



**FORENSIC APPLICATIONS CONSULTING TECHNOLOGIES, INC.**

**Regulatory Audit  
of  
Preliminary Assessment Report  
And Clearance Sampling  
By  
Judith E Sawitsky, CMC  
Weecycle Environmental Consulting, Inc  
at an  
Identified Illegal Drug Laboratory  
(Identifying 272 Regulatory Violations)**

**Located at:  
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Thornton, CO 80229**

Prepared by:

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August 19, 2015

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## EXECUTIVE SUMMARY

Forensic Applications Consulting Technologies, Inc. (FACTs) is performing a series of regulatory audits on public domain documents regarding the sampling of methamphetamine affected properties.

This document has been prepared by Forensic Applications Consulting Technologies, Inc. as part of an ongoing Motion for Judicial Review 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:

Preliminary Assessment  
Methamphetamine-Affected Property  
Post-Remedial Assessment/Clearance  
For the Building Located at:  
3282 E 103rd Dr Unit 1601  
Thornton, CO 80229  
Weecycle Job Number: 15-11478  
Performed On: 4/7/2015

Prepared For:  
Joseph Gallegos  
4645 Wyandot St  
Denver, CO 80221

The purpose of this review is to document regulatory violations associated with regulatory work regarding the sampling of methamphetamine affected properties (6CCR 1014-3). The consultant in question (Judith E Sawitsky) has an extended history of regulatory violations.<sup>1,2,3</sup>

For this regulatory audit, FACTs has identified no fewer than 272 regulatory violations.

## REVIEW OF THE DOCUMENT

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 report associated with Unit 1601, 3282 E 103rd Dr., Thornton, CO 80229 (the subject property), FACTs has identified multiple deficiencies.

During the performance of a Preliminary Assessment of a methamphetamine affected property, the Consultant is required by regulations to perform specific mandatory functions that require

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<sup>1</sup> See for example: <http://forensic-applications.com/meth/weecyclecensoredreport.pdf>

<sup>2</sup> See for example: [http://www.forensic-applications.com/meth/Weecycle\\_audit\\_censored.pdf](http://www.forensic-applications.com/meth/Weecycle_audit_censored.pdf)

<sup>3</sup> See for example: [http://www.forensic-applications.com/meth/Censored\\_Weecycle\\_review.pdf](http://www.forensic-applications.com/meth/Censored_Weecycle_review.pdf)



professional judgment and specialized knowledge of clandestine drug laboratories and their assessment.

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 “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 revised the regulations. Unfortunately, the task for the revision was given to the CDPHE regulator who, in violations of Colorado’s criminal statutes, had helped create the problem in the first place.<sup>4</sup>

The regulations required the CDPHE to restrict Interim Authorization 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, 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.

For this subject property, the consultant in question has never provided any documentation indicating that she has any knowledge 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 these requirements. This opinion is validated by the incompetence shown and regulatory violations of the consultant as documented in this review.

Furthermore, the consultant in question has never documented any training or experience that would permit her to identify herself as an Industrial Hygienist pursuant to State statutes CRS Statute §24-30-1402. In fact, until just very recently Ms. Sawitsky never identified herself as an Industrial Hygienist and never claimed to be an Industrial Hygienist. Instead, Ms. . Sawitsky identified herself as a “certified microbial consultant” (CMC) a “certification” that is not recognized and does not impart any aspect of “Industrial Hygiene.” Industrial Hygiene is the art and science of the recognition, evaluation, anticipation and control of human health hazards.

Furthermore, in order to legitimately hold “Interim Authorization” (authorization to perform assessments on methamphetamine affected properties from December 16, 2014 until June 15, 2015, granted by the Colorado Department of Public Health and Environment-CDPHE) the consultant needed to have been performing assessments pursuant to the original regulations. There is nothing in the reviewed documentation to indicate that Ms. Sawitsky ever performed any legitimate assessments, and the public record indicates that Ms. Sawitsky was involved in falsely representing herself as an Industrial Hygienist and was otherwise engaged in performing invalid assessments.

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<sup>4</sup> See for example, the discussion here: [http://www.forensic-applications.com/meth/Addendum\\_7\\_Woellner\\_11767\\_Grant.pdf](http://www.forensic-applications.com/meth/Addendum_7_Woellner_11767_Grant.pdf)



In support of this observation, on November 14, 2013, FACTs completed a review of a report by Ms. Sawitsky.<sup>5</sup>

For that property (and for the subject property under discussion, Unit 1601, 3282 E 103rd Dr., Thornton, CO 80229), on the cover of the report, Weecycle Environmental Consulting (WEC) does not even pretend the author is an Industrial Hygienist and instead identifies the author as “Judith E Sawitsky, CMC”

The designation “CMC” is a make-believe “certification” that is not recognized as carrying weight or validity in the legitimate field of microbiology or Industrial Hygiene. The term “CMC” usually indicates some kind of certified mold inspector and often means “Certified Mold Contractor” or “Certified Microbial Contractor,” or other meaningless “certification” in mold related issues.

These “certifications” are not recognized, and in Colorado, a child of 12 years could sit down at their computer and print out a “certificate” identifying themselves as a “CMC” and run around collecting mold samples. However, that does not make them an Industrial Hygienist, and such a person will not meet the statutory definition of an Industrial Hygienist.<sup>6</sup>

In fact, Ms. Sawitsky is not even knowledgeable on the subject of indoor molds, but rather practices fear-based, junk science, pretending to perform Industrial Hygiene work. FACTs has been involved in reviewing other reports from WEC involving indoor mould issues wherein WEC cooperated with a “toxic mould” remediation contractor and relied on junk-science, and nonsensical sampling to frighten a homeowner into expensive, fear-based “mould remediation.” (See for example: <http://www.forensic-applications.com/moulds/elizcensorecritical.pdf>). As demonstrated in that report, WEC clearly has no legitimate experience or training in indoor moulds, basic science, air monitoring protocols or Industrial Hygiene.

### **CRS Title 24 Article 30 – Industrial Hygienist**

In their report, WEC claims Ms. Sawitsky was an Industrial Hygienist by virtue of having “...*AT LEAST 5 years of experience in Industrial Hygiene prior to the July 1, 1997 date as set out in DEFINITION II.*”

However, there is no such provision in Colorado State statutes under which an individual may claim to be an Industrial Hygienist. The Colorado Revised Statutes actually require something completely different than the provision claimed by WEC; the statutes actually read:

CRS 24-30-1402 (c)(2)(II) Any individual who has practiced within the scope of the meaning of industrial hygiene for a period of not less than five years immediately prior to July 1, 1997, is exempt from the degree requirements set forth in this subsection (2.2).

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<sup>5</sup> See [http://www.forensic-applications.com/meth/Weecycle\\_audit\\_censored.pdf](http://www.forensic-applications.com/meth/Weecycle_audit_censored.pdf) for the full report

<sup>6</sup> It is interesting to note that the original contractor who collected samples at the property, Mr. Douglas Ayers, contacted FACTs two years ago and asked FACTs to sign off on his methamphetamine testing results stating that “Since I collect mold samples, I’m essentially an Industrial Hygienist.” (FACTs rejected the argument and declined to do the work).



As it is, according to the WEC reports, in the five years prior to July 1, 1997, the WEC technician was not practicing as an Industrial Hygienist, but rather WEC describes their technician's experience as working at "*an environmental consulting firm located in Denver, CO as an intern and then as an Environmental Biotechnologist staff member from 1990 through 1994.*" Being an "intern" with an environmental firm is not practicing Industrial Hygiene and there is no definition of an "Environmental Biotechnologist" and, therefore, a janitor at a school legitimately can claim to be an "Environmental Biotechnologist."

According to Colorado statutes:

24-30-1402. Definitions.

(2.2) "Industrial hygienist" means an individual who has obtained a baccalaureate or graduate degree in industrial hygiene, biology, chemistry, engineering, physics, or a closely related physical or biological science from an accredited college or university. The special studies and training of such individual shall be sufficient in the cognate sciences to provide the ability and competency to:

(a) Anticipate and recognize the environmental factors and stresses associated with work and work operations and to understand their effects on individuals and their well-being;

(b) Evaluate on the basis of training and experience and with the aid of quantitative measurement techniques the magnitude of such environmental factors and stresses in terms of their ability to impair human health and well-being;

(c) (I) Prescribe methods to prevent, eliminate, control, or reduce such factors and stresses and their effects.

This reviewer (Connell) was the legislative technical advisor for promulgation of CRS 24-30-1402, and crafted some of the legislative language. The intent of the legislation was to recognize those Industrial Hygienists who were already practicing Industrial Hygiene for five years prior to July 1, 1997. WEC has not provided any documentation indicating that Ms. Sawitsky was a practicing Industrial Hygienist five years prior to July 1, 1997.

### *AIHA Industrial Hygienist Core Capabilities*

In 2012, the American Industrial Hygiene Association,<sup>7</sup> in conjunction with the American Conference of Governmental Industrial Hygienists,<sup>8</sup> and the American Board of Industrial Hygiene, published a document called "Core Competencies for the Practice of Industrial /Occupational Hygiene" The document identified those core competencies as:

Air Sampling and Instrumental analysis  
Basic Science  
Biohazards  
Biostatistics and Epidemiology  
Chemical Hazards

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<sup>7</sup> Of which this reviewer (Connell) is a member and served on the Clandestine Drug Laboratory Working Group until the group was dissolved June 2015

<sup>8</sup> Which this reviewer (Connell) is a member



Community Exposures  
Engineering Control and ventilation  
Ergonomics  
Health Risk Analysis and Hazard Communication  
Ionizing radiation  
Management  
Noise and Hearing loss prevention  
Non engineering controls  
Non ionizing radiation  
Thermal stressors  
Toxicology  
Work Environments and Industrial Processes

There is no documentation that would suggest that Ms. Sawitsky has any training or experience or knowledge in ANY of the above listed core capabilities. Furthermore, previous work by WEC<sup>9</sup> clearly demonstrates gross incompetence in several of these areas, such as toxicology, biohazards and air sampling.

In 2013, a part-time FACTs field Technician, (who at the time was a supervisor at a heavy industry steel manufacturing facility) contacted WEC, and identifying himself and identified his role in heavy industry. Our Technician asked WEC about their abilities and capability to provide standard Industrial Hygiene services. Specifically, our technician inquired as to the capabilities of WEC to perform the following Industrial Hygiene services:

Air Sampling and Instrumental analysis  
Biohazards  
Chemical Hazards  
Engineering Control and ventilation  
Ergonomics  
Health Risk Analysis and Haz Comm  
Ionizing radiation  
Noise and Hearing loss prevention  
Non ionizing radiation  
Toxicology  
Work Environments and Industrial Processes

Our technician was informed by WEC, that they were not able of providing any of the Industrial Hygiene services requested. Therefore, out of the 17 core capabilities that constitute Industrial Hygiene, WEC was incapable of providing at least 11 of those services.

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<sup>9</sup> Se for example <http://www.forensic-applications.com/moulds/elizcensoredcritical.pdf>



## **TIG and Arc Welding Operations**

Specifically, WEC was asked about their capabilities to provide air monitoring exposures assessment for TIG and stick arc welding operations which incorporates the following Industrial Hygiene aspects:

- Air Sampling and Instrumental analysis
- Chemical Hazards
- Health Risk Analysis and Haz Comm
- Ionizing radiation
- Non ionizing radiation
- Toxicology
- Work Environments and Industrial Processes

WEC informed our Technician they were not able to perform this industrial hygiene function.

## **Biohazards**

Specifically, WEC was asked about their capabilities to provide an assessment of biohazards related with the Mycobacteria associated with metal cutting fluids which incorporates the following Industrial Hygiene aspects:

- Air Sampling and Instrumental analysis
- Basic Science
- Biohazards
- Engineering Control and ventilation
- Health Risk Analysis and Haz Comm
- Non engineering controls
- Toxicology
- Work Environments and Industrial Processes

WEC informed our Technician they were not able to perform this industrial hygiene function.

## **Ergonomics**

Specifically, WEC was asked about their capabilities to provide an ergonomic assessment for grinders and buffers which incorporates the following Industrial Hygiene aspects:

- Basic Science
- Biohazards
- Ergonomics
- Health Risk Analysis and Haz Comm
- Non engineering controls
- Work Environments and Industrial Processes

WEC informed our Technician they were not able to perform this industrial hygiene function.



## **Industrial Ventilation**

Specifically, WEC was asked about their capabilities to provide design criteria for industrial ventilation which incorporates the following Industrial Hygiene aspects:

- Basic Science
- Chemical Hazards
- Community Exposures
- Engineering Control and ventilation
- Health Risk Analysis and Haz Comm Management
- Noise and Hearing loss prevention
- Work Environments and Industrial Processes

WEC informed our Technician they were not able to perform this industrial hygiene function.

## **Noise and Hearing Loss Prevention**

Specifically, WEC was asked about their capabilities to provide sound and noise monitoring services for a factory floor wherein steel fabrication occurs, which incorporates the following Industrial Hygiene aspects:

- Basic Science
- Engineering Control and ventilation
- Health Risk Analysis and Haz Comm
- Noise and Hearing loss prevention
- Non engineering controls
- Work Environments and Industrial Processes

WEC informed our Technician they were not able to perform this industrial hygiene function.

## **Ionizing radiation**

Specifically, WEC was asked about their capabilities to provide ionizing radiation assessments for sealed source devices, which incorporates the following Industrial Hygiene aspects:

- Basic Science
- Community Exposures
- Engineering Control and ventilation
- Health Risk Analysis and Haz Comm
- Ionizing radiation
- Management
- Non engineering controls
- Work Environments and Industrial Processes

WEC informed our Technician they were not able to perform this industrial hygiene function.



Therefore, since WEC has stated that they are not capable of performing Industrial Hygiene services, FACTs obviously concludes that WEC is not an Industrial Hygiene firm.

There is no documentation suggesting that the WEC field technician, Ms. Sawitsky, has any special training or studies in the core cognate sciences that constitute Industrial Hygiene, or that speak to the ability and competency to anticipate and recognize the environmental factors and stresses associated with work and work operations and to understand their effects on individuals and their well-being.

In fact, as already referenced, in the document found at <http://www.forensic-applications.com/moulds/elizcensoredcritical.pdf> FACTs demonstrated that WEC entirely rejects known scientific air sampling and instrumental analysis techniques, and rejects basic science in evaluating biohazards, and rejects basic science of toxicology and rejects basic science in biostatistics and rejects the science of biohazards and, therefore, rejects basic science.

Furthermore, there is no indication that Ms. Sawitsky has any knowledge of the assessment of illegal drug laboratories, and there is no documentation in the WEC report that would indicate that Ms. Sawitsky has any experience or training that would equip her to perform an assessment of a methamphetamine affected property.

## Fraudulent and Misleading Certifications

### *Colorado Methlab Certification*

Historically, WEC has falsely claimed to be Certified by the State of Colorado to perform assessments in illegal drug laboratories. At the time WEC was making the claims, there were no such certifications.

For example, on November 9, 2013, on their website, WEC made a fraudulent claim that they were explicitly **certified** in the State of Colorado for performing testing in clandestine drug laboratories. On their web site, WEC falsely claimed:



**Figure 1**  
**Language from the Weecycle Internet Site<sup>10</sup>**

<sup>10</sup> Copyright Weecycle 2013, used here without permission under the “fair use” doctrine as described in US Code, Title 17 Section 107 “criticism,” “teaching,” “reporting,” and “scholarship.”

### *Mysterious State of Colorado Consultant Registration*

In their reports, WEC also has an history of making other claims to registrations that are otherwise not documentable. For example,

*State of Colorado Consultant Registration, Reg. #5417*

FACTs is entirely unaware of this “registration” or how it may be alluding to the assessment of illegal drug laboratories. At the time, FACTs searched the Official State of Colorado Registry and found there was only exclusively one listing for “Judith Sawitsky” who is exclusively certified to collect asbestos air samples. We could find no reference to a Consultant Registration or Consultant Registration Number 5417.

### *Other Certifications Montana Cleaning License*

During one review,<sup>11</sup> WEC claimed to be a Montana Certified Methamphetamine Cleanup Supervisor (MCP11-0039-S) – FACTs went to the following internet page:

<http://www.deq.mt.gov/Meth/MethContractors.mcp>



**Figure 2**  
**Language from the State of Montana Internet Site**

Nowhere in the roster of Certified Meth Lab Cleanup Contractors did the State of Montana recognize or list the name of “Sawitsky” (or Judith or Judy) and nowhere on that roster did Montana list WEC as being certified in any way whatsoever.

Considering the gross incompetence exhibited by WEC, and numerous violations of regulations documented, it is clear WEC failed to provide a legitimate Industrial Hygienist who was trained in the aspects of illegal drug laboratories and had any knowledge of the mandatory Colorado regulations which they were required to follow.

<sup>11</sup> See [http://www.forensic-applications.com/meth/Weecycle\\_audit\\_censored.pdf](http://www.forensic-applications.com/meth/Weecycle_audit_censored.pdf)



## **Regulation 6 CCR 1014-3 Language on Knowledge**

Not only do the State regulations and pertinent standards mandate the use of an Industrial Hygienist (IH) for an identified illegal drug laboratory, the regulations repeatedly allude to the necessity of that IH being trained and knowledgeable in clandestine drug laboratory operations and contamination.

For example, the regulations explicitly refer back to the Consultant's "professional judgment" as follows:

4.7 Identification and documentation of areas of contamination. This identification may be based on visual observation, law enforcement reports, proximity to chemical storage areas, waste disposal areas, cooking areas, use areas, or the professional judgment of the Consultant. ...

5.11.1.4.2 the personal property in question was located in a room that was determined to be below the cleanup standards specified in Section 7.0 of this Part 1 after being sampled in accordance with the clearance level sampling protocols and other requirements of Section 6 of this Part 1; and in the Consultant's judgment, the item is unlikely to have been contaminated from exposure elsewhere in the subject property,

7.5 If the composite sample result from a room is below the standard in this Section 7, personal property in the room is considered compliant if, in the Consultant's judgment, the personal property is unlikely to have been contaminated from exposure elsewhere in the subject property, given

If an individual is not an Industrial Hygienist, and if an individual has no documented training in illegal drug laboratories or their assessment, how, then, can one expect that consultant to possess the necessary skills needed to perform the professional role of an Industrial Hygienist in the assessment of illegal drug laboratories?

### **Violation of Section 4.1**

During the performance of a Preliminary Assessment of a methamphetamine affected property, the Consultant is required by regulations to provide specific mandatory information, including:

4.1 Subject property description, including physical address, legal description, number and type of structures present, description of adjacent and/or surrounding properties, and any other observations made.

Nowhere in the WEC report is the required information provided. There is no discussion of adjoining properties. The WEC report alludes to the fact the subject property is part of a condominium; however WEC does not provided any information on the adjoining properties as required.

Aerial photography clearly demonstrates the property is part of a much larger superstructure (see below), however the relationship of the subject property to the remainder of the structure is not known since WEC, in violation of Paragraph 4.1 failed to provide that information.





Photograph 1<sup>12</sup>

### **Violation of Section 4.2**

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

4.2 Summary of information from review of available law enforcement reports regarding the manufacturing method, chemicals present, cooking areas, chemical storage areas, and areas of contamination, or waste disposal.

Nowhere in the reviewed report has WEC documented any attempt to obtain law enforcement documents or ascertain the availability of such documents. Indeed, we have never seen an assessment where WEC has ever documented any attempts to obtain this necessary information. Therefore, the locations of pertinent areas within the structure, as may have been identified by law enforcement personnel have not been provided.

### **Violation of Paragraph 4.3**

According to mandatory State regulations, the consultant is required to include specific information in the Preliminary Assessment including:

4.3 Description of structural features in all buildings, such as attics, false ceilings, crawl spaces, and basements, including:

According to the WEC report:

*Inspection of the attic indicated this is not a shared space.*

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<sup>12</sup> Google Earth – Used in good faith under “fair use” doctrine.



By this statement one may presume the structure has an attic. As such, according to regulations, if the building has an attic, the following information was required.

*Violation of Paragraph 4.3.1 (Three violations)*

According to mandatory State regulations, the consultant is required to include specific information in the Preliminary Assessment 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),

Nowhere in the WEC report is there any description of

- 1) Building ceiling conditions
- 2) Attic Storage
- 3) Attic Venting

According to mandatory State regulations, the consultant is required to include specific information in the Preliminary Assessment including:

4.3.1 ...a description of observations of the ducting associated with all bathroom and kitchen exhaust vents.

Although WEC has mentioned that the property has a kitchen and has mentioned that the property has a bathroom, nowhere in the report has WEC fulfilled its regulatory obligation by providing the mandatory information.

Nowhere in the WEC report is there any description of

- 1) ducting associated with the bathroom
- 2) ducting associated with the kitchen

*Violation of Paragraph 4.3.2 (Flooring Integrity)*

According to mandatory State regulations, the consultant is required to include specific information in the Preliminary Assessment including:

4.3.2 A description of the integrity of the building floor...

Nowhere in the report has WEC provided a description of the integrity of the building floor as required.

**Violation of Paragraph 4.4**

According to mandatory State regulations, the consultant is required to include specific information in the Preliminary Assessment including:

- 4.4 Description of outdoor areas, including notation of the following:
  - 4.4.1 Factors limiting the inspection, such as snow cover or heavy vegetation.
  - 4.4.2 Conditions indicative of contamination.



In their report, the only “description of outdoor areas” is:

*The exterior walls are wood and brick.*

Clearly, this is not a description of the outdoor areas.

The only other notation regarding the outdoor areas in the WEC report is the following:

*The visual inspection of the property and exterior of the building did not reveal any spaces suspected as waste disposal areas.*

However, this too does not provide the necessary information. The need for describing the outdoor areas is intended to provide much more information than simply looking for suspected waste disposal areas.

As previously discussed, the author of the report (Sawitsky) has no documented training in illegal drug laboratories or their assessment. Therefore, there is no reason to expect that the “Certified Microbial Consultant” would possess the necessary skill set to be able to identify conditions in the exterior areas that may speak to clandestine drug laboratory operations. Indeed, there is no indication that the author of the report is even an Industrial Hygienist – according to the new regulations, and in violation of State Statutes, anyone, including individuals who have previously stated they are not Industrial Hygienists, are now permitted to mere claim to be an Industrial Hygienist in order to perform work as an Industrial Hygienist.

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 (I), C.R.S.

It is the opinion of FACTs that this report demonstrates the incompetence exhibited by untrained individuals pretending to be Industrial Hygienists and problems thus created when the CDPHE permitted literally anyone, without any kind of documented training and without any documentation of being an Industrial Hygienist (in violation of State regulations).

#### **Violation of Paragraph 4.5**

According to mandatory State regulations, the consultant is required to include specific information in the Preliminary Assessment including:



4.5 Identification of manufacturing methods based on the Consultant's observations and law enforcement reports, if available.

Since WEC made no documented attempts to obtain any pertinent law enforcement documents from appropriate law enforcement agencies, and WEC has no documented training in the assessment of illegal drug laboratories, WEC could not have complied with this requirement.

#### **Violation of Paragraph 4.6**

According to mandatory State regulations, the consultant is required to include specific information in the Preliminary Assessment including:

4.6 Identification of chemicals used, based on the Consultant's observations and knowledge of manufacturing method(s), and if available, identification and documentation of any methamphetamine lab wastes or precursor chemicals discovered at the subject property.

As already described, there would be no expectation the consultant would have the necessary skills to actually identify manufacturing methods present at the property since the consultant has not documented any training in this area.

#### **Violation of Paragraph 4.7 (Two Violations)**

According to mandatory State regulations, the consultant is required to perform specific tasks including:

4.7 Identification and documentation of areas of contamination. This identification may be based on visual observation, law enforcement reports, proximity to chemical storage areas, waste disposal areas, cooking areas, use areas, or the professional judgment of the Consultant.

As already demonstrated, the consultant failed to obtain law enforcement documents and there is no documentation the consultant has had any training in the assessment of illegal drug laboratories and therefore, would not be expected to have the necessary skill set to apply professional judgment.

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.

As described below, the consultant failed to perform such sample collection and analysis in accordance with the assessment level sampling protocols of Section 6. Part 1.

#### **Violation of Paragraph 4.11**

According to mandatory State regulations, the consultant is required to provide specific information, including:

4.11 For properties with multi-unit buildings, identification and documentation of other units and common areas where contamination may have spread or been tracked.

Nowhere in the WEC report is this issue mentioned, addressed, or resolved. Although it would appear that there was communication with adjoin units, nowhere in the report has WEC even considered the possibility of fugitive emissions from the subject property.



### **Violation of Section 4.13**

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

4.13 Identification of surfaces that are known or suspected to have been painted or sealed after the cessation of contamination-causing activities (painted-over surfaces).

Nowhere in the WEC report has the consultant addressed this issue or indicated she gave the issue any consideration at all. WEC generated no language in their report regarding painted over surfaces.

### **Violation of Section 4.14 (Six Violations)**

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

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

Nowhere in the report does WEC provide any photographs of site conditions. WEC has several photographs in their report – virtually all of the photographs are close-up photographs of the sample locations. None of the photographs depict site conditions.

There are no photographs showing the conditions of the kitchen, the attic, plumbing, the bathroom(s), Bedroom, garage, etc.

1. There are no photographs showing the site conditions of the kitchen
2. There are no photographs showing the site conditions of the bathroom
3. There are no photographs showing the site conditions of the exterior
4. There are no photographs showing the site conditions of the attic
5. There are no photographs showing the site conditions of the bedroom
6. There are no photographs showing the site conditions of the garage

### **Violation of Section 4.15**

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

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:

As documented later in this report, Section 6 sampling protocols were not followed.

#### *Violation of Section 4.15.1 (Two violations)*

During the performance of a Preliminary Assessment, the Consultant is required by regulations to perform specific duties, including:

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;

As discussed below, sampling was not conducted pursuant to Section 6, and nowhere does WEC describe their actual sampling and handing protocols. In their report, WEC falsely states:

*Sample handling, labeling, preservation, documentation, and chain of custody were conducted in a manner consistent with the requirements of the analytical methods being used and based on laboratory recommendations.*

And yet, as demonstrated in this review, handling, documentation, chain of custody, etc objectively were not conducted in a manner that was consistent with regulations.

#### ***Violation of Section 4.15.3 (Layout of Buildings Missing)***

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

4.15.3 ... a computer generated figure illustrating the layout of the building(s) ...

Nowhere in their report has WEC provided a computer generated figure of the layout of the buildings. In their report, WEC merely has provided line drawings of the purported floor plans.

#### ***Violation of Section 4.15.3 (Eight Violations)***

During the performance of a Preliminary Assessment, the Consultant is required by regulations 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...**

In their report, WEC failed to comply with the regulations when they failed to provide the computer generated figures for the following sample locations -

Sample 6.1: Wall A  
Sample 6.2: Wall B  
Sample 6.3: Wall C  
Sample 6.4: Ceiling  
Sample 7.1: Cold Air Return  
Sample 8 Heater box  
Sample 9 Living room supply  
Sample 10 Bathroom supply

#### **Violation of Section 4.16**

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

4.16 Documentation of personal property assessment and discussion of items that require decontamination or disposal, and items that can be released to the owner because the Consultant has determined, in accordance with Section 5.11.1.4 of this Part 1, that they are not contaminated.



Nowhere in the WEC report has the consultant addressed the issue of personal belongings in any fashion.

#### **Violation of Section 4.17**

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

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 described in Section 6 of the report, WEC has failed to perform the sampling in a manner required by regulations.

#### *Violation of Section 4.17.1 (Two Violations)*

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

4.17... 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 stated elsewhere, nowhere in their report has WEC provided a description of sampling protocols used. Instead, in their report, WEC states:

*During the preliminary assessment, methamphetamine surface samples were collected using sterile filter pads saturated with isopropanol in accordance with sampling protocols presented in Part 1 Section 4.*

What WEC apparently does not know is the following:

Nothing in regulations requires sterile pads.

Nothing in regulations requires saturating a pad with alcohol.

Regulations require isopropanol for some surfaces and methanol for other surfaces

Sampling protocols are not found in Section 4, Sampling protocols are found in Section 6

Nowhere in the WEC report do we find a description of the sampling materials used.

#### *Violation of Section 4.17.3 (Eight Violations)*

During the performance of a Clearance Sampling as part of a Preliminary Assessment, the Consultant is required by regulations to provide specific information including:

4.17.3 Results of clearance sampling, including a description of sample locations **and a computer generated figure with sample locations** and identification,

Nowhere in their report, has WEC provided the computer generated figures for the following samples.



1. Sample 6.1: Wall A
2. Sample 6.2: Wall B
3. Sample 6.3: Wall C
4. Sample 6.4: Ceiling
5. Sample 7.1: Cold Air Return
6. Sample 8 Heater box
7. Sample 9 Living room supply
8. Sample 10 Bathroom supply

#### *Violation of Section 4.17.4*

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

4.17.4 Documentation of variations from standard practices.

Nowhere in the WEC report for this subject property has WEC documented the several variations from standard practice as identified in this review.

#### *Violation of Section 4.17.5*

During the performance of a Preliminary Assessment, the Consultant is required by regulations to perform specific tasks and make specific certifications, including:

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."

Nowhere in the report has WEC made the mandatory declaration. Instead, WEC attempted to falsify the public record by falsely declaring:

*I do hereby certify that I conducted the preliminary sampling in accordance with 6CCR 1014-3, Part 1 §6.9 without any variations from the standard practices. I have reviewed the analytical procedures, certifications and QA/QC protocol from the laboratory Reservoirs Environmental, Inc. and confirm that there were no variations from the standard practices regarding the analysis of the samples.*

Clearly the certification by Ms. Sawitsky was patently false.

#### **Violation of Section 4.19**

During the performance of a Preliminary Assessment, the Consultant is required by regulations to perform specific tasks and make specific certifications, including:

4.19 A certification statement, signed by the Consultant, in the following form:

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

The mandatory language does not appear in the WEC report. Instead, the WEC author intentionally used the following false and misleading statement:



*I do hereby certify that I conducted the preliminary sampling in accordance with 6CCR 1014-3, Part 1 §6.9 without any variations from the standard practices. I have reviewed the analytical procedures, certifications and QA/QC protocol from the laboratory Reservoirs Environmental, Inc. and confirm that there were no variations from the standard practices regarding the analysis of the samples.*

The work performed by Ms Sawitsky was not compliant with Section 4, Section 6.0 or Section 6.9, and clearly the work was performed with multiple variations prohibited by regulations.

### ***Violation of Paragraph 6.1.3***

During the performance of a Preliminary Assessment, the Consultant is required by regulations to perform specific duties including:

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.

As described below the mandatory elements were not performed as required.

### ***Violation of Paragraph 6.1.3.2***

During the performance of a Preliminary Assessment, the Consultant is required by regulations to perform specific duties including:

6.1.3.2. Wipe sampling shall be used to determine the extent of lead contamination on all surfaces at properties whenever the preliminary assessment indicates the phenyl-2-propanone (P2P) method of methamphetamine manufacture was used on the property

As documented earlier in this report, law enforcement documents were not obtained, and, as already documented, the WEC consultant has no documented training in the assessment of illegal drug laboratories and therefore, there is no expectation that the author of the report would even know what a “P2P method” means; there is nothing in the consultant’s documentation that indicates she possess the necessary skill set to determine what process, or to assess an illegal drug laboratory. As it is, this review clearly documents that if someone can perform work which results in 272 violations in a single assessment, they clearly do not possess the necessary skills to perform the work. Therefore, compliance with this section could not have been met.

### **Violation of Paragraph 6.1.3.3**

During the performance of a Preliminary Assessment, the Consultant is required by regulations to perform specific duties including:

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

As documented earlier in this report, law enforcement documents were not obtained, and, as already documented, the WEC consultant has no documented training in the assessment of illegal drug laboratories and therefore, there is no expectation that the author of the report would even know why iodine is mentioned in the regulations.



In fact, clearly the WEC consultant does not understand the inclusion of iodine in a subject property when she makes the truly bizarre comment in her report:

*Sampling for surface or airborne iodine or any other compounds typically associated with methamphetamine production was not conducted at the Site because methamphetamine contamination was not expected at the property.*

Here, the WEC consultant reveals that she believes that iodine sampling is not done if one has the personal belief that methamphetamine contamination is not present. Clearly, the WEC consultant is not aware of the various illegal drug laboratory operations that use iodine and do not result in methamphetamine contamination. By this statement, the consultant clearly indicates that she has absolutely no idea why one samples for iodine at an illegal drug laboratory. Therefore, compliance with this section could not have been met.

### **Violation of Paragraph 6.1.3.5**

During the performance of a Preliminary Assessment, the Consultant is required by regulations to perform specific duties including:

6.1.3.5 Vapor sampling shall be used to determine the extent of mercury contamination whenever the preliminary assessment indicates the P2P method of methamphetamine manufacture was used on the property.

As documented in this review, law enforcement documents were not obtained, and, as already clearly documented, the WEC consultant appears to have no idea of what she is doing, or why she would be collecting samples. Therefore, compliance with this section could not have been met.

### *Violation of Paragraph 6.2.1*

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

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

There is nothing in the WEC report that identifies what WEC used to sample, or if the material was compliant with regulations. Considering the overall lack of technical competency exhibited by the consultant, it is highly unlikely that the consultant would have complied with this section, whilst simultaneously engaging in other regulatory violations.

Based on the best information available, none of the samples collected at this site were collected with media that would be consistent with regulations.



### *Violation of Paragraph 6.2.1 (Seven Violations)*

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

6.2.2 Delineate a 100 cm<sup>2</sup> 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 cm<sup>2</sup>. Physical templates may not be re-used.

As described below, WEC did not follow this mandatory provision for several samples:

In the past, several photographs in WEC reports document that the WEC consultant consistently fails to collect samples from areas that were 100 cm<sup>2</sup>. WEC consultant merely places a 100 cm<sup>2</sup> template over an area and presumes that the area will magically become a 100 cm<sup>2</sup> surface, when in fact, the area within the template may be nothing but empty space.

In their report, WEC documented they failed to collect 100 cm<sup>2</sup> in a t least six separate samples; let's look at several examples:



**Photograph 2 (Sample 9 Taken by WEC)**

In the first example, (above), the consultant has placed a template over an area that consists mostly of empty space to collect a sample.

Since Ms. Sawitsky has used a template she stated is 10 cm by 10 cm. Therefore, using those given dimensions as a scale, we can calculate the area actually sampled and we see that it was 18 cm<sup>2</sup> and not 100 cm<sup>2</sup> as falsely reported by WEC.

This is significant since although WEC falsely reported the methamphetamine concentration as below the regulatory threshold, the concentration was actually greater than the regulatory threshold, and the ventilation system is contaminated. Let's look at the math:

$$\text{Concentration} = \frac{\text{Mass of methamphetamine recovered } (\mu\text{g})}{\frac{\text{Area sampled } (\text{cm}^2)}{100}} = \mu\text{g} / \text{cm}^2$$

So for WEC's Sample Number 9 let's go to the laboratory report and see what the laboratory recovered:

Client ID Number	Lab ID Number	Sample Area (cm <sup>2</sup> )	Reporting Limit (μg)	Reporting METHAMPHETAMINE CONCENTRATION (μg)	Reporting Limit (μg/100cm <sup>2</sup> )	METHAMPHETAMINE CONCENTRATION (μg/100cm <sup>2</sup> )
11478-9	EM 1382312	100	0.05	0.11	0.05	0.11

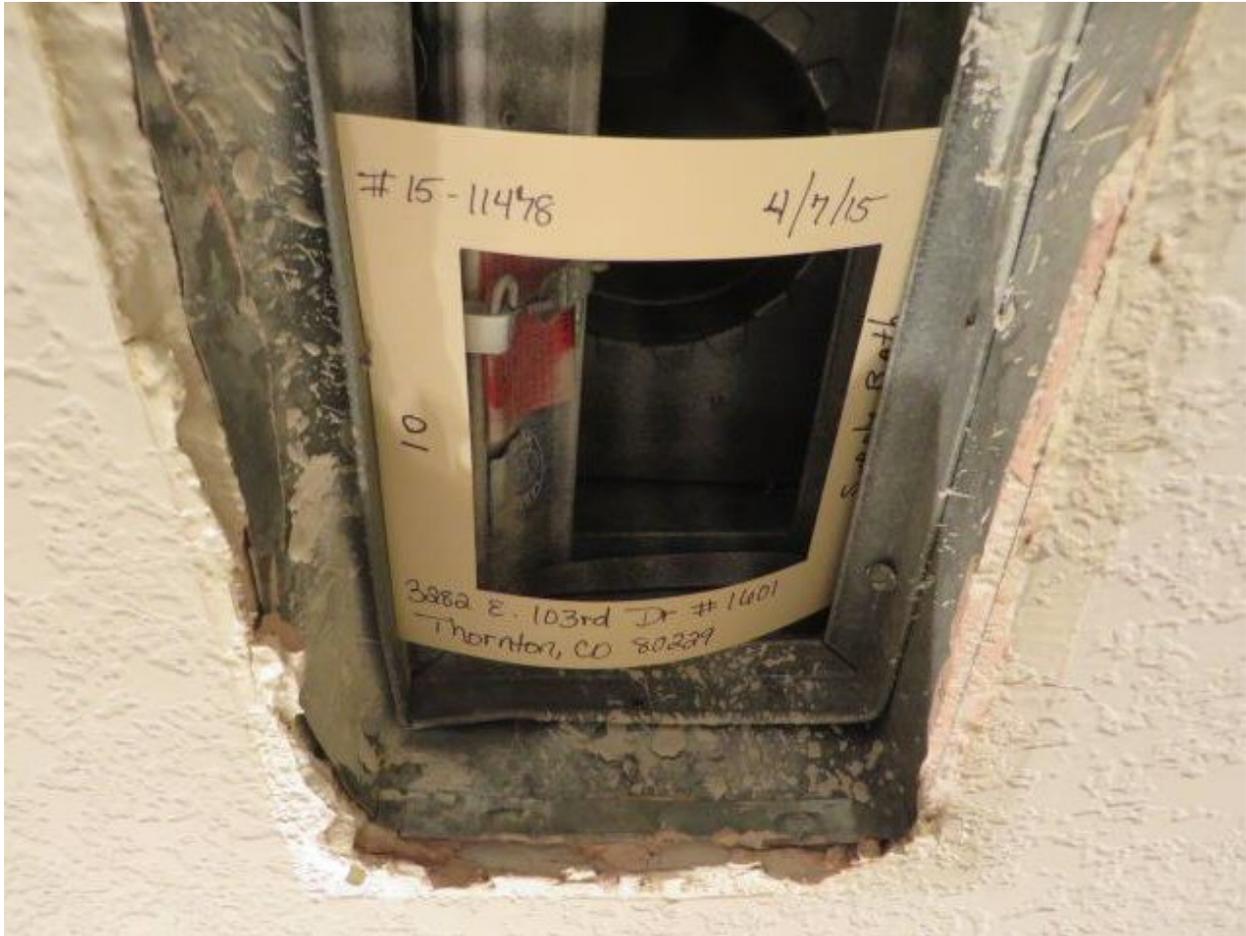
The laboratory reported recovering 0.11 micrograms (μg). Since WEC falsely reported the sample area as 100 cm<sup>2</sup> instead of 18 cm<sup>2</sup>, the laboratory used the falsified value to calculate the erroneous result. So let's use the actual sample area and see what the result really was:

$$\text{Concentration} = \frac{0.11 \mu\text{g}}{\frac{18 \text{ cm}^2}{100}} = 0.61 \mu\text{g} / \text{cm}^2$$

That is, WEC falsely reported that the ventilation system in the property was compliant when in fact, the ventilation system in the property is actually contaminated with methamphetamine above the regulatory threshold of 0.5 μg/100cm<sup>2</sup>.

Let's look at another example. In the next photograph, WEC presents the sample area for Sample 10 (also the ventilation system), and WEC falsely reported collecting 100 cm<sup>2</sup>, when in fact, the photograph indicates a more probable surface area of 23 cm<sup>2</sup>, and the laboratory reported recovering 0.14 μg .





**Photograph 3 (Sample 10 Taken by WEC)**

Client ID Number	Lab ID Number	Sample Area (cm <sup>2</sup> )	Reporting Limit (µg)	METHAMPHETAMINE CONCENTRATION (µg)	Reporting Limit (µg/100cm <sup>2</sup> )	METHAMPHETAMINE CONCENTRATION (µg/100cm <sup>2</sup> )
11478-10	EM 1382313	100	0.05	0.14	0.05	0.14

So let's use the actual sample area and see what the result really was:

$$\text{Concentration} = \frac{0.14 \mu\text{g}}{\frac{23 \text{ cm}^2}{100}} = 0.61 \mu\text{g} / \text{cm}^2$$

Not too surprising, the first sample from the ventilation system indicated a concentration of 0.61 µg/100cm<sup>2</sup> and the second sample from the ventilation system also was 0.61 µg/100cm<sup>2</sup>. That is, WEC falsely reported this sample as compliant, when in fact, the sample indicates the ventilation system is contaminated with noncompliant concentrations of methamphetamine.

There are two County Health Department in Colorado who, in conjunction with the CDPHE have actively engaged in hiding regulatory violations from WEC and hiding regulatory violations



from other consultants with whom they find favor. The two Governing Bodies thus engaged in active falsification of property assessment reports are Boulder County Department of Health<sup>13,14,15,16</sup> (Mr. Michael Richen) and the Tri-County Health Department<sup>17,18,19,20,21</sup> (the Governing Body for this property). Tri-County Health Department was fully aware of these transgressions and the numerous violations that occurred on this property and the public record is silent on any actions Tri-County may have taken with regard to the number of violations reported in this audit.

### *Violation of Section 6.2.3 (Eight Violations)*

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

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

In their report, WEC failed to comply with the regulations to the extent that there is nothing in the WEC report showing the locations of the following samples:

Sample 6.1: Wall A  
Sample 6.2: Wall B  
Sample 6.3: Wall C  
Sample 6.4: Ceiling  
Sample 7.1: Cold Air Return  
Sample 8 Heater box  
Sample 9 Living room supply  
Sample 10 Bathroom supply

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<sup>13</sup> See for example: 767 West Cleveland Circle, Lafayette, Colorado 80026 [http://forensic-applications.com/meth/FEH\\_Screening\\_Cleveland\\_RA.pdf](http://forensic-applications.com/meth/FEH_Screening_Cleveland_RA.pdf)

<sup>14</sup> See for example: (Address withheld) [http://forensic-applications.com/meth/Boatman\\_502C\\_PA\\_RA\\_Redacted.pdf](http://forensic-applications.com/meth/Boatman_502C_PA_RA_Redacted.pdf)

<sup>15</sup> See for example: 771 Cleveland Circle Lafayette, CO 80026 [http://forensic-applications.com/meth/Woellner\\_771\\_Cleveland.pdf](http://forensic-applications.com/meth/Woellner_771_Cleveland.pdf)

<sup>16</sup> See for example: 100 W Spaulding, Lafayette, CO [http://forensic-applications.com/meth/Spaulding\\_Regulatory\\_audit\\_Redacted.pdf](http://forensic-applications.com/meth/Spaulding_Regulatory_audit_Redacted.pdf)

<sup>17</sup> See for example: 11767 Grant Street, Northglenn, Colorado 80233 [http://www.forensic-applications.com/meth/Addendum\\_7\\_Woellner\\_11767\\_Grant.pdf](http://www.forensic-applications.com/meth/Addendum_7_Woellner_11767_Grant.pdf)

<sup>18</sup> See for example 5571 E. 66th Way Commerce City, CO 80022 [http://forensic-applications.com/meth/E66th\\_PA\\_regulatory\\_audit\\_HUD.pdf](http://forensic-applications.com/meth/E66th_PA_regulatory_audit_HUD.pdf)

<sup>19</sup> See for example: 9210 Race Street, Thornton, CO 80229 [http://forensic-applications.com/meth/Critical\\_review\\_Race.pdf](http://forensic-applications.com/meth/Critical_review_Race.pdf)

<sup>20</sup> See for example: (Address withheld) [http://forensic-applications.com/meth/GHP\\_Audit\\_Krameria.pdf](http://forensic-applications.com/meth/GHP_Audit_Krameria.pdf)

<sup>21</sup> See for example: 4690 West 76th Ave., Westminster <http://forensic-applications.com/meth/DimickCriticalReview.pdf>



### *Violation of Section 6.2.7 (32 Violations)*

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

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).

Nowhere in the WEC report, does WEC document the samples were collected in this manner. Historically, in other reports,<sup>22,23,24</sup> we have seen that WEC traditionally has not collected their samples in a manner that is required by regulations. For this property, we can objectively state the WEC certainly did not collect their samples as required by §6.2.7 – 6.2.10 since several of their photographs show sample locations from which it would have been a physical impossibility to have collected the samples as required by regulations. Therefore, we can conclude that none of their samples were collected in the mandatory manner required; thirty-two individual aliquot results in thirty-two regulatory violations.

On February 19, 2015, FACTs officially requested a variance from the provisions of 6.2.7 through 6.2.10, especially where it was physically impossible to comply with this sampling requirement. In her response to our request,<sup>25</sup> Ms. Brisnehan with the CDPHE explicitly rejected this variance from the regulations:

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<sup>22</sup> See for example: <http://forensic-applications.com/meth/weecyclecensoredreport.pdf>

<sup>23</sup> See for example: [http://www.forensic-applications.com/meth/Weecycle\\_audit\\_censored.pdf](http://www.forensic-applications.com/meth/Weecycle_audit_censored.pdf)

<sup>24</sup> See for example: [http://www.forensic-applications.com/meth/Censored\\_Weecycle\\_review.pdf](http://www.forensic-applications.com/meth/Censored_Weecycle_review.pdf)

<sup>25</sup> February 27, 2015, letter from Colleen Brisnehan, Hazardous Waste Corrective Action Unit, Hazardous Waste Program, to Mr. Caoimhín P. Connell, Forensic Applications Consulting Technologies, Inc., 185 Bounty Hunter's Lane, Bailey, Colorado 80421, RE: Request for Variance under 6 CCR 1014-3, 788 West Lois Court, Louisville, Colorado, cc: Mr. Dan Miller - Colorado Attorney General Office, Michael Richen - Boulder County Public Health



The Regulations, as amended, merely add a third pass to increase sample recovery. The sample collection procedure included in the Regulations is based on wipe sample collection procedures developed by the Occupational Safety and Health Administration (OSHA) and the National Institute for Occupational Safety and Health (NIOSH). The sample collection procedure using the "S" method is also referenced in the NIOSH analytical methods for methamphetamine.

The Department does not consider the deviations proposed by FACTs to be *de minimis* variations from standard sampling requirements. The Department is not willing to provide FACTs a "blank check" to determine when it will or will not comply with the sample collection requirements. Therefore, the Department has determined that approval of this variance may result in substantial deviation from the intent of the regulatory requirement. This variance request is denied.

Based on the February 27, 2015, letter from Ms. Brisnehan (CDPHE,) the method used by WEC at the subject property is prohibited, and therefore, ALL of the samples thus collected by the WEC consultant at the subject property are invalid.

#### *Violation of Section 6.2.11 (Eight Violations)*

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

6.2.11 ... Place the sample media in a sample container, cap and number it, **and note the number at the sample location on the sketch.**

In their report, WEC failed to comply with the regulations to the extent that there is nothing in the WEC report showing a sketch or other indication of the locations for the following samples:

Sample 6.1: Wall A  
Sample 6.2: Wall B  
Sample 6.3: Wall C  
Sample 6.4: Ceiling  
Sample 7.1: Cold Air Return  
Sample 8 Heater box  
Sample 9 Living room supply  
Sample 10 Bathroom supply

#### *Violation of Section 6.2.11 (34 Violations – Field Notes Sample Time)*

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

*6.2.11 Include notes with the sketch giving any further description of the sample, including sample name and time of collection.*

Nowhere in the WEC report or supporting documents is the sample collection time recorded for any of the samples (including the WEC raw field data sheets).

#### **Violation of Section 6.2.12.5 (Two Violations)**

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



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:

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

In their report, WEC identifies seven 4-parted composites and four discrete samples. An yet in violation of §6.2.14.6 (as described later), WEC indicates that their blank consisted of a single piece of medium. Nowhere in their report has WEC documented that field blanks were collected in the mandatory manner.

#### *Violation of Paragraph 6.2.14*

According to mandatory State regulations, the consultant is required to include specific information in the Preliminary Assessment including:

6.2.14 Maintain a Chain-of-Custody Record covering the time of sample collection through final disposition. Document sample(s) collected from a single methamphetamine-affected property on one Chain-of-Custody Record. Every transfer of custody shall be noted and signed for and a copy of the record shall be kept by each individual who has signed it. Samples shall be sealed, labeled, and secured. All samples collected shall be transported directly to the laboratory. Shipping samples overnight is considered direct transport, and the shipping label shall be considered part of the Chain-of-Custody Record. Retain all sample documents for the project record and include them in the project reports. At a minimum, the Chain-of-Custody Record shall include the following:

#### *Violation of Paragraph 6.2.14.3 (Sampler Identified)*

According to mandatory State regulations, the consultant is required to include specific information in the Preliminary Assessment including:

6.2.14.3 sampler name and contact information;

Nowhere on the chain-of-custody is sampler identified.

#### **Violation of Paragraph 6.2.14.5 ( Seven Violations- Reported Area)**

According to mandatory State regulations, the consultant is required to include specific information in the Preliminary Assessment including:

6.2.14.5 sample area;

As documented above, WEC falsely reported collecting 100 cm<sup>2</sup> for each of their sample, when in fact for at least seven of those samples, WEC did not collect 100 cm<sup>2</sup> as claimed. Four of the samples were discrete and three were composites. Thus for those seven samples, the value reported by WEC on the chain-of-custody is inaccurate.

#### **Violation of Paragraph 6.2.14.6 ( 13 Violations- Number of Aliquots)**

According to mandatory State regulations, the consultant is required to include specific information in the Preliminary Assessment including:

6.2.14.6 number of sample aliquots;



This information is not identified for any of the 13 samples on the chain of custody.

**Violation of Paragraph 6.2.14.7 (13 Violations- Number of Containers)**

According to mandatory State regulations, the consultant is required to include specific information in the Preliminary Assessment including:

6.2.14.7 number of containers for each sample;

This information is missing for 13 samples on the chain of custody.

**Violation of Paragraph 6.2.14 (13 Violations- Collection Time)**

According to mandatory State regulations, the consultant is required to include specific information in the Preliminary Assessment including:

6.2.14.8 sample collection time...

This information is missing for all 13 submittals. (As already discussed, the information is actually missing for all 34 samples). In their chain-of-custody, WEC claims they collected all the samples *simultaneously* at exactly 2:10 in the morning; a claim that FACTs can objectively demonstrate is false.

**Violation of Paragraph 6.2.14.9 (13 Violations- Matrix)**

According to mandatory State regulations, the consultant is required to include specific information in the Preliminary Assessment including:

6.2.14.9 sample matrix;

This information is missing for 13 samples on the chain of custody.

**Violation of Paragraph 6.2.14.11 (13 Violations- Preservatives)**

According to mandatory State regulations, the consultant is required to include specific information in the Preliminary Assessment including:

6.2.14.11 sample preservatives, if applicable; and

In their report, WEC explicitly states:

*Sample handling, labeling, preservation, documentation, and chain of custody were conducted in a manner consistent with the requirements of the analytical methods being used and based on laboratory recommendations.*

However, this information is entirely missing from the report, and is not documented on the chain-of-custody as required.



### ***Violation of Paragraph 6.2.15***

According to mandatory State regulations, the consultant is required to perform specific activities during the Preliminary Assessment including:

6.2.15 Painted-over surfaces. Estimate the concentration of methamphetamine present below a painted-over surface (as defined in Section 2 of this Part 1) by one of the following methods:

6.2.15.2 collect wipe samples from similar surfaces within the same room that were not painted after contamination was introduced, or

6.2.15.3 sample the painted over surface as set forth in 6.2.1 – 6.2.14, but use methanol instead of isopropanol as the wetting agent for the sampling media to acquire a representative sample from beneath the painted-over surface.

Nowhere in the WEC report has the consultant addressed painted over surfaces.

### ***Violation of Paragraph 6.3.6 (Seven Violations)***

According to mandatory State regulations, the consultant is required to follow specific sampling protocols during the Preliminary Assessment. Although WEC is so poorly trained, they erroneously believe the sampling protocols are in Section 4 of the regulations; however, as seen in this review the sampling protocols are in Section 6 and include:

6.3.6 Collect all individual aliquots from 100 cm<sup>2</sup> sampling areas.

As already described, WEC failed to collect the requisite sample area for each composite.

### ***Violation of Paragraph 6.5***

According to mandatory State regulations, the consultant is required to perform specific activities during the Preliminary Assessment including:

6.5 Vapor Sample collection procedures. If the preliminary assessment indicates the phenyl-2-propanone (P2P) method of methamphetamine manufacturing was used, vapor samples for mercury shall be collected in accordance with the procedures for sample collection described in NIOSH Method 6009 as incorporated in Section 9 of this Part 1.

As already demonstrated, the consultant failed to obtain law enforcement documents and there is no documentation the consultant has had any training in the assessment of illegal drug laboratories and therefore, would not be expected to have the necessary skill set to know if this type of sampling was appropriate or not.

### ***Violation of Paragraph 6.9***

According to mandatory State regulations, the consultant is required to perform specific activities during the Clearance Sampling:

6.9 Clearance level sampling protocols for buildings and personal property. The Consultant **shall** conduct clearance level sampling of any subject property that meets the definition of a methamphetamine-affected property, or that is suspected of being a methamphetamine-affected property as provided in Sections 3.2, 3.3 or 3.4 of this Part 1, to verify that cleanup standards have been met.... **Samples shall be collected according to the following criteria:**



As discussed below, WEC failed to meet the minimum criteria.

*Violation of Paragraph 6.9.1 (Three Violations)*

According to mandatory State regulations, during Clearance sampling, the consultant is required to follow specific mandatory protocols, including:

6.9.1 Except as provided in Section 6.9.1.1, at least 400 cm<sup>2</sup> of surface area shall be sampled from every room, attic, and crawl space.

As already described above, at least three of the room composites did not contain 400 cm<sup>2</sup>.

*Violation of Paragraph 6.9.1 (Insufficient Area Violation)*

According to mandatory State regulations, during Clearance sampling, the consultant is required to follow specific mandatory protocols, including:

6.9.4 For buildings and structures that have forced air ventilation systems, at least 400 cm<sup>2</sup> of surface area of the ventilation system shall be sampled, unless the entire ventilation system is removed.

Based on the documentation provided in the WEC report, the WEC consultant only collected a total of 241 cm<sup>2</sup> and not the 400 required.

*Violation of Paragraph 6.9.1 (Cold Air Return Violation)*

According to mandatory State regulations, during Clearance sampling, the consultant is required to follow specific mandatory protocols, including:

6.9.4 (Forced air system) ... Samples shall be collected from accessible areas within the heat exchanger unit, inside the cold air return system, from inside the supply air system, and from one other location selected at the Consultant's discretion.

Nowhere in the WEC report do we see where WEC collected a sample from the cold air return. Therefore, of the 241 cm<sup>2</sup> collected, only 141 cm<sup>2</sup> are from the required locations.

*Violation of Paragraph 6.9.7 (Six Violations Interior of Appliances)*

According to mandatory State regulations, during Clearance sampling, the consultant is required to follow specific mandatory protocols, including:

6.9.7 The interior of major appliances (microwaves, refrigerators, freezers, ovens, and dryers) must be sampled using discrete samples. The exterior of major appliances may be sampled using composite samples.

In the WEC report, the consultant identifies the presence of a "stove exhaust" and so presumably there was a stove – WEC failed to collect a sample from the stove as required.

In one of the WEC photographs, we can clearly see a major appliance that is either a clothes dryer or a clothes washing machine (see below).





**WEC Photograph in Subject Property**

However, according to the WEC report, no sample was collected from the appliance as required by regulation.

As already described, WEC failed to provide the mandatory photographic record as required by regulations, and WEC failed to identify ANY appliances at the property. Generally, properties contain the following:

- 1) Washing machine
- 2) Clothes dryer
- 3) Microwave
- 4) Refrigerator
- 5) Freezer
- 6) Stove

According to information provided in their report, WEC failed to collect any samples from any appliances and therefore we presume WEC failed to collect samples from commonly present appliances listed above.



### *Violation of Paragraph 6.9.7 (Six Violations – Appliances Exterior)*

According to mandatory State regulations, the consultant is required to perform Clearance Sampling pursuant to specific protocols including:

6.9.7 ...The exterior of major appliances may be sampled using composite samples.

Although we disagree with her interpretation, according to Ms. Colleen Brisnehan with the CDPHE, this regulation requires the consultant to collect samples from the exterior of the appliances.

No clearance samples were collected from the exterior of any of the following appliances:

- 1) Washing machine
- 2) Clothes dryer
- 3) Microwave
- 4) Refrigerator
- 5) Freezer
- 6) Stove

### *Violation of Paragraph 6.9.11 (28 Violations)*

According to mandatory State regulations, during Clearance sampling, the consultant is required to follow specific mandatory protocols, including:

6.9.11 Locations of clearance samples shall be based on information gathered during the preliminary assessment. Samples shall be collected from surfaces that have a reasonable potential to contribute to human exposure, including:

6.9.11.1 Areas expected to have the **highest** levels of contamination, such as cooking areas, chemical storage areas, and waste disposal areas.

Since WEC has no documented training in the assessment of illegal drug laboratories, WEC was unaware of the fact that virtually all of their samples were collected from areas expected to have the *lowest* levels of contamination (for example, middle of walls and floors). WEC collected 28 discretionary samples from locations expected to have the lowest level of contamination.

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

Ms. Sawitsky has explicitly held herself out to be an Industrial Hygienist. Yet, as documented in this review (and in other historical documents referenced in this review) there is nothing in the documentation that would indicate that any of the WEC individuals involved in this property assessment were in fact Industrial Hygienists meeting the State definition.

There was nothing provided in the WEC report to document that any of their personnel were qualified to receive Interim Authorization or sign the signature page in lieu of a legitimate Industrial Hygienist. The incompetence demonstrated in the WEC report is sufficient to demonstrate that Ms. Sawitsky is NOT an Industrial Hygienist and is NOT competent to perform the work and may be falsely representing herself 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))), Ms. Sawitsky 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 WEC work: 1) Either WEC knew that the work it was performing was grossly incompetent and not in compliance with State Regulations (as demonstrated above) or, 2) WEC was unaware of the fact that their work was deviating from mandatory State requirements.

If WEC did not know that their work was deviating from mandatory State requirements, then that is sufficient to surmise that they lacked the technical competency and therefore authority to perform the work in the first place since it is their professional obligation to conform to those regulations and perform work pursuant to those regulations.

However, WEC has specifically referenced 6 CCR 1014-3 and WEC explicitly stated that it was aware of those requirements and therefore, WEC knowingly and willingly performed work that 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” final report 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 WEC was aware of such recording and was aware of the false statements made therein.

## **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 18 § 6-1-105(1)(b), (c), (e) and (l), C.R.S.

## **CONCLUSION**

For this regulatory audit of a Preliminary Assessment Report and Clearance Sampling by Judith Sawitsky, CMC with Weecycle Environmental Consulting, Inc. for the subject property located at 3282 East 103rd Drive, Unit 1601, Thornton, CO 80229, FACTs has identified no fewer than 272 regulatory violations.



**Appendix A**  
**Reviewer's Statement of Qualifications**





## Forensic Applications Consulting Technologies, Inc. Consultant Statement of Qualifications

FACTs project name:	General	Form # ML15
August 17, 2015		

Caoimhín P. Connell, has been involved in clandestine drug lab investigations 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 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 Air Force, the National Safety Council, and the American Industrial Hygiene Association (of which he is a member and serves 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 598 assessments of illegal drug labs in CO, SD, NE, OK, and collected over 5,422 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 contributing 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 applicable to those original regulations.

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.



# Multijurisdictional Counterdrug Task Force Training

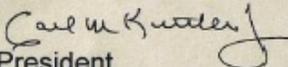


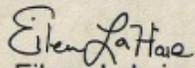
This is to certify that  
**Caoimhin P. Connell**

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



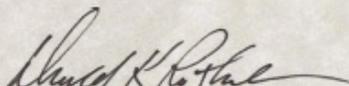
# Certificate of Training

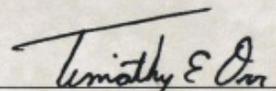
This certifies that

**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](http://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>



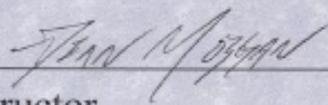
## Park County Sheriff's Office Certificate of Completion

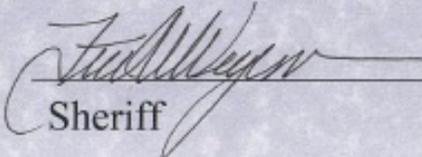
# Caoimhin Connell

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**

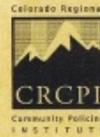
7 Hours Completed

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"



**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*

*Chris Fox*

CATI President

*[Signature]*

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.*

*Phil Owen*

Governor

*Ken Salazar*

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 7<sup>th</sup> 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](mailto: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

