



FORENSIC APPLICATIONS CONSULTING TECHNOLOGIES, INC.

December 23, 2015

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

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

RE: 101 Regulatory violations during Screening Level Assessment, 413 W Easter Ave. Littleton CO 80120

Dear Ms. Brisnehan:

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

Robert A. Woellner
Residence at 413 W Easter Ave Littleton CO 80120
Methamphetamine Screening Level Assessment
January 28, 2015
Prepared for:
"Potential Buyer"

As you know, this untrained consultant, with your assistance, has an extensive history of willful regulatory violations, invalid drug laboratory assessments, falsification of information relating to real estate documents, and claims to his credentials that are unsupported.^{1,2,3,4,5,6,7,8,9,10,11,12} Thus far, since December 15, 2015, FACTs has identified no fewer than 2,574 (two *thousand*, five hundred and seventy four) willful regulatory violations of 6 CCR 1014-3 by this contractor. Including this notice, two *thousand* and fifty (2,050) of those violations have been reported to your office. Regulatory protections, notwithstanding, with your assistance, the number of victims of

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

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

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

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

⁵ 1138 West 32nd Street, Unit 201, Denver, (229 violations – detailed report is pending)

⁶ 48400 Routt County Road 56C, Steamboat Springs, CO 80487 (54 violations – detailed report is pending)

⁷ 11767 Grant Street, Northglenn, Colorado 80233 (113 violations)

⁸ 690 S. Lincoln Street, Denver, CO 80203 (769 violations)

⁹ 8347 S Reed Street, Unit 2, Littleton CO 80128 (121 violations)

¹⁰ 410 E 32nd Ave Avenue in Carbondale, CO 81623, (200 Violations)

¹¹ Clearance report for 410 E 32nd Ave Avenue in Carbondale, CO 81623 (366 Violations)

¹² Preliminary Assessment 8172 East 132nd Avenue, Thornton CO (385 Regulatory Violations)

this individual's deceptive trade practices continues to grow unabated. It is only a matter of time before the property owners and victims become aware of the festering situation.

The current report contains typical examples of the gross technical incompetence seen by this untrained consultant as exhibited in the photograph below which demonstrates that the consultant entirely lacks any concept of the objective of environmental sampling, the State regulations, or even the purpose of using a template.



Using a degree of scrutiny for reviews developed and deployed by your office, FACTs has thus far identified a total of eight *thousand*, and six hundred and three (8,603) regulatory violations of 6 CCR 1014-3 from various State Certified Consultants that have been ignored by you.

As you know, Section 3.1 of Part 3, of 6 CCR 1014-3 requires enforcement actions on the part of the CDPHE whenever the CDPHE has reason to believe that a person has violated any requirement of the regulations. In our detailed audit of the Screening Level Assessment, for 413 W Easter Ave Littleton, FACTs has discussed the following regulatory violations:

Rubric and Number of Violations	FACTs Audit Page Number
Failure to Provide Qualified Personnel	4
Violation of Section 3.0	4
Inability to Comply with Paragraph 3.3	6
Failure to Comply with Paragraph 3.3	8
Violation of Section 3.7.5 (19 violations)	8
Violation of Section 3.7.6	9
Violation of Section 6	9

Inability to comply with Paragraph 6.1.3.2	9
Inability to comply with Paragraph 6.1.3.3	9
Inability to comply with Paragraph 6.1.3.5	10
Violation of Section 6.2.2 (9 Violations – Failure to collect 100cm2)	10
Violation of Section 6.2.2 (8 violations Re-use of templates)	11
Violation of Section 6.2.7 (12 Violations)	11
Violation of Section 6.2.12.1	12
Violation of Section 6.2.14	13
Violation of Section 6.2.14.5 (4 Violations)	13
Violation of Section 6.2.14.6 (5 Violations)	13
Violation of Section 6.2.14.8 (5 Violations – Collection Time)	13
Violation of Section 6.2.14.8 (5 Violations – Collection date)	13
Violation of Section 6.2.14.9 (5 violations)	14
Violation of Section 6.2.14.11	14
Violation of Section 6.2.15	14
Violation of Section 6.3.6 (9 Violations)	14
Violation of Section 6.7.1.1	14
Violation of Section 6.7.1.2 (6 Violations)	15
Colorado Criminal Code CRS 18-5-113. Criminal impersonation	15
Colorado Criminal Code – Fraud; Offering a false instrument for recording	16
Colorado Consumer Protection Act	17

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

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

Kind regards,



Caoimhín P. Connell
Forensic Industrial Hygienist

CC: Daniel S. Miller, Senior Assistant Attorney General

CC: Howard Thigpen, Esq.