



FORENSIC APPLICATIONS CONSULTING TECHNOLOGIES, INC.

November 16, 2015

Daniel S. Miller
Senior Assistant Attorney General
Natural Resources and Environmental Section
Ralph L Carr, Colorado Judicial Center
1300 Broadway, 7th Floor
Denver, CO 80203

Via: email: dan.miller@state.co.us

RE: Regulatory Violations at 690 S. Lincoln Street, Denver, CO 80203

Dear Mr. Miller:

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.*"

Thus far, FACTs has identified a total of five thousand eight hundred and fifty five (5,8545) violations of 6 CCR 1014-3.

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. However, it would appear that the CDPHE is ignoring such violations in violation of the requirements.

Below is the first summary of violations for a report prepared by a consultant who has identified himself as a member of the "Colorado Association of Meth and Mold Professionals," C.A.M.M.P. (an organization that identifies Ms. Colleen Brisnehan, with the CDPHE as serving on the Board of Directors). This review pertains to the document identified as:

**Methamphetamine Post-Remediation Inspection & Clearance Sampling Assessment
690 S. Lincoln Street in Denver, CO 80203
January 22, 2015**

**Prepared For:
Ryan Doell
Landmark Brokerage
5350 DTC Parkway, Suite 303
Greenwood Village, CO 80111**

For this property, FACTs has identified no fewer than seven hundred and sixty nine (769) regulatory violations. In fact, based on the public record obtained through CORA,

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

although the property is now occupied, the property has never been verified as cleaned, and remains a contaminated illegal drug laboratory.

Although a “Variance” was issued by Ms. Brisnehan to her fellow CAMMP member for one of those violations, the conditions of the variance were never met, and the property was never cleared through sampling. Ms. Brisnehan’s January 27, 2015, variance to Mr. Robert Woellner (QUEST Environmental) was to permit Mr. Woellner to collect 500 cm² from each room, instead of the required 400 cm². However, Mr. Woellner failed to collect *either* 400cm² *or* 500cm (and for several areas he collected no clearance samples at all) - where clearance samples were collected, they were not collected pursuant to the mandatory sampling protocols.

The table below summarizes the clearance sampling claimed to have been performed at the property.

Room	Area Required to be Collected cm ²	Area Granted by Variance cm ²	Area Actually Collected cm ²
Basement bathroom	400	500	None
Basement living room	500	500	None
Basement SW Bedroom	400	500	100
Basement NE BR	400	500	100
Basement NW BR	400	500	100
Main floor central BR	400	500	100
Main floor east BR	400	500	100
US Living room	400	500	300
Main floor bathroom	400	500	100
Mud room	400	500	100
US kitchen	400	500	100
Attic	400	500	None*
North Garage	400	500	None*
South Garage	400	500	None*

*Mr. Woellner claimed such samples were collected but his report was devoid of any supporting evidence of the existence of such samples including missing laboratory reports, missing photographs, missing drawings, missing chains-of-custody, etc..

The table below summarizes the 769 regulatory violations (seven hundred and sixty nine) that have been ignored by the CDPHE and identified by FACTs in our regulatory audit of the public domain document (as well as some ancillary statutory violations).

- Violation of Section 6.1.3
- Violation of Section 6.1.3.3 (12 Violations)
- Violation of Section 6.2
- Violation of Section 6.2.1 (65 Violations)
- Violation of Section 6.2.2 (50 Violations)
- Violation of Section 6.2.2 (48 Violations)
- Violation of Section 6.2.3 (26 violations)
- Violation of Section 6.2.4 (53 Violations)
- Violation of Section 6.2.7 (57 violations)

- Violation of Section 6.2.11 (26 violations)
- Violation of Section 6.2.11 Times (57 violations)
- Violation of Section 6.2.11 – Photographs (26 violations)
- Violation of Section 6.2.12 (3 violations)
- Violation of Section 6.2.14.6 (17 violations)
- Violation of Section 6.2.14.7 (17 violations)
- Violation of Section 6.2.14.8 (17 violations)
- Violation of Section 6.2.14.9 (17 violations)
- Violation of Section 6.9.1 (111 violations as follows)
- Basement Bathroom (4 Violations)
- Basement Living Room (4 Violations)
- Basement Living Room (2 Violations)
- Basement Northeast Bedroom (4 Violations)
- Basement Northwest Bedroom (4 Violations)
- Basement Northwest Bedroom (4 Violations)
- Main Floor East Bedroom (4 Violations)
- Main Floor Bathroom (4 Violations)
- Mud Room (2 violations)
- Upstairs Kitchen (4 violations)
- Upstairs Living Room (7 violations)
- Attic (23 Violations)
- North Garage (23 violations)
- South Garage (23 violations)
- Violation of Section 6.3.6 (15 violations)
- Violation of Section 6.9.3 (1 violation)
- Violation of Section 7.2
- Violation of Section 8
- Violation of Section 8.1 (1 Violation)
- Violation of Section 8.2
- Site Conditions: (1 violation)
- Previously Identified Cooking Areas: (1 violation)
- Chemical Storage Areas: (1 violation)
- Waste Disposal Areas: (1 violation)
- Areas of Obvious Contamination: (1 violation)
- Violation of Section 8.3
- Violation of Section 8.4 (84 violations)
- Violation of Section 8.5 Results missing (18 violations)
- Violation of Section 8.5 Drawing Missing (14 violations)
- Violation of Section 8.5 Laboratory Reports Missing (18 violations)
- Violation of Section 8.6
- Violation of Section 8.6.1 (Photographs Missing)
- Violation of Section 8.6.1 (Descriptions Missing)
- Violation of Section 8.6.2
- Violation of Section 8.6.4
- Violation of Section 8.6.5
- Violation of Section 8.6.6
- Violation of Section 10
- Violation of Section 10.1.2
- Violation of 10.1.3
- Violation of 10.1.4
- Violation of Section 8.6.7
- Violation of Section 8.7
- Colorado Criminal Code CRS 18-5-113. Criminal impersonation

- Colorado Criminal Code – Fraud; Offering a false instrument for recording
- Colorado Consumer Protection Act

Obviously, we are concerned for the public safety of any occupants, and construction personnel who may have occupied the structure and been exposed to potentially toxic materials.

At the moment, FACTs has identified 5,855 regulatory violations in just 27 reports. We believe that as there are well over 100 reports left to review, that number will very quickly escalate, suggesting a serious public health issue.

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: Howard Thigpen, Esq.