



**FORENSIC APPLICATIONS CONSULTING TECHNOLOGIES, INC.**

**Addendum Assessment of a Vehicle  
of an  
Identified Illegal Drug Laboratory**

**Associated With  
812 Cow Bell Court  
Montrose, CO 81401**

**Prepared for:  
Mary Ann Shepard  
272 North Santa Cruz Ave.  
Los Gatos, CA 95030-0000**

Prepared by:

**FORENSIC APPLICATIONS CONSULTING TECHNOLOGIES, INC.**  
185 Bounty Hunter's Lane  
Bailey, CO 80421



March 26, 2009

## **EXECUTIVE SUMMARY**

On September 12, 2008, the Seventh Judicial District Drug Task Force (SJDDTF) conducted a law enforcement action at 812 Cow Bell Court in Montrose, CO. During that action, an undisclosed quantity of methamphetamine was discovered in the residence. A vehicle was recovered from the property by the SJDDTF and impounded in a secure off-site location.

On Friday, November 21, 2008, Mr. Caoimhín P. Connell, Forensic Industrial Hygienist, entered the property and performed state-mandated site work and issued a Preliminary Assessment on December 5, 2008. At the time of the Preliminary Assessment, the vehicle was not available for inclusion in the assessment.

On February 24, 2009, FACTs gained permission from the SJDDTF to visit the vehicle and perform sampling. The sampling indicated that the vehicle is contaminated and requires cleaning and final verification sampling pursuant to 6 CCR1014-3.

## **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***

#### **Preliminary Assessment**

According to State statutes, 25-18.5-101(2), "Drug laboratory" means the areas where controlled substances... have been manufactured, processed, cooked, disposed of, or stored and all proximate areas that are likely to be contaminated as a result of such manufacturing, processing, cooking, disposing, or storing.

According to State regulation 6 CCR 1014-3, "Property" means anything that may be the subject of ownership or possession, including, but not limited to, land, buildings, structures, vehicles and personal belongings.

This definition is consistent with State Statute: §25-18.5-101 (3) "Property" means anything that may be the subject of ownership, including, but not limited to, land, buildings, structures, and vehicles."

In this case, the vehicle was used for illegal transportation of illegal drugs carried in secret compartments built into the vehicle. As such, the vehicle can be viewed as either a



stand alone “drug laboratory” or an extension of the 812 Cow Bell property. Given the close association of the vehicle to the 812 Cow Bell residence, FACTs believes that it is within the intent of the pertinent regulations to treat the property as an extension of the residence.

According to Colorado State Regulation 6-CCR 1014-3, following the discovery of an illegal drug lab, as that term is defined in CRS §25-18.5-101, and following “notification,” the property must either be demolished or a “Preliminary Assessment” must be conducted at that property to characterize extant contamination (if any), and to direct appropriate decontamination procedures (if any). Pursuant to these regulations, information obtained in the Preliminary Assessment, and those findings, enter the public domain and are not subject to confidentiality.<sup>1</sup>

### **Discovery and Notification**

Discovery and Notification occurred at the subject property by virtue of the Law Enforcement Actions on September 12, 2008.

### **General Description of the Vehicle**

The vehicle in question is a white 1999 Honda Accord bearing California License Number 6DMV809 and displaying VIN: 1HGCG2258XA008415. We have requested that the Montrose PD run the VIN via NCIC/CCIC. At this point in time, we have not yet received information from the Montrose PD. Although we can issue the addendum to the PA without the knowing the Owner of Record, we cannot issue the Decision Statement without that information.

Owner- installed compartments for the transportation of illegal drugs were identified in the backseat exterior arm rests.

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<sup>1</sup> Section 8.26 of 6 CCR 1014-3





**Figure 1**  
**General View of Vehicle**

### ***Visual Inspection of the Property***

As part of our Preliminary Assessment, on Tuesday, February 24, 2009, Mr. Caoimhín P. Connell, Forensic Industrial Hygienist performed a visual inspection of the vehicle. Mr. Connell is a Certified VIN Inspector<sup>2</sup> who has received specialized training in vehicle searches associated with drug interdiction.<sup>3,4</sup> In the drawing below, we have depicted the locations of the hidden compartments.

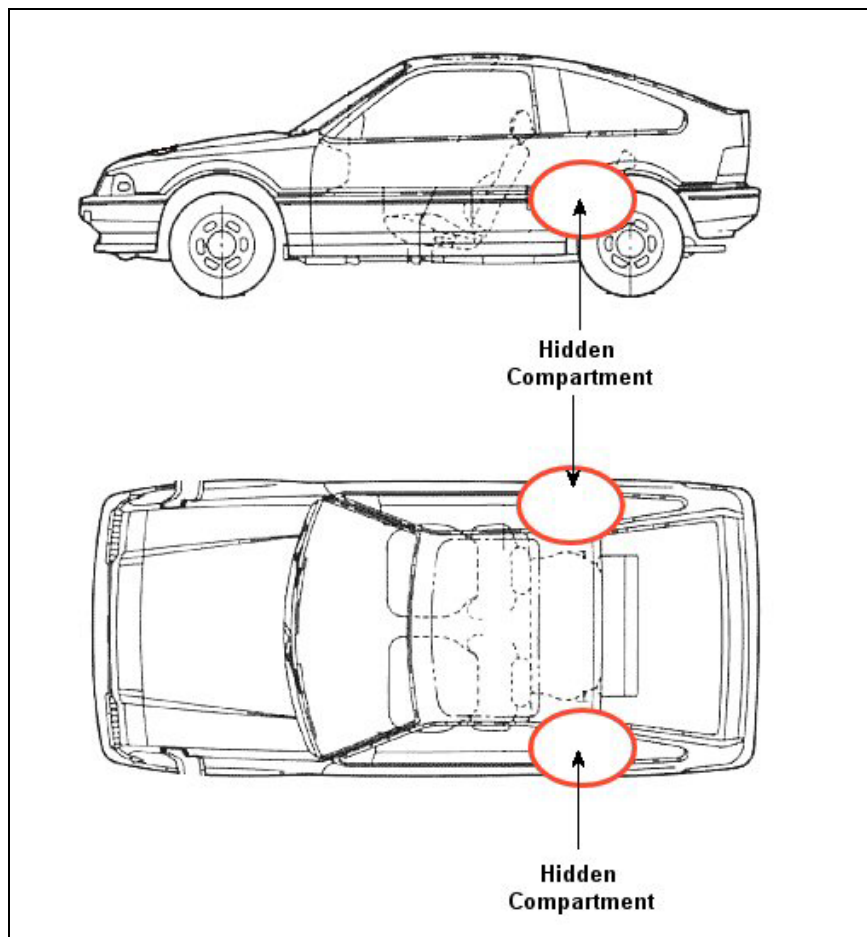
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<sup>2</sup> State of Colorado Certificate Number 0952

<sup>3</sup> Rural Drug Interdiction (Multijurisdictional Counterdrug Taskforce Training, Florida National Guard/St. Petersburg College (Florida), Sept 2004, 24 Hours)

<sup>4</sup> Methamphetamine Investigation Management (Bureau of Justice Assistance, March 2006, 24 Hours)





**Drawing 1**  
**Location of Hidden Compartments<sup>5</sup>**

Mr. Connell performed a standard search of the vehicle of interest at the secured impound yard. Although no additional hidden compartments were identified, the difficulty of identifying hidden compartments in vehicles containing drugs and other contraband is well established.<sup>6</sup> Therefore, there is a distinct possibility that unidentified hidden compartments remain in the vehicle complete with contraband.

### ***Sample Collection***

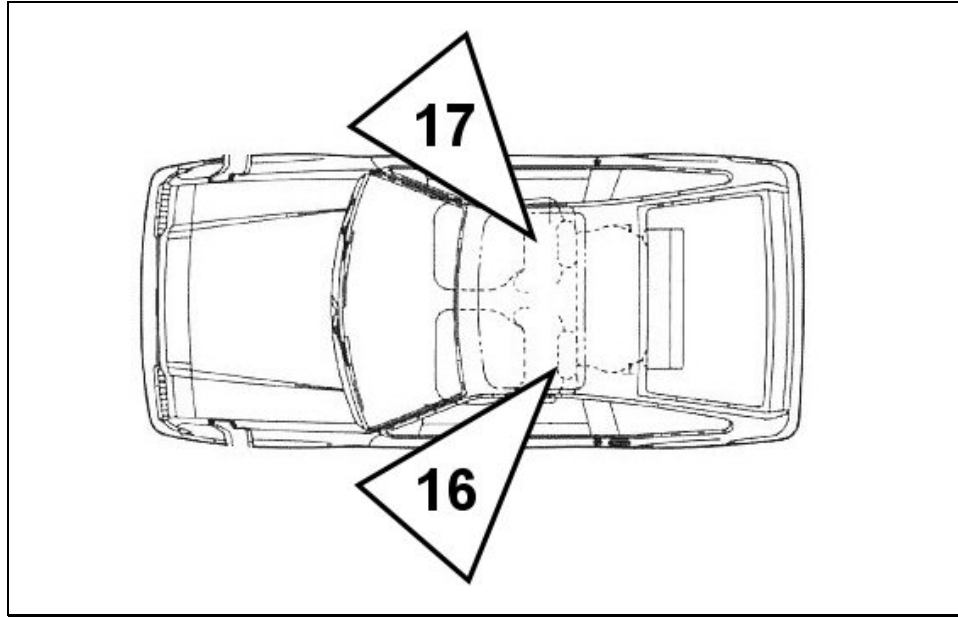
For the purposes of this assessment, FACTs collected a variety of samples for quantitative chemical analysis. We collected primarily two types of samples: wipe samples and vacuum samples. The drawing below identifies the locations of the samples.

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<sup>5</sup> The vehicle in the drawing is actually an Honda Ballade Sport CRX, which is a reasonable facsimile of a 1999 Honda Accord EX Coupe

<sup>6</sup> National Drug Intelligence Center, Michigan High Intensity Drug Trafficking Area Drug Market Analysis, June 2007, Unclassified Information Release





**Drawing 2<sup>7</sup>**  
**Location of Preliminary Samples**

### ***Vacuum Samples***

The vacuum samples were collected in accordance with standard industrial hygiene microvacuum sampling procedures,<sup>8</sup> and in a manner consistent with Colorado State regulations.

Prior to the collection of the samples, the Industrial Hygienist donned fresh surgical gloves. After an area had been selected and measured, a commercially available 25 mm diameter, extended-cowl cassette, fitted with mixed cellulose ester (MCE) membrane was attached to a commercially available personal sampling industrial hygiene pump. The pump was adjusted to draw approximately four liters of air per minute at approximately 2 inches of water column. The cassette was opened to present an “open face” and the selected area was vacuumed with the cassette. Samples were maintained in control of FACTs personnel at all times, and submitted via FedEx to Analytical Chemistry, Inc. in Tukwila, Washington.

Currently, in the State of Colorado, there are no regulatory limits by which one may compare vacuum results; the interpretation of the results is left within the realm of professional judgment of the Industrial Hygienist. FACTs interprets vacuum samples in the context of contaminant density.

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<sup>7</sup> The vehicle in the drawing is actually an Honda Ballade Sport CRX, which is a reasonable facsimile of a 1999 Honda Accord EX Coupe

<sup>8</sup> For example, see ASTM Method D 5756-02



The interpretation of the results of the vacuum samples takes into account the size of the surface area sampled, the mass of material removed from that surface, and the mass of contaminant in the removed material. The laboratory is instructed to weigh and report the mass of debris recovered from the cassette, along with the total mass of methamphetamine in that debris. From this information, FACTs calculates and reports a “density” of methamphetamine. The “density” used here is expressed in units of micrograms of methamphetamine recovered per milligram of removable material, per unit area of surface ( $\mu\text{g}/\text{mg}/\text{cm}^2$ ) and is designated with the Greek letter rho ( $\rho$ ).

Based on our database of samples from previous methamphetamine contaminated properties, FACTs has set a qualified density “threshold of concern” of  $0.5 \rho$ . That is, if the methamphetamine density in the carpet exceeds  $0.5 \rho$ , FACTs will make the unqualified statement that in the absence of conflicting information, the material requires decontamination. The value of “0.5” in this case, has no association with the State mandated decision threshold of  $0.5 \mu\text{g}/100\text{cm}^2$  – the resemblance of the two values is purely coincidental.

### ***Wipe Samples***

Wipe samples were collected in a manner consistent with the State of Colorado regulations. The wipe sample medium was individually wrapped commercially available Johnson & Johnson™ gauze pads (FACTs Lot # G0901). Each pad was moistened with reagent grade methyl alcohol (FACTs Lot # A0801). The sampling media were prepared in small batches; the blanks (designated in this discussion as “BX”) and the actual sample kit to be used on any subject property is not known in advance. Each sampling medium is prepared in a clean environment and inserted into an individually identified polyethylene centrifuge tube with cap. For quality assurance/quality control (QA/QC) purposes, field blanks are randomly selected from the batch, and submitted to a qualified laboratory along with the actual samples, for analysis. To ensure the integrity of the blanks, FACTs personnel are unaware, until the actual time of sampling, which specific sample will be submitted as a blank. To ensure the integrity of the blanks, laboratory personnel are never informed which specific samples are blanks. The history of the FACT’s field blank media has demonstrated a media and handling contamination level below the analytical detection limit for the method. For the purposes of the data quality objectives associated with this preliminary assessment, no duplicates were required. Prior to the collection of each specific sample, the Industrial Hygienist donned fresh surgical gloves, to protect against the possibility of cross contamination. The proposed sample area was delineated with a measured outline.

The 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. The sample was returned to its centrifuge tube and capped with a screw-cap. The wipe sample was maintained in the control for FACTs personnel at all times, and submitted via FedEx to Analytical Chemistry, Inc. in Tukwila, Washington.



## Sample Results

The results of the samples are summarized in the table below:

Sample ID	Location	Result
CM022409-16	Vacuum of carpet back seat floor	15.6 ρ
CM022409-17	Surface of leather back seat	0.01 µg/100cm <sup>2</sup>

**Table 1**  
**Results of Samples**

The samples, taken in totality, indicate elevated methamphetamine contamination on the carpeted surfaces of the vehicle interior. Therefore, we can expect that other surfaces would also be contaminated.

## 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

Due to the nature of the data quality objectives, in light of the totality of information available for this subject property, field blanks were not required, and none were reported. Nevertheless, FACTs maintains a log of blank samples and materials, to ensure that reported methamphetamine are not due to contamination. Furthermore, the laboratory reports instrument and reagent blanks to ensure that reported methamphetamine is not due to reagent contamination. In this way, FACTs is confident that the reported methamphetamine is due exclusively to analyte recovered from the subject property (Honda vehicle).

## Cross Contamination

Prior to the collection of each specific sample area, the Industrial Hygienist donned fresh surgical gloves, to protect against the possibility of cross contamination.

## Laboratory Quality Assurance/Quality Control

The following section is required by regulation and is not intended to be understood by the casual reader. All abbreviations are standard laboratory use.

## February 24, 2009 Data Set

MDL was 0.004 µg; LOQ was 0.03 µg; MBX <MDL; LCS 0.1 µg (RPD <1%, recovery =100%); Matrix spike 0.02 µg (RPD 5%; recovery 95%); Matrix spike Dup 0.02 µg (RPD 11%; recovery 90%); Surrogate recovery (all samples): High 11% (Sample 11), Low 95% (Sample 1 and 2);





FACTs reagents: MeOH lot #A0801 <MDL for n=8; Gauze lot #G0901 <MDL for n=6. The QA/QC indicate the data met the data quality objectives; and the results do not appear to exhibit a net bias.

## **Identification of Cook/Storage Areas**

Based on the law enforcement documents and our observations, storage took place in the hidden compartments of the above mentioned Honda vehicle.

## **CONCLUSIONS**

Based on the totality of the circumstances, including our subjective observations and objective data from sampling, we find that there is insufficient evidence to support the preliminary hypothesis that the property was compliant, and we therefore, are required by regulation to accept the null hypothesis and conclude that widespread methamphetamine presence exists throughout the vehicle.

Based on our observations, the entire vehicle must be subjected to remediation consistent with the regulatory requirements.

## **RECOMMENDATIONS**

Based on our observations, and laboratory results, we recommend standard industry practices for decontamination to be followed. The remediation contractor should be given full responsibility for their own standard operating procedures. The following are provided as guidance and reflect standard practices for the remediation of similar properties. The Governing Body (City of Montrose) has statutory authority to require a greater degree of decontamination of the vehicle.

### ***Universal Site Requirements***

1. If the vehicle is removed from the impound yard for off-site decontamination, the transport company shall not have access to the trunk, or interior of the vehicle, unless they have received training pursuant to 29 CFR 1910.120.
2. At the location where the vehicle is to be decontaminated, the vehicle shall be secured all times when not immediately manned by remediation personnel.
3. A licensed contractor, meeting State requirements, should be contracted for the decontamination work. All work performed at the vehicle should be conducted by an experienced contractor whose employees are documented to have been properly trained in accordance with 29 CFR §1910.120 and Colorado Revised Statute §25-18.5-104; *Entry into illegal drug laboratories*.
4. We recommend the decontamination process be conducted in Level C PPE ensembles with a minimum of half-face APRs or PAPRs.



5. We recommend that a decontamination shower be established for the employees, at the location of decontamination.
6. All remediation work performed on the Honda vehicle should be conducted under written contract with a reputable remediation company qualified to perform the work.
7. All work performed on the vehicle should be conducted with open communication and cooperation with the SJDDTF, Montrose County Sheriff's Office, City of Montrose, and the Montrose County Department of Health and Environment.
8. The discovery of any controlled substances or additional hidden compartments shall be immediately reported to the SJDDTF.
9. All remediation work should be presumed to be pursuant to Title 29 of the Code of Federal Regulations, §1910.120 until otherwise indicated.
10. The contractor *should* be contractually obligated to include the personnel air monitoring data in their final documentation.
11. Any contractors (and their subcontractors) should be contractually obligated, through a written contract, to decontaminate the subject property (Honda vehicle) to below the statutory limits. Any re-cleaning required by a contractor (or their subcontractor) pursuant to a failed final assessment should be contractually obligated to be performed at the expense of the contractor.
12. Contractors should be contractually obligated to cover industrial hygiene costs of return visits and sample expenses as a result of a failed final clearance(s).
13. State regulations prohibit painting or otherwise encapsulating surfaces prior to final clearance sampling by the Industrial Hygienist.
14. Following the decontamination process, and prior to the final clearance sampling by the Industrial Hygienist, the remediation contractor/subcontractor shall be contractually obligated to collect a minimum of three QA/QC wipe samples from the subject property, as part of their own QA program, and submit those samples for methamphetamine analysis. The contractor shall be contractually obligated to provide their wipe sampling data (including location of sample, area of sample, and analysis results), to the consulting Industrial Hygienist for review prior to final clearance sampling.
15. If the contractor's three QA/QC samples suggest that contamination in the subject property remains at a concentration in excess of  $0.25 \mu\text{g}/100 \text{ cm}^2$ , the contractor shall be contractually obligated to continue to clean, and sample, until the elevated concentrations are not observed.



16. Once the contractor's samples indicate the contamination has been sufficiently reduced, the Industrial Hygienist shall perform final clearance sampling according to 6-CCR 1014-3.

### ***Decontamination of The Vehicle***

The vehicle should be decontaminated out of doors. At no time should the vehicle be brought into an enclosed area. If the vehicle is taken into an enclosed area prior to the issuance of a Decision Statement, those additional areas shall also be subject to final clearance sampling.

The decontamination process should take place in the following order:

1. Establish negative pressure pursuant to State regulations.
2. Exhaust from the negative enclosure may take place at any location.
3. No work, except as needed to establish critical barriers shall begin until negative pressure is established.
4. If the vehicle is in an indoor enclosure, negative pressure must be maintained at all times until final sampling has been completed and the written intent to issue a Decision Statement has been issued to the contractor by the consulting Industrial Hygienist.
5. Carpeting and all other fabric materials shall be thoroughly vacuumed with an HEPA filtered vacuum cleaner. After vacuuming, all fabric materials including the carpet should be shampooed. The carpet and other fabric surfaces will be subjected to final clearance sampling in accordance with standard industrial hygiene microvacuum sampling procedures.<sup>9</sup>
  - a. If the methamphetamine density in the carpet exceeds 0.5  $\rho$ , FACTs will make the unqualified statement that in the absence of conflicting information, the material requires further decontamination. The value of "0.5" in this case, has no association with the State mandated decision threshold of 0.5  $\mu\text{g}/100\text{cm}^2$  – the resemblance of the two values is purely coincidental.
6. All surfaces in the vehicle (including the trunk), including the roof, sunshades, seats, floors, doors, hinges, and every interior surface whether specifically mentioned or not, shall be thoroughly wiped down to remove residual contamination.

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<sup>9</sup> For example, see ASTM Method D 5756-02



7. Following the successful final sampling clearances, the hidden compartments shall be filled with permanent expanding spray foam, unless the inclusion of the foam violates transportation codes. If the spray foam is applied prior to the final sampling, the contractor shall be required to remove all the foam to the satisfaction of the Industrial Hygienist to allow sampling.
8. The engine shall be power washed.

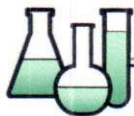
Enclosures: One CD; Data package, and Appendices



## **APPENDIX A**

### **ANALYTICAL REPORTS FOR FACTS SAMPLES**





# ANALYTICAL CHEMISTRY INC.

Established in 1979

4611 S. 134th Place, Ste 200  
Tukwila WA 98168-3240

Website: [www.acilabs.com](http://www.acilabs.com)

Phone: 206-622-8353

E-mail: [info@acilabs.com](mailto:info@acilabs.com)

<b>Lab Reference:</b>	09112-10
<b>Date Received:</b>	February 26, 2009
<b>Date Completed:</b>	March 2, 2009

March 2, 2009

CAOIMHIN P CONNELL  
FORENSIC APPLICATIONS INC  
185 BOUNTY HUNTER'S LN  
BAILEY CO 80421

**CLIENT REF:** Cow Bell

**SAMPLES:** wipes/17

**ANALYSIS:** Methamphetamine by Gas Chromatography-Mass Spectrometry.

**RESULTS:** in total micrograms (ug)

	<b>Sample</b>	<b>Methamphetamine, ug</b>	<b>% Surrogate Recovery</b>
Field Blank	CM22409 - 01	0.133	95
	CM22409 - 02	< 0.030	95
	CM22409 - 03	0.503	97
	CM22409 - 04	0.352	104
	CM22409 - 05	0.398	103
	CM22409 - 06	0.204	100
	CM22409 - 07	0.192	101
	CM22409 - 08	0.134	104
Field Blank	CM22409 - 09	< 0.030	98
	CM22409 - 10	0.508	104
	CM22409 - 11	0.186	102
	CM22409 - 12	0.268	98
	CM22409 - 13	0.193	102
	CM22409 - 14	< 0.030	103
	CM22409 - 15	15.9	111
	CM22409 - 16 (17 milligrams)	2.66	97
	CM22409 - 17	0.036	105
	QA/QC Method Blank	< 0.004	
	QC 0.100 ug Standard	0.100	
	QA 0.020 ug Matrix Spike	0.019	
	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



# 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 1  
 Please do not write in shaded areas.

<b>SAMPLING DATE:</b> Feb 24 2009	<b>REPORT TO:</b> Caoimhin P. Connell	<b>ANALYSIS REQUESTED</b>
<b>PROJECT Name/No:</b> Cow Bell	<b>COMPANY:</b> Forensic Applications, Inc.	1 Methamphetamine
<b>eMail:</b> Fiosrach@aol.com	<b>ADDRESS:</b> 185 Bounty Hunters Lane, Bailey, CO 80421	2 Use entire contents
<b>SAMPLER NAME:</b> Caoimhin P. Connell	<b>PHONE:</b> 303-903-7494	3
		4
		5
		6 Not Submitted

LAB Number	Sample Number	SAMPLE MATRIX			ANALYSIS REQUESTS						SAMPLER COMMENTS	LAB COMMENTS	No Contaminant	
		Wipe	Vacuum	Other	1	2	3	4	5	6				
CM22409-	GBM024309-01	X			X	X								
	GBM024809-02	X			X	X								
	GBM024309-03	X			X	X								
	GBM024309-04	X			X	X								
	GBM024309-05	X			X	X								
	GBM024309-06	X			X	X								
	GBM024309-07	X			X	X								
	GBM024309-08	X			X	X								
	GBM024309-09	X			X	X								
	GBM024309-10	X			X	X								

<b>CHAIN OF CUSTODY RECORD</b>		<b>Wipes Results in:</b>		<input type="checkbox"/> µg/100cm <sup>2</sup>		<input checked="" type="checkbox"/> Total µg		<b>Total Number of Containers</b> (verified by laboratory)	
<b>PRINT NAME</b>	<b>Signature</b>	<b>COMPANY</b>	<b>DATE</b>	<b>TIME</b>	<b>Turnaround Time</b>	<b>Custody Seals:</b>	<b>Container:</b>	<b>Temperature:</b>	<b>Inspected By:</b>
Caoimhin P. Connell	<i>C. Connell</i>	FACTS, Inc.	02/24/09	1430	<input type="checkbox"/> 24 Hours (2X)	<input type="checkbox"/> Yes	Intact	Ambient	MIA SAZON
MIA SAZON	<i>MIA SAZON</i>	ACT	2/26/09	1405	<input type="checkbox"/> 2 Days (1.75X)	<input type="checkbox"/> No	Broken	Cooled	
					<input type="checkbox"/> 3 Days (1.5X)	<input checked="" type="checkbox"/> Routine			
									Lab File No. 09112-10



# ANALYTICAL CHEMISTRY INC.

# CDL SAMPLING & CUSTODY FORM

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

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

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

SAMPLING DATE: Feb 24 2009 REPORT TO: Caoimhin P. Connell ANALYSIS REQUESTED

PROJECT Name/No: Cow Bell 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						
	CM2409-	GBM024309-11	X			X	X									
		GBM024309-12	X			X	X									
		GBM024309-13	X			X	X									
		GBM024309-14	X			X	X									
		GBM024309-15	X			X	X									
		GBM024309-16	X			X	X									
		GBM024309-17	X			X	X									
			X			X	X									
			X			X	X									
			X			X	X									

CHAIN OF CUSTODY RECORD Wipes Results in:  µg/100cm<sup>2</sup>  Total µg

PRINT NAME Signature COMPANY DATE TIME TIME Turnaround Time Custody Seals:  Yes  No

Caoimhin P. Connell FACTS, Inc. 02/24/09 14:30 24 Hours (2X) Container: Intact Broken

MIK SAZON ACE 2/26/09 1405 2 Days (1.75X) Temperature: Ambient Cooled

Inspected By: MIK SAZON Lab File No. 09112-10



## **APPENDIX B**

### **COMPACT DIGITAL DISC PHOTOGRAPHS**