



**FORENSIC APPLICATIONS CONSULTING TECHNOLOGIES, INC.**

December 2, 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](mailto:ctbrisne@smtpgate.dphe.state.co.us), [colleen.brisnehan@state.co.us](mailto:colleen.brisnehan@state.co.us)

RE: 498 (Four hundred and ninety eight) Regulatory Violations: 1301 Speer Blvd.  
Denver, Colorado

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.*"

Using a degree of scrutiny for reviews developed and deployed by the CDPHE, FACTs has thus far identified a total of six *thousand* four hundred and seventy five (6,475) 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.

FACTs performed a detailed regulatory audit for the report titled:

KOCH ENVIRONMENTAL HEALTH, INC.  
METHAMPHETAMINE-AFFECTED PROPERTY PRELIMINARY ASSESSMENT REPORT  
Prepared for:  
PHILLIP STORMS  
BOX 866  
VILLAGE MILLS, TX 77663  
Project:  
1031 (*sic*) SPEER BLVD.  
DENVER, COLORADO  
KEH PROJECT NUMBER 19000-STORMS  
January 8, 2015

As you know, the author of the report, Thomas D. Koch, has an extended history of regulatory violations and performing invalid assessments.<sup>1,2,3,4</sup>

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<sup>1</sup> 4182 Woodglen Blvd, Thornton, CO

<sup>2</sup> 1812 164th Place, Thornton CO, <http://forensic-applications.com/meth/164thCriticalReview.pdf>

The section below summarizes the 498 regulatory violations that have been identified by FACTs in our regulatory audit of the public domain document.

- Failure to Comply with Section 4
- Violation of Paragraph 4.1 (three violations)
- Violation of Paragraph 4.2 (12 violations)
- Violation of Paragraph 4.3 (23 violations)
- Violation of Paragraph 4.3 False Ceiling
- Violation of Paragraph 4.3.2 (Three violations)
- Violation of Paragraph 4.4
- Violation of Paragraph 4.5
- Violation of Paragraph 4.8
- Violation of Paragraph 4.10
- Violation of Paragraph 4.11 Common Areas (Three Violations)
- Violation of Paragraph 4.12 Ventilation System
- Violation of Paragraph 4.13 Painted Surfaces
- Violation of Paragraph 4.14
- Violation of Paragraph 4.15
- Violation of Paragraph 4.15.1 via 6.3.1 (Two violations)
- Violation of Paragraph 4.15.3 (57 Violations)
- Violation of Paragraph 4.16
- Violation of Paragraph 4.17
- Violation of Paragraph 4.17.1
- Violation of Paragraph 4.17.3 (56 violations)
- Violation of Paragraph 4.17.4
- Violation of Paragraph 4.18
- Violation of Section 5
- Violation of Section 6
- Violation of Section 6.1.3.2
- Violation of Section 6.1.3.3
- Violation of Section 6.1.3.5
- Violation of Section 6.2.2
- Failure to Comply with Paragraph 6.2.3 (56 violations)
- Failure to Comply with Paragraph 6.2.5 (15 violations)
- Violation of Paragraph 6.2.7, 6.2.9, 6.2.10 (56 Violations)
- Violation of Paragraph 6.2.12.5 (Two violations)
- Violation of Paragraph 6.2.14
- Violation of Paragraph 6.2.14.2
- Violation of Paragraph 6.2.14.3 (Two violations)
- Violation of Paragraph 6.2.14.6 (16 violations)
- Violation of Paragraph 6.2.14.8 (16 violations)
- Violation of Paragraph 6.2.14.9 (16 violations)
- Violation of Paragraph 6.2.14.11
- Violation of Paragraph 6.2.14.12 (Two violations)
- Violation of Paragraph 6.2.15
- Violation of Paragraph 6.3.2 (42 violations)

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<sup>3</sup> 1533 N. Monroe Street, Loveland, CO, [http://www.forensic-applications.com/meth/KEH\\_Rpt\\_review\\_M.pdf](http://www.forensic-applications.com/meth/KEH_Rpt_review_M.pdf)

<sup>4</sup> 3324 S Field Street Lakewood, Colorado

- Violation of Paragraph 6.8
- Violation of Paragraph 6.8.1 (Twelve violations)
- Violation of Paragraph 6.9
- Violation of Paragraph 6.9.3 (three violations)
- Violation of Paragraph 6.9.4 (4 Violations)
- Violation of Paragraph 6.9.4 Photo-documentation not Provided
- Violation of Paragraph 6.9.6
- Violation of Paragraph 6.9.7 (ten violations)
- Violation of Paragraph 6.9.11 (56 Violations)
- Violation of Paragraph 7.2
- Violation of Paragraph 7.3
- Colorado Consumer Protection Act
- Colorado Criminal Code – Fraud; Offering a false instrument for recording

Although Mr. Koch did not collect any clearance samples from this property in accordance with the State regulations, he nevertheless declared the property compliant. As you personally know, in the past, this consultant has falsely “cleared” properties where objective data demonstrate the concentrations of contaminant were greater than regulatory thresholds.

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  
Howard Thigpen, Esq.