



FORENSIC APPLICATIONS CONSULTING TECHNOLOGIES, INC.

December 28, 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: 357 Regulatory Violations: Clearance Assessment, 1815B Regal Ct., Louisville, CO 80027

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.*"

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. Using a degree of scrutiny for reviews developed and deployed by your office, FACTs has thus far identified a total of eight *thousand*, six hundred and three (8,603) regulatory violations of 6 CCR 1014-3 which your office has either ignored or, in many cases, you have actively suborned the concealment of these violations.

This particular untrained consultant is fraudulently representing himself as an Industrial Hygienist, leaving numerous victims in his wake. FACTs has identified a total of one *thousand*, nine hundred and fourteen (1,914) regulatory violations by this contractor in just eight reports.

For this property, this particular contractor is so badly trained, and his work is so patently deceptive, he has actually claimed to have performed post remediation clearance sampling with a single wipe.

FACTs performed a detailed regulatory audit for the report titled:

Joe F. Boatman, PhD, QEP
Quality Environmental Services
4432 Wellington Road, Boulder, CO 80301
Methamphetamine Clearance Sampling Report
1815B Regal Ct., Louisville, CO 80027
August 3, 2015
Prepared for:
Don Roybal
Boulder County Housing Authority
PO Box 471
Boulder, CO 80306

In our detailed report, FACTs has discussed the following violations:

Rubric and Number of Violations	FACTs Page Number
Violation of Section 4.17	8
Violation of Section 4.17.1 (Two Violations)	9
Violation of Section 4.17.2	9
FAILURE TO COMPLY WITH SECTION 5	9
Failure to Comply with Paragraph 5.0 (Decontamination Supervisor)	9
Failure to Comply with Paragraph 5.0 (Failure to Attain Decontamination)	9
Failure to Comply with Paragraph 5.	10
Failure to Comply with Paragraph 5.6.2.1	10
Failure to Comply with Paragraph 5.6.2.2	10
Failure to Comply with Paragraph 5.6.2.3	10
Failure to Comply with Paragraph 5.6.2.4	10
Failure to Comply with Paragraph 5.6.2.8	11
Failure to Comply with Paragraph 5.6.2.10	11
Failure to Comply with Paragraph 5.6.2.11	11
Failure to Comply with Paragraph 5.6.2.12	11
Failure to Comply with Paragraph 5.6.2.13 (Failure to provide Photographs)	11
Failure to Comply with Paragraph 5.6.2.14 (Failure to dispose of filters)	12
FAILURE TO COMPLY WITH SECTION 6	13
Violation of Paragraph 6.1.3	13
Violation of Paragraph 6.1.3.2	13
Violation of Paragraph 6.1.3.3	13
Violation of Paragraph 6.1.3.5	14
Violation of Paragraph 6.2.1 (42 Violations - Wipe Aliquots)	14
Violation of Paragraph 6.2.1 (42 Media Violations)	14
Violation of Paragraph 6.2.2 (37 Violations)	15
Violation of Paragraph 6.2.2 (36 Template Violations)	16
Violation of Section 6.2.7 (37 Violations)	17
Violation of Paragraph 6.2.14	18
Violation of Paragraph 6.2.14.2 (2 violations Failure to Identify Situs,)	18
Violation of Paragraph 6.2.14.3 (2 violations, Failed to Identify Sampler)	18
Violation of Paragraph 6.2.14.6 (12 Violations- Number of Aliquots)	19
Violation of Paragraph 6.2.14.7 (12 Violations- Number of Containers)	19
Violation of Paragraph 6.2.14.9 (12 Violations- Matrix)	19
Violation of Paragraph 6.2.14.11	19
Violation of Section 6.3.6 (37 Violations)	19
Violation of Paragraph 6.5	20
Violation of Paragraph 6.9	20
Violation of Paragraph 6.9.1	20
Violation of Paragraph 6.9.4 (5 violations -Failure to Sample Forced Air System)	21
Violation of Paragraph 6.9.7 (Six Violations – Appliances Interior)	21
Violation of Paragraph 6.9.7 (Six Violations – Appliances Exterior)	21
Violation of Paragraph 6.9.11.1 (29 Violations)	22
Violation of Paragraph 7.1 (Failure to Sample Attic)	22
Failure to Comply with Paragraph 7.2	23
Failure to Comply with Paragraph 7.3	23
Failure to Comply with Section 8	24
Failure to Comply with Section 8.3	24
Failure to Comply with Section 8.6.1 (2 Violations)	24
Failure to Comply with Section 8.6.1 (2 Violations)	24

Failure to Comply with Section 8.6.5	25
Failure to Comply with Section 8.6.6	25
Failure to Comply with Section 8.6.7	25
Colorado Consumer Protection Act	25
Colorado Criminal Code CRS 18-5-113. Criminal impersonation	26
Colorado Criminal Code – Fraud; Offering a false instrument for recording	27

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.