



FORENSIC APPLICATIONS CONSULTING TECHNOLOGIES, INC.

**Regulatory Audit
of:**

**Preliminary Assessment Report
By
Robert Woellner
at an
Identified Illegal Drug Laboratory**

**Located at:
8172 East 132nd Avenue
Thornton, Colorado 80602**

(385 Violations of 6 CCR 1014-3)

Prepared by:

FORENSIC APPLICATIONS CONSULTING TECHNOLOGIES, INC.

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December 17, 2015

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EXECUTIVE SUMMARY

Forensic Applications Consulting Technologies, Inc. (FACTs) is a private S-Corporation in the State of Colorado offering classical Industrial Hygiene services to its clients.

FACTs is performing a series of regulatory audits on public domain documents. This document has been prepared by Forensic Applications Consulting Technologies, Inc. in response to actions by the Colorado Department of Public Health and Environment (CDPHE), and pursuant to the provisions of C.R.S. 18-8-115 *Duty to report a crime - liability for disclosure*.

This review pertains to the document identified as:

Robert A. Woellner
Residence at 8172 East 132nd Avenue in Thornton, Colorado 80602
Methamphetamine Preliminary Assessment Inspection,
Sampling & Recommended
Scope of Work
Prepared for:
David Hill
5763 W. 118th Circle
Westminster, CO 80020
August 7, 2015

The purpose of this review is to document regulatory violations associated with regulatory work regarding the assessment of methamphetamine affected properties (6 CCR 1014-3). The level of scrutiny and detail employed in this review is that which has been established by the Colorado Department of Public Health and Environment.

For this regulatory audit of work performed at 8172 East 132nd Ave., Thornton, CO (the subject property), FACTs has identified no fewer than 385 (three hundred and eighty five) regulatory violations.

The particular consultant associated with work performed at this subject property, Mr. Robert Woellner, has an extensive history of regulatory violations, invalid drug laboratory assessments, falsification of information relating to real estate documents, and claims to his credentials that are unsupported.^{1,2,3,4,5,6,7,8,9,10,11}

¹ 131 South Benton Street Denver, CO <http://forensic-applications.com/meth/censoredcriticalreview.pdf>

² 100 W. Spaulding Street, Lafayette, Colorado http://forensic-applications.com/meth/Spaulding_Regulatory_audit_Redacted.pdf

³ 4893 S Johnson Street, Denver http://www.forensic-applications.com/meth/Johnson_Critical_review.pdf

⁴ 788 W. Lois Ct., Louisville, CO 80027

⁵ 1138 West 32nd Street, Unit 201, Denver, CO



The purpose of this review is to document regulatory violations associated with regulatory work regarding the sampling of methamphetamine affected properties (6CCR 1014-3).

FACTs obtained a copy of the report under review through the Colorado Open Records Act (CORA) directly from the Colorado Department of Public Health and Environment (CDPHE).

REVIEW OF THE PRELIMINARY ASSESSMENT

During the performance of a Preliminary Assessment of a methamphetamine affected property, the Consultant is required by regulations to perform specific mandatory tasks and provide specific mandatory documentation.

In reviewing the Preliminary Assessment report by Mr. Woellner for this subject property, the following regulatory violations have been identified:

Failure to Provide Qualified Personnel

Violation of Section 4.0

According to regulations, the performance of a Preliminary Assessment, can only be performed by certain personnel.

PART 2: TRAINING AND CERTIFICATION REQUIREMENTS

3.0 Interim Authorization

3.1 Persons who, as of the effective date of this Part 2 of these regulations, are performing assessment or decontamination activities subject to these regulations may continue to perform such activities, as long as they comply with the requirements of this section 3.

There is no evidence that Mr. Woellner, prior to the date of the work at 8172 East 132nd Avenue in Thornton, CO has ever been "...performing assessment or decontamination activities subject to these regulations..."

In the past, Mr. Woellner has stated that he is not an Industrial Hygienist and there is no documentation to suggest that his sudden conversion to being an "Industrial Hygienist" is

⁶ 48400 Routt County Road 56C, Steamboat Springs, CO 80487

⁷ 11767 Grant Street, Northglenn, Colorado 80233

⁸ 690 S. Lincoln Street, Denver, CO 80203

⁹ 8347 S Reed Street, Unit 2, Littleton CO 80128

¹⁰ March 2, 2015, Preliminary Assessment Inspection, 410 E 32nd Ave Avenue in Carbondale, CO 81623, March 2, 2015 (200 Violations)

¹¹ Clearance report for 410 E 32nd Ave Avenue in Carbondale, CO 81623 (366 Violations)



based on demonstrable facts. There is no indication that Mr. Woellner has any technical competency in illegal drug laboratories and indeed, during one legal hearing, Mr. Woellner was actually barred from giving testimony as an expert in such matters.¹² Curiously, later, while under oath in a different case,¹³ Mr. Woellner falsely testified that he had never been barred from giving testimony.

Ms. Colleen Brisnehan, with the CDPHE (responsible for granting interim authorization to consultants to perform assessments on methamphetamine affected properties during the period of time December 15, 2014 (Effective date on new regulations)-June 15, 2015) has historically been identified as serving on the Board of Directors for a private organization called the “Colorado Association of Meth and Mold Professionals (CAMMP),” -- this would appear to be a violation of CRS §24-50-117. The “Colorado Association of Meth and Mold Professionals,” is a largely discredited group of untrained practitioners to which Mr. Woellner has claimed membership. It would appear that the CDPHE granted Mr. Woellner interim authorization in violation of the regulations they were entrusted to enforce.

Ms. Brisnehan has a documented history of protecting Mr. Woellner and hiding his regulatory violations. As of the date of this audit (December 17, 2015), FACTs has reviewed nine reports by Mr. Woellner (all written after December 15, 2014), and identified no fewer than two thousand and nine (2,009) regulatory violations which, in violation of 6 CCR 1014-3 have been ignored - and even excused - by Ms. Brisnehan.

An important fact to note is that Ms. Brisnehan, in violation of Colorado’s criminal statutes §18-8-404 *First degree official misconduct*, was caught personally assisting Mr. Woellner in the collection of unlawful samples at a residence.¹⁴ Ms. Brisnehan then lied to the occupant claiming the assessment and cleaning work had been performed according to State regulations when in fact, none of the assessment, none of the cleaning and none of the post remediation confirmation work had been performed according to regulations.

It would appear that in an effort to protect her office,, Ms. Brisnehan felt compelled to grant certification to her fellow CAMMP member who otherwise has no documentable training in the assessment of illegal drug laboratories, has never actually performed a valid assessment in Colorado, and is not an Industrial Hygienist, (indeed during testimony under oath in 2009 was unable to correctly define “Industrial Hygiene.”)

¹² On July 17, 2008, in the matter of “913 Industrial Park / Colorado Casualty (Claim Number 902597160002)

¹³ Transcript of the Testimony of Robert Woellner in the Matter of Fidelity and Deposit Company of Maryland v. White River Townhomes, LLC *et al*, November 19, 2009.

¹⁴ 4893 S Johnson Street, Denver http://www.forensic-applications.com/meth/Johnson_Critical_review.pdf



Failure to Comply with Section 4 (Failure to use PPE)

During the performance of a Preliminary Assessment the Consultant is required to perform specific actions according to specific criteria, including:

4.0 Preliminary Assessment. ...

Consultants and assistants shall use appropriate personal protective equipment during the preliminary assessment.

As documented in various photographs in his report for this subject property, Mr. Woellner failed to wear appropriate personal protection equipment and in particular, gloves (which may also explain why his sampling materials became contaminated – an issue, Mr. Woellner failed to address in his report).



QUEST Photographs

Failure to Comply with Section 4

During the performance of a Preliminary Assessment the Consultant is required to perform specific actions and provide specific information. The regulations are not optional, and the Consultant is not at liberty to waive any portion of the regulations.

4.0 Preliminary Assessment. A preliminary assessment of all methamphetamine-affected properties shall be conducted in accordance with this section and Section 6.1.2 of these regulations, ...The Consultant shall personally inspect the subject property to gather all of the information necessary to prepare a Preliminary Assessment Report (other than the legal description of the subject property and the background information described in Section 4.2), and shall document information collected through photographs, notes, and other appropriate methods. The Consultant shall evaluate the information collected during the preliminary assessment and record his or her observations and findings in a Preliminary Assessment Report. The Preliminary Assessment Report shall include, but not be limited to, the following, to the extent available and applicable:

Failure to Comply with 4.3.1

During the performance of a Preliminary Assessment, the Consultant is required to provide specific information including:

4.3.1 If the building has an attic, a description of the integrity of the building ceiling (i.e., attic floor), any signs of access, storage, manufacturing, or venting into the attic (e.g.,



holes cut in ceiling for the purpose of venting gases from a cook), and a description of observations of the ducting associated with all bathroom and kitchen exhaust vents. If preliminary assessment sampling is conducted, include the results of sampling in accordance with Section 6 of this Part 1.

In his report, Mr. Woellner used boiler plate language that appears in almost all of his reports regardless of actual site conditions:

The residence, garage, and attic floors all appeared to be intact and structurally sound.

In his report, Mr. Woellner identified two attics,

The home has an upper attic, upper crawl space, lower crawl space, and attached three-car garage with its own overlying attic.

In his report, Mr. Woellner reverts to his normal boiler plate language that he uses regardless of site conditions which appears to be for an apartment unit with a single attic:

QUEST inspected the interior of the subject unit and attic and observed no signs of meth-specific staining, oxidation, or damage.

Attic 1 (7 Violations)

1. Nowhere in the report, do we find a description of the integrity of the attic floor
2. Nowhere in the report, do we find a description of any signs of access
3. Nowhere in the report, do we find a description of storage
4. Nowhere in the report, do we find a description of manufacturing
5. Nowhere in the report, do we find a description of venting
6. Nowhere in the report, do we find a description of the ducting associated with bathroom
7. Nowhere in the report, do we find a description of the ducting associated with kitchen exhaust vents

Attic 2 (7 violations)

1. Nowhere in the report, do we find a description of the integrity of the attic floor
2. Nowhere in the report, do we find a description of any signs of access
3. Nowhere in the report, do we find a description of storage



4. Nowhere in the report, do we find a description of manufacturing
5. Nowhere in the report, do we find a description of venting
6. Nowhere in the report, do we find a description of the ducting associated with bathroom
7. Nowhere in the report, do we find a description of the ducting associated with kitchen exhaust vents

Failure to Comply with 4.3.2

During the performance of a Preliminary Assessment the Consultant is required to provide specific information including:

4.3.2 A description of the integrity of the building floor, and if there is a crawl space, a description of any signs of access, storage, venting, or disposal related to methamphetamine manufacturing, integrity of any vapor barriers, and any signs of disposal onto the soil of the crawl space. The soil investigation shall be conducted in accordance with the assessment procedures in Section 6 of this Part 1. If the vapor barrier is intact and in good condition, and if there is no indication of chemical disposal, the soil beneath the vapor barrier may be presumed to meet the cleanup criteria, and no soil sampling is required.

As already noted, in his report, Mr. Woellner identified two crawlspaces.

In his report, Mr. Woellner used boiler plate language that is seen in almost all his reports regardless of actual site conditions:

All potential disposal areas were inspected, with no indication of waste disposal areas positively identified.

Unfortunately, Mr. Woellner has an astonishing history of not seeing waste disposal when it is patently obvious. For example, while performing a “Preliminary Assessment” for the property located at 788 W. Lois Ct., Louisville, CO 80027-9795, Mr. Woellner included the following photograph in his report:





Quest Photograph

And yet in spite of his own photograph for the W. Lois Ct., Louisville CO project, in his report, Mr. Woellner stated:

*4.7 Identification of Contaminated Areas and Areas Sampled: QUEST generally inspected the exterior ground surface of the property and identified **no signs of waste piles, buried waste, burn pits, or chemical disposal on or around the exterior of the residence.***

Therefore, there is a low expectation that Mr. Woellner actually performed any inspection and there is no expectation Mr. Woellner would possess the necessary skill set to identify actual disposal or contamination (as addressed in detail later in this audit).

Crawl Space 1 (7 violations)

1. Nowhere in the report do we find a description of the integrity of the building floor
2. Nowhere in the report do we find a description of any signs of access
3. Nowhere in the report do we find a description of storage
4. Nowhere in the report do we find a description of venting
5. Nowhere in the report do we find a description of disposal
6. Nowhere in the report do we find a description of integrity of any vapor barriers



7. Nowhere in the report do we find a description of the soil of the crawl space

Crawl Space 2 (7 violations)

1. Nowhere in the report do we find a description of the integrity of the building floor
2. Nowhere in the report do we find a description of any signs of access
3. Nowhere in the report do we find a description of storage
4. Nowhere in the report do we find a description of venting
5. Nowhere in the report do we find a description of disposal
6. Nowhere in the report do we find a description of integrity of any vapor barriers
7. Nowhere in the report do we find a description of the soil of the crawl space

Failure to Comply with 4.4.2

During the performance of a Preliminary Assessment the Consultant is required to provide specific information including:

4.4.2 Conditions indicative of contamination

As already addressed above, the contractor, Mr. Woellner, has no documented training or specialized experience in illegal drug laboratories and has no training in the assessment of the same and has no documented training even in the regulations (since December 15, 2014 - the effective date of the "new" regulations - FACTs, Inc. has reviewed nine reports (including this report) by Mr. Woellner, and identified no fewer than 2,009 (two *thousand* and nine) -- regulatory violations in those nine reports). Therefore, there is no expectation Mr. Woellner would possess the necessary skill set needed to identify conditions indicative of contamination.

Violation of Section 4.7

During the performance of a Preliminary Assessment, the Consultant is required by regulations to make certain decisions and take specific default positions, including:

4.7 ... In the case of single-family dwellings, all rooms, attics, crawl spaces, and forced air ventilation systems of all buildings on the subject property **must be assumed to be contaminated above the cleanup standards of Section 7, unless sampling conducted in accordance with the clearance level sampling protocols of Section 6 demonstrates the absence of such contamination in a given room, attic, crawl space, or ventilation system.**

For this property, in violation of Section 4.7 (and Section 6.8.1), Mr. Woellner presumed the following without conducting sampling as required:



In accordance with the State regulation, based on QUEST's preliminary assessment and sampling, QUEST recommends that the entire residence except for the two crawl spaces be considered to be contaminated by meth.

As described later, Mr. Woellner failed to collect the required 400cm² sample from the lower crawlspace which was needed to clear that area.

Failure to Comply with Section 4.9

During the performance of a Preliminary Assessment, the Consultant is required by regulations to make certain decisions and take specific default positions, including:

4.9 Identification and documentation of signs of contamination such as staining, etching, or fire damage.

As already addressed, Mr. Woellner lacks any documented training in the assessment of illegal drug laboratories, and, not being an Industrial Hygienist, and having an established history of failing to recognize chemical storage areas, waste disposal areas, cooking areas, and/or use areas, there is no way Mr. Woellner would possess the necessary skill set to comply with this provision.

We see examples of his lack of knowledge in such matter in his past reports where, for example, Mr. Woellner rambled on about “orange rinds”¹⁵ being used for methamphetamine production (orange rinds are not used in methamphetamine production).

In the past, Mr. Woellner has entirely failed to observe profound iodine staining in a pseudoephedrine Red-Phosphorous production laboratory located at 690 S Lincoln Street in Denver, CO¹⁶ For the Lincoln Street property, there was extensive evidence of profound iodine contamination throughout the property, and yet Mr. Woellner entirely failed to observe the staining. (The photograph below shows the author of this review (Connell) in the basement of the Lincoln property pointing to heavy iodine contamination).

¹⁵ See for example: 1138 West 32nd Street, Unit 201, Denver, CO http://www.forensic-applications.com/meth/Addendum_2_Woellner_1138_32_St.pdf

¹⁶ 690 S. Lincoln Street, Denver, CO 80203: http://forensic-applications.com/meth/Woellner_Lincoln_Clearance_RA.pdf





FACTs Photograph Iodine Staining - S. Lincoln St., Denver, CO

Yet since Mr. Woellner has no documentable training in the assessment of illegal drug laboratories, Mr. Woellner failed to recognize the stains for what they represent.

In that report, Mr. Woellner used the same language used in this report:

QUEST aggressively inspected the subject residence and saw no visible iodine-stained areas; spray starch was not used.

While spray starch may be a necessary “testing” item for the character “Walter White” on the TV show “Breaking Bad,” or on the “CSI” TV program, spray starch has no utility in the legitimate assessment of illegal drug laboratories.

For this property, since Mr. Woellner lacks any known training in the assessment of illegal drug laboratories, he failed to recognize the following stained areas for what they represented:



Photographs by QUEST





Photograph by QUEST

Failure to Comply with Section 4.10

During the performance of a Preliminary Assessment, the Consultant is required by regulations to make certain decisions and take specific default positions, including:

4.10 Description of plumbing system, including identification and documentation of potential disposal into the sanitary sewer or an on-site wastewater treatment system (OWTS).

In his report, Mr. Woellner effectively states he was not going to comply with this requirement when he makes the following statement:

A detailed plumbing inspection is outside of QUEST's scope of work.

Since Mr. Woellner lacks any knowledge or training in illegal drug laboratories, Mr. Woellner makes the following statement:

However, a general inspection of the accessible plumbing features revealed the areas to be under normal conditions.

Then Mr. Woellner provides the following photograph –





QUEST Photograph

The photograph provided by Mr. Woellner clearly shows that the plumbing is very different than described in the report. Since, in violation of §4.14, there are no photographs of the site conditions showing the actual plumbing, one must assume that Mr. Woellner has merely employed his normal boiler plate language that is inserted into almost all his reports regardless of actual site conditions.

Violation of Paragraph 4.14

During the performance of a Preliminary Assessment the Consultant is required to perform specific activities including:

- 4.14 Photographic documentation of property conditions, including cooking areas, chemical storage areas, waste disposal areas, and areas of obvious contamination.

Mr. Woellner failed to comply with this requirement. Although there are multiple close-up photographs of sampling templates (which demonstrate sampling violations described later) there are few photographs of site conditions:

- There are is only one photograph of the upper crawlspace
- There are is only one photograph of the lower crawlspace
- There are no photographs distinguishing the two attics
- There are no photographs of the pertinent plumbing
- There are no photographs of the kitchen

Violation of Paragraph 4.15

During the performance of a Preliminary Assessment the Consultant is required to perform specific tasks as delineated in §4.15:

- 4.15 If assessment sampling is conducted, it shall be conducted in accordance with Section 6 of this Part 1.



As described in the sections addressing Section 6 of this audit, Mr. Woellner entirely failed to comply with the mandatory sampling requirements.

Violation of Paragraph 4.15.1 (5 Violations)

During the performance of a Preliminary Assessment the Consultant is required to perform specific tasks as delineated in §4.15.:

4.15 If assessment sampling is conducted, it shall be conducted in accordance with Section 6 of this Part 1. Documentation of assessment sampling shall include:

4.15.1 a description of the sampling procedures used, including sample collection, handling, and QA/QC;

Nowhere in the QUEST report does Mr. Woellner address the QA/QC provided by the laboratory. Mr. Woellner entirely failed to discuss the fact that his sampling equipment and his handling of his samples was inferior and that one of his blanks (Sample 24) was contaminated and contained more than twice the method detection limit of methamphetamine.

<i>Sample Label</i>	<i>Sample Area square centimeters</i>	<i>Methamphetamine</i>		<i>% Surrogate Recovery</i>
		<i>micrograms</i>	<i>ug/100 cm²</i>	
150721504-16	400	6.24	1.6	104
150721504-17	400	1.09	0.27	104
150721504-18	100	10.7	11	105
150721504-19	100	9.68	9.7	109
150721504-20	100	1.61	1.6	104
150721504-21	100	0.509	0.51	105
150721504-22	NA	< 0.030	---	95
150721504-23	400	> 300	> 75	76
150721504-24	NA	0.090	---	113
150721504-25	400	25.7	6.4	107
150721504-26	400	7.48	1.9	105

Laboratory Report in QUEST Report

In his report, Mr. Woellner failed to discuss his failure to comply with the regulations and include a blank as the last sample of the entire suite.

Since Mr. Woellner is not an Industrial Hygienist, there is no expectation that he would be capable of understanding the results from the laboratory report. The laboratory reported one of the samples as having a QA/QC spike recovery outside of acceptable limits:



Sample Label	Sample Area square centimeters	Methamphetamine		% Surrogate Recovery
		micrograms	ug/100 cm ²	
150721504-16	400	6.24	1.6	104
150721504-17	400	1.09	0.27	104
150721504-18	100	10.7	11	105
150721504-19	100	9.68	9.7	109
150721504-20	100	1.61	1.6	104
150721504-21	100	0.509	0.51	105
150721504-22	NA	< 0.030	---	95
150721504-23	400	> 300	> 75	76
150721504-24	NA	0.090	---	113
150721504-25	400	25.7	6.4	107
150721504-26	400	7.48	1.9	105

Excerpt from Laboratory Report in QUEST report

Since Mr. Woellner lacks any technical competency in Industrial Hygiene and such assessments, he did not know the significance of the result and failed to discuss the out-of-tolerance spike recovery.

Similarly for three of his samples, the laboratory reported QA/QC parameters were out of tolerance; since Mr. Woellner lacks any recognizable skills in this field, he failed to discuss the QA/QC parameters as required by regulations.

Sample Label	Sample Area square centimeters	Methamphetamine		% Surrogate Recovery
		micrograms	ug/100 cm ²	
150721504-01	400	2.59	0.65	109
150721504-02	100	42.8	43	112
150721504-03	100	60.6	61	126
150721504-04	100	42.3	42	113
150721504-05	100	6.87	6.9	98
150721504-06	400	22.8	5.7	103
150721504-07	400	6.69	1.7	103
150721504-08	400	40.1	10	117
150721504-09	400	35.5	8.9	115
150721504-10	400	2.68	0.67	105
150721504-11	NA	< 0.030	---	98
150721504-12	400	6.49	1.6	101
150721504-13	400	1.40	0.35	103
150721504-14	400	1.36	0.34	100
150721504-15	400	5.13	1.3	118

Excerpt from Laboratory Report in QUEST report



It would appear that Mr. Woellner knowingly made false statements regarding the data:

QUEST reviewed the laboratory report QA/QC parameters to verify the validity of the sample results.

Either Mr. Woellner did review the data and purposely hid the out of tolerance results, and Mr. Woellner knowingly made a false statement or, Mr. Woellner so lacks technical competence that he was unaware of his own results.

Violation of Paragraph 4.15.3 (20 Drawing Violations)

During the performance of a Preliminary Assessment the Consultant is required to provide specific information including:

4.15.3 results of sampling, including a description of sample locations and a computer generated figure illustrating the layout of the building(s) and sample locations and identification. ...

Mr. Woellner claims to have collected 68 aliquots during his “assessment:” however, 17 aliquots are missing from the drawings.

The drawings fail to show the layout of Attic Number 1

The drawings fail to show the layout of Attic Number 2

The drawings fail to show the layout of the lower crawlspace

Violation of Paragraph 4.17

According to the regulations, if Clearance Sampling is conducted during the Preliminary Assessment, it shall be conducted pursuant to Section 6 of Part 1 of the regulations.

4.17 If clearance sampling is conducted during the preliminary assessment, it shall be conducted in accordance with Section 6 of this Part 1.

As documented in the discussion on Section 6, below, the sampling was not conducted pursuant to Section 6.

Violation of Paragraph 4.17.1 (5 Violations)

According to the regulations, if Clearance Sampling is conducted during the Preliminary Assessment, it shall contain specific information:

4.17 If clearance sampling is conducted during the preliminary assessment, it shall be conducted in accordance with Section 6 of this Part 1. Documentation of clearance sampling shall include:

4.17.1 A description of the sampling procedures used, including sample collection, handling, and QA/QC.



As already addressed under a separate rubric, there is no discussion regarding the QA/QC of the sample suite and the terms QA/QC or quality control are not even mentioned in the report.

Violation of Paragraph 4.17.3 (5 Violations)

According to the regulations, if Clearance Sampling is conducted during the Preliminary Assessment, it shall contain specific information:

4.17 If clearance sampling is conducted during the preliminary assessment, it shall be conducted in accordance with Section 6 of this Part 1. Documentation of clearance sampling shall include:

4.17.3 Results of clearance sampling, including a description of sample locations and a computer generated figure with sample locations and identification, and a copy of each laboratory report of sample results.

During his “assessment,” Mr. Woellner attempted to perform clearance sampling. In his report, he alludes to his clearance sampling in different places:

QUEST has been retained by you to conduct a preliminary assessment for meth and to either provide a scope of work for any required remediation activities or conduct clearance level sampling.

...

The purpose of the sampling was to direct the recommended scope of work, but those areas that meet the final clearance criteria will likely not need to be resampled.

In fact, all of the reported sampling is clearance sampling since a legitimate Industrial Hygienist, trained in the assessment of illegal drug laboratories would not have wasted the financial resources of the client by collecting 68 samples. Contrary to knowingly false assertions made by Ms. Brisnehan (CDPHE) to law enforcement personnel,¹⁷ the sampling performed at the property was not required, and was merely a waste of financial resources. Therefore, the only explicable reason to have collected the samples would have been the (incompetent) attempt to clear portions of the property.

As already discussed under another rubric, Mr. Woellner claims to have collected 68 aliquots during his “assessment” however, 17 aliquots are missing from the drawings.

Violation of Paragraph 4.17.4

According to the regulations, if Clearance Sampling is conducted during the Preliminary Assessment, it shall contain specific information:

¹⁷ See email regarding Citizen Request #4967, Tuesday, September 4, 2012 4:00 PM, Sgt. Harrell, Vice and Narcotics, Colorado Springs Police Department, 705 S Nevada Avenue, Colorado Springs, CO 80903



4.17 If clearance sampling is conducted during the preliminary assessment, it shall be conducted in accordance with Section 6 of this Part 1. Documentation of clearance sampling shall include:

4.17.4 Documentation of variations from standard practices.

In violation of §4.17.4 Mr. Woellner failed to document the 385 variations from standard practices as delineated in this audit. In violation of Colorado Revised Statute §18-5-114 (*Offering a false instrument for recording*), Mr. Woellner falsely and knowingly made the following statement:

4.17 Documentation of Variations from Standard Practices: QUEST did not vary from standard practices while conducting this preliminary assessment.

This is normal verbiage from Mr. Woellner even for properties wherein he was then forced to apply to the CDPHE and obtain variances for his incompetent work.¹⁸ In fact, including this audit, FACTs has identified 2,009 regulatory violations by Mr. Woellner and the same false “certification” appears in all his reports.

Violation of Paragraph 4.17.5 (2 Violations)

According to the regulations, if Clearance Sampling is conducted during the Preliminary Assessment, it shall contain specific information:

4.17 If clearance sampling is conducted during the preliminary assessment, it shall be conducted in accordance with Section 6 of this Part 1. Documentation of clearance sampling shall include:

4.17.5 A certification statement, signed by the Consultant, in substantially the following form: “I hereby certify that I conducted clearance sampling of the subject property in accordance with 6 CCR 1014-3, Part 1, § 6. I further certify that the cleanup standards established by 6 CCR 1014-3, Part 1, § 7 [**choose one:** have/have not] been met as evidenced by testing I conducted.”

Although Mr. Woellner conducted clearance assessment sampling at the property, and used those samples to “clear” the crawlspaces and one of the attics, nowhere in the report do we find the mandatory language.

Instead, we find the false statement:

I hereby certify that I conducted a preliminary assessment of the subject property in accordance with 6 CCR 1014-3, Part 1, § 4.

As documented in this audit, very demonstrably, Mr. Woellner did not conduct a preliminary assessment of the subject property in accordance with 6 CCR 1014-3, Part 1, §4.

¹⁸ 8347 S Reed Street, Unit 2, Littleton CO 80128 (121 regulatory violations): http://www.forensic-applications.com/meth/Addendum_6_Woellner_Reed2_Redacted.pdf



Violation of Section 6

According to the regulations:

4.3.1 ...If preliminary assessment sampling is conducted, include the results of sampling in accordance with Section 6 of this Part 1.

And

4.7 ...In the case of single-family dwellings, all rooms, attics, crawl spaces, and forced air ventilation systems of all buildings on the subject property must be assumed to be contaminated above the cleanup standards of Section 7, unless sampling conducted in accordance with the clearance level sampling protocols of Section 6 demonstrates the absence of such contamination in a given room, attic, crawl space, or ventilation system. ... If the Consultant determines that assessment sampling is appropriate, such sample collection and analysis shall be conducted in accordance with the assessment level sampling protocols and other requirements of Section 6 of this Part 1.

And

4.15 If assessment sampling is conducted, it shall be conducted in accordance with Section 6 of this Part 1.

And

4.17 If clearance sampling is conducted during the preliminary assessment, it shall be conducted in accordance with Section 6 of this Part 1.

Therefore, it would be very difficult for a legitimate consultant to not know that if sampling is conducted it must be conducted pursuant to the provisions of Section 6. Yet as described below, Mr. Woellner followed virtually no aspect of Section 6 during sampling.

Violation of Section 6.1.3

During the performance of a Preliminary Assessment and/or Clearance Sampling, the Consultant is required to perform specific tasks pursuant to specific protocols.

6.1.3 The following sample collection procedures shall be followed for screening level sampling, preliminary assessment sampling and clearance sampling, except as provided in Section 6.8.2 of this Part 1.

Violation of Section 6.1.3.3

During the performance of a Preliminary Assessment and/or Clearance Sampling, the Consultant is required to perform specific tasks pursuant to specific protocols.

6.1.3.3 Wipe sampling shall be used to determine the extent of iodine contamination whenever there is visible evidence of iodine staining on surfaces that will not be removed.



In his report, Mr. Woellner states:

A search warrant was obtained, and chemicals for the manufacture of amphetamine and methamphetamine by the Pseudoephedrine/Red "P"/Hydriodic Acid and/or Iodine Reduction process were identified in the garage of the subject residence and were seized, as were 48 pills of Pseudoephedrine.

In spite of the information provided to him, and in spite of the photographic evidence in his own photos, Mr. Woellner failed to otherwise address the iodine issue in his report.

Violation of Section 6.2 (71 violations)

During the performance of a Preliminary Assessment and/or Clearance Sampling, the Consultant is required to perform specific tasks pursuant to specific protocols.

6.2 Discrete Wipe Sample Collection Procedures. The following procedure shall be used for collecting discrete wipe samples:

6.2.1 Sample media shall consist of 2x2 inch wipes made of one of the following:

6.2.1.1 Cotton gauze material.

6.2.1.2 4-ply non-woven cotton/polyester blend.

6.2.1.3 Tightly knitted continuous filament polyester.

Since, in violation of §4.15.1, Mr. Woellner has not provided the mandatory information, there is nothing to indicate that he used the required sampling materials. Since there were 68 aliquots and three blanks reported, there are 71 violations.

Violation of Section 6.2.2 (31 Violations Failure to Delineate 100cm²)

During the performance of a Preliminary Assessment, the Consultant is required by regulations to follow specific sampling protocols including:

6.2.2 Delineate a 100 cm² area on the surface to be sampled, either by attaching a physical template to the surface (being careful not to touch the area within the template), or by an equivalently reliable and accurate method. **The area within the template (i.e., the sample area) shall be 100 cm².**

In several photographs provided in the report, Mr. Woellner documents that he failed to delineate areas that were 100 cm². In several locations, although Mr. Woellner merely placed a 100 cm² template over an item, in several samples, the area contains empty space and in some cases, the template area contains other items.

In fact, Mr. Woellner actually objectively documented he knowingly failed to comply with the regulation:

It should be noted that several of the sampling locations (e.g., the exhaust fans) did not have flat surfaces of 100cm², so the industrial hygienist made every effort to sample exactly 100cm² in area by such means as sampling the tops and bottoms of diffuser slats, fan blades, etc.



The statement by Mr. Woellner underscores his lack of understanding of sampling – historically (and as will be seen on this project), Mr. Woellner so badly understands sampling that he merely holds or attaches a 100cm² template to a surface and then falsely believes the act constitutes a 100cm² sample. However, a legitimate Industrial Hygienist understands that if one does not have a flat surface, one merely measures the surface area and samples 100cm².

As comical as it may seem, the following photograph is not a joke – this is an actual photograph taken by Mr. Woellner representing one of his samples; the technical incompetence displayed in the following photograph simply cannot be overstated.



QUEST Photograph

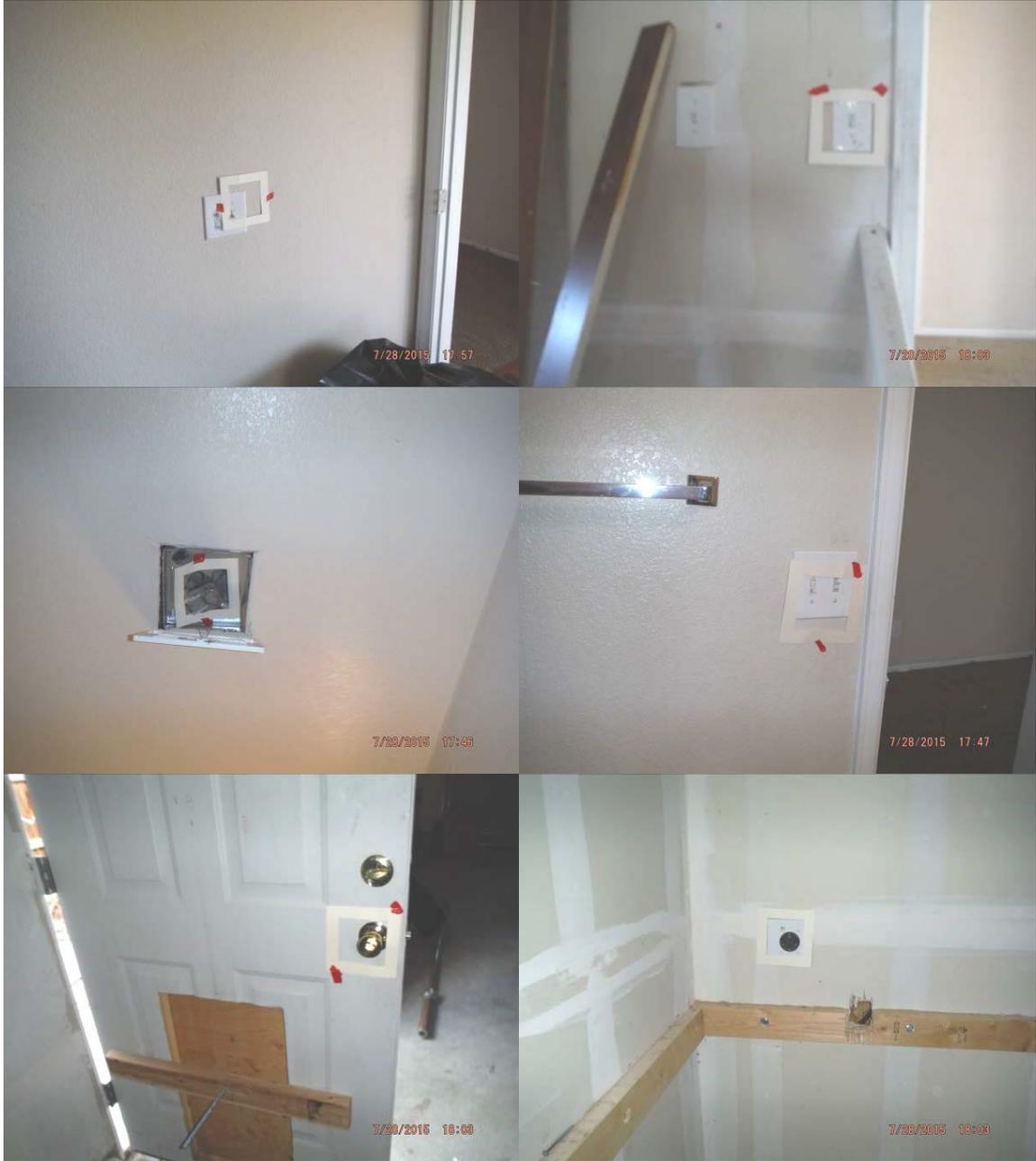
Each of the following photographs was taken by Mr. Woellner at this subject property wherein Mr. Woellner documented that he failed to delineate 100 cm² in violation of §6.2.2 and as can be clearly seen, the area within the template is objectively not 100cm² as required:





QUEST Photographs





QUEST Photographs





QUEST Photographs





QUEST Photographs

Violation of Paragraph 6.2.3 (17 Violations)

According to State regulations, during the performance of the assessment, the consultant is required to attain specific documentation, including:

6.2.3 Prepare a rough sketch of the area(s) to be sampled and indicate sample location(s).

To the extent that 17 locations are missing from the drawings, there are 17 violations.

Violation of Paragraph 6.2.5

According to State regulations, during the performance of the assessment, the consultant is required to perform specific tasks according to specific protocols, including:

6.2.5 Use a new set of clean, non-powdered impervious gloves for each sample to avoid contamination of the sample media by previous samples and to prevent contact with the substance.

Although it is difficult to know how many violations there may be with regard to this provision, the photographs provided in the report indicate that gloves were not necessarily used. As already discussed, since in violation of the regulations, Mr. Woellner failed to don appropriate personal protection equipment, this may well explain why Mr. Woellner's sampling materials became contaminated – (an issue, Mr. Woellner failed to address in his report).





QUEST Photographs

Violation of Paragraph 6.2.7, 6.2.9, 6.2.10 (68 Violations)

According to State regulations, the Consultant is required to collect samples pursuant to a specific protocol:

6.2.7 Wipe the surface using one of the following methods:

6.2.7.1 Square method: Start at the outside edge and progress toward the center of the surface area by wiping in concentric squares of decreasing size.

6.2.7.2 “S” method: Wipe horizontally from side-to-side in an overlapping “S”-like pattern as necessary to completely cover the entire wipe area.

6.2.8 Without allowing the sample media to come into contact with any other surface, fold the sample media with the sampled side in.

6.2.9 Use the same sample media to repeat the sampling of the same area using the same method. If using the “S” method, the second pass shall be sampled by wiping with overlapping “S”-like motions in a top-to-bottom direction.

6.2.10 Fold sampled side in. Using the same sample media, sample the same area a third time. The third pass shall be sampled by wiping using the method not previously used (i.e., use the square method if the “S” method was originally used).

To our knowledge, Mr. Woellner has never used the mandatory sampling method. There is nothing in his report that would indicate that he used the mandatory method and several of his photographs document the fact that he did not use the mandatory method. For example in several of the above photographs, it would have been a physical impossibility for Mr. Woellner to have used the mandated method and collect 100 cm². Therefore, since Mr. Woellner has never in the past used the mandated method, it is not likely that he would have used the mandated method for some of his samples on this project but not for other samples.

Since there were 68 reported aliquots, there are 68 violations.



Violation of Paragraph 6.2.12.1

According to State regulations, the Consultant is required to collect samples pursuant to a specific protocol:

6.2.12 Submit at least one field blank, prepared and handled in the same fashion but without wiping, for every 10 samples collected, according to the following:

6.2.12.1 To collect a field blank, remove a wipe from the wrapper with a new glove, shake the wipe open, refold in the same manner as during the sampling procedure, and then insert the wipe into the sample container.

Since, in violation of §4.15.1, Mr. Woellner failed to provide the description of his sampling and handling procedures as required, there is no documentation that Mr. Woellner complied with this provision – considering the fact that he demonstrably failed to comply with other provisions of the QA/QC blank protocols, there is no expectation that Mr. Woellner did comply with these provisions.

Violation of Paragraph 6.2.12.3

According to State regulations, the Consultant is required to collect samples pursuant to a specific protocol:

6.2.12.3 For projects with fewer than 10 samples collected, the last sample collected shall be the field blank.

For this project the last sample was not a blank as required.

Violation of Paragraph 6.2.12.4

According to State regulations, the Consultant is required to collect samples pursuant to a specific protocol:

6.2.12.4 For projects with greater than 10 samples collected, sample 11 shall be a field blank, every 10th subsequent sample shall be a field blank, ...

For this project, since the 11th sample was a blank, the 21st sample was required to be a blank. The 21st sample was not a blank.

Violation of Paragraph 6.2.12.4

According to State regulations, the Consultant is required to collect samples pursuant to a specific protocol:

6.2.12.4 ...and the last sample of any sample group with fewer than 10 samples shall be a field blank.

For this sample group, the last sample was not a blank as required.

Violation of Paragraph 6.2.12.4 (3 Violations)

According to State regulations, the Consultant is required to collect samples pursuant to a specific protocol:



6.2.12.5 Field blanks shall be representative of the majority of samples collected for every sample group (i.e., discrete or composite).

Since, in violation of §4.15.1, Mr. Woellner failed to provide the description of his sampling and handling procedures as required, there is no documentation that Mr. Woellner complied with this provision. Although the majority of his samples were composites, it would appear that Mr. Woellner merely provided single media pieces as field blanks.

Violation of Paragraph 6.2.14

According to mandatory State regulations, during the performance of the work the Consultant is required to provide specific information in the report including:

6.2.14 Maintain a Chain-of-Custody Record covering the time of sample collection through final disposition. ... At a minimum, the Chain-of-Custody Record shall include the following:

Violation of Paragraph 6.2.14.5 (15 violations)

6.2.14.5 sample area;

We know that 100 cm² was not collected for several sample aliquots as discussed above. Therefore, the sample areas Mr. Woellner provided to the laboratory were not correct, and Mr. Woellner failed to provide the laboratory with the actual sample areas for at least 19 aliquots representing the following Sample sets:

Sample set 01	Sample set 04	Sample set 05
Sample set 06	Sample set 08	Sample set 09
Sample set 10	Sample set 12	Sample set 13
Sample set 15	Sample set 17	Sample set 20
Sample set 21	Sample set 25	Sample set 26

Violation of Paragraph 6.2.14.6 (26 violations)

6.2.14.6 number of sample aliquots

This information is missing from Mr. Woellner's chain of custody for 26 samples.

Violation of Paragraph 6.2.14.7 (26 violations)

6.2.14.7 number of containers for each sample;

This information is missing from Mr. Woellner's chain of custody for 26 samples.

Violation of Paragraph 6.2.14.9 (6 violations)

6.2.14.9 sample matrix

This information is missing from Mr. Woellner's chain of custody for 26 samples (the term "matrix" on the chain of custody has a different definition of "matrix" as used in the regulations).



Violation of Paragraph 6.2.14.11

6.2.14.11 sample preservatives

This information is missing from Mr. Woellner's chain of custody.

Violation of Paragraph 6.3.6 (31 violations)

According to mandatory State regulations, during the performance of the work the Consultant is required to perform specific tasks including:

6.3 Composite Wipe Sample Collection Procedures. When collecting composite samples, use the procedure outlined in Section 6.2 above for discrete samples for the collection of each aliquot comprising the composite sample, with the following exceptions:

6.3.6 Collect all individual aliquots from 100 cm² sampling areas.

As documented in the photographs provided earlier in this discussion, Mr. Woellner failed to collect 100cm² for at least 31 aliquots.

Colorado Criminal Code CRS 18-5-113. Criminal impersonation

Mr. Woellner has repeatedly held himself out to be an Industrial Hygienist, while simultaneously claiming that he is not an Industrial Hygienist. As documented in this review (and in other historical documents referenced in this review) there is nothing in the present documentation that would indicate that Mr. Woellner is, in fact, an Industrial Hygienist meeting the State definition.

The incompetence demonstrated in the QUEST report should be sufficient to demonstrate that Mr. Woellner is not an Industrial Hygienist and is not competent to perform the work at hand and may be falsely representing himself as an Industrial Hygienist (interim authorization notwithstanding).

Colorado Case law defines criminal impersonation as knowingly assuming a false or fictitious identity or capacity, and in that identity or capacity, doing any act with intent to unlawfully gain a benefit or injure or defraud another (*People v. Brown*, 193 Colo. 120, 562 P.2d 754 (1977); *People v. Borrego*, 738 P.2d 59 (Colo. App. 1987)). To falsely impersonate means to pretend to be a particular person without lawful authority (*People v. Horkans*, 109 Colo. 177, 123 P.2d 824 (1942); and to perform an act in assumed character for benefit. It is an offense under the code to falsely impersonate another, and in such assumed character to do any act whereby any benefit might accrue to the offender or to another person. (*People v. Horkans*, 109 Colo. 177, 123 P.2d 824 (1942)). Venue is not an element of the crime of criminal impersonation (*People v. Perez*, 129 P.3d 1090 (Colo. App. 2005)). Although the code does not require two overt acts to be committed, (rather the code requires assuming a false identity and doing an act with the intent to gain a benefit (*People v. Johnson*, 30 P.3d 718 (Colo. App. 2000)), Mr. Woellner has repeatedly performed these acts. The requisite intent to gain a benefit may be inferred from the accused's knowing use of a false identity and the acknowledged intent to secure



some advantage from the impersonation (*People v. Borrego*, 738 P.2d 59 (Colo. App. 1987)). The common meaning of "assumes a false or fictitious identity" is not to hold oneself out as someone that he or she is not; it requires the assumption of the identity of another person, whether that other person is real or fictitious (*People v. Jones*, 841 P.2d 372 (Colo. App. 1992)). For example, an attorney with a suspended license who continues to practice law is guilty of criminal impersonation for practicing law. The courts have held that "continuing to represent himself as an attorney and performing legal work when he was aware that he had no valid license to do so amounts to the assumption of a false or fictitious capacity for purposes of the criminal impersonation statute." (*People v. Bauer*, 80 P.3d 896 (Colo. App. 2003)).

Colorado Criminal Code – Fraud; Offering a false instrument for recording

One of two mental states necessarily must have been present in the performance of the QUEST work at the subject property: 1) Either Mr. Woellner knew that the work he was performing was grossly incompetent and not in compliance with State Regulations (as demonstrated above) or, 2) Mr. Woellner was unaware of the fact that his work was deviating from mandatory State requirements.

However, since Mr. Woellner has specifically referenced 6 CCR 1014-3 and is explicitly recognized by Ms. Brisnehan with CDPHE (who is identified as sitting on the Board of Directors of CAMMP,¹⁹ to which Mr. Woellner has claimed membership) as being proficient in such assessments. Since, to date, FACTs has identified 2,009 regulatory violations associated with Mr. Woellner's work, one must conclude that Mr. Woellner knowingly and willingly performed work that so grossly deviated from mandatory State requirements.

According to Colorado Revised Statute §18-5-114 (*Offering a false instrument for recording*), a person commits a class 5 felony when offering a false instrument for recording in the first degree if, knowing that a written instrument relating to or affecting real or personal property or directly affecting contractual relationships contains a material false statement or material false information, and with intent to defraud, he presents or offers it to a public office or a public employee, with the knowledge or belief that it will be registered, filed, or recorded or become a part of the records of that public office or public employee.

Pursuant to State statute, and state regulations, the "Preliminary Assessment" must be filed with the State of Colorado (indeed the report we reviewed was obtained from the State of Colorado through the Colorado Open Records Act) Therefore, we believe the facts objectively establish that Mr. Woellner was aware of such recording and was aware of the false statements made therein.

¹⁹ Colorado Association of Meth and Mold Professions appears to be a group of pseudoprofessionals who otherwise have no apparent expertise in either methamphetamine or mold related issues.



Colorado Consumer Protection Act

In Colorado, consumers are protected against deceptive trade practices as delineated in the Colorado Consumer Protection Act, CRS Title 6, Article 1. According to those statutes, a person engages in a deceptive trade practice when, in the course of such person's business or occupation, that person knowingly makes a false representation as to the certification of their services, and/or knowingly makes a false representation as to the characteristics of their services and/or represents their services are of a particular standard, quality, or grade if he knows or should know that they are not as specified.

According to the *Colorado Department Of Regulatory Agencies, Office Of Policy And Research, Industrial Hygienists, And Safety Professionals 2001 Sunrise Review* (October 15, 2001) Mr. M. Michael Cooke, Executive Director stated:

Another avenue of redress is the Colorado Consumer Protection Act. This law prohibits individuals from misrepresenting their certification, abilities, and associations, and making false or misleading statements concerning the price of goods, services, or property. In addition, §6-1-707(1)(a)(I), C.R.S., prohibits an individual from claiming "either orally or in writing, to possess either an academic degree or an honorary degree of the title associated with said degree, unless the person has, in fact, been awarded said degree." While this Act does not prevent individuals from performing industrial hygiene work, it does prohibit individuals from claiming that they have education or background that they do not possess. An individual who misrepresents his or her qualifications may be in violation of this Act. 18 C.R.S. § 6-1-105(1)(b), (c), (e) and (l), C.R.S.

The State regulations were revised in 2014 to counter the serious problem created by fraudulent and incompetent consultants who were falsely claiming to be "Industrial Hygienists" and who were performing invalid assessments under the false presentation of being an "Industrial Hygienist."

Forensic Applications Consulting Technologies, Inc. (the author of this review), helped the State Legislature write the statutory language that eventually became codified and required the Colorado Department of Public Health and Environment (CDPHE) to revise the regulations. Unfortunately, the task for the revision was given to the CDPHE regulator who, in violation of Colorado's criminal statutes, had helped create the problem associated with fraudulent consultants performing assessments of methamphetamine affected properties.

The regulations required the CDPHE to restrict Interim Authorization (for the period of time between December 15, 2014 and June 15, 2015) for performing assessments under the regulations exclusively to those consultants who were A) *bona fide* Industrial Hygienists, and B) had an history of performing valid assessments under the old regulations, which had been in effect since 2005. Instead, Ms. Brisnehan with the CDPHE gave *carte blanc* Interim Authorization to anyone who applied, including the fraudulent consultants who had created the serious problems in the first place.

Although Ms. Brisnehan granted her fellow CAMMP member automatic State Interim Authorization, Mr. Woellner has, in the recent past, denied that he is an Industrial Hygienist and has never been able to provide any documentation indicating that he has



received any training in illegal drug laboratories or their assessment. As such, there is no expectations that the consultant would possess the necessary skills or knowledge to fulfill the regulatory requirements.

Finally, the consultant in question has never documented any training or experience that would permit him to identify himself as an Industrial Hygienist pursuant to State statutes CRS Statute §24-30-1402. In fact, until just very recently Mr. Woellner has never identified himself as an Industrial Hygienist and never claimed to be an Industrial Hygienist. In the past, Mr. Woellner has made several claims regarding his credentials and experience²⁰ that upon scrutiny, have been found to be unsupported.

CONCLUSION

For this regulatory audit, FACTs has identified no fewer than 385 regulatory violations committed by Mr. Woellner in his Preliminary Assessment for the property located at 8172 East 132nd Avenue in Thornton, CO.

²⁰ See for example, the FACTs regulatory audit for 11767 Grant Street, Northglenn, Colorado 80233



Appendix A

Reviewer's Statement of Qualifications





Forensic Applications Consulting Technologies, Inc. Consultant Statement of Qualifications

FACTs project name:	General Distribution	Form # ML15
December 10, 2015		

Caoimhín P. Connell, has been involved in clandestine drug lab investigations and assessments since 2002 and meets the Colorado Revised Statute §24-30-1402 definition of an "Industrial Hygienist." He has been a practicing Industrial Hygienist since 1987. Mr. Connell is a recognized authority in drug-lab operations and is a Certified Instructor in Meth-Lab Safety through the Colorado Regional Community Policing Institute, CRCPI (Colorado Division of Criminal Justice) and was the lead instructor for the CRCPI through the Colorado Division of Criminal Justice, providing over 260 hours of methlab training for over 45 Colorado Law Enforcement Agencies, federal agents, probation and parole officers throughout Colorado judicial districts. He has provided meth-lab lectures to the US Interagency Board, US Air Force, the National Safety Council, and the American Industrial Hygiene Association (of which he is a member and served on the Clandestine Drug Lab Work Group and for whom he conducted the May, 2010, Clandestine Drug Lab Course, and is a coauthor of the AIHA methlab assessment publication.)

Mr. Connell is a member of the American Conference of Governmental Industrial Hygienists, the Occupational Hygiene Society of Ireland, the Colorado Drug Investigators Association, an appointed Member of the National Fire Protection Association, and the ASTM International Forensic Sciences Committee, (where he was the sole sponsor of the draft ASTM E50 *Standard for the Assessment of Suspected Clandestine Drug Laboratories*).

From 2009, Mr. Connell served as the Industrial Hygiene Subject Matter Expert on the Federally funded Interagency Board (Health, Medical, and Responder Safety SubGroup), and was elected full member of the IAB-HMRS in 2011 where he now serves. He is the only private consulting Industrial Hygienist in Colorado 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 has received over 194 hours of highly specialized law-enforcement sensitive training in drug lab operation, and under supervision of the US DEA, he has manufactured methamphetamine using a variety of street methods. He has received highly specialized drug lab assessment training through the Iowa National Guard, Midwest Counterdrug Training Center and the Florida National Guard Multijurisdictional Counterdrug Task Force, St. Petersburg College, Rocky Mountain HIDTA, as well as through the US NHTSA, and the U.S. Bureau of Justice Assistance (US Dept. of Justice) and he is currently ARIDE Certified.

Mr. Connell is a current sworn law enforcement officer 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 611 assessments of illegal drug labs in CO, SD, NE, OK, and collected over 5,527 samples during assessments (a partial 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, and was an original team member on two of the legislative working-groups which wrote the original regulations for the State of Colorado and he was the primary author of Appendix A (*Sampling Methods And Procedures*) and Attachment to Appendix A (*Sampling Methods and Procedures Sampling Theory*) of the original Colorado regulations. Mr. Connell strongly objected to the unscientific, unfounded and inappropriate amendments now found in regulation.

Recommended by the US NIOSH as Peer Review Expert for the NIOSH 9109 Method, *Methamphetamine*, he has been admitted as a drug lab expert in Colorado, and an Industrial Hygiene Expert in Colorado in both civil and criminal courts as well as Federal Court in Pennsylvania. He has provided expert testimony in several criminal cases including Grand Jury testimony and testimony for US Bureau ATF and he 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 Investigators, and Federal Investigators, and provided testimony regarding criminal activities of staff members at the Colorado Department of Public Health Environment.



Multijurisdictional Counterdrug Task Force Training

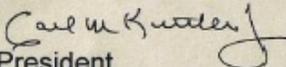


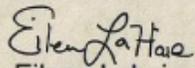
This is to certify that
Caoimhin P. Connell

Has satisfactorily completed the following 24 hour MCTFT training course held at
DIVIDE, CO

Rural Patrol

Training held 9/27/2004 through 9/29/2004


President
St. Petersburg College


Eileen Lahaie
MCTFT Director

A partnership between The Florida National Guard and St. Petersburg College

Midwest Counterdrug Training Center



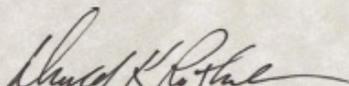
Certificate of Training

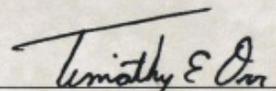
This certifies that

Caoimhin Connell

Has successfully completed the
Clandestine Laboratory Certification

Cheyenne, WY
40 Training Hours
2-6 August 2004


Network Environmental Systems, Inc.


LTC Timothy E. Orr
Commandant



Center *for* Task Force Training™

THIS IS TO CERTIFY THAT

Caoimhin P. Connell

HAS SUCCESSFULLY COMPLETED 20 HOURS OF TRAINING IN

METHAMPHETAMINE INVESTIGATION MANAGEMENT

MARCH 20-22, 2006

DENVER, COLORADO

Domingo S. Herraiz
Director, Bureau of Justice Assistance

Training coordinated by the
Institute for Intergovernmental
Research® on behalf of BJA



State and Local Anti-Terrorism Training

THIS IS TO CERTIFY THAT

Caoimhin P. Connell

HAS SUCCESSFULLY COMPLETED AN 8-HOUR
STATE AND LOCAL ANTI-TERRORISM TRAINING PROGRAM
NARCOTICS TASK FORCE ANTI-TERRORISM BRIEFING

June 1, 2006

Denver, Colorado

Domingo S. Herraiz
Director, Bureau of Justice Assistance



Training coordinated on behalf of BJA
by the Institute for Intergovernmental Research

*Rocky Mountain
High Intensity Drug Trafficking
Area*



Certifies that



Caoimhín Connell

has attended

4 hours of

Hash Oil Extraction: The Scene and The Patient

Aurora, CO

July 25, 2014

Training Manager, Rocky Mountain HIDTA

Director, Rocky Mountain HIDTA



www.nesglobal.net

Certificate of Completion

Caoimhin Connell

has successfully completed training in

Advanced Clan Labs: Beyond the Basics

presented by

NES, Inc.

1141 Sibley Street Folsom, CA 95630

Instructor - Brian Escamilla

04/28/14 04/30/14

Date

Contact Hours:24

This certifies that

Caoimhin P Connell

Has met the requirements for the online course

Expert Testimony Training for the Prosecutor and Scientist



11-07-2012

Certificate Number: 1109778763

For more information please visit <http://www.rti.org/forensiced>



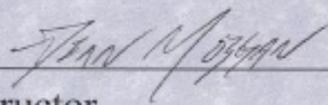
Park County Sheriff's Office Certificate of Completion

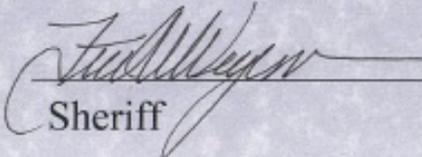
Caoimhin Connell

has completed an 8 hour course in:

Crime-scene Approach and Evidence Collection

Completed this 29th day of April, 2009


Instructor


Sheriff

***Rocky Mountain
High Intensity Drug Trafficking
Area***



Certifies that



Caoimhín P. Connell

*has attended
2 hours of
Hash Oil Explosions
Woodland Park, CO
May 31, 2014*

Training Manager, Rocky Mountain HIDTA

Director, Rocky Mountain HIDTA

Certificate of Completion

This Will Certify That

Caoimhín P. Connell

Successfully Completed

Prescription Drug Crimes

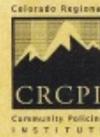
7 Hours Completed

At: CO Law Enforcement Officers Assn. On: September 30, 2010
Greeley, Colorado

P. Ritch Wagner
Instructor



Director, Law Enforcement Liaison & Education



Certificate of Training

This is to certify that
Caoimhin Connell

(Name)

Park County Sheriff's Office

(Agency)

If the bearer of this document possesses a 40 Hour certificate pursuant to 29 CFR §1910.120, this certifies the above named has met the refresher training requirements of 29 CFR §1910.120(e)(8) and is hereby **RECERTIFIED** in Clandestine Laboratory Safety / HazWoper

Sponsored by
Rocky Mountain High Intensity Drug Trafficking Area
Colorado Regional Community Policing Institute

Caoimhin P. Connell 4/12/10
Caoimhin P. Connell, Instructor/Date
Glean HARDEY



Colorado Law Enforcement Officers' Association



This is to certify that

CAOIMHIN CONNELL

Completed **ARIDE (Advanced Roadside Impaired Driving Enforcement)**

hosted by **Loveland Police Department**

on **February 28 – March 1, 2011**

Tom Finelle
Tom Finelle, CLEOA President

M. A. [Signature]
ARIDE Instructor

State of Colorado



THE BOARD ON PEACE OFFICER STANDARDS AND TRAINING
HEREBY AWARDS THIS CERTIFICATE
AS INSPECTOR OF VEHICLE IDENTIFICATION NUMBERS
TO

CAOIMHIN PADRAIG CONNELL

August 27, 2008

Date

VIN INSP— **0952**

Number

For fulfilling the prescribed requirements as an Inspector of Vehicle Identification Numbers and as a peace officer in Colorado, pursuant to Title 42, Article 5, Section 206 Colorado Revised Statutes.

Bill Ritter Jr.

Governor

John W. Suthers

Attorney General, Board Chairperson

Certificate of Completion Intoxilyzer 9000 Operator Certification Course

*The Evidential Breath Alcohol Testing Program of the
Colorado Department of Public Health and Environment certifies that*

Caoimhin P Connell

User ID: **841645**

*has successfully completed the "Intoxilyzer 9000 Operator Certification Course"
to determine the alcohol concentration in breath specimens pursuant to the
State Board of Health Rules Pertaining to Testing for Alcohol and Other Drugs (5 CCR, 1005-2)
Training was provided by the Evidential Breath Alcohol Testing Program
of the Colorado Department of Public Health and Environment.*

February 21, 2013

Certificate Date

Jeffrey A. Groff

Jeffrey A. Groff, Program Manager
Evidential Breath Alcohol Testing Program



David A. Butcher

David A. Butcher, Director
Laboratory Services Division
Colorado Department of Public Health
and Environment

Certification expires 180 days from certificate date. Recertification must be per 5 CCR 1005-2.



Certificate of Achievement

awarded to:

Caoimhin P. Connell

Has successfully completed Methamphetamine Lab Cleanup Management and Supervision training in accordance with 29 CFR 1910.120 and State Regulations Pertaining to the Cleanup of Methamphetamine Laboratories (8Hrs.)

June 1st, 2005

Date

Signed

HAZMAT Plans & Programs, Inc. 30 S. Havana St. Suite 304F Aurora, Colorado 80012 (303) 360-9801
"Safety Plans, Programs and Training Tailored To The Needs Of Your Business"

CERTIFICATE OF COMPLETION

COLORADO LAW ENFORCEMENT ASSOCIATIONS TRAINING PROJECT

This Certifies That

Caoimhin Connell

Has Attended the

CLEAT 40-HOUR

Train the Trainer Course

Hosted by Breckenridge Police Department
August 14-18, 2006

Karen M. Renshaw, CAE
Executive Director
Colorado Association of Chiefs of Police



John L. Kammerzell
Executive Director
Police Officer Standard & Training



Donald E. Christensen
Executive Director
County Sheriffs of Colorado



COLORADO AUTO THEFT INVESTIGATORS



SINCE 1973

This is to certify that

Caoimlin P. Connell

Has completed a 24 hour training program in Vehicle Identification Number
Inspection

Presented this 24th day of May, 2008

CATI President

VIN Inspector Training Coordinator

State of Colorado



THE BOARD ON PEACE OFFICER STANDARDS AND TRAINING
AWARDS THIS CERTIFICATE
TO

CAOIMHIN PADRAIG CONNELL

May 6, 2004

Date

B- 10670

Number

For fulfilling the prescribed requirements for certification. This certificate expires three years from date of issuance unless the certificate holder meets the requirements for continued certification as established by law and the P.O.S.T. Board.

Governor

Attorney General, Board Chairperson

**Rocky Mountain
High Intensity Drug Trafficking
Area**



Certifies that



Caoimhín Connell

has attended

16 hours of

MCTC / RMHIDTA Indoor Marijuana Grows

Centennial, CO

August 28-29, 2014

Training Manager, Rocky Mountain HIDTA

Director, Rocky Mountain HIDTA

CERTIFICATE OF TRAINING

THIS IS TO CERTIFY THAT

Caoimhín Connell

Has completed 4 hours of successful training for
The Hazards of Hash Oil Extraction

Held at IRIS Fire Investigations in Englewood, CO

on this 7th day of November, 2014

Robert K. Toth
IRIS Fire Investigations, President



COLORADO
Department of Public
Health & Environment

Dedicated to protecting and improving the health and environment of the people of Colorado

December 30, 2014

Caoimhin Connell
Forensic Applications Consulting Technologies Inc
185 Bounty Hunter Ln
Bailey, CO 80421

Consultant Interim Authorization Approval

Dear Caoimhin Connell:

The Hazardous Materials and Waste Management Division of the Colorado Department of Public Health and Environment (the Department) has reviewed the application for Consultant Interim Authorization and has determined the application to be complete and in compliance with 6 CCR 1014-3, Regulations Pertaining to the Cleanup of Methamphetamine-Affected Properties (the Regulations).

The Department approves the application for **Consultant Interim Authorization**. This interim authorization approval shall expire on June 15, 2015.

Assessment and sampling of methamphetamine-affected properties may only be conducted by Consultant Firms that have received interim authorization under Part 2, Section 3.2.4 of the Regulations. Therefore, this interim authorization may only be used to conduct assessment and sampling of methamphetamine-affected properties for a Consultant Firm that has received interim authorization approval from the Department.

Approved By: _____

Date: _____

12/30/2014





COLORADO
Department of Public
Health & Environment

Dedicated to protecting and improving the health and environment of the people of Colorado

December 30, 2014

Forensic Applications Consulting Technologies Inc
185 Bounty Hunters Ln
Bailey, CO80421

Consultant Firm Interim Authorization Approval

Dear Forensic Applications Consulting Technologies Inc:

The Hazardous Materials and Waste Management Division of the Colorado Department of Public Health and Environment (the Department) has reviewed the application for Consultant Firm Interim Authorization and has determined the application to be complete and in compliance with 6 CCR 1014-3, Regulations Pertaining to the Cleanup of Methamphetamine-Affected Properties (the Regulations).

The Department approves the application for **Consultant Firm Interim Authorization**. The firm shall only utilize individuals who have received interim authorization under Part 2, Section 3.2.1 of the Regulations to conduct assessment and sampling of methamphetamine-affected properties. This interim authorization approval shall expire on June 15, 2015.

The Regulations require submittal of electronic copies of reports to the Department. Electronic copies of reports should be submitted via email to cdphe_methlabdocuments@state.co.us. The words "report" or "report submittal" should be included in the email subject line, and the property address should be included in the body of the email.

Alternatively, compact disks with electronic copies of reports may be mailed to:

Colorado Department of Public Health and Environment
Hazardous Material and Waste Management Division
4300 Cherry Creek Drive South
Denver, CO 80246-1530
Attn: Colleen Brisnehan or Richard Mruz

Packages may also be hand delivered to the Department's mail room located in the northwest corner of Building B (700 South Ash Street).

Approved By: _____

Date: 12/30/2014

