



FORENSIC APPLICATIONS CONSULTING TECHNOLOGIES, INC.

**Final Verification Sampling and
DECISION STATEMENT
of a
Remediated Illegal Drug Laboratory
at:**

**20725 Hideaway Lane
Oak Creek, CO 80467-8579**

**Prepared for:
ING BANK, FSB
175 S. THIRD ST., STE. #900
COLUMBUS, OH 43215-5166**

Prepared by:

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



September 24, 2010

TABLE OF CONTENTS

| | |
|---|---|
| EXECUTIVE SUMMARY | 3 |
| REGULATORY REQUIREMENTS | 3 |
| Federal Requirements | 3 |
| State Requirements | 4 |
| VERIFICATION SAMPLING | 6 |
| Inspection | 6 |
| Sample Collection | 6 |
| Wipe Samples | 6 |
| Sample Results | 6 |
| Sample Results | 7 |
| Quality Assurance/Quality Control Precautions | 7 |
| Field Blanks | 7 |
| Field Duplicates | 7 |
| Cross Contamination | 7 |
| Sample Locations | 8 |
| Quality Assurance / Quality Control | 9 |
| Final Verification | 9 |
| CONCLUSIONS | 10 |
| Appendix A | Remediator's Submittals |
| Appendix B | Post-Remediation Photograph Log Sheet |
| Appendix C | Final Certification Signature Sheet |
| Appendix D | Field Data Sheets and Analytical Submittals |
| Appendix E | Final Closeout Inventory Document |
| Appendix F | Industrial Hygienist's SOQ |
| Appendix G | Compact Digital Disc |



EXECUTIVE SUMMARY

On approximately January 19, 2010, ING Bank, FSB, took possession of the residence located at 20725 Hideaway Lane, Oak Creek, CO (the subject property).

On June 17, 2010, consistent with the Colorado Real Estate methamphetamine disclosure and testing statute (CRS §38-35.7-103(2)(a)), Forensic Applications Consulting Technologies, Inc. (FACTs) was contracted to perform a cursory methamphetamine contamination assessment at the subject property. The testing confirmed the presence of methamphetamine contamination at the property in excess of regulatory concentrations. The testing indicated widespread contamination throughout the structure.

On June 22, 2010, FACTs issued a written report of the cursory testing which met the definition of “discovery” and “notification” and which triggered Colorado State Board of Health Regulation 6 CCR 1014-3.

On July 7, 2010, FACTs was contracted to perform a standard State-mandated Preliminary Assessment (PA) for the subject property. From July 7, 2010 to July 13, 2010, personnel from FACTs performed the PA pursuant to Colorado Regulation 6 CCR 1014-43, Part 4.

Between July 23 and September 15, 2010, remediation activities were conducted by Crystal Clean Decontamination LLC.

On September 15, 2010, FACTs performed post mitigation sampling pursuant to State Regulations, and determined that based on the analytical results of the objective sampling performed by FACTs, and based on the totality of the circumstances, that insufficient information exists to support the hypothesis that any area in the property is non-compliant.

Therefore, pursuant to State Board of Health Regulations, FACTs accepts the null hypothesis, and is required by State Regulation to issue this **DECISION STATEMENT**, and hereby declares the subject property compliant with CRS 25-18.5-103 (2).

FACTs makes the recommendation to the Governing Body to allow immediate reoccupancy of the subject property without further action.

REGULATORY REQUIREMENTS

Federal Requirements

All work performed by FACTs was consistent with OSHA regulations. The Remediation Contractor was responsible for ensuring their own compliance with OSHA. FACTs has no firsthand knowledge of the remediator’s actions, activities or procedures at the subject



property. However, FACTs is not aware of any violations of OSHA regulations during this project.

State Requirements

The Colorado State Board Of Health *Regulations Pertaining to the Cleanup of Methamphetamine Laboratories* (6-CCR 1014-3) become applicable when an owner of a property has received notification from a peace officer that chemicals, equipment, or supplies indicative of a drug laboratory are located at the property or when a drug laboratory is otherwise discovered and the owner of the property where the drug laboratory is located has received notice. Whenever a methlab has been so discovered, the property must be either demolished or documented as containing contaminant levels below statutory thresholds.¹

After a property has been remediated, an Industrial Hygienist must test the hypothesis that the property is not compliant with State Statutes (i.e. the property contains contamination levels in excess of regulatory thresholds). As part of the hypothesis testing, the Industrial Hygienist must perform objective sampling to quantify the remaining contamination (if any).

If, based on the totality of the circumstances, the Industrial Hygienist finds insufficient evidence to support the hypothesis that any given area is non-compliant,² that area shall be deemed to be compliant with CRS §25-18.5-103 (2) and the Industrial Hygienist shall release the property.³

In order for a proper final declaration to be made, a final decontamination verification assessment must be performed by an Industrial Hygienist as defined in CRS §24-30-1402. This decontamination verification was performed by Mr. Caoimhín P. Connell, Forensic Industrial Hygienist, who meets the statutory definition and is entitled to practice Industrial Hygiene in the State of Colorado and is additionally qualified to perform the necessary testing.

According to 6-CCR 1014-3, specific mandatory information must be presented in the final verification assessment. Included with this discussion, is a DVD which contains mandatory information. This Decision Statement is not complete without the DVD. Table 1, below, summarizes the mandatory information:

¹ The actual contaminant thresholds will vary based on the type of activities identified at the lab; the actual statutory threshold is incumbent on the number of samples collected as a composite or discrete samples.

² No guarantee is ever made or implied that the property is completely free of contamination. Rather, a reasonable, standardized approach to decontamination is executed.

³ If objective sampling data indicates contamination is less than the cleanup level, that data may be used as *prima facie* evidence that insufficient evidence exists to support the hypothesis that any given area is non-compliant.



| Mandatory Final Documents 6-CCR1014-3 | DOCUMENTATION | Included |
|---------------------------------------|---|-----------|
| §8.1 | Property description field form | Note 1 |
| §8.2 | Description of manufacturing methods and chemicals | Note 1 |
| §8.3 | Law Enforcement documentation review discussion | Note 1 |
| §8.4 | Description and Drawing of Storage area(s) | Note 1 |
| §8.5 | Description and Drawing of Waste area(s) | Note 1 |
| §8.6 | Description and Drawing of Cook area(s) | Note 1 |
| §8.7 | Field Observations field form | Note 1 |
| | FACTs Functional space inventory field form | Note 1 |
| §8.8 | Plumbing inspection field form | Note 1 |
| | FACTs ISDS field form | Note 1 |
| §8.9 | Contamination migration field form | Note 1 |
| §8.10 | Identification of common ventilation systems | Note 1 |
| §8.11 | Description of the sampling procedures and QA/QC | <i>CA</i> |
| §8.12 | Analytical Description and Laboratory QA/QC | <i>CA</i> |
| §8.13 | Location and results of initial sampling with figures | Note 1 |
| §8.14 | FACTs health and safety procedures in accordance with OSHA | <i>CA</i> |
| §8.15 | Contractor's description of decontamination procedures and each area that was decontaminated | Note 2 |
| §8.16 | Contractor's description of removal procedures each area where removal was conducted, and the materials removed | Note 2 |
| §8.17 | Contractor's description of encapsulation areas and materials | None |
| §8.18 | Contractor's description of waste management procedures | <i>CA</i> |
| §8.19 | Drawing, location and results of final verification samples | <i>CA</i> |
| §8.20 | FACTs Pre-remediation photographs and log | Note 1 |
| | FACTs Post-remediation photographs and log | <i>CA</i> |
| §8.21 | FACTs SOQ | <i>CA</i> |
| §8.22 | Certification of procedures, results, and variations | <i>CA</i> |
| §8.23 | Mandatory Certification Language | <i>CA</i> |
| §8.24 | Signature Sheet | <i>CA</i> |
| NA | Analytical Laboratory Reports | <i>CA</i> |
| | FACTs final closeout inventory document | <i>CA</i> |
| | Available Law Enforcement documents | NA |
| | FACTs Field Sampling Forms | <i>CA</i> |

Note 1: See the Preliminary Assessment dated July 23, 2010 (included with this Decision Statement on the DVD) and filed with the Governing Body.

Note 2: Not included in the 9/24/10 electronic version, but included in the 9/25/10 version

Table 1
Inventory of Mandatory Final Information



VERIFICATION SAMPLING

Inspection

During the final inspection, FACTs did not observe any visual indicators that would support the primary hypothesis of noncompliance.

Sample Collection

During final verification sampling, wipe samples were exclusively collected from suitable surfaces at the subject property. All samples were collected by FACTs in a manner consistent with State Regulation 6-CCR 1014-3.

For this property, we observed several areas of residual dust on surfaces and it was FACTs' professional opinion that, based on the totality of the circumstances, authoritative judgmental biased sampling within each functional space would be most appropriate.

Wipe Samples

The wipe sample medium was individually wrapped commercially available Johnson & Johnson™ gauze pads (FACTs Lot# G1005). Each pad was moistened with reagent grade methyl alcohol (FACTs Lot# A1001). Each gauze pad was prepared in a clean environment and inserted into an individually identified plastic centrifuge tube with a screw-cap.

Prior to the collection of each sample, the Industrial Hygienist donned fresh surgical gloves to prevent the possibility of cross-contamination.

Each 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. Each sample was returned to its centrifuge tube and capped with a screw-cap.

Samples were maintained in the control of FACTs at all times, and submitted under chain of custody to Analytical Chemistry, Inc. (ACI) of Tukwila, Washington. ACI is one of the laboratories identified in State regulation 6-CCR 1014-3 as being proficient in performing methamphetamine analysis.

Sample Results

In the table below, we have presented the results of the final verification sampling.



| Sample ID OCM091310 | Location | Area cm2 | Result* | Threshold* | Status |
|------------------------|--|-------------|---------|------------|--------|
| 01 | Garage, top of door rail | 516 | 0.027 | 0.5 | PASS |
| 02 | Mud room, top of west cabinet | 523 | <0.006 | 0.5 | PASS |
| 03 | Kitchen, top of cabinet on S end | 644 | 0.039 | 0.5 | PASS |
| 04 | Living room, S window, top of center ledge | 542 | 0.007 | 0.5 | PASS |
| 05 | Field Blank | 523 | <0.03 | 0.03† | PASS |
| 06 | Master Bed room tops of S windows | 740 | <0.004 | 0.5 | PASS |
| 07 | Jack and Jill bath top of shower stall | 610 | 0.021 | 0.5 | PASS |
| 08 | Field Blank | 523 | <0.03 | 0.03† | PASS |
| 09 | NW Bedroom closet, top of west shelf | 523 | <0.006 | 0.5 | PASS |
| 10 | Basement, PVC piping on W central side | 645 | <0.004 | 0.5 | PASS |
| 11 | Basement, Bedroom closet, top of shelf E end | 523 | <0.006 | 0.5 | PASS |
| 12 | Boiler room, PVC piping on central N wall | 632 | <0.005 | 0.5 | PASS |
| 13 | Basement, Bathroom, top of shower rail | 842 | <0.003 | 0.5 | PASS |
| 14 | Basement, Copper piping on E side | 745 | <0.004 | 0.5 | PASS |

The symbol "<" indicates that the concentration was "less than" the reported value (detection limit).

* Expressed as µg/100 cm2 † Expressed as total micrograms

Table 2 Summary of Final Sample Results

Sample Results

The results indicate that samples collected pursuant to State regulations failed to demonstrate noncompliance. Therefore, we conclude that representative methamphetamine concentrations in the structure are below regulatory threshold levels.

Quality Assurance/Quality Control Precautions

Field Blanks

For QA/QC purposes, and in accordance with State requirements, at least one field blank was submitted for every ten wipe samples. The field blanks were randomly selected from the sampling sequence and submitted along with the samples for methamphetamine analysis. To ensure the integrity of the blanks, FACTs personnel were unaware, until the actual time of sampling, which specific samples would be submitted as blanks. To ensure the integrity of the blanks, laboratory personnel were not informed which specific samples may have been blank.

Field Duplicates

For the purposes of the data quality objectives associated with this final verification sampling, duplicates were not required, and none were collected.

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. Prior to



entering the property, the Industrial Hygienist donned either a fresh disposable Tyvek suit or fresh disposable Tyvek booties. The ladder used during this project had been decontaminated at a carwash prior to entry into the structure.

Sample Locations

The drawing below identifies the location of each verification sample.

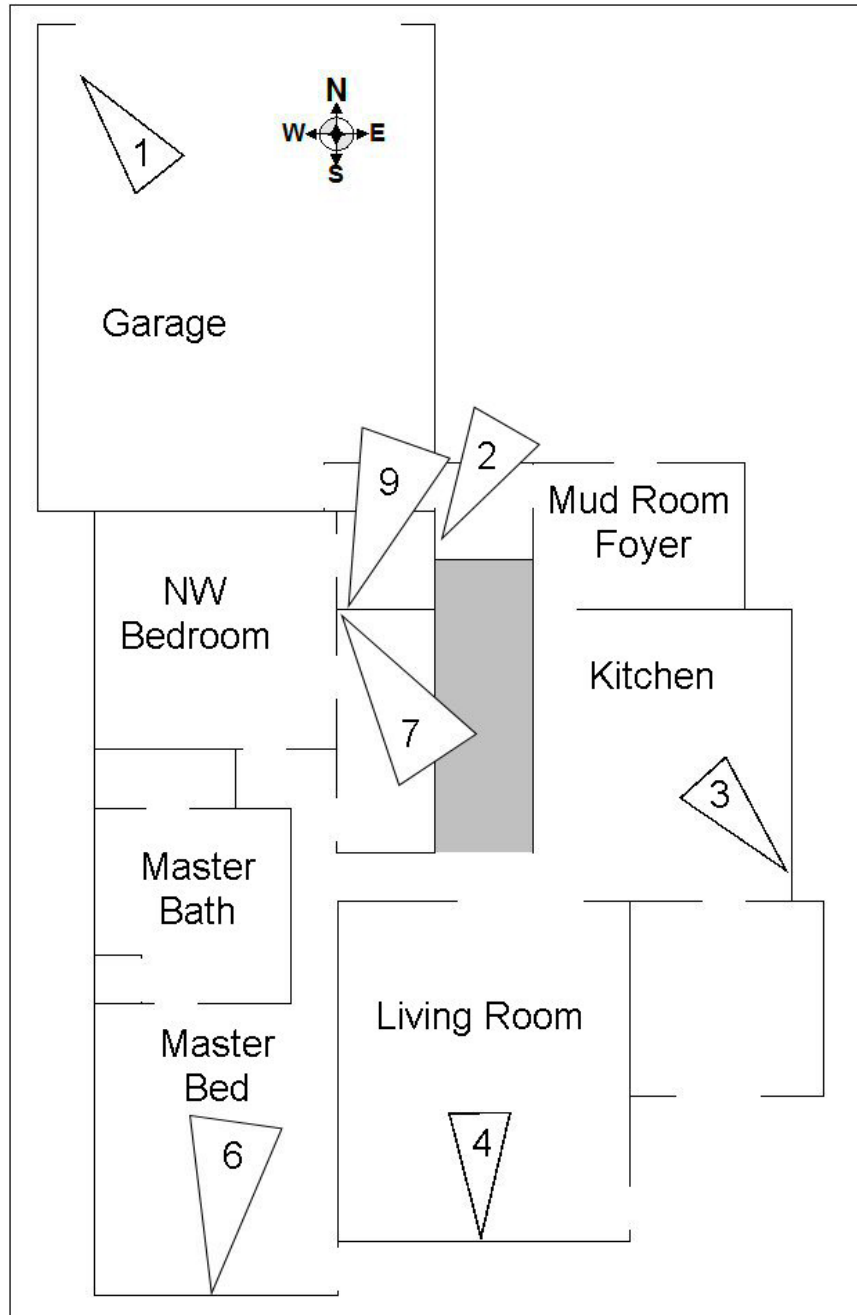


Figure 1
Main Floor
Locations of Final Verification Samples



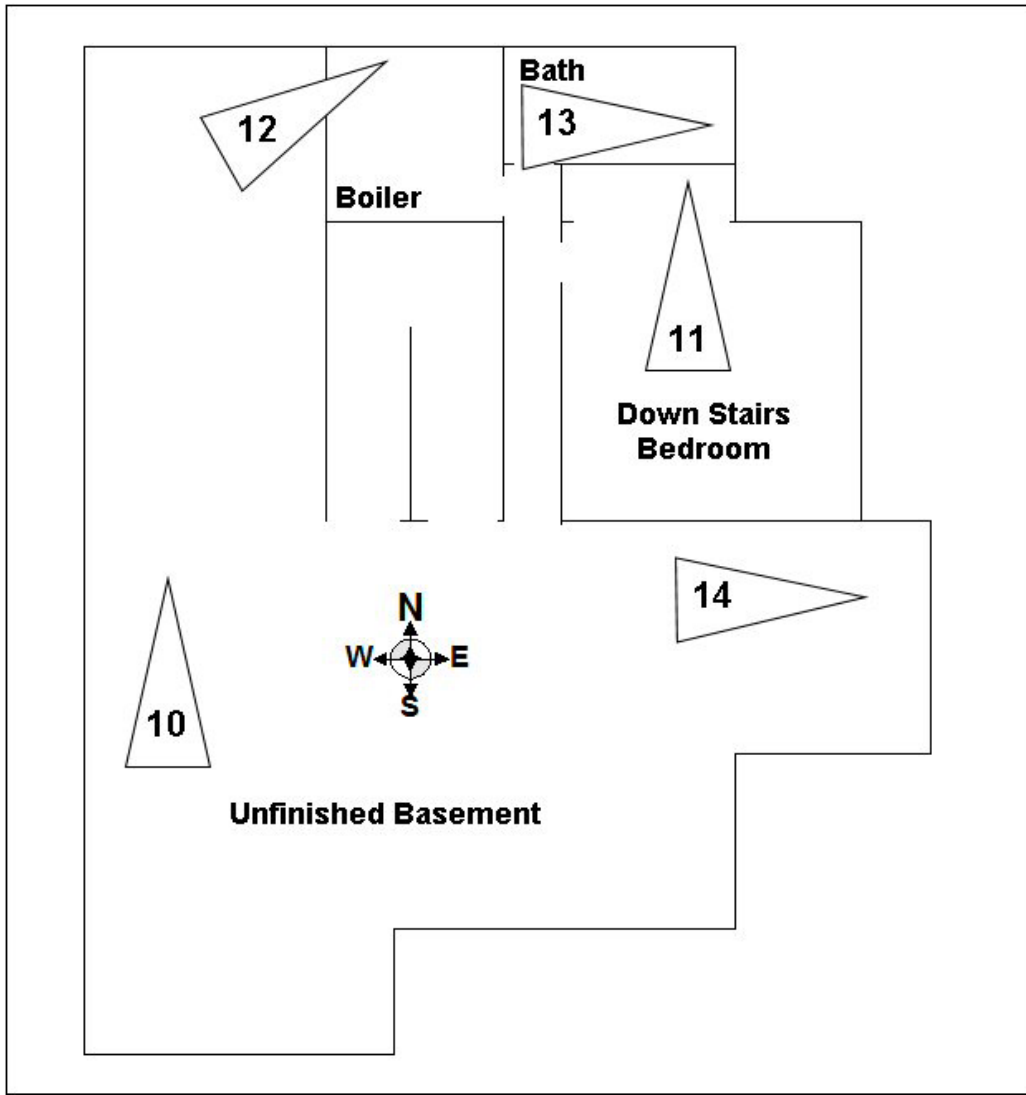


Figure 2
Basement Level
Locations of Final Verification Samples
Not to Scale

Quality Assurance / Quality Control

The following section is not intended to be understood by the casual reader; this mandatory QA/QC section is standard SW846 style QA/QC reporting. All abbreviations are standard laboratory use.

Final Verification

MDL was 0.004 µg; LOQ was 0.03 µg; MBX <MDL; LCS 8.0 µg (RPD 2%, recovery =98%); Matrix spike 0.02 µg (RPD <1%; recovery 100%); Matrix spike Dup is 0.02 µg (RPD <1%; recovery 100%); Surrogate recovery (all samples): High 116% (Sample 7),



Low 95% (Sample 13); FACTs reagents: MeOH lot #A0901 <MDL for n=28 (with one flagged BX); Gauze lot #G1005 <MDL for n=4.

One recovery (Sample 7) is flagged at 116%. However, the high recovery does not produce a material difference. The QA/QC indicate the data met the data quality objectives; and the results appear to exhibit slight positive bias (the samples may have contained slightly less methamphetamine than indicated by the results).

CONCLUSIONS

Diligent adherence to State regulations does not guarantee that a remediated property will be completely free of all residual methamphetamine. Rather, the purpose of the regulations is to ensure that properties are assessed and remediated in a consistent fashion, and that verification of remediation is performed in a scientifically valid manner.

In the absence of contradictory information, hollow wall cavities and other inaccessible places in the residence are presumed to contain *de minimis* methamphetamine residue. These residues are not considered to be toxicologically significant, and are not within the definition of “contamination” as defined by State regulation. Furthermore, these areas are reasonably considered to be “no-contact” or “low-contact” areas that do not present a reasonable probability of exposure.

Pursuant to the current state of knowledge, and pursuant to state regulations, “contaminant” is defined as “...a chemical residue that may present an immediate or long-term threat to human health and the environment.” The risk models⁴ described in the supporting documentation for 6-CCR 1014-3, suggest that exposure to *de minimis* concentrations from these areas would not reasonably pose “an immediate or long-term threat to human health and the environment” and, therefore, the presumed residues (if they exist) do not meet the definition of “contamination.”

In post-decontamination sampling, the hypothesis is made that the area is non-compliant, and data are collected to test the hypothesis. The lack of data supporting the hypothesis leads the Industrial Hygienist to accept the null hypothesis, and regulations require the Industrial Hygienist to thus conclude that the area is compliant.

In this case, there were no visual indicators or any other information that supported the primary hypothesis of noncompliance, and the sampling failed to demonstrate that the subject property was non-compliant. As such, pursuant to 6-CCR 1014-3, we accept the null hypothesis and find the subject property at 20725 Hideaway Lane, Oak Creek, CO 80467-8579 compliant as defined in 6-CCR 1014-3. We recommend the property be immediately released for occupancy.

⁴ *Support For Selection Of A Cleanup Level For Methamphetamine At Clandestine Drug Laboratories*, Colorado Department Of Public Health And The Environment, February 2005



To avail of the civil liability immunity provided by CRS §25-18.5-103(2), and to ensure complete compliance with State regulations, this Decision Statement must be submitted to the Governing Body with jurisdiction over the property.

FACTs has supplied a copy of this document, complete with all appendices and the digital disc, to the Governing Body via email and registered mail through the US Post Office. The Governing Body for this property is:

Routt County Sheriff's Office
P.O. Box 773087
2025 Shield Drive,
Steamboat Springs, Colorado 80477



APPENDIX A
REMIATOR'S SUBMITTALS

Twin Enviro Services

Profile Number M-102409

Milner Landfill (Twin Landfill Corporation) • P.O. Box 774362 • 1049 Crawford Avenue
 Steamboat Springs, Colorado 80477 • voice 970/875-0355 • fax 815/377-2495 • office@twinenviro.com
 Phantom Landfill (Twin Landfill Corporation of Fremont County) • 2500 Fremont County Road 67
 Penrose, Colorado 81240 • voice 719/372-8671 • fax 815/377-2495 • phantom@twinenviro.com
 Trinidad (Twin Landfill Corporation of Fremont County) P.O. Box 267, Trinidad, Colorado 81082
 voice 719/846-4030 • fax 815/377-2495 • trinidad@twinenviro.com

NON-HAZARDOUS WASTE MANIFEST

rev 2/08

Disposal Site Destination (check one) Milner Phantom Other

GENERATOR (NOT Contractor or Consultant)

Generator: Inq. Bank, F.S.B. Load #: _____

Address: 175 S. 3rd St, Ste 900 Generator Site: 20725 Hideaway Ln. Residence

Columbus, Oh. 43215 Site Address: 20725 Hideaway Ln, Oak Creek Co.

Phone: 303 627 8060 Site Phone: NONE

| Description of Waste Materials | Waste ID# | Shipped Quantity | Unit of Measure | Container Type |
|--------------------------------|-----------|------------------|-----------------|-----------------|
| <u>residential demolition</u> | | <u>1</u> | <u>cy</u> | <u>30cy A/C</u> |
| | | | | |
| | | | | |

I hereby certify the material described above are not subject to federal regulations for reporting proper disposal of hazardous waste.

Peter C. Riley
 Generator Authorized Agent Name (Print)

[Signature]
 Signature

9-1-2010
 Scheduled Delivery Date

TRANSPORTER

Transporter Name: Aces High Services, Inc. Driver Name: Carl Steen

I hereby acknowledge receipt of the above-described materials for transport from the generator site listed above.

I hereby acknowledge that the materials listed below were received from the generator and transported without incident to the destination listed below.

[Signature] 9-23-10
 Driver Signature Shipment Date

[Signature] 9-23-10
 Driver Signature Delivery Date

DESTINATION (Twin Use Only)

Site Name: Milner Address: 20650 RCR #205 Disposal Location: Mod 2 immediate cover

I hereby acknowledge receipt of the above-described materials.

Tricia Nickerson Trickerson 9-23-10
 Name of Authorized Agent (Print) Signature Receipt Date

31: 0:09/23/2010: 0: SERVICE=31/M

970-870-6500 FAX=970-870-3339
Aces High Services, Inc.

1605 Shield Drive
Steamcoat Springs, CO 80487

MAP= : : ORDT= LT
DATE= 09/23/2010 TKT#= 83166
SITE= 14266 TYPEONC CUST= CHR142
SITE= 970- TAX%= 0.00
BILL= 303-627-8060 TAX#=
PC#=- TERMS=ON REC
CONTACT= SALES=LT

BILLING ADDRESS

=====

CRYSTAL CLEAN DECON
PETER C RILEY
2594 S WOLFF ST
DENVER, CO 80219

SERVICE ADDRESS

=====

HIDE AWAY

20725 HIDE AWAY LANE
STAGECOACH, CO 80467

1-303-975-9972

PICKUP TICKET

S/N= 7C009-30 YARD

.....CIRCLE UNITS ACTUALLY PICKED UP!.....

ON OR AFTER:09/23/2010-Thursday 1-30YD

PICKUP CHARGE=0.00 REASON FOR PICKUP=

NEXT JOB SITE: _____ DATE PICKED UP: _____ DRIVER: _____

TANK CAPACITY ON Pickup: ___ 25% ___ 50% ___ 75% ___ 100%

NOTES=DO NOT RETURN

DIRECTIONS=2nd filly tr, then left on Hide away, 2nd on left

| | | | | | |
|---|--------|---------|----------|---------------------|---------|
| CUSTOMER'S ORDER NO. <u>70</u> | | PHONE | | DATE <u>9/23/10</u> | |
| NAME <u>ACE HIGH</u> | | ADDRESS | | | |
| CASH | C.O.D. | CHANGE | ON ACCT. | MOSE RETD. | PAY OUT |
| | | | | | |
| <p>Customer certifies that contents of tank, treatment, water or liquid materials and agrees to pay costs of transport and treatment if such materials are discovered in wastewater system.</p> | | | | | TAX |
| TOTAL | | | | | 750.00 |

221460

THANK YOU

MILNER LANDFILL
TWIN ENVIRO SERVICES
P.O. Box 774362
STEAMCOAT SPRINGS, CO 80477
(970) 879-6995

DRIVER: _____

PICKUP - SEE BACK OF TICKET FOR TERMS AND CONDITIONS

APPENDIX B
POST-REMEDATION PHOTOGRAPH LOG SHEET

POST-REMEDIATION PHOTOGRAPH LOG SHEET

| | | |
|--------------------------------------|---|-------------------|
| FACTs project name: Oak Creek | | Form # ML9 |
| Date: Sept. 15, 2010 | | |
| Reporting IH: | Caoimhin P. Connell, Forensic IH | |

| Name ▲ | Date Picture Taken | Name ▲ | Date Picture Taken |
|--------------------------|--------------------|----------------|--------------------|
| Basement walkthrough | | Ladder decon3 | 9/15/2010 9:18 AM |
| Basement walkthrough.THM | | Ladder decon4 | 9/15/2010 9:18 AM |
| Downstairs bath | 9/15/2010 2:41 PM | Ladder decon 2 | 9/15/2010 9:18 AM |
| Exterior | 9/15/2010 3:14 PM | Mudroom | 9/15/2010 3:05 PM |
| Exterior a | 9/15/2010 3:14 PM | Plumbing | 9/15/2010 3:05 PM |
| Exterior aa | 9/15/2010 3:22 PM | Plumbing a | 9/15/2010 3:05 PM |
| Exterior ab | 9/15/2010 3:22 PM | Plumbing b | 9/15/2010 3:05 PM |
| Exterior ac | 9/15/2010 3:22 PM | Plumbing c | 9/15/2010 3:05 PM |
| Exterior b | 9/15/2010 3:14 PM | Plumbing d | 9/15/2010 3:05 PM |
| Exterior c | 9/15/2010 3:14 PM | Plumbing e | 9/15/2010 3:06 PM |
| Exterior d | 9/15/2010 3:16 PM | Plumbing f | 9/15/2010 3:06 PM |
| Exterior e | 9/15/2010 3:16 PM | Plumbing g | 9/15/2010 3:06 PM |
| Exterior f | 9/15/2010 3:16 PM | Plumbing h | 9/15/2010 3:06 PM |
| Exterior g | 9/15/2010 3:16 PM | Plumbing i | 9/15/2010 3:06 PM |
| Exterior h | 9/15/2010 3:17 PM | Plumbing j | 9/15/2010 3:06 PM |
| Exterior i | 9/15/2010 3:21 PM | Plumbing k | 9/15/2010 3:07 PM |
| Exterior j | 9/15/2010 3:21 PM | Plumbing l | 9/15/2010 3:07 PM |
| Exterior k | 9/15/2010 3:21 PM | Plumbing m | 9/15/2010 3:07 PM |
| Exterior l | 9/15/2010 3:21 PM | Plumbing n | 9/15/2010 3:07 PM |
| Exterior m | 9/15/2010 3:21 PM | Plumbing o | 9/15/2010 3:08 PM |
| Exterior n | 9/15/2010 3:21 PM | Plumbing p | 9/15/2010 3:08 PM |
| Exterior o | 9/15/2010 3:21 PM | Plumbing q | 9/15/2010 3:08 PM |
| Exterior p | 9/15/2010 3:21 PM | Plumbing r | 9/15/2010 3:08 PM |
| Exterior q | 9/15/2010 3:21 PM | Plumbing s | 9/15/2010 3:08 PM |
| Exterior r | 9/15/2010 3:21 PM | Sample 1 | 9/15/2010 3:04 PM |
| Exterior s | 9/15/2010 3:21 PM | Sample 1a | 9/15/2010 3:04 PM |
| Exterior v | 9/15/2010 3:21 PM | Sample 2 | 9/15/2010 2:56 PM |
| Exterior w | 9/15/2010 3:22 PM | Sample 2a | 9/15/2010 2:56 PM |
| Exterior x | 9/15/2010 3:22 PM | Sample 2b | 9/15/2010 2:57 PM |
| Exterior y | 9/15/2010 3:22 PM | Sample 2c | 9/15/2010 2:58 PM |
| Exterior z | 9/15/2010 3:22 PM | Sample 2d | 9/15/2010 2:58 PM |
| Gloves | 9/15/2010 3:11 PM | Sample 3 | 9/15/2010 1:55 PM |
| Gloves a | 9/15/2010 3:11 PM | Sample 3a | 9/15/2010 1:56 PM |
| Ladder decon | 9/15/2010 9:18 AM | Sample 3b | 9/15/2010 1:57 PM |



POST-REMEDIATION PHOTOGRAPH LOG SHEET

| | |
|--------------------------------------|---|
| FACTs project name: Oak Creek | Form # ML9 |
| Date: Sept. 15, 2010 | |
| Reporting IH: | Caoimhin P. Connell, Forensic IH |

| Name ▲ | Date Picture Taken |
|-------------------|--------------------|
| Sample 3c | 9/15/2010 1:57 PM |
| Sample 3d | 9/15/2010 1:57 PM |
| Sample 4 | 9/15/2010 2:02 PM |
| Sample 4a | 9/15/2010 2:03 PM |
| Sample 4b | 9/15/2010 2:05 PM |
| Sample 4c | 9/15/2010 2:05 PM |
| Sample 6 | 9/15/2010 2:09 PM |
| Sample 6a | 9/15/2010 2:09 PM |
| Sample 6b | 9/15/2010 2:09 PM |
| Sample 7 | 9/15/2010 2:11 PM |
| Sample 7a | 9/15/2010 2:11 PM |
| Sample 7b | 9/15/2010 2:13 PM |
| Sample 7c | 9/15/2010 2:13 PM |
| Sample 9 | 9/15/2010 2:18 PM |
| Sample 9a | 9/15/2010 2:19 PM |
| Sample 9b | 9/15/2010 2:19 PM |
| Sample 9c | 9/15/2010 2:19 PM |
| Sample 10 | 9/15/2010 2:26 PM |
| Sample 10a | 9/15/2010 2:26 PM |
| Sample 10b | 9/15/2010 2:27 PM |
| Sample 10c | 9/15/2010 2:27 PM |
| Sample 10d | 9/15/2010 2:27 PM |
| Sample 11 | 9/15/2010 2:34 PM |
| Sample 11a | 9/15/2010 2:34 PM |
| Sample 11b | 9/15/2010 2:35 PM |
| Sample 11c | 9/15/2010 2:35 PM |
| Sample 12 | 9/15/2010 2:36 PM |
| Sample 12a | 9/15/2010 2:36 PM |
| Sample 12b | 9/15/2010 2:37 PM |
| Sample 12c | 9/15/2010 2:39 PM |
| Sample 12d | 9/15/2010 2:39 PM |
| Sample 12e | 9/15/2010 2:40 PM |
| Sample 12f | 9/15/2010 2:40 PM |
| Sample 13 | 9/15/2010 2:42 PM |
| Sample 13a | 9/15/2010 2:44 PM |
| Sample 13b | 9/15/2010 2:44 PM |
| Sample 14 | 9/15/2010 2:30 PM |
| Sample 14a | 9/15/2010 2:30 PM |
| Sample 14b | 9/15/2010 2:31 PM |
| Sample 14c | 9/15/2010 2:31 PM |
| Samples | 9/15/2010 3:10 PM |
| samples a | 9/15/2010 3:10 PM |
| Walkthrough 2 | |
| Walkthrough 2.THM | |
| Walkthrough 3 | |
| Walkthrough 3.THM | |







APPENDIX C
FINAL CERTIFICATION SIGNATURE SHEET



CERTIFICATION, VARIATIONS AND SIGNATURE SHEET

| | |
|--------------------------------------|---|
| FACTs project name: Oak Creek | Form # ML14 |
| Date: September 24, 2010 | |
| Reporting IH: | Caoimhin P. Connell, Forensic IH |

Certification

| Statement | Signature |
|--|--|
| I do hereby certify that I conducted a preliminary assessment of the subject property in accordance with 6 CCR 1014-3, § 4. |  |
| I do hereby certify that I conducted post-decontamination clearance sampling in accordance with 6 CCR 1014-3, §6. |  |
| I do hereby certify that the cleanup standards established by 6 CCR 1014-3, § 7 have been met as evidenced by testing I conducted. |  |
| I do hereby certify that the analytical results reported here are faithfully reproduced. |  |

In the section below, describe any variations from the standard:

No variations not articulated in the body of the reports.

Pursuant to the language required in 6 CCR 1014-3, § 8:

I do hereby certify that I conducted a preliminary assessment of the subject property in accordance with 6 CCR 1014-3, § 4. I further certify that the cleanup standards established by 6 CCR 1014-3, § 7 have been met as evidenced by testing I conducted.

Signature 

Date: September 24, 2010



APPENDIX D
FIELD DATA SHEETS AND ANALYTICAL SUBMITTALS

SAMPLING FIELD FORM

| | |
|---|--|
| FACTs project name: Oak Creek | Form # ML17 |
| Date: Sept 15, 2010 | Alcohol Lot#: A1ØØ1 Gauze Lot#: A1ØØ5 |
| Reporting IH: Caoimhín P. Connell, Forensic IH | Preliminary Intermediate Final X |

| Sample ID OCMØ9151Ø | Type | Area/ Volume /Weight | Location | Func. Space | Dim. | Substr ate |
|------------------------|------|----------------------------|--|----------------|--------------|---------------|
| -Ø1 | W | | Garage, top of door rail | 1 | 2" X 40" | M |
| -Ø2 | W | | Mud room, top of west cabinet | 2 | 9" X 9" | VW |
| -Ø3 | W | | Kitchen, top of cabinet on S end | 3 | 28.5" x 3.5" | VW |
| -Ø4 | W | | Living room, S window, top of center ledge | 4 | 14" x 6" | VW |
| -Ø5 | W | | BX | NA | NA | NA |
| -Ø6 | W | | Master Bed room tops of S windows | 5 | 153 X 0.75" | VW |
| -Ø7 | W | | Jack and Jill bath top of shower stall | 6 | 27" X 3.5" | Note 1 |
| -Ø8 | W | | BX | NA | NA | NA |
| -Ø9 | W | | NW Bedroom closet, top of west shelf | 7 | 9" X 9" | PW |
| -1Ø | W | | Basement, PVC piping on W central side | 8 | 5" X 20" | PI |
| -11 | W | | Basement, Bedroom closet, top of shelf E end | 9 | 9" X 9" | PW |
| -12 | W | | Boiler room, PVC piping on central N wall | 10 | 28" X 3.5" | PI |
| -13 | W | | Basement, Bathroom, top of shower rail | 12 | 58 X 2.25" | M |
| -14 | W | | Basement, Copper piping on E side | 8 | 154" X 0.75" | PI |

Sample Types: W=Wipe; V=Microvacuum; A=Air; B=Bulk; L=liquid

Surfaces: DW= Drywall, P=Painted; W= Wood, L= Laminated, V= Varnished, M= Metal, C=Ceramic, PI=Plastic

Note 1 Varnished stone





ANALYTICAL CHEMISTRY INC.

Established in 1979

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

Website: www.acilabs.com

Phone: 206-622-8353

E-mail: info@acilabs.com

| | |
|------------------------|--------------------|
| Lab Reference: | 10157-07 |
| Date Received: | September 17, 2010 |
| Date Completed: | September 20, 2010 |

September 20, 2010

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

CLIENT REF: Oak Creek


SAMPLES: wipes/14

ANALYSIS: Methamphetamine by Gas Chromatography-Mass Spectrometry.

RESULTS: in total micrograms (ug)

| Sample | Methamphetamine, ug | % Surrogate Recovery |
|------------------------------------|----------------------------|-----------------------------|
| OCM091310-01 | 0.140 | 109 |
| OCM091310-02 | < 0.030 | 114 |
| OCM091310-03 | 0.249 | 109 |
| OCM091310-04 | 0.039 | 106 |
| OCM091310-05 | < 0.030 | 100 |
| OCM091310-06 | < 0.030 | 101 |
| OCM091310-07 | 0.125 | 116 |
| OCM091310-08 | < 0.030 | 105 |
| OCM091310-09 | < 0.030 | 102 |
| OCM091310-10 | < 0.030 | 102 |
| OCM091310-11 | < 0.030 | 101 |
| OCM091310-12 | < 0.030 | 107 |
| OCM091310-13 | < 0.030 | 95 |
| OCM091310-14 | < 0.030 | 104 |
| QA/QC Method Blank | < 0.004 | |
| QC 8.00 ug Standard | 7.81 | |
| QA 0.020 ug Matrix Spike | 0.020 | |
| QA 0.020 ug Matrix Spike Duplicate | 0.020 | |
| 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.aclilabs.com

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

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

| | | | | |
|--------------------------|---------------------|-------------------|---|---------------------------|
| SAMPLING DATE: | Sept 15, 2010 | REPORT TO: | Caoimhin P. Connell | ANALYSIS REQUESTED |
| PROJECT Name/No.: | Oak Creek | COMPANY: | Forensic Applications, Inc. | 1 Methamphetamine |
| eMail: | Fiosrach@aol.com | ADDRESS: | 185 Bounty Hunters Lane, Bailey, CO 80421 | 2 Use entire contents |
| SAMPLER NAME: | Caoimhin P. Connell | PHONE | 303-903-7494 | 3 Normal Turn-around time |
| | | | | 4 RUSH |
| | | | | 5 Weigh and report in mg |
| | | | | 6 Not Submitted |

| LAB Number | Sample Number | SAMPLE MATRIX | | | ANALYSIS REQUESTS | | | | | | SAMPLER COMMENTS | LAB COMMENTS | No of Containers | |
|------------|---------------|---------------|--------|-------|-------------------|---|---|---|---|---|------------------|--------------|------------------|---|
| | | Wipe | Vacuum | Other | 1 | 2 | 3 | 4 | 5 | 6 | | | | |
| | OCM091310-01 | X | | | X | X | X | X | X | | | | | 1 |
| | OCM091310-02 | X | | | X | X | X | X | X | | | | | 1 |
| | OCM091310-03 | X | | | X | X | X | X | X | | | | | 1 |
| | OCM091310-04 | X | | | X | X | X | X | X | | | | | 1 |
| | OCM091310-05 | X | | | X | X | X | X | X | | | | | 1 |
| | OCM091310-06 | X | | | X | X | X | X | X | | | | | 1 |
| | OCM091310-07 | X | | | X | X | X | X | X | | | | | 1 |
| | OCM091310-08 | X | | | X | X | X | X | X | | | | | 1 |
| | OCM091310-09 | X | | | X | X | X | X | X | | | | | 1 |
| | OCM091310-10 | X | | | X | X | X | X | X | | | | | 1 |

| | | | | | |
|---|--|--------------------------|---------------------|---|--|
| CHAIN OF CUSTODY RECORD | | Wipes Results in: | | Total Number of Containers (verified by laboratory) | |
| PRINT NAME | Signature | COMPANY | DATE | <input type="checkbox"/> µg/100cm ² | <input checked="" type="checkbox"/> Total µg |
| Caoimhin P. Connell | <i>Caoimhin P. Connell</i> | FACTS, Inc. | 9/16/2010 | 1100 | 10 |
| Turnaround Time | Custody Seals: | Container: | Temperature: | Inspected By: | Lab File No. |
| <input checked="" type="checkbox"/> 24 Hours (2X) | Yes <input checked="" type="checkbox"/> Intact | Ambient | | MIA SAZON | 16157-07 |
| <input type="checkbox"/> 2 Days (1.75X) | No <input type="checkbox"/> Broken | Cooled | | | |
| <input type="checkbox"/> 3 Days (1.5X) | | | | | |
| <input type="checkbox"/> Routine | | | | | |



ANALYTICAL CHEMISTRY INC.

CDL SAMPLING & CUSTODY FORM

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

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

Please do not write in shaded areas.

| | | | | |
|--------------------------|---------------------|-------------------|---|---------------------------|
| SAMPLING DATE: | Sept 15, 2010 | REPORT TO: | Caoimhin P. Connell | ANALYSIS REQUESTED |
| PROJECT Name/No.: | Oak Creek | COMPANY: | Forensic Applications, Inc. | 1 Methamphetamine |
| eMail: | Fiosrach@aol.com | ADDRESS: | 185 Bounty Hunters Lane, Bailey, CO 80421 | 2 Use entire contents |
| SAMPLER NAME: | Caoimhin P. Connell | PHONE | 303-903-7494 | 3 Normal Turn-around time |
| | | | | 4 RUSH |
| | | | | 5 Weigh and report in mg |
| | | | | 6 Not Submitted |

| LAB Number | Sample Number | SAMPLE MATRIX | | | ANALYSIS REQUESTS | | | | | | SAMPLER COMMENTS | LAB COMMENTS | No of Containers | |
|------------|---------------|---------------|--------|-------|-------------------|---|---|---|---|---|------------------|--------------|------------------|---|
| | | Wipe | Vacuum | Other | 1 | 2 | 3 | 4 | 5 | 6 | | | | |
| | OCM091310-11 | X | | | X | X | X | X | | | | | | 1 |
| | OCM091310-12 | X | | | X | X | X | X | | | | | | 1 |
| | OCM091310-13 | X | | | X | X | X | X | | | | | | 1 |
| | OCM091310-14 | X | | | X | X | X | X | | | | | | 1 |

| | | | | | | | | | |
|--------------------------------|------------------|--------------------------|-------------|--|---|---|-------------------|---------------------|-----------------------|
| CHAIN OF CUSTODY RECORD | | Wipes Results in: | | <input type="checkbox"/> µg/100cm ² | <input checked="" type="checkbox"/> Total µg | Total Number of Containers (verified by laboratory) | | 4 | |
| PRINT NAME | Signature | COMPANY | DATE | TIME | Turnaround Time | Custody Seals: | Container: | Temperature: | Inspected By: |
| Caoimhin P. Connell | | FACTS, Inc. | 9/16/2010 | 1455 | <input checked="" type="checkbox"/> 24 Hours (2X) | Yes | Intact | Ambient | MIA SAZON |
| MIA SAZON | | ACI | 9/17/10 | | <input type="checkbox"/> 2 Days (1.75X) | No | Broken | Cooled | |
| | | | | | <input type="checkbox"/> 3 Days (1.5X) | | | | |
| | | | | | <input type="checkbox"/> Routine | | | | Lab File No. 10157-07 |

C:\WWW\SR\FAC\ADMIN\SR\www\Provider\Lab\CDL\Analyst\request
FACTS Revision 1.0: 06/20/2005

APPENDIX F
FINAL CLOSEOUT INVENTORY DOCUMENT

FINAL SAMPLING CHECKLIST

| | | |
|---------------------|----------------------------------|-------------|
| FACTs project name: | Oak Creek | Form # ML18 |
| Date: | September 15, 2010 | |
| Reporting IH: | Caoimhín P. Connell, Forensic IH | |

| Functional Space # | Collected 500 cm ² | General Sampling Considerations | |
|---|-------------------------------|---|-------|
| 1 | Yes | Floor Space Area of Lab (ft ²) | 4,771 |
| 2 | Yes | One extra sample is required for every 500 ft ² of floor space >1,500ft ² . Enter number of <u>extra</u> samples required: | 7 |
| 3 | Yes | Enter minimum number of final samples required based on floor space. | 12 |
| 4 | Yes | Enter Number of Functional Spaces to be included | 11 |
| 5 | Yes | Enter the minimum number of sample required based on the number of functional spaces | 11 |
| 6 | Yes | Is the lab a motor vehicle? | No |
| 7 | Yes | Does the lab contain motor vehicles? | No |
| 8 | Yes | Enter number of motor vehicles associated with the lab: | 0 |
| 9 | Yes | Are the vehicles considered functional spaces of the lab? | NA |
| 10 | Yes | For vehicles that are merely functional spaces, one extra 500 cm ² sample is required for each vehicle. Enter the number of extra samples for functional space vehicles: | 0 |
| 11 | See PA | Enter number of large vehicles (campers, trailers, etc) | 0 |
| 12 | Yes | One extra sample is required for every 50 ft ² of floor space of large vehicles. Enter number of extra samples required: | 0 |
| This box is intentionally left blank | | Enter total number of samples to be collected. | 12 |
| | | One BX must be included for every 10 samples. Enter the number of BX required. | 2 |
| | | Enter total number of samples/BXs required | 14 |
| | | Enter total number of samples/BXs actually collected | 14 |
| | | Collected a minimum of 5 samples from the lab? | Yes |
| | | Collected a minimum of 3 discrete samples from the lab? | Yes |
| | | Collected minimum of 500 cm ² per functional space? | Yes |
| | | Collected minimum of 1,000 cm ² surface area from the lab? | Yes |
| | | Sketch of the sample locations performed? | Yes |



APPENDIX F
INDUSTRIAL HYGIENIST'S SOQ



**FORENSIC APPLICATIONS CONSULTING TECHNOLOGIES, INC.
CONSULTANT STATEMENT OF QUALIFICATIONS**

(as required by State Board of Health Regulations 6 CCR 1014-3 Section 8.21)

| | | |
|----------------------------|---|--------------------|
| FACTs project name: | Oak Creek | Form # ML15 |
| Date Sept. 24, 2010 | | |
| Reporting IH: | Caoimhín P. Connell, Forensic IH | |

Caoimhín P. Connell, is a private consulting forensic Industrial Hygienist meeting the definition of an "Industrial Hygienist" as that term is defined in the Colorado Revised Statutes §24-30-1402. He has been a practicing Industrial Hygienist in the State of Colorado since 1987; and he is the contract Industrial Hygienist for the National Center for Atmospheric Research and has been involved in clandestine drug lab (including meth-lab) investigations since 2002.

Mr. Connell is a recognized authority in methlab operations and is a Certified Meth-Lab Safety Instructor through the Colorado Regional Community Policing Institute (Colorado Department of Public Safety, Division of Criminal Justice). Mr. Connell has provided over 200 hours of methlab training for officers of over 25 Colorado Police agencies, 20 Sheriff's Offices, federal agents, and probation and parole officers from the 2nd, 7th and 9th Colorado judicial districts. He has provided meth-lab lectures to prestigious organizations such as the County Sheriff's of Colorado, the American Industrial Hygiene Association, and the National Safety Council.

Mr. Connell is Colorado's only private consulting Industrial Hygienist certified by the Office of National Drug Control Policy High Intensity Drug Trafficking Area Clandestine Drug Lab Safety Program, and P.O.S.T. certified by the Colorado Department of Law; he is a member of the Colorado Drug Investigators Association, the American Industrial Hygiene Association (where he serves on the Clandestine Drug Lab Work Group), and the Occupational Hygiene Society of Ireland. Mr. Connell is an Subject Matter Expert for the Department of Homeland Security, IAB Health, Medical, and Responder Safety SubGroup, and he conducted the May 2010 Clandestine Drug Lab Professional Development Course for the American Industrial Hygiene Association.

He has received over 120 hours of highly specialized law-enforcement sensitive training in meth-labs and clan-labs (including manufacturing and identification of booby-traps commonly found at meth-labs) through the Iowa National Guard/Midwest Counterdrug Training Center and the Florida National Guard/Multijurisdictional Counterdrug Task Force, St. Petersburg College as well as through the U.S. Bureau of Justice Assistance (US Dept. of Justice). Additionally, he received extensive training in the Colorado Revised Statutes, including Title 18, Article 18 "Uniform Controlled Substances Act of 1992."

Mr. Connell is a current law enforcement officer in the State of Colorado, who has conducted clandestine laboratory investigations and performed risk, contamination, hazard and exposure assessments from both the law enforcement (criminal) perspective, and from the civil perspective in residences, apartments, motor vehicles, and condominiums. Mr. Connell has conducted over 200 assessments in illegal drug labs, and collected over 1,900 samples during assessments (a detailed list of drug lab experience is available on the web at: <http://forensic-applications.com/meth/DrugLabExperience2.pdf>)

He has extensive experience performing assessments pursuant to the Colorado meth-lab regulation, 6 CCR 1014-3, (State Board Of Health *Regulations Pertaining to the Cleanup of Methamphetamine Laboratories*) and was an original team member on two of the legislative working-groups which wrote the regulations for the State of Colorado. Mr. Connell was the primary contributing author of Appendix A (*Sampling Methods And Procedures*) and Attachment to Appendix A (*Sampling Methods And Procedures Sampling Theory*) of the Colorado regulations. He has provided expert witness testimony in civil cases and testified before the Colorado Board of Health and Colorado Legislature Judicial Committee regarding methlab issues. Mr. Connell has provided services to private consumers, Indian Nations, state officials and Federal Government representatives with forensic services and arguments against fraudulent industrial hygienists and other unauthorized consultants performing invalid methlab assessments.

Mr. Connell, who is a committee member of the ASTM International Forensic Sciences Committee, was the sole sponsor of the draft ASTM E50 *Standard Practice for the Assessment of Contamination at Suspected Clandestine Drug Laboratories*, and he is a coauthor of a 2007 AIHA Publication on methlab assessment and remediation.

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

APPENDIX G
COMPACT DIGITAL DISC