



FORENSIC APPLICATIONS CONSULTING TECHNOLOGIES, INC.

**Industrial Hygiene Assessment
of an Unoccupied Property
Resulting in the Discovery and Notification of an
Illegal Drug Laboratory
At**

**6926 W 87th Way, #246
Arvada, CO**

Prepared for:
Carolyn Siria
1380 Fairfax Street
Denver, CO

Prepared by:

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



May 3, 2012

EXECUTIVE SUMMARY

- Forensic Applications Consulting Technologies, Inc. (FACTs) was contracted by the current owner of 6926 W 87th Way, #246, Arvada, CO (the subject property) to perform a state of the art assessment for the determination of the presence of methamphetamine at the subject property.
- FACTs collected samples from five locations throughout the property, and submitted a composite sample for quantitative analysis of methamphetamine by gas chromatography – mass spectroscopy (GCMS).
- The sample results confirmed the presence of elevated concentrations of methamphetamine contamination in excess of the regulatory and statutory levels permitted in Colorado. Had the sampling been performed as part of a State mandated clearance test of an illegal drug laboratory, the results would have indicated methamphetamine concentration approximately 150 (one hundred fifty) times greater than the regulatory limit for a five parted composite sample.
- The samples also indicated that the surface concentrations of methamphetamine are in excess of the stat-of-the-art toxicological NOEL concentrations.
- Based on the results of the samples, an illegal drug laboratory, as defined in Colorado Revised Statutes (CRS) §25-18.5-101 exists at the subject property.
- By virtue of this letter and documentation, pursuant to CRS §38-35.7-103(2)(c), “Discovery” of an illegal drug laboratory, as that term is found in CRS §25-18.5-103 and Regulation 6 CCR 1014-3 (3) has now occurred for the subject property.
- By virtue of this letter and documentation, “Notification” as that term is used in CRS §25-18.5-103 (1)(a) is hereby made.
- According to CRS §25-18.5-104, from this point forward, entry into the property is restricted. Restriction on entry extends to the current occupants, Real Estate agents, property owner(s), maintenance personnel, potential buyers, home inspectors, and any and all other personnel, except law enforcement personnel and personnel meeting the requirements of Title 29 of the Code of Federal Regulations, Part 1910.120(e).
- Pursuant to CRS §25-18.5-103(3), removal of any items from the residence is restricted.
- Pursuant to CRS §25-18.5-103, the Registered Owner of the property exclusively has two options: 1) commission an authorized Industrial Hygienist to perform a Preliminary Assessment as described in 6 CCR 1014-3 (4.0 *et seq*), or 2)



demolish the property. No timeframe is currently assigned for the completion of the Preliminary Assessment or demolition.

- Contrary to common belief, and pursuant to State statutes and State regulation, rebuttal of these data are not permitted except upon the completion of a Preliminary Assessment as that term is defined in 6 CCR 1014-3 (4.0 *et seq*)
- Several unauthorized consultants (including untrained Certified Industrial Hygienists), have been performing unlawful and fraudulent consultation in illegal drugs labs in Colorado. Use of these consultants for assessment work will result in a fatal flaw in the work and will prevent the registered owner from receiving the liability immunity provided by CRS §25-18.5-103(2).
- According to Regulation 6 CCR 1014-3, any cleaning and/or remediation and/or decontamination is strictly prohibited, except pursuant to a completed Preliminary Assessment.

INTRODUCTION

On Friday, April 27, 2012, Forensic Applications Consulting Technologies, Inc. (FACTs) was contracted to perform a standard cursory evaluation for the presence of methamphetamine at the residence located at 6926 W 87th Way, #246, Arvada, CO (the subject property).

Pursuant to the Colorado Real Estate methamphetamine disclosure and testing statute as described by CRS §38-35.7-103(2)(a), FACTs collected five standard wipe samples and formed one composite for the quantitative determination of the presence of methamphetamine.

The samples were collected by Mr. Glenn Hardey, Field Technician, under the direct supervision and constant communication with Mr. Caoimhín P. Connell, who is an Industrial Hygienist, as that term is defined in CRS §24-30-1402. Mr. Connell discussed and approved each of the sampling locations with the Field Technician during the project.

Mr. Hardey has extensive training in illegal drug laboratories and received a training certificate in Clandestine Drug Laboratory Assessments through the Colorado Regional Community Policing Institute (CRCPI), Colorado Division of Criminal Justice, (sponsored by the US Dept. of Justice High Intensity Drug Trafficking Area fund). Mr. Hardey is further certified in Clandestine Drug Lab entry and processing through the US Drug Enforcement Agency, and received site specific training pursuant to 29 CFR §1910.120. Mr. Hardey, who has approximately 10 years experience as a police officer and SWAT leader, was a co-instructor of the 2010 AIHA Clandestine Drug lab professional development course. A copy of Mr. Connell's SOQ is appended to this discussion.



Based on state of the art sampling and analysis techniques, FACTs conclusively determined the presence of widespread and profound methamphetamine contamination in the residential structure. Based on current statutes and regulations, the property meets the definition of an “illegal drug laboratory” as described below, and conclusively is demonstrated to be noncompliant with Colorado State regulations and State statutes as described below.

PERTINENT REGULATORY STANDARDS

The State of Colorado currently has one methamphetamine regulation and three methamphetamine statutes that are germane to the subject property.

State Statutes

Environmental Statutes

Colorado has one of the country’s most comprehensive and scientifically based clandestine drug laboratory regulations. The Colorado regulations become applicable when the owner of a property has received “notification” from a cognizant authority that a property is or may be noncompliant. The discovery upon which the notification is based may be from a peace officer indicating that chemicals, equipment, or supplies indicative of a “drug laboratory” are located at the property, “...or when a “drug laboratory” is otherwise discovered.”¹

In turn, “illegal drug laboratory” is defined in Colorado Revised Statutes §25-18.5-101(2.7) as the areas where controlled substances, have been manufactured, processed, cooked, discarded, used, or stored and all proximate areas that are likely to be contaminated as a result of such manufacturing, processing, cooking, disposal, use, or storing. In this case, the presence of the methamphetamine is conclusive for determining that, at a minimum, methamphetamine was used and is currently being stored (on surfaces) at the property.

Pursuant to State statute CRS §25-18.5-105(1), an illegal drug laboratory that has not met the cleanup standards set by the State Board of Health must be deemed a public health nuisance, and must either be demolished or remediated pursuant to a Preliminary Assessment.

Property Statutes

Pursuant to CRS §38-35.7-103(1) a buyer of residential real property has the right to test the property for the purpose of determining whether the property has ever been used as a methamphetamine laboratory.

In this case, the conclusive presence of methamphetamine is a reasonable indicator that the property was used as a methamphetamine laboratory.

¹ CRS §25-18.5-103



Contrary to common misconception, by virtue of these findings, any second test performed pursuant to CRS §38-35.7-103(2)(b) that fails to confirm the presence of methamphetamine **cannot** be used to release the property owner from the statutory requirements to perform the required Preliminary Assessment, since the discovery and notification have already occurred pursuant to CRS §25-18.5-103 (1)(a) and Colorado regulations 6 CCR 1014-3.

Pursuant to State statutes, any additional testing by another Industrial Hygienist at this property can only be used if the data support these initial findings; the data are not permitted to be used to refute, rebut or counter these findings, and cannot be used to provide the seller with regulatory relief, and cannot be used in lieu of a Preliminary Assessment.

Criminal Proceedings – Public Nuisance Statutes

Pursuant to State statute CRS §16-13-303(c)(1), every building or part of a building including the ground upon which it is situated and all fixtures and contents thereof, and every vehicle, and any real property shall be deemed a class 1 public nuisance when used for the unlawful storage or possession of any controlled substance, or any other drug the possession of which is an offense under the laws of Colorado. Based on CRS §16-13-303(c)(1), the presence of extant methamphetamine in the property is *prima facie* evidence of possession of the same.

Pursuant to State statute §16-13-308)(1)(a), if probable cause for the existence of a Class 1 Public Nuisance is shown to the court by means of a complaint supported by an affidavit, the court shall issue a temporary restraining order to abate and prevent the continuance or recurrence of the nuisance or to secure property subject to forfeiture. Such temporary restraining order shall direct the County Sheriff or a peace officer to seize and, where applicable, close the public nuisance and keep the same effectually closed against its use for any purpose until further order of the court.

An alternative declaration of Public Nuisance may be found in statute §16-13-307(4), wherein an action to abate a public nuisance may be brought by the district attorney, or the attorney general with the consent of the district attorney, in the name of the people of the State of Colorado or in the name of any officer, agency, county, or municipality whose duties or functions include or relate to the subject matter of the action.

In this case, jurisdiction for the abatement of the public nuisance lies with the office of the “Governing Body” (the county/local agency responsible for the recording of this process). The “Governing Body” is:

Mr. Craig Sanders
Environmental Protection Supervisor
Jefferson County Department of Health and Environment
180119th Street
Golden, CO 80401

At this point, Mr. Sanders has not assigned a Case Number to the property.



FACTs has the statutory obligation of notifying the appropriate authority and will meet that obligation by forwarding this report to the Governing Body.

The Governing Body has the statutory authority to impose additional restrictions including, but not limited to: abate the public nuisance, close the public nuisance, seize the property until the nuisance is abated and set a time frame on the completion of abatement.

State Regulations – Preliminary Assessment

Pursuant to Colorado regulations 6 CCR 1014-3,² following discovery and notification, a comprehensive and detailed “Preliminary Assessment” must be commissioned by the property owner and must be performed by an authorized and properly trained Industrial Hygienist who must characterize extant contamination. The content and context of the “Preliminary Assessment” is explicitly delineated by regulation. Any remediation or cleaning of the property must be based on the Industrial Hygienist’s Preliminary Assessment, and cannot occur until such assessment has been conducted.

Since discovery and notification had not taken place at the time of our visit, FACTs was not performing a “Preliminary Assessment” as that term is defined in State regulation, and this work does not meet the elements or definition of a “Preliminary Assessment,” and cannot be used or otherwise substituted for a Preliminary Assessment.

Although our initial testing was conducted pursuant to CRS §38-35.7-103, based on our observations, our role and activities jointly and contemporaneously fell under State statute CRS §25-18.5-103, and State Regulation 6 CCR 1014-3 and the drug laboratory was “otherwise” discovered.

ASSESSMENT PROTOCOLS

Sampling Protocol

During our cursory assessment, the hypothesis was made that the subject property was devoid of detectable concentrations of methamphetamine at a specified limit of detection and data would be collected to support the hypothesis. As such, the data quality objectives were not designed to quantify or characterize the *extent* or degree of contamination, but rather to support the hypothesis:

Methamphetamine is not present in the property above specified levels.

Our data quality objectives (DQOs) were such that we selected a total sampling area and an analytical reporting limit that would result in a reportable quantity limit of 0.49 µg/100cm². That is, unless the concentration of the methamphetamine in the sample

² Titled: Colorado Department Of Public Health And Environment, State Board Of Health, *Regulations Pertaining to the Cleanup of Methamphetamine Laboratories*.



submittal exceeded 0.49 µg/100cm², the laboratory would report the concentration as “below detection limit.” The value of 0.49 µg/100cm² was selected since according to the State of Colorado Regulations, the maximum allowable concentration of methamphetamine as determined during compliance sampling for a discreet sample is 0.5 µg/100cm²; the minimum permissible concentration of methamphetamine allowed as determined during compliance sampling for a five parted sample is 0.1 µg/100cm².

Our testing produced results that failed to support the hypothesis, and we therefore accept the null hypothesis; *viz.* the subject property conclusively contains methamphetamine. The null hypothesis that we must accept is:

Methamphetamine is present in the property above specified levels.

Our data find and confirm that there is no probability that the methamphetamine concentrations in the property are such that upon completion of the mandatory Preliminary Assessment, conditions at the property will permit the Industrial Hygienist to issue a Decision Statement directly from the mandatory Preliminary Assessment. That is, the concentrations are sufficiently elevated that upon completion of the Preliminary Assessment, *some* remediation, at least to some degree, somewhere in the structure will be required to release the property and allow occupancy.

According to Colorado revised statutes,³ the seller of a property shall disclose in writing to a buyer whether the seller knows that the property was previously used as a methamphetamine laboratory. Until such time that an authorized Industrial Hygienist has issued a Decision Statement, the seller of the property must disclose that the property is an illegal drug laboratory.

Nothing in State statutes prohibit a buyer from purchasing the property knowing the property to be contaminated. If this is done, then according to CRS §38-35.7-103(2)(c) the buyer shall notify the Governing Body of the purchase in writing on the day of closing and shall complete the Preliminary Assessment and remediation process and obtain a Decision Statement within 90 days of closing.

Sample Collection

Using standard industrial hygiene methods, we collected one 5-part composite sample from within the structure. The sample was submitted to Reservoirs Environmental Laboratory, Denver, CO for quantitative analysis using gas chromatography coupled with mass spectrometry. A copy of the laboratory report is attached to this report.

Wipe Samples

The wipe sample media was individually wrapped commercially available Johnson & Johnson™ brand gauze pads. Each gauze material was assigned a lot number for quality assurance and quality control (QA/QC) purposes and recorded on a log of results. Each

³ CRS 38-35.7-103(3)(a)



pad was moistened with reagent grade methyl alcohol. Each batch of alcohol was assigned a lot number for QA/QC purposes and recorded on a log of results.

The sampling media were prepared off-site in small batches in a clean environment. The sample media were inserted into individually identified polyethylene centrifuge tubes with screw caps and assigned a unique sample identifier.

Field Blanks

Our data quality objectives did not include a field blank, and none were submitted. The history of the FACTs sampling media has demonstrated a media and solvent contamination level below the analytical detection limit for the method. The specific alcohol lot used for this project (A12Ø1) had 2 documented blanks; the specific gauze lot used for this project (G1ØØ6) had 44 documented blanks.

As such, we can confirm that the methamphetamine identified in the sample was due to methamphetamine at the residence and not from the sampling materials or the handling, or laboratory reagents.

Field Duplicates

For the purposes of the data quality objectives associated with this cursory evaluation, no duplicates were required, and none were collected.

Spiked Samples

As part of our general QA/QC protocol, FACTs regularly submits surreptitious spikes to the analyzing laboratory. "Spiked" samples consist of randomly selecting samples that are submitted to a third party, that being an independent laboratory. The independent laboratory is instructed to place known amounts of methamphetamine into the selected samples. The spiked samples are then submitted with the normal project samples. To ensure the integrity of the spikes, laboratory personnel are unaware of the presence or nature of the spikes. The spikes allow FACTs to determine the adequacy of the laboratory in recovering known amounts of methamphetamine from the samples. Sample results are then corrected to the spike recovery. In this case, the laboratory is currently recovering 88% of the spiked methamphetamine which is within acceptable tolerances, and the sample results were "spike corrected."

Sample Results

The actual methamphetamine *concentrations* found in the samples taken at the subject property, are not germane, cannot be used for any purpose except to confirm the presence of an illegal drug laboratory, do not carry any meaningful or probative value, are not within our stated data quality objectives, and therefore, are not even required to be reported here. Since reporting of the concentrations frequently leads to misinterpretations and confusion by poorly trained and fraudulent consultants, the concentrations are not usually reported in our cursory reports. However, since this document is intended to also serve as an educational tool to help understand the situation as a whole, we have made an exception and provided a summary of results, with the concentration.



In the table below, we have presented the result of the sampling in the context of the DQOs.

Sample ID	Sample Location	Concentration µg/100cm ²
SM042412-01A	Powder room 1	15.3
SM042412-01B	Powder room 2	
SM042412-01C	Laundry room	
SM042412-01D	Furnace interior	
SM042412-01E	Kitchen top of cabinet	

**Table 1
Results of Methamphetamine Samples**

TOXICOLOGICAL SIGNIFICANCE

Evaluations for virtually any contaminant performed by Industrial Hygienists are performed for one of two reasons:

- 1) Determine Human Exposure
- 2) Determine Regulatory Compliance

For risk estimate purposes, toxicologically, virtually all biological threats have a dose, below which there is no observable adverse effect; that dose level is referred to as the LOAEL (No Observable Adverse Effect Level). Recent information developed by Dr. Charles Salocks, DABT, with the California Environmental Protection Agency has determined a LOAEL for methamphetamine as 0.08 mg/kg-day. This is for a child; for adults, the level is slightly lower (that is, the infant model is not the most sensitive model, as previously thought). Based on work by the State of California, this toxicological dose level can be expected to be achieved when methamphetamine surface contamination exceeds 1.5 µg/100cm² in a residence.

This new information notwithstanding, Industrial Hygienists, home sellers, and everyone else in Colorado are still bound by regulation, wisdom notwithstanding, to meet the cleanup criteria of 0.5 µg/100cm².

Nevertheless, since the concentrations of methamphetamine identified in the property are approximately ten times higher than the surface contamination level believed to result in a toxicologically significant dose, it is important that each person who has occupied the property understand that it is possible they have received a toxicologically significance dose (which is NOT to say that a person will become ill). As such, any person who is required to give a random urine analysis will probably demonstrate positive for methamphetamine for at least one week following their last entry in to the property.



CONCLUSIONS

Based on our objective sample results collected during our assessment, the subject property contains overt contamination with methamphetamine in excess of those concentrations known to present an hazardous environment for humans.

Pursuant to State statutes, the illegal drug lab has been “otherwise discovered.” Pursuant to statute, a Preliminary Assessment must be performed pursuant to regulation by an authorized Industrial Hygienist, and a “decision statement” obtained, or the property must be demolished.

Please call me with any questions you may have.

Prepared by:



Caoimhín P. Connell
Forensic Industrial Hygienist



APPENDIX A LABORATORY REPORT





Forensic Applications

Final Report

RES 234509-1

May 2, 2012

	Page
Cover Sheet	1
Letter	2
Report / Data	3
Quality Control Data	4
Chain of Custody	5



May 2, 2012

Laboratory Code: RES
Subcontract Number: NA
Laboratory Report: RES 234509-1
Project # / P.O. #: Siria
Project Description: None Given

Caoimhin Connell
Forensic Applications
185 Bounty Hunter Ln.
Bailey CO 80421

Dear Customer,

Reservoirs Environmental, Inc. is an analytical laboratory accredited for the analysis of Environmental matrices by the National Environmental Laboratory Accreditation Program, Lab Certification #E871030. The laboratory is currently proficient in the ERA PAT Program.

Reservoirs has analyzed the following sample(s) using Gas Chromatography Mass Spectrometry (GC/MS) / Gas Chromatography Flame Ionization Detector (GC/FID) per your request. The analysis has been completed in general accordance with the appropriate methodology as stated in the analysis table. Results have been sent to your office.

RES 234509-1 is the job number assigned to this study. This report is considered highly confidential and the sole property of the customer. Reservoirs Environmental, Inc. will not discuss any part of this study with personnel other than those authorized by the client. The results described in this report only apply to the samples analyzed. This report shall not be reproduced except in full, without written approval from Reservoirs Environmental, Inc. Samples will be disposed of after sixty days unless longer storage is requested. If you should have any questions about this report, please feel free to call me at 303-964-1986.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jeanne Orr", is written over a light blue background.

Jeanne Spencer Orr
President

A handwritten signature in blue ink, appearing to read "Mike Schaumloeffel", is written over a light blue background.

Analyst(s): _____
Mike Schaumloeffel

RESERVOIRS ENVIRONMENTAL, INC.

NVLAP Accredited Laboratory #101896
AIHA Certificate of Accreditation #480 LAB ID 101533

TABLE I. ANALYSIS: METHAMPHETAMINE BY WIPE

RES Job Number: **RES 234509-1**
 Client: **Forensic Applications**
 Client Project Number / P.O.: **Siria**
 Client Project Description: **None Given**
 Date Samples Received: **April 25, 2012**
 Analysis Type: **Methamphetamine by GCMS**
 Turnaround: **5 Day**
 Date Samples Analyzed: **May 1, 2012**

Client ID Number	Lab ID Number	Reporting Limit** (µg)	METHAMPHETAMINE CONCENTRATION (µg)
SM042412-01	EM 878543	0.3	8.26

*** Unless otherwise noted all quality control samples performed within specifications established by the laboratory.**

**** Client specified reporting limit.**

RESERVOIRS ENVIRONMENTAL, INC.

NVLAP Accredited Laboratory #101896
AIHA Certificate of Accreditation #480 LAB ID 101533

QUALITY CONTROL: METHAMPHETAMINE BY WIPE

RES Job Number: **RES 234509-1**
Client: **Forensic Applications**
Client Project Number / P.O.: **Siria**
Client Project Description: **None Given**
Date Samples Received: **April 25, 2012**
Analysis Type: **Methamphetamine by GCMS**
Turnaround: **5 Day**
Date Samples Analyzed: **May 1, 2012**

Quality Control Batch	Reporting Limit ($\mu\text{g}/100\text{cm}^2$)	Matrix Blank ($\mu\text{g}/100\text{cm}^2$)	Matrix Duplicate (% RPD)	Matrix Spike (% Recovery)	Laboratory Control Sample (% Recovery)
1	0.05	BRL	1	115	116

* Unless otherwise noted all quality control samples performed within specifications established by the laboratory.

** These analytical results meet NELAC requirements.

Due Date: 5-2-12
 Due Time: 11:50a

RES 234509

REILAB Reservoirs Environmental, Inc.

After Hours Cell Phone: 720-339-9228

INVOICE TO: (IF DIFFERENT)

CONTACT INFORMATION:

Company: **Forensic Applications, Inc** Contact: **Caoimhín P. Connell**
 Address: **185 Bounty Hunters Lane** Phone: **303-903-7494**
 Address: **Bailey, CO 80421** Fax:
 Project Number and/or P.O. #: **Siria** Cell pager:
 Project Description/Location: **POWDER** Final Data Deliverable Email Address: **admin@forensic-applications.com**

Client-sample ID number (Sample ID's must be unique)	REQUESTED ANALYSIS		VALID MATRIX CODES		LAB NOTES:																
	PLM - Short report, Long report, Point Count	TEM - AHERA, Level II, 7402, ISO, +/-, Quant, Semi-quant, Micro-vac, ISO-Indirect Preps	PCMA - 7400A, 7400B, OSHA	DUST - Total, Respirable		METALS - Analyte(s)	ORGANICS - METH	SALMONELLA +/-	COLIFORMS +/-	COFFORMS +/-	SAUREUS +/-	Y & M +/-	MOLD +/-	SAMPLER'S INITIALS OR OTHER NOTES: SPECIAL REPORTING LIMIT	REPORTING LIMIT	Sample Volume (L) / Area	Matrix Code	Date Collected mm/dd/yy	Time Collected hh/mm/amp	EM Number (Laboratory Use Only)	
1	SM0242412-01	ASBESTOS LABORATORY HOURS: Weekdays: 7am - 7pm PLM / PCM / TEM: RUSH (Same Day) PRIORITY (Next Day) STANDARD (Rush PCM = 2hr, TEM = 6hr.) CHEMISTRY LABORATORY HOURS: Weekdays: 8am - 5pm Metal(s) / Dust: RUSH 24 hr. 3-5 Day RCRA 8 / Metals & Welding: RUSH 5 day 10 day Fume Scan / TCLP: RUSH 24 hr. 3-5 Day Organics: 24 hr. 3 day X 5 Day MICROBIOLOGY LABORATORY HOURS: Weekdays: 9am - 6pm E.coli O157:H7, Coliforms, S.aureus: 24 hr. 2 Day 3-5 Day Salmonella, Listeria, E.coli, APC, Y & M: 48 Hr. 3-5 Day Mold: RUSH 24 Hr. 48 Hr. 3 Day 5 Day **Prior notification is required for RUSH turnarounds.** **Turnaround times establish a laboratory priority, subject to laboratory volume and are not guaranteed. Additional fees apply for afterhours, weekends and holidays.** Special Instructions: SPECIAL REPORTING LIMIT! 0.3 µg - please report total µg	RCRA 8, TCLP, Welding Fume, Metals Scan																		
2																					
3																					
4																					
5																					
6																					
7																					
8																					
9																					
10																					

Number of samples received: _____ (Additional samples shall be listed on attached long form.)

NOTE: REI will analyze incoming samples based upon information received and will not be responsible for errors or omissions in calculations resulting from the inaccuracy of original data. By signing client/company representative agrees that submission of the following samples for requested analysis as indicated on this Chain of Custody shall constitute an analytical services agreement with payment terms of NET 30 days, failure to comply with payment terms may result in a 1.5% monthly interest surcharge.

Relinquished By: *[Signature]* Date/Time: 11:50a 4/25/12
 Laboratory Use Only Received By: *[Signature]* Date/Time: 11:50a 4/25/12
 Results: Contact Phone Email Fax Date Time Initials Initials
 Contact Phone Email Fax Date Time Initials Initials

APPENDIX B CONSULTANT'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:	Siria	Form # ML15
Date	May 3, 2012	
Reporting IH:	Caoimhín P. Connell, Forensic IH	

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

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 was the lead instructor for the Colorado Division of Criminal Justice and has provided over 260 hours of methlab training for officers of over 25 Colorado Police agencies, 20 Sheriff's Offices, federal agents and probation and parole officers throughout 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, US Air Force, 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), the American Conference of Governmental Industrial Hygienists and the Occupational Hygiene Society of Ireland. From 2009, as a law enforcement officer representing his agency, Mr. Connell served as the Industrial Hygiene Subject Matter Expert on the Federally funded Interagency Board (www.IAB.gov) Health, Medical, and Responder Safety SubGroup, and was elected full member of the IAB-HMRS in 2011, and he conducted the May, 2010, AIHA Clandestine Drug Lab Course.

He has received over 144 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 US NHTSA, and 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" and is currently ARIDE Certified.

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 270 assessments in illegal drug labs in Colorado, Nebraska and Oklahoma, and collected over 2,610 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.

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