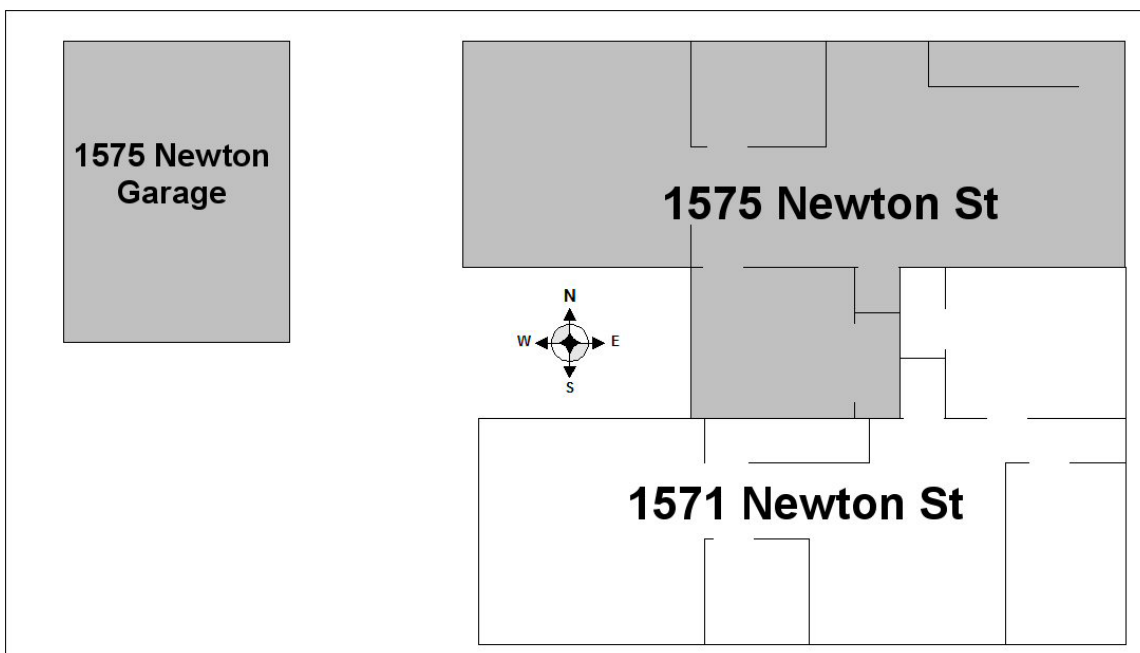


Figure 1
Duplex Structure

A Preliminary Assessment and Decision Statement was issued for 1571 Newton Street and filed with the Governing Body on October 7, 2010. The trace concentrations of methamphetamine found in 1571 Newton Street, a Decision Statement was issued for that residence releasing the property for immediate occupancy.

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[®] booties upon entry into the property. All equipment brought into the subject property was staged outside at the front door.

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. Each gauze material was assigned an in-



house lot number (G1005) 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 complex 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 blank, 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. A “discreet” sample is a sample 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
NM091310-02A	1575: Top of door rail in garage	6.4	0.22	0.10	FAIL
NM091310-02B	1575: Living room ceiling fan blade	6.4			
NM091310-02C	1575: Kitchen top of cabinet	6.4			
NM091310-02D	1575: Basement SW Bedroom	6.4			
NM091310-02E	1575: Basement NW room top of copper pipe	6.4			
1575M092810-01	Living room, north window frame	645	0.047	0.50	PASS
1575M092810-03	Basement central bedroom, top of closet doors	581	0.022	0.50	PASS
1575M092810-05	Kitchen, top of north window frame	645	0.049	0.50	PASS
1575M092810-06	Basement utility room top of PVC pipe	516	0.233	0.50	PASS
1575M092810-07	Attic, top of electrical conduit	516	0.086	0.50	PASS
1575M092810-08	Field Blank	NA	<0.030	0.03	PASS
1575M092810-09	Garage, top of west shelving	523	0.046	0.50	PASS
1575M092810-10	Bathroom, top of north window frame	581	0.045	0.50	PASS
1575M092810-11	Upstairs SW Bedroom, west window frame	645	0.033	0.50	PASS
1575M092810-12	Basement rec room, top of baseboard heater	629	0.019	0.50	PASS
1575M092810-13	Area under stairs, top of N wall, E end	523	0.006	0.50	PASS
1575M092810-14	Boiler room, top of PVC pipe	516	0.205	0.50	PASS
1575M092810-15	Basement bathroom window sill	523	0.034	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 3
Summary of Sample Results

The data exhibits the expected lognormal distribution. The concentrations and distribution is such that there is a 95% confidence that 10% of all samples randomly 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 44% 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 provide additional information toward making an affirmative defense for a future



seller of the property if a test is performed, and the results of that test indicates that the methamphetamine is greater than 0.1 µg/100cm² but less than 0.5 µg/100cm².

The Data Quality Objectives of any future testing, pursuant to the Colorado Real Estate methamphetamine disclosure and testing statute as described by CRS §38-35.7-103(2)(a), should be adjusted such that the reportable quantity should be no less than 0.49 µg/100cm² to avoid inappropriate triggering of another Preliminary Assessment.

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, not architectural, and are not to scale.

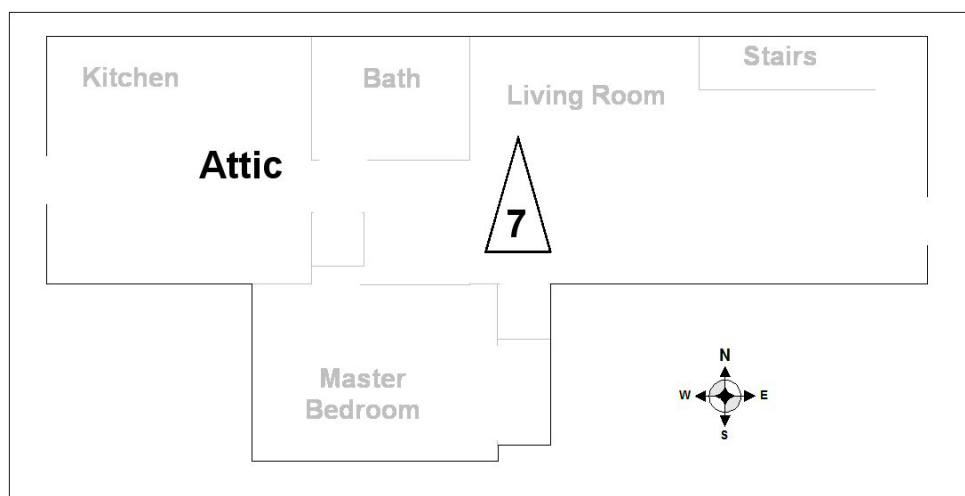


Figure 2
Attic Sample

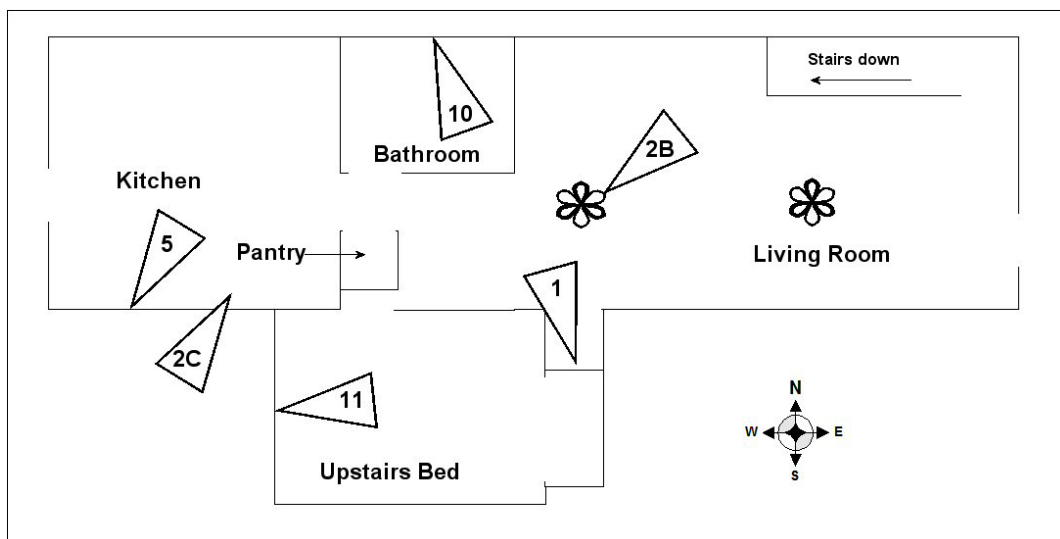


Figure 3
Top Floor Sampling Locations



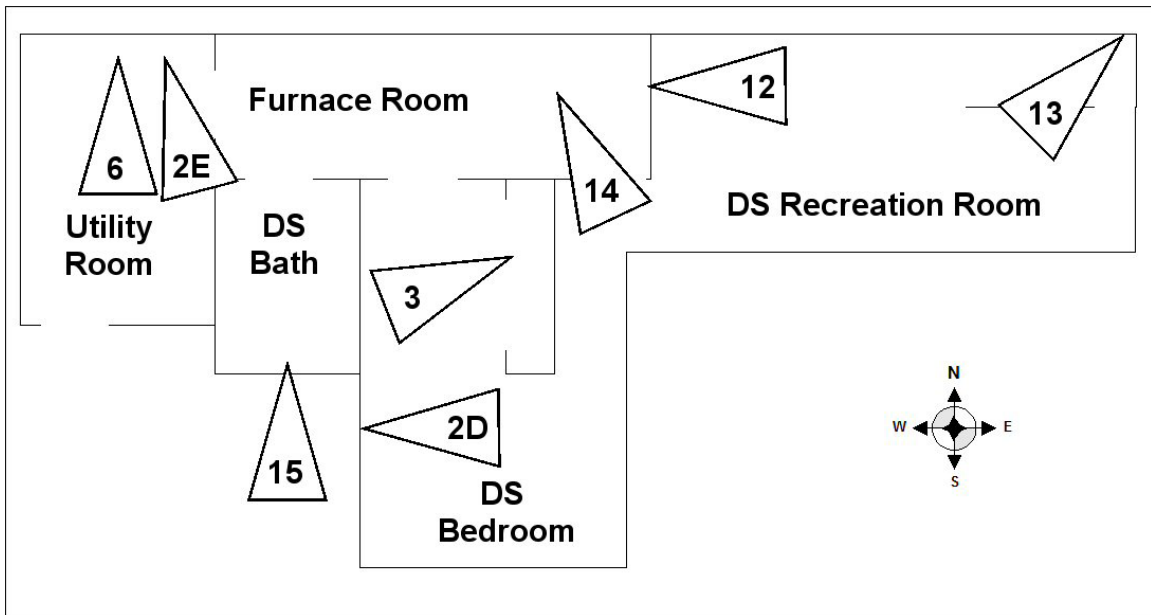


Figure 4
Basement Sampling Locations

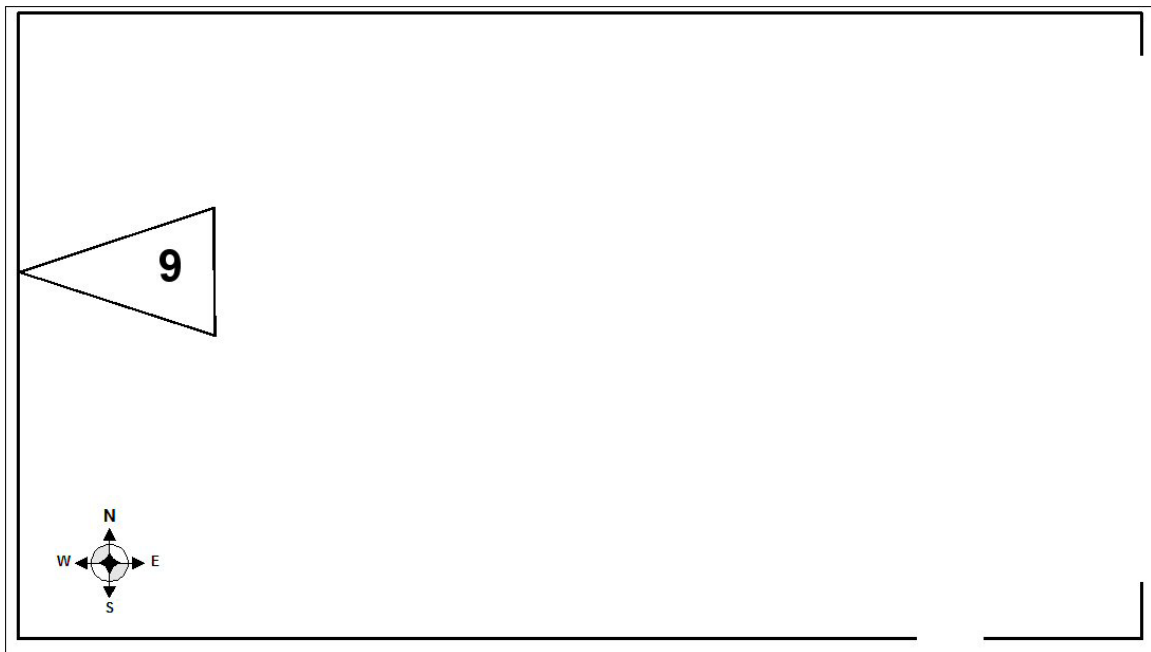


Figure 5
Garage Sample Location



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 102% (Sample 7), Low 80% (Sample 5); FACTs reagents: MeOH lot #A1001 <MDL for n=9 and >MDL for n=0; Gauze lot G1005 <MDL for n=3 and >MDL for n=0. The QA/QC indicate that several of the data are flagged for poor recovery (<85%), indicating significant bias; the samples may actually contain as much as 20% more than reported in this document. If the data were reported at the upper confidence interval, the regulatory compliance status of the property would not change. However, if the data were reported at the upper confidence interval, it would suggest that there is an increased probability of an *apparently* noncompliant sample collected in the future.

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: 1575	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 NE COR L22 S 25FT W 24.98 FT N 3.10FT W 17.85FT S 11.05 FT W 18.10FT N 1.75FT W 21.05 FT N 6.15FT W 43.11FT N 25.0FT E 125.0FT TO POB		
Registered Property Owner	John M. Lee 1571 Newton Street Denver, CO 80204-1565		
Number of structures	Two		
Type of Structures (Each affected structure will need a "Functional Space" inventory)	Residential Structure	1,319	Square feet
	Garage	300	Square feet
Adjacent and/ or surrounding properties	North: Residential South: Attached residential structure East: Residential street front West: Residential garage and alley way		
General Property Observations	Well kempt, good condition		
Presumed Production Method	Smoking methamphetamine		

PLUMBING INSPECTION AND INVENTORY

FACTs project name: 1575	Form # ML2
Date: September 28, 2010	
Reporting IH:	Caoimhin P. Connell, Forensic IH

Functional Space	Room	Fixture	Indicia?	Comments
2	Bathroom # 1	Bath/Shower	N	Unremarkable
2	Bathroom # 1	Sink 1	N	Unremarkable
2	Bathroom # 1	Toilet	N	Unremarkable
9	Bathroom # 2	Shower/Bath	N	
9	Bathroom # 2	Sink	N	
9	Bathroom # 2	Toilet	N	
3	Kitchen	Dishwasher	NA	
3	Kitchen	West Sink	N	
3	Kitchen	East Sink	N	
7	Laundry Room	Slop sink	NA	
7	Laundry Room	Washing machine	NA	

This area is blank

VENTILATION INSPECTION AND INVENTORY

Item	Y/N	Indicia ?	Sampled ?	Comments
Isolated AHU?	N	NA	NA	Unremarkable
Common air intake?	N			
Common bathroom exhausts?	N			
Forced air system?	N			
Steam heat?	Y			
Common ducts to other properties?	N			
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: 1575	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	Living room, closet and stairwell
1	2	Y	Upstairs Bathroom
1	3	Y	Kitchen and pantry
1	4	Y	Upstairs bedroom and closet
1	5	Y	Downstairs living room
1	6	Y	Area under the stairs
1	7	Y	Furnace room
1	8	Y	Downstairs bedroom and closet
1	9	Y	Downstairs bathroom
1	10	Y	Downstairs utility room
1	11	Y	Attic
2	12	Y	Garage

This area is blank



FORENSIC APPLICATIONS CONSULTING TECHNOLOGIES, INC.

LAW ENFORCEMENT DOCUMENTATION

FACTs project name: 1575	Form # ML4
Date: September 28, 2010	
Reporting IH:	Caoimhin P. Connell, Forensic IH

Inventory of Reviewed Documents	Address call 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

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

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

Premise_History

<u>Address</u>	<u>1575 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 Reason</u>				
11/02/08 16:14	DPD-08-0727480	Noise Complaint	3	P3 Public Need	16:14:27	16:21:26	16:21:28	D Dispatcher Cancellation
11/22/08 22:56	DPD-08-0773063	Burglary IP-JO	1	P1 Emergency	22:57:40	22:58:12	22:58:15	23:09:42
05/07/10 13:10	DPD-10-0215832	Burglary	3	P3 Public Need	13:13:01	13:14:51	13:20:10	14:41:02

Premise_History

<u>Address</u>	<u>1575 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 Reason</u>
06/22/07 16:51	DPD-07-0411460	A Hit and Run	3	P3 Public Need	16:52:17	17:16:38	17:26:00	18:11:40
09/09/08 2:46	DPD-08-0600588	Suspicious Occurrence	3	P3 Public Need	2:46:54	2:47:58	4:12:58	D Dispatcher Cancellation
09/14/08 13:07	DPD-08-0613351	Domestic Violence IP-JO	1	P1 Emergency	13:30:50	13:08:06	13:10:12	14:26:37

FIELD OBSERVATIONS

FACTs project name: 1575	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	Exterior
Alcohols (MeOH, EtOH)	No comment	Marijuana	No comment
Ammonia	No comment	Match components	No comment
Ammunition	No comment	Mercury	No comment
Artistic expressions	No comment	Methamphetamine	All spaces
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	Exterior	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	No comment	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	No comment	Pseudoephedrine	No comment
Drug paraphernalia	No comment	Red P	No comment
Electrical modifications	No comment	Red Staining	4
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	No comment	Squalor	No comment
Gas cylinders	No comment	Staining on floors	4
Gerry cans	No comment	Staining on walls or ceiling	4
Glassware	No comment	Stash holes	No comment
Graffiti	No comment	Structural modifications	No comment
Heating mantle	No comment	Tubing	No comment
Heet or similar (MeOH)	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 material	No comment
Kitty litter	No comment	Yellow staining	4

① Present but not as indicia, ② Copious or unusual quantities, ③ Present in normal household expectations



FORENSIC APPLICATIONS CONSULTING TECHNOLOGIES, INC.

FIELD OBSERVATIONS

FACTs project name: 1575	Form # ML5
Date: September 28, 2010	
Reporting IH:	Caoimhin P. Connell, Forensic IH

Structure: Garage

Indicator	Functional Space	Indicator	Functional Space
Acids	No comment	Lead	No comment
Aerosol cans	No comment	Lithium	No comment
Alcohols (MeOH, EtOH)	No comment	Marijuana	No comment
Ammonia	No comment	Match components	No comment
Ammunition	No comment	Mercury	No comment
Artistic expressions	No comment	Methamphetamine	12
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	No comment	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	No comment	Pseudoephedrine	No comment
Drug paraphernalia	No comment	Red P	No comment
Electrical modifications	No comment	Red Staining	12
Empty OTC Containers	No comment	Salt or Salts	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	No comment	Squalor	No comment
Gas cylinders	No comment	Staining on floors	12
Gerry cans	No comment	Staining on walls or ceiling	12
Glassware	No comment	Stash holes	No comment
Graffiti	No comment	Structural modifications	No comment
Heating mantle	No comment	Tubing	No comment
Heet or similar (MeOH)	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 material	No comment
Kitty litter	No comment	Yellow staining	12

① Present but not as indicia, ② Copious or unusual quantities, ③ Present in normal household expectations



FORENSIC APPLICATIONS CONSULTING TECHNOLOGIES, INC.

INDIVIDUAL SEWAGE DISPOSAL SYSTEM FIELD FORM

FACTs project name: 1575	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
pH Strips	Baker Industries
This line is blank	Blank
This line is blank	Blank

Location	MOS*	PID*	FID*
All internal sinks	<1	NA	
Blank			
Blank			
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: 1575	Form # ML8
Date: September 28, 2010	
Reporting IH:	Caoimhin P. Connell, Forensic IH

Name	Date taken	Name	Date taken
 Attic	9/28/2010 11:13 AM	 DS Boiler Room (2)	9/28/2010 11:08 AM
 Attic (2)	9/28/2010 11:13 AM	 DS Boiler Room (3)	9/28/2010 11:08 AM
 Attic (3)	9/28/2010 11:13 AM	 DS Boiler Room (4)	9/28/2010 11:10 AM
 Attic (4)	9/28/2010 11:13 AM	 DS Boiler Room (5)	9/28/2010 11:10 AM
 Attic (5)	9/28/2010 11:14 AM	 DS Boiler Room (6)	9/28/2010 11:28 AM
 Attic (6)	9/28/2010 11:14 AM	 DS Boiler Room (7)	9/28/2010 11:28 AM
 Attic (7)	9/28/2010 11:17 AM	 DS Boiler Room (8)	9/28/2010 11:34 AM
 Attic (8)	9/28/2010 11:17 AM	 DS Boiler Room (9)	9/28/2010 11:35 AM
 Attic (9)	9/28/2010 11:17 AM	 DS BR (9)	9/28/2010 11:08 AM
 Attic (10)	9/28/2010 11:18 AM	 DS BR (2)	9/28/2010 11:08 AM
 Attic (11)	9/28/2010 11:14 AM	 DS BR (3)	9/28/2010 11:10 AM
 DS Bath	9/28/2010 11:08 AM	 DS BR (4)	9/28/2010 11:10 AM
 DS Bath (2)	9/28/2010 11:08 AM	 DS BR (5)	9/28/2010 11:10 AM
 DS Bath (3)	9/28/2010 11:09 AM	 DS BR (6)	9/28/2010 11:10 AM
 DS Bath (4)	9/28/2010 11:09 AM	 DS BR (7)	9/28/2010 11:10 AM
 DS Bath (5)	9/28/2010 11:09 AM	 DS BR (8)	9/28/2010 11:10 AM
 DS Bath (6)	9/28/2010 11:09 AM	 DS BR (9)	9/28/2010 11:10 AM
 DS Bath (7)	9/28/2010 11:32 AM	 DS BR (10)	9/28/2010 11:33 AM
 DS Bath (8)	9/28/2010 11:32 AM	 DS BR (11)	9/28/2010 11:33 AM
 DS Bath (9)	9/28/2010 11:33 AM	 DS Closet under stairs	9/28/2010 11:38 AM
 DS Bath (10)	9/28/2010 11:33 AM	 DS closet under stairs (2)	9/28/2010 11:38 AM
 DS Boiler Room	9/28/2010 11:08 AM	 DS closet under stairs (3)	9/28/2010 11:38 AM



FORENSIC APPLICATIONS CONSULTING TECHNOLOGIES, INC.

PRE-REMEDIATION PHOTOGRAPH LOG SHEET

FACTs project name: 1575		Form # ML8
Date: September 28, 2010		
Reporting IH:	Caoimhin P. Connell, Forensic IH	

Name	Date taken	Name	Date taken
DS Main	9/28/2010 11:07 AM	Exterior (4)	9/28/2010 9:34 AM
DS Main (2)	9/28/2010 11:07 AM	Exterior (5)	9/28/2010 9:34 AM
DS Main (3)	9/28/2010 11:07 AM	Exterior (6)	9/28/2010 9:35 AM
DS Main (4)	9/28/2010 11:07 AM	Exterior (7)	9/28/2010 9:35 AM
DS Main (5)	9/28/2010 11:08 AM	Exterior (8)	9/28/2010 9:45 AM
DS Main (6)	9/28/2010 11:08 AM	Exterior (9)	9/28/2010 11:44 AM
DS Main (7)	9/28/2010 11:08 AM	DS Mor (10)	9/28/2010 11:44 AM
DS Main (8)	9/28/2010 11:42 AM	Exterior (11)	9/28/2010 11:44 AM
DS Main (9)	9/28/2010 11:42 AM	Exterior (12)	9/28/2010 11:45 AM
DS BR (2)	9/28/2010 11:07 AM	Exterior (13)	9/28/2010 11:45 AM
DS Utility Room	9/28/2010 11:09 AM	Exterior (14)	9/28/2010 11:45 AM
DS Utility Room (2)	9/28/2010 11:09 AM	Exterior (15)	9/28/2010 11:45 AM
DS Utility Room (3)	9/28/2010 11:09 AM	Exterior (16)	9/28/2010 11:46 AM
DS Utility Room (4)	9/28/2010 11:09 AM	Exterior (17)	9/28/2010 11:52 AM
DS Utility Room (5)	9/28/2010 11:09 AM	Exterior (18)	9/28/2010 11:52 AM
DS Utility Room (6)	9/28/2010 11:09 AM	Exterior (19)	9/28/2010 11:52 AM
DS Utility Room (7)	9/28/2010 11:26 AM	Exterior (20)	9/28/2010 11:52 AM
DS Utility Room (8)	9/28/2010 11:26 AM	Exterior (21)	9/28/2010 11:53 AM
DS Utility Room (9)	9/28/2010 11:26 AM	Exterior (22)	9/28/2010 11:53 AM
Exterior	9/28/2010 9:28 AM	Exterior (23)	9/28/2010 11:53 AM
Exterior (2)	9/28/2010 9:28 AM	Exterior (24)	9/28/2010 11:53 AM
Exterior (3)	9/28/2010 9:29 AM	Exterior (25)	9/28/2010 11:53 AM



FORENSIC APPLICATIONS CONSULTING TECHNOLOGIES, INC.

PRE-REMEDIATION PHOTOGRAPH LOG SHEET

FACTs project name: 1575		Form # ML8
Date: September 28, 2010		
Reporting IH:	Caoimhin P. Connell, Forensic IH	

Name	Date taken	Name	Date taken
Exterior (26)	9/28/2010 11:53 AM	Exterior (53)	9/28/2010 10:50 AM
Exterior (27)	9/28/2010 11:53 AM	Exterior (54)	9/28/2010 10:50 AM
Exterior (28)	9/28/2010 11:53 AM	Exterior (55)	9/28/2010 11:44 AM
Exterior (29)	9/28/2010 11:53 AM	Exterior (56)	9/28/2010 11:44 AM
Exterior (30)	9/28/2010 11:53 AM	Exterior (57)	9/28/2010 11:44 AM
Exterior (31)	9/28/2010 11:54 AM	Exterior (58)	9/28/2010 11:44 AM
Exterior (32)	9/28/2010 11:54 AM	Exterior (59)	9/28/2010 11:44 AM
Exterior (33)	9/28/2010 11:54 AM	Exterior (60)	9/28/2010 11:44 AM
Exterior (34)	9/28/2010 11:54 AM	Exterior (61)	9/28/2010 11:44 AM
Exterior (35)	9/28/2010 11:54 AM	Exterior (35)	9/28/2010 11:44 AM
Exterior (36)	9/28/2010 11:54 AM	Exterior (63)	9/28/2010 11:44 AM
Exterior (15)	9/28/2010 11:54 AM	Exterior (64)	9/28/2010 11:44 AM
Exterior (38)	9/28/2010 11:54 AM	Exterior (65)	9/28/2010 11:44 AM
Exterior (39)	9/28/2010 9:45 AM	Exterior (66)	9/28/2010 11:44 AM
Exterior (40)	9/28/2010 11:55 AM	Exterior (67)	9/28/2010 11:50 AM
Exterior (41)	9/28/2010 11:55 AM	Exterior (68)	9/28/2010 11:51 AM
Exterior (42)	9/28/2010 11:55 AM	Exterior (69)	9/28/2010 11:51 AM
Exterior (43)	9/28/2010 11:57 AM	Exterior (70)	9/28/2010 11:51 AM
Exterior (44)	9/28/2010 11:57 AM	Garage	9/28/2010 11:46 AM
Exterior (45)	9/28/2010 11:57 AM	Garage (2)	9/28/2010 11:46 AM
Exterior (46)	9/28/2010 11:57 AM	Garage (3)	9/28/2010 11:46 AM
Exterior (47)	9/28/2010 11:57 AM	Garage (4)	9/28/2010 11:47 AM



FORENSIC APPLICATIONS CONSULTING TECHNOLOGIES, INC.

PRE-REMEDIATION PHOTOGRAPH LOG SHEET

FACTs project name: 1575		Form # ML8
Date: September 28, 2010		
Reporting IH:	Caoimhin P. Connell, Forensic IH	













Name	Date taken	Name	Date taken
Garage (5)	9/28/2010 11:47 AM	Kitchen (10)	9/28/2010 11:25 AM
Garage (6)	9/28/2010 11:47 AM	Kitchen pantry	9/28/2010 11:06 AM
Garage (7)	9/28/2010 11:47 AM	Garagn pantry (2)	9/28/2010 11:06 AM
Garage (8)	9/28/2010 11:48 AM	Living room	9/28/2010 10:56 AM
Garage (9)	9/28/2010 11:48 AM	Living room (2)	9/28/2010 11:04 AM
Garage (10)	9/28/2010 11:48 AM	Living room (3)	9/28/2010 11:04 AM
Garage (11)	9/28/2010 11:48 AM	Living Room (4)	9/28/2010 11:07 AM
Garage (12)	9/28/2010 11:48 AM	Living Room (5)	9/28/2010 11:11 AM
Garage (13)	9/28/2010 11:48 AM	Living R(13)	9/28/2010 11:11 AM
Exterior (14)	9/28/2010 11:49 AM	Living Room (7)	9/28/2010 11:18 AM
Garage (15)	9/28/2010 11:50 AM	Living Room (8)	9/28/2010 11:19 AM
Garage (14)	9/28/2010 11:52 AM	Living Room (9)	9/28/2010 11:20 AM
Garage (17)	9/28/2010 11:50 AM	Living Room (10)	9/28/2010 11:20 AM
Kitchen	9/28/2010 11:06 AM	Living Room (11)	9/28/2010 11:21 AM
Kitchen (2)	9/28/2010 11:06 AM	Living room (12)	9/28/2010 11:56 AM
Kitchen (3)	9/28/2010 11:06 AM	Stairs	9/28/2010 10:56 AM
Kitchen (4)	9/28/2010 11:06 AM	Stairs (2)	9/28/2010 11:07 AM
Kitchen (5)	9/28/2010 11:06 AM	Stairs (3)	9/28/2010 11:11 AM
Kitchen (6)	9/28/2010 11:06 AM	US Bath	9/28/2010 11:05 AM
Kitchen (7)	9/28/2010 11:06 AM	US Bath (2)	9/28/2010 11:05 AM
Kitchen (8)	9/28/2010 11:06 AM	US Bath (3)	9/28/2010 11:05 AM
Kitchen (9)	9/28/2010 11:25 AM	US Bath (4)	9/28/2010 11:05 AM



FORENSIC APPLICATIONS CONSULTING TECHNOLOGIES, INC.

PRE-REMEDIATION PHOTOGRAPH LOG SHEET

FACTs project name: 1575	Form # ML8
Date: September 28, 2010	
Reporting IH:	Caoimhin P. Connell, Forensic IH

Name	Date taken
 US Bath (5)	9/28/2010 11:21 AM
 US Bath (6)	9/28/2010 11:23 AM
 US Bath (7)	9/28/2010 11:23 AM
 US BR	9/28/2010 11:04 AM
 US BR (2)	9/28/2010 11:04 AM
 US BR (3)	9/28/2010 11:04 AM
 US BR (4)	9/28/2010 11:04 AM
 US BR (5)	9/28/2010 11:05 AM
 US BR (6)	9/28/2010 11:05 AM
 US BR (7)	9/28/2010 11:36 AM
 US BR (8)	9/28/2010 11:36 AM
 US Hall	9/28/2010 11:05 AM



DRAWING OF STORAGE/DISPOSAL AREA(S)

FACTs project name: 1575

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.

CERTIFICATION, VARIATIONS AND SIGNATURE SHEET

FACTs project name: 1575	Form # ML14
Date: October 7, 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.	XXXXXXXXXXXX
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.

Only one field blank was submitted for twelve samples.

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 7, 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:	1575	Form # ML15
Date: October 7, 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:	1575	Form # ML18
Date:	October 7, 2010	
Reporting IH:	Caoimhín P. Connell, Forensic IH	

Functional Space #	Collected 500 cm ² ?	General Sampling Considerations	
		Floor Space Area of Lab (ft ²)	1,619
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	12
4	Y	Enter the minimum number of sample required based on the number of functional spaces	12
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
9	Y	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
10	Y	Enter number of large vehicles (campers, trailers, etc)	0
11	Y	One extra sample is required for every 50 ft ² of floor space of large vehicles. Enter number of extra samples required:	0
12	Y	Enter total number of samples to be collected.	12
		One BX must be included for every 10 samples. Enter the number of BX required.	2
		Enter total number of samples/BXs required	14
		Enter total number of samples/BXs actually collected	13
		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: 1575 Newton	Form # ML17
Date: September 28, 2010	Alcohol Lot#: A1001 Gauze Lot#: G1005
Reporting IH: Caoimhín P. Connell, Forensic IH	Preliminary X Intermediate ____ Final ____

Sample ID 1575M092810	Type	Location	Funct. Space	Dimensions	Substrate
-01	W	Living room, north window frame	1	2.5" X 40"	PW
-02	W	RESERVED	-	NA	NA
-03	W	Basement central bedroom, top of closet doors	8	1.5" X 60"	PW
-04	W	RESERVED	-	NA	NA
-05	W	Kitchen, top of north window frame	3	2.5" X 40"	PW
-06	W	Basement utility room top of PVC pipe	10	2" X 40"	PVC
-07	W	Attic, top of electrical conduit	11	80" X 1"	M
-08	W	BX	NA	NA	NA
-09	W	Garage, top of west shelving	12	9" X 9"	PW
-10	W	Bathroom, top of north window frame	2	2.5" X 36"	PW
-11	W	Upstairs SW Bedroom, west window frame	4	2.5" X 40"	PW
-12	W	Basement rec room, top of baseboard heater	5	1.5" X 65"	M
-13	W	Area under stairs, top of N wall, E end	6	9" X 9"	PDW
-14	W	Boiler room, top of PVC pipe	7	20" X 4"	PVC
-15	W	Basement bathroom window sill	9	9" X 9"	PW

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

-05 10% under sampled
-15 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:	10159-10
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: 1575

SAMPLES: wipes/13

ANALYSIS: Methamphetamine by Gas Chromatography-Mass Spectrometry.

RESULTS: in total micrograms (ug)

Sample	Methamphetamine, ug	% Surrogate Recovery
1571M092810-01	0.300	81
1571M092810-03	0.128	89
1571M092810-05	0.285	80
1571M092810-06	1.20	89
1571M092810-07	0.446	102
1571M092810-08	< 0.030	98
1571M092810-09	0.242	87
1571M092810-10	0.260	86
1571M092810-11	0.215	82
1571M092810-12	0.120	90
1571M092810-13	0.030	90
1571M092810-14	1.06	82
1571M092810-15	0.158	82
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

x13



ANALYTICAL CHEMISTRY INC.

CDL SAMPLING & CUSTODY FORM

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

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

Page 1 of 2
Please do not write in shaded areas.

SAMPLING DATE:		September 28, 2010		REPORT TO:		Caoimhin P. Connell		ANALYSIS REQUESTED													
PROJECT Name/No:		1575		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											
F1	1575M092810-01	X			X	X	X								1						
	1575M092810-02	X			X	X	X			X					0						
F3	1575M092810-03	X			X	X	X								1						
	1575M092810-04	X			X	X	X			X					0						
F5	1575M092810-05	X			X	X	X								1						
F6	1575M092810-06	X			X	X	X								1						
F7	1575M092810-07	X			X	X	X								1						
F8	1575M092810-08	X			X	X	X								1						
F9	1575M092810-09	X			X	X	X								1						
F10	1575M092810-10	X			X	X	X								1						
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)		8	
PRINT NAME		Signature		COMPANY		DATE		TIME		Turnaround Time		Custody Seals:		Yes		No					
Caoimhin P. Connell				FACTs, Inc.		9/27/2010		1600		<input type="checkbox"/> 24 Hours (2X)		Container:		Intact		Broken					
MIA SAZON				ACI		10/1/10		1500		<input type="checkbox"/> 2 Days (1.75X)		Temperature:		Ambient		Cooled					
										<input type="checkbox"/> 3 Days (1.5X)		Inspected By:		MIA SAZON							
										<input checked="" type="checkbox"/> Routine		Lab File No.		10159-10							



ANALYTICAL CHEMISTRY INC.

4611 S 134th Pl, Ste 200 Tukwila WA 98168-3240
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Page 2 of 2

Website: www.acilabs.com

FAX: 206-622-4623

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SAMPLING DATE: September 28, 2010		REPORT TO: Caoimhin P. Connell		ANALYSIS REQUESTED																								
PROJECT Name/No: 1575		COMPANY: Forensic Applications, Inc.		1 Methamphetamine																								
eMail: Fiosrach@aol.com		ADDRESS: 185 Bounty Hunters Lane, Bailey, CO 80421		2 Use entire contents																								
SAMPLER NAME: Caoimhin P. Connell		PHONE: 303-903-7494		3 Normal Turn-around time																								
				4 RUSH																								
				5 Weigh and report in mg																								
				6 Not Submitted																								
LAB Number		SAMPLE MATRIX			ANALYSIS REQUESTS						SAMPLER COMMENTS		LAB COMMENTS		No of Containers													
		Wipe			Vacuum			Other			1		2		3		4		5		6							
F11		1575M092810-11			X						X		X		X												1	
F12		1575M092810-12			X						X		X		X												1	
F13		1575M092810-13			X						X		X		X												1	
F14		1575M092810-14			X						X		X		X												1	
F18		1575M092810-15			X						X		X		X												1	



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:	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

CLIENT REF: Newton

SAMPLES: wipes/2

ANALYSIS: Methamphetamine by Gas Chromatography-Mass Spectrometry.

RESULTS: in total micrograms (ug)

Sample	Methamphetamine, ug	% Surrogate Recovery
<div></div>		
NM091310-02	0.069	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

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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)