



FORENSIC APPLICATIONS CONSULTING TECHNOLOGIES, INC.

**Regulatory Audit
Identifying 301 Regulatory Violations
of 6 CCR 1014-3**

of:

**Methamphetamine-Affected Property
Preliminary Assessment and Clearance**

By:

**Judith E Sawitsky, CMC
Weecycle Environmental Consulting, Inc**

at an:

Identified Illegal Drug Laboratory

Located at:

**2000 Sunset Way, Unit #7318
Longmont, CO 80501**

Prepared by:

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EXECUTIVE SUMMARY	4
PRELIMINARY ASSESSMENT	5
Violation of Section 4.0 (Authorized Personnel).....	5
Failure to Comply With Paragraph 4.3.1 (10 violations).....	6
Failure to Comply With Paragraph 4.3.2 (Flooring)	7
Failure to Comply With Paragraph 4.3.2 (5 Violations - Crawlspace).....	8
Failure to Comply With Paragraph 4.4	8
Failure to Comply With Paragraph 4.8	9
Violation of Paragraph 4.9	10
Failure to Comply with Paragraph 4.10	11
Failure to Comply with Paragraph 4.11 (7 violations).....	11
Failure to Comply with Paragraph 4.11.1	14
Failure to Comply with Paragraph 4.11.2.....	14
Failure to Comply with Paragraph 4.12	14
Failure to Comply with Paragraph 4.13	16
Failure to Comply with Paragraph 4.14 (11 violations)	16
Failure to Comply with Paragraph 4.15	18
Failure to Comply with Paragraph 4.15.1 (4 Violations).....	18
Failure to Comply with Paragraph 4.15.2.....	20
Failure to Comply with Paragraph 4.15.3 (Drawings Missing).....	21
Failure to Comply with Paragraph 4.15.3 (Falsified Sample Results)	21
Failure to Comply with Paragraph 4.16	22
Failure to Comply with Paragraph 4.17	24
Failure to Comply with Paragraph 4.17.1.....	24
Failure to Comply with Paragraph 4.17.2.....	25
Failure to Comply with Paragraph 4.17.3 (Falsified Laboratory Report).....	26
Failure to Comply with Paragraph 4.17.4.....	27
Failure to Comply with Paragraph 4.17.5.....	27
Failure to Comply With Section 6.0	28
Violation of Section 6.1.3.3	28
Violation of Section 6.2.....	29
Violation of Section 6.2.1 (22 Violations – Prohibited Wipe Size).....	30
Violation of Section 6.2.1.1 (22 Violations Prohibited Wipe Materials).....	31
Violation of Section 6.2.7 - 6.2.10 (21 violations).....	32
Violation of Section 6.2.11 – Photographs (3 violations)	34
Violation of Section 6.2.11 – Collection Times (21 violations)	34
Violation of Section 6.2.12	34
Violation of Section 6.2.12.5	35
Violation of Section 6.2.13	35
Violation of Section 6.2.14	35
Violation of Section 6.2.14.2	35
Violation of Section 6.2.14.3 (Identification missing).....	36
Violation of Section 6.2.14.3 (Contact information missing).....	36
Violation of Section 6.2.14.4 (7 violations)	36
Violation of Section 6.2.14.5 (7 violations)	36
Violation of Section 6.2.14.6 (7 violations)	36
Violation of Section 6.2.14.7 (7 violations)	37
Violation of Section 6.2.14.8 (7 violations – Sample time)	37
Violation of Section 6.2.14.8 (7 violations – Sample date).....	37
Violation of Section 6.2.14.9 (7 violations)	37
Violation of Section 6.2.14.10 (7 violations)	37
Violation of Section 6.2.14.11 (7 violations)	38
Violation of Section 6.2.14.12.....	38



Violation of Section 6.2.15	38
Violation of Section 6.3.6 (3 Violations)	39
Violation of Section 6.8.....	40
Violation of Section 6.9.....	40
Violation of Section 6.9.1 (4 Violations)	40
Violation of Section 6.9.4 (4 Violations)	41
Violation of Section 6.9.5 (3 Violations)	43
Violation of Section 6.9.7 (8 Violations)	44
Violation of Section 6.9.11 (20 Violations)	44
Violation of Section 6.9.11.2 (2 Ventilation Violations)	45
Violation of Section 6.9.11.2 (15 Migration Violations)	46
Violation of Section 6.9.11.3 (6 Violations)	46
Violation of Section 7.2.....	47
Violation of Section 8.....	47
Failure to Comply with Section 8.2.....	50
Failure to Comply with Section 8.3.....	50
Failure to Comply with Section 8.5 (2 Violations).....	51
Failure to Comply with Section 8.5 (Falsified Laboratory Report).....	52
Failure to Comply with Section 8.6.....	53
Failure to Comply with Section 8.6.1.....	53
Failure to Comply with Section 8.6.2.....	54
Failure to Comply with Section 8.6.3.....	54
Failure to Comply with Section 8.6.4 Waste Management	54
Failure to Comply with Section 8.6.4 Waste Manifest.....	55
Failure to Comply with Section 8.6.5 Missing Certificates	55
Failure to Comply with Section 8.6.6.....	55
Failure to Comply with Section 8.6.7.....	55
Violation of 6 CCR 1014-3 Part 2 Section 3.0	56
Certified Mould Inspectors.....	56
CRS Title 24 Article 30 – Industrial Hygienist.....	57
AIHA Industrial Hygienist Core Capabilities	58
Fraudulent and Misleading Certifications	62
Mysterious State of Colorado Consultant Registration	62
Colorado Criminal Code – Fraud; Offering a false instrument for recording	63
Colorado Criminal Code CRS 18-5-113. Criminal impersonation	64
Colorado Consumer Protection Act	65
CONCLUSION	66
Appendix A.....	67
Reviewer’s Statement of Qualifications	67



EXECUTIVE SUMMARY

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

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

This review pertains to the document identified as:

Methamphetamine-Affected Property
Preliminary Assessment/Clearance
For the Building Located at:
2000 Sunset Way, Unit #7318
Longmont, CO 80501
Weecycle Job Number: 15-11484
Performed On: 4/8/2015
Prepared For:
Angela Juhl
Longmont Housing Authority
1228 Main Street
Longmont, CO 80501

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

The consultant for this subject property, Judith E Sawitsky with Weecycle (WEC), has an extended history of regulatory violations,^{1,2,3,4,5,6} false information on real estate related documents and claims to her credentials that cannot be supported.

¹ See for example: 1170 Garrison Street, Lakewood, CO: http://www.forensic-applications.com/meth/Censored_Weecycle_review.pdf

² See for example: 3402 S Eagle, Aurora, CO: http://forensic-applications.com/meth/Regulatory_audit_Eagle.pdf

³ See for example: 3282 E 103rd Dr. Unit 1601, Thornton, CO 80229 (272 regulatory violations): http://forensic-applications.com/meth/WEC_103_PA_Clearance_RAdocx.pdf

⁴ See for example 101 S Clarkson Street, Denver, CO (440 regulatory violations) http://forensic-applications.com/meth/WEC_Clarkson_PA_Clearance_RA.pdf

⁵ See for example: 4190 W. 97th Court, Westminster, CO 80031 (126 Regulatory Violations)



As of the date of this audit, (February 1, 2016) FACTs has identified no fewer than 4,073 (four *thousand* and seventy three) regulatory violations in work performed by this consultant in just five reports in just the first six months of the revised regulations becoming effective (December 15, 2014).

Ms. Sawitsky lacks any documented support to claim to be an Industrial Hygienist and also lacks any documented training in the assessment of illegal drug laboratories. As a result, since the consultant failed to follow the regulations, the contaminated property was falsely “cleared” in the absence of remediation.

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

PRELIMINARY ASSESSMENT

According to Colorado State regulation 6 CCR 1014-3, when a Preliminary Assessment is conducted:

6 CCR 1014-3 4.0 Preliminary Assessment. A preliminary assessment shall be conducted by the consultant, in accordance with section 6.7 of this regulation, prior to the commencement of property decontamination. ... Information collected during the preliminary assessment shall include, but not be limited to, the following:

Violation of Section 4.0 (Authorized Personnel)

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

4.0 The Consultant shall personally inspect the subject property to gather all of the information necessary to prepare a Preliminary Assessment Report (other than the legal description of the subject property and the background information described in Section 4.2), and shall document information collected through photographs, notes, and other appropriate methods.

As described in a later section, the actual site assessment and sampling appears to have been performed by an unauthorized individual, Ms. Laura York.

In any event, if the work was not performed by Ms. York, the regulations state:

4.0 Preliminary Assessment....
No person other than a Consultant in good standing may perform preliminary assessments.

⁶ See for example: 795 Main St. Limon, CO 80828 (2,934 Regulatory Violations), http://forensic-applications.com/meth/WEC_Limon_PA_Clearance_RA.pdf



In turn, according to the regulations,

“Consultant” means a Certified Industrial Hygienist or Industrial Hygienist who is not an employee, agent, representative, partner, joint venture participant, or shareholder of the Contractor or of a parent or subsidiary company of the Contractor, and who has been certified under § 25-18.5-106 C.R.S and these regulations.

There is no documented evidence that Ms. Sawitsky is an Industrial Hygienist, and there is no documentation indicating that she met the necessary criteria to be awarded the “interim authorization” to perform assessments of methamphetamine affected properties (from December 15, 2014 to June 15, 2015). In spite of the lack of documentation for Ms. Sawitsky, as described in “Part 2 Section 3” of this report, Ms. Brisnehan, a regulator with the Colorado Department of Public Health and Environment (CDPHE), has been involved in criminal activities regarding the assessment of illegal drug laboratories, including issuing falsified Letters of Variance to certain favored "consultants" involved in the assessment of methamphetamine affected properties, in an effort to protect a private consulting group upon whose Board of Directors Ms. Brisnehan is identified as serving (a clear conflict of interest).

Failure to Comply With Paragraph 4.3.1 (10 violations)

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

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

4.3.1 If the building has an attic, a description of the integrity of the building ceiling (i.e., attic floor), any signs of access, storage, manufacturing, or venting into the attic (e.g., holes cut in ceiling for the purpose of venting gases from a cook), and a description of observations of the ducting associated with all bathroom and kitchen exhaust vents. If preliminary assessment sampling is conducted, include the results of sampling in accordance with Section 6 of this Part 1.

In her report, as is typical for this consultant, Ms. Sawitsky ignored the regulations and failed to describe the subject property; for example, Ms. Sawitsky failed to mention the subject unit was on the third floor of the three-story building. This is a critical omission since it speaks to the issue of the significance of the role the attic (associated with the subject unit on the third floor) may play in the contamination profile of the structure.

However, as is typical for this consultant's reports, Ms. Sawitsky failed to address or identify any attic.

As documented elsewhere, in the past, Ms. Sawitsky has failed to address attics according to the regulations when the property being assessed objectively contains an attic. Since Ms. Sawitsky has an history of neglecting attics, we must presume that for this property, there is an attic and Ms. Sawitsky failed to perform the mandatory duties associated with the attic, as present in the revised regulations.



Some of the photographs in the WEC report very clearly establish the fact that the property had a false ceiling or access directly into the attic (see below). However, Ms. Sawitsky entirely failed to identify or even address the false ceiling or attic penetrations as required:



WEC Photograph

1. For this property, Ms. Sawitsky failed to address the presence of an attic as required.
2. For this property, Ms. Sawitsky failed to address the presence of a false ceiling as required.
3. For this property, Ms. Sawitsky failed to address the presence of venting into the attic as required.
4. For this property, Ms. Sawitsky failed to address the presence of penetrations into the attic as required.
5. For this property, Ms. Sawitsky failed to address the presence of a crawlspace as required.
6. For this property, Ms. Sawitsky failed to describe the integrity of the building ceiling as required
7. For this property, Ms. Sawitsky failed to describe any signs of access into the attic or false ceiling as required.
8. For this property, Ms. Sawitsky failed to describe storage, and/or manufacturing in the attic as required.
9. For this property, Ms. Sawitsky failed to describe the ducting associated with all bathroom(s) as required.
10. For this property, Ms. Sawitsky failed to describe the ducting associated with all kitchen vents as required.

Failure to Comply With Paragraph 4.3.2 (Flooring)

According to the regulations, during a Preliminary Assessment, the consultant is required to perform specific activities and provide specific documentation, including:

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

Ms. Sawitsky entirely failed to identify any aspect of the integrity of the building floor associated with the subject unit.



Failure to Comply With Paragraph 4.3.2 (5 Violations - Crawlspace)

According to the regulations, during a Preliminary Assessment, the consultant is required to perform specific activities and provide specific documentation, including:

4.3.2 ... if there is a crawl space, a description of any signs of access, , or disposal related to methamphetamine manufacturing, integrity of any vapor barriers, and any signs of disposal onto the soil of the crawl space.

Ms. Sawitsky entirely failed to identify any aspect of a crawlspace and the word “crawlspace” does not even appear in her report.

1. For this property, Ms. Sawitsky failed to describe signs of access into the crawlspace as required.
2. For this property, Ms. Sawitsky failed to describe storage in the crawlspace as required.
3. For this property, Ms. Sawitsky failed to describe venting in the crawlspace as required.
4. For this property, Ms. Sawitsky failed to describe disposal in the crawlspace as required.
5. For this property, Ms. Sawitsky failed to describe vapor barriers in the crawlspace as required.

Failure to Comply With Paragraph 4.4

According to the regulations, during a Preliminary Assessment, the consultant is required to perform specific activities and provide specific documentation, 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 her report, Ms. Sawitsky simply plugged in boiler-plate language (found in other WEC reports):

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

This is language that Ms. Sawitsky appears to use on projects^{7,8,9} regardless of the actual site conditions, and even where the exterior grounds actually do have evidence of waste disposal.¹⁰ Ms. Sawitsky entirely failed to provide the mandatory documentation for the exterior grounds (as described later). There is otherwise nothing in this public domain document that would indicate Ms. Sawitsky ever actually examined the exterior grounds.

⁷ See for example the public domain document for 3282 E 103rd Dr., Unit 1601, Thornton, CO 80229

⁸ See for example the public domain document for 1122 E 3rd St, Loveland, CO

⁹ See for example: 795 Main St. Limon, CO 80828 (2,934 Regulatory Violations), http://forensic-applications.com/meth/WEC_Limon_PA_Clearance_RA.pdf

¹⁰ See for example: http://forensic-applications.com/meth/Regulatory_audit_Eagle.pdf



Indeed, as previously discussed, Ms. Sawitsky has no documented training in illegal drug laboratories or their assessment. Therefore, there is no reason to expect that a “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.

Since Ms. Sawitsky entirely failed to provide the photographic documentation of the exterior grounds, as required by Part 1 §4.14, (described later), and given Ms. Sawitsky’s history of falsification of assessment documents, we can surmise that Ms. Sawitsky never actually examined the exterior grounds, and would not have possessed the necessary skill set to identify contamination if it existed; if indeed Ms. Sawitsky was the consultant who actually performed the assessment at this subject property.

In fact, aerial photography indicates that disposal on the exterior grounds was a distinct possibility. To the north of the superstructure is a large open field with distressed vegetation that would have been an ideal area for illegal dumping.

Failure to Comply With Paragraph 4.8

According to the regulations, during a Preliminary Assessment, the consultant is required to perform specific activities and provide specific documentation, including:

4.8 Identification and documentation of chemical storage areas, waste disposal areas, cooking areas, and/or use areas, if known.

In her report, Ms. Sawitsky failed to address and document the known chemical storage, chemical use, and disposal areas, When we review the law enforcement documents for this subject unit we see the Law Enforcement team explicitly states:

During the search I located several empty clean bottles on the kitchen counter along with multiple beaker style measuring cups. Two of these cups contained a dried web-like mixture. I also located a baggy on the stove

And:

When I searched the freezer I found a clear pyrex dish containing a frozen substance. It appeared that the substance had been a gel like consistency before freezing based on its frozen shape. I also found a pill bottle which contained an unidentified substance that was frozen solid. It had a small metal screw frozen in the bottom.

And

During the search of the bathroom, I located a used, empty sample bottle labeled as Ethyl Alcohol, 2 bottles of hydrogen peroxide, 2 bottles of 91% isopropyl alcohol, ethyl alcohol, acetone, drain cleaner, 2 bottles of iodine tincture, and a small beaker. I also located 2 bottles of Robitussin DM and another clear glass bottle containing a

And

I assisted with searching the living room area. I located a pile of plastic shopping bags containing multiple products. I located 2 more bottles of hydrogen peroxide and 2 packages of coffee filters amongst these items. I

Yet, in violation of the regulations, nowhere in her report do we see where Ms. Sawitsky addressed the areas described in law enforcement documentation, and nowhere in the



report do we see where Ms. Sawitsky provided any documentation or photographs of these areas as required by regulations.

Violation of Paragraph 4.9

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

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

As already described, Ms. Sawitsky lacks the skills and documented training to be able to fulfill this regulatory obligation. In the past, (for example, see photograph below), Ms. Sawitsky has entirely failed to recognize, identify or assess properties for waste disposal areas, and has entirely failed to identify *staining*, etching, and fire damage. For example, in the property depicted below, Ms. Sawitsky failed to identify the profound staining.



FACTs Photograph of Iodine Staining¹¹

As so it was with this property; nowhere in her report for the subject property is the issue even addressed. Furthermore, in violation of Part 1, §4.14 Ms. Sawitsky failed to provide the mandatory photographs documenting total site conditions; therefore, there are

¹¹ See the audit for 101 S Clarkson Street, Denver, CO (440 regulatory violations)
http://forensic-applications.com/meth/WEC_Clarkson_PA_Clearance_RA.pdf



absolutely no photographs of the two most likely areas of processing, production and contamination – the bathroom and the kitchen.

Failure to Comply with Paragraph 4.10

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

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

In violation of §4.14, Ms. Sawitsky failed to provide any photographs of the plumbing (which is part of the site conditions). In her report, Ms. Sawitsky merely plugged in boiler plate language that appears to be inserted for other properties regardless of actual site conditions.^{12,13, 14} Considering the lack of mandatory documentation as required by §4.14, and considering Ms. Sawitsky's extensive history of fabrication and falsified information in such documents, it is not likely that Ms. Sawitsky actually inspected or performed any kind of evaluation of the plumbing as required.

Failure to Comply with Paragraph 4.11 (7 violations)

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

We know from the photographs that there were stairs immediately beside the subject room, and yet, the stairs were never identified or considered in the assessment:

¹² See for example: 2000 Sunset Way Unit #7318 Longmont, CO 80501

¹³ See for example, 3282 E 103rd Dr Unit 1601 Thornton, CO 80229 (272 Regulatory Violations)

¹⁴ See for example: 795 Main St. Limon, CO 80828 (2,934 Regulatory Violations), http://forensic-applications.com/meth/WEC_Limon_PA_Clearance_RA.pdf





Photograph by WEC

Also , according to the MLS Listing¹⁵ for the property:

Description

OUTSTANDING conversion opportunity!

72 one bedroom suites (565 sq ft)

12 studio lock off units (can be combined with one bedroom suites to make two bedrooms)

One bedroom suites have full kitchens and gas fireplaces

Originally opened 1996

3-story, with two elevators (one guest and one service)

Exercise Room

Seasonally heated Outdoor Pool, Whirlpool and Sport Court

Two meeting rooms (871 total sq ft)

Business Center

Wireless High-speed internet access

Wide guest room corridors

Excellent Boulder County location 15 miles from the City of Boulder

Adjacent (walking distance) Twin Peaks Mall offering shopping, dining and entertainment.

Approx. 1.8 AC of excess land for future expansion

Property is centrally located along the Front Range in the city of Longmont

¹⁵ <http://www.loopnet.com/Listing/16218990/2000-Sunset-Way-Longmont-CO/>



Also according to Ms. Sawitsky herself:

- | |
|--|
| <p>Common Areas:</p> <ul style="list-style-type: none">• Adjacent Hallways• Laundry Room |
|--|

Therefore, the following areas are common areas where contamination may have spread or been tracked:

1. Corridor
2. Stairway
3. Elevator Number 1
4. Elevator Number 2
5. Lobby
6. Exercise Room
7. Two meeting rooms
8. Business Center
9. Laundry room

None of these areas were mentioned or addressed or considered in the assessment as required, and yet in her report, Ms. Sawitsky explicitly and falsely states:

Samples were collected where contamination may have migrated, such as adjacent rooms or functional spaces, common areas, and ventilation systems.

Clearly the intent was to defraud the Longmont Housing Authority since Ms. Sawitsky would have known that she did not collect any of these samples she claims to have collected. That is, contrary to her claims:

1. Nowhere in the report are there any samples from adjacent rooms as claimed.
2. Nowhere in the report are there any samples from functional spaces as claimed.
3. Nowhere in the report are there any samples from common areas as claimed.
4. Nowhere in the report are there any samples from the ventilation systems as claimed.

As is typical for WEC, Ms. Sawitsky knowingly makes false statements and false assertions with the intent to defraud, using boiler plate language falsely claiming to have performed work that was never actually done.

It would appear that Ms. Sawitsky merely entered a single room, collected a few useless samples that failed to meet mandatory sampling protocols and then write a report falsely claiming to have performed the work according to the regulations.



Failure to Comply with Paragraph 4.11.1

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

4.11.1 If contamination above the standard is identified in any unit in a multi-unit structure with shared attics (i.e., open space with no fire walls), the shared attic spaces shall be investigated to determine whether they are also contaminated. If access is not available to inspect or sample shared attic spaces, the owner of the contaminated unit or their representative shall give notice to the owner(s) of the shared attics and the owners and tenants of the units that are immediately below the shared attic spaces that methamphetamine contamination may be present. Notice shall also be given to the homeowners' association (HOA), if one has been established. The consultant shall document any limitations on access in the final report.

For this property it is not known if contamination above the standard exists or not since, as described in Section 6, none of the sampling performed by Ms. Sawitsky was performed pursuant to regulations.

In any event, as already described, in violation of §4.3 Ms. Sawitsky entirely failed to even address the attic.

Failure to Comply with Paragraph 4.11.2

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

4.11.2 If a multi-unit structure has connected crawl spaces, the crawl spaces shall be investigated to determine whether the connected crawl spaces are also contaminated. If access is not available to inspect or sample connected crawl spaces, the owner of the methamphetamine-affected property or their representative shall give notice to the owner(s) of the connected crawl spaces and the owners and tenants of the units that are immediately above the connected crawl spaces that methamphetamine contamination may be present. Notice shall also be given to the HOA, if one has been established. Any limitation on access shall be documented in the final report.

As already described, in violation of §4.3 Ms. Sawitsky entirely failed to even address the presence of a crawlspace and the word "crawlspace" doesn't even appear in her report.

Failure to Comply with Paragraph 4.12

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

4.12 For properties with multi-unit buildings, identification and documentation of any common ventilation systems connected to other units or common areas. If contamination above the standard is identified in any unit in a multi-unit building, the units and common areas that are connected to the unit by ventilation systems shall be investigated to determine whether they are also contaminated. If access is not available to inspect or sample the connected units or common spaces, the owner of the contaminated unit or their representative shall give notice to the owners and tenants of the units and common areas that are connected to the contaminated unit that methamphetamine contamination may be



present. Notice shall also be given to the HOA, if one has been established. The consultant shall document any limitations on access in the final report.

In her report, Ms. Sawitsky explicitly states the multi-unit building has a common ventilation system:

The building has a forced air heating system and central air cooling.

And also from her report, Ms. Sawitsky states:

10.0 Identification of Common Ventilation Systems

An individual window HVAC unit is located in Bedroom 2 and forced air heat is located on the bedroom 1, living room kitchen side of the unit. Bathroom vents were located in each bathroom and a stove exhaust is located above the stove.

As described later, Ms. Sawitsky entirely failed to collect a discrete sample from the non-ducted heating and cooling unit as required, and entirely failed to collect the mandatory samples from the forced air as required, it is important to note here that Ms. Sawitsky failed to properly identify the bathroom vents for what they are. In her report, Ms. Sawitsky falsely identifies the bathroom vents as “exhaust fans.” However, her photographs clearly identify the bathrooms as a common ceiling plenum:



WEC Photograph



Since none of the sampling conducted at the property by Ms. Sawitsky was performed according to the mandatory provisions anyway, it is entirely unknown if contamination above the standard exists at the subject property. Since Ms. Sawitsky never attempted to use the mandatory sampling protocols to determine if contamination exists, the contamination condition of the property remains unknown.

Failure to Comply with Paragraph 4.13

According to mandatory State regulations, the consultant is required to perform specific tasks 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).

In her report, Ms. Sawitsky indicates that she knew she was required by regulations to address the possibility of painted-over surfaces since in her report, Ms. Sawitsky provides a verbatim quote from the regulations:

7.1.2 Methamphetamine concentrations of discrete or composite surface wipe samples taken from painted-over surfaces in accordance with Section 6.2.15 of this Part 1 shall not exceed 1.5 µg /100 cm.

Yet, Ms. Sawitsky in violation of the regulations, Ms. Sawitsky ignored her regulatory obligation and entirely failed to address, identify, discuss or even mention painted-over surfaces at the site. Yet, in some of the photographs, we can clearly see that some of the surfaces had been repainted:



WEC Photographs

Failure to Comply with Paragraph 4.14 (11 violations)

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

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



According to the Law Enforcement documents storage areas and areas of obvious contamination included the living room, the kitchen and the bathroom:

During the search I located several empty clean bottles on the kitchen counter along with multiple beaker style measuring cups. Two of these cups contained a dried web-like mixture. I also located a baggy on the stove

When I searched the freezer I found a clear pyrex dish containing a frozen substance. It appeared that the substance had been a gel like consistency before freezing based on its frozen shape. I also found a pill bottle which contained an unidentified substance that was frozen solid. It had a small metal screw frozen in the bottom.

During the search of the bathroom, I located a used, empty sample bottle labeled as Ethyl Alcohol, 2 bottles of hydrogen peroxide, 2 bottles of 91% isopropyl alcohol, ethyl alcohol, acetone, drain cleaner, 2 bottles of iodine tincture, and a small beaker. I also located 2 bottles of Robitussin DM and another clear glass bottle containing a

I assisted with searching the living room area. I located a pile of plastic shopping bags containing multiple products. I located 2 more bottles of hydrogen peroxide and 2 packages of coffee filters amongst these items. I

Yet, in violation of the regulations, nowhere in her report do we see where Ms. Sawitsky addressed these areas and nowhere in the report do we see where Ms. Sawitsky provided any photographs of these areas as required by regulations.

In her report, Ms. Sawitsky (as is typical for her reports) provided numerous close-up photographs of her sampling templates. In the context of an assessment, the photographs are useless since for the most part, the photographs could have been taken from any building to the extent that the photographs provide no information regarding the subject building.

As it is, Ms. Sawitsky entirely failed to provide photographic documentation of property conditions, including cooking areas, chemical storage areas, waste disposal areas, and areas of obvious contamination. The photographs provided only provide documentation regarding property conditions for one room.

1. There is no photo documentation of exterior areas.
2. There is no photo documentation of plumbing.
3. There is no photo documentation of chemical storage areas.
4. There is no photo documentation of Bathroom 1.
5. There is no photo documentation of Bathroom 2.
6. Photo documentation of the kitchen areas are missing.
7. Photo documentation of the laundry areas are missing.
8. Photo documentation of the common ventilation system is missing.
9. Photo documentation of the common areas is missing.
10. Photo documentation of the stairways are missing.
11. Photo documentation of the corridor is missing.



Failure to Comply with Paragraph 4.15

According to mandatory State regulations, the consultant is required to perform specific tasks 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 described in the sections below, Ms. Sawitsky failed to perform the sampling in accordance with Section 6 of the regulations.

Failure to Comply with Paragraph 4.15.1 (4 Violations)

According to mandatory State regulations, the consultant is required to provide specific documentation in the assessment report, including:

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

Nowhere in the assessment report has Ms. Sawitsky provided a description of the sampling procedures used. As documented elsewhere, Ms. Sawitsky has simply invented her own imaginary sampling protocols. For example in a recent report, Ms. Sawitsky claims:¹⁶

During the post decontamination assessment, methamphetamine surface samples were collected using sterile filter pads saturated with methanol and/or isopropanol in accordance with sampling protocols presented in Section 6 appendices A, B, and D (if applicable) of 6 CCR-1014-3.

However:

1. Nowhere in the regulations is there a requirement for sterile filter pads as claimed
2. There is no such thing as Appendix A in Section 6 as claimed.
3. There is no such thing as Appendix B in Section 6 as claimed.
4. There is no such thing as Appendix D in Section 6 as claimed.

For this property, Ms. Sawitsky failed to describe her sampling protocols and/or QA/QC and merely plugged in boilerplate language

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 (if applicable) of 6 CCR-1014-3. Sampling media with field sample kits were prepared by WEC.

As already addressed, the language in her report describing her sampling is simply falsified information that appears in several of her reports such as this:

¹⁶ See for example: 795 Main St. Limon, CO 80828 (2,934 Regulatory Violations), http://forensic-applications.com/meth/WEC_Limon_PA_Clearance_RA.pdf



Samples were collected where contamination may have migrated, such as adjacent rooms or functional spaces, common areas, and ventilation systems.

- And yet, nowhere in her report are there any samples from adjacent rooms as claimed.
- Nowhere in her report are there any samples from functional spaces as claimed.
- Nowhere in her report are there any samples from common areas as claimed.
- Nowhere in her report are there any samples from the ventilation systems as claimed.

Similarly, we see the following boiler-plate language that falsely claims:

Samples were collected from previously identified traffic areas and visibly stained areas, at or near water or electric sources and/or other suspect areas where clandestine drug manufacturing was suspected, or where previous sample results yielded concentrations in excess of 0.5 µg/cm².

And yet, none of the samples collected by Ms. Sawitsky at this property actually meet any of these criteria; this is merely boiler plate language Ms. Sawitsky puts in her reports regardless of where she actually collects samples, and as documented in her report, Ms. Sawitsky entirely failed to collect samples from “*traffic areas, visibly stained areas, at or near water or electric sources and/or other suspect areas where clandestine drug manufacturing was suspected, or where previous sample results, if applicable, yielded concentrations in excess of 0.5 µg/cm².*”

Since Ms. Sawitsky failed to provide the mandatory photographs as required, there is no way to know if samples collected by Ms. Sawitsky during her assessment were collected from those areas with visible staining.

In fact, in violation of §6.9.11.1, Ms. Sawitsky did not even consider site conditions in the selection of her sample locations, but rather seems to have mindlessly collected her samples regardless of the actual indicators for that room.

In her report, Ms. Sawitsky falsely stated:

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 documented in this audit, virtually none of the handling was consistent with the requirements and Ms. Sawitsky was not even sufficiently competent to even provide a chain-o-f-custody as required (described later).

Nowhere in her report did Ms. Sawitsky describe the QA/QC for the project; instead, Ms. Sawitsky merely plugged in boilerplate language that appears to be used for all her assessments (all of which that have been reviewed by FACTs, are invalid). For example, nowhere in her report does Ms. Sawitsky explain how her QA/QC field blanks was 100cm² (in violation of the regulations) or why, in violation of the regulations, her QA/QC



field blank was only a single component blank and not a multiple component blank as required by regulations.

Nowhere in her report has Ms. Sawitsky describe the wipe procedure used (which as described later was not consistent with the regulations).

Failure to Comply with Paragraph 4.15.2

According to mandatory State regulations, the consultant is required to provide specific documentation in the assessment report, including:

4.15.2 documentation of the analytical methods used and laboratory QA/QC requirements, including the laboratory analytical report and chain-of-custody documentation; and

As described later in Section 6, Ms. Sawitsky failed to provide the mandatory chain-of-custody in her report.

We believe the reason the chain-of-custody was not included was to hide the fact that an unauthorized individual, Ms. Lauren York, performed the actual sampling at the property. This conclusion is supported by the fact that the laboratory reports are directed to the person who has collected the samples, and as required by :

6.2.14 ... At a minimum, the Chain-of-Custody Record shall include the following:

6.2.14.3 sampler name and contact information;

6.2.14.12 signature and date for each person relinquishing or receiving sample custody

As it is, the Reservoir Laboratory report is addressed thusly:

Lauren York
Weecycle Environmental
5375 Western Ave. Suite B
Boulder CO 80301


Dear Customer,

This indicates that the actual sampling and assessment was performed by the unauthorized individual, Lauren York. In fact, there is nothing in the report which indicates that Ms. Sawitsky was the person who performed the sampling other than the following statement:



18.0 Certification of Procedures and Results

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.



Signed by Judith E. Sawitsky, IH

April 15, 2015
Date

As described later below, Ms. Sawitsky simply falsified this “certification” which appears in all of her reports regardless of actual site conditions. As documented elsewhere by FACTs, WEC has historically used unauthorized personnel with fabricated credentials to perform regulatory work.

Failure to Comply with Paragraph 4.15.3 (Drawings Missing)

According to mandatory State regulations, the consultant is required to provide specific documentation in the assessment report, including:

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

Nowhere in the report do we find a layout of the building(s). In her report, Ms. Sawitsky has merely placed a floor plan of one room. The corridors are not shown, the relationship of the room to other units in the structure are not shown, the location of the stairway is not shown, location of the elevators is not shown, etc.

Failure to Comply with Paragraph 4.15.3 (Falsified Sample Results)

According to mandatory State regulations, the consultant is required to provide specific documentation in the assessment report, including:

4.15.3 ... Sample results shall be presented as reported by the analytical laboratory, and **shall not be adjusted, changed, or manipulated in any way**. Spiked samples submitted for analysis shall not be used for purposes of compliance with these regulations.

In her report, Ms. Sawitsky intentionally falsified the information in the laboratory report in an effort to hide the fact that she failed to collect the samples as required.

The laboratory report very clearly states:



Client ID Number	Lab ID Number	Sample Area (cm ²)	Reporting METHAMPHETAMINE Limit (µg)	Reporting METHAMPHETAMINE CONCENTRATION (µg)	Reporting Limit (µg/100cm ²)	METHAMPHETAMINE CONCENTRATION (µg/100cm ²)
11484-1	EM 1382854	400	0.05	0.20	0.01	0.05
11484-2	EM 1382855	400	0.05	0.17	0.01	0.04
11484-3	EM 1382856	400	0.05	0.42	0.01	0.11
11484-4	EM 1382857	100	0.05	0.11	0.05	0.11
11484-5	EM 1382858	400	0.05	0.21	0.01	0.05
11484-6	EM 1382859	400	0.05	0.13	0.01	0.03
11484-7	EM 1382860	100	0.05	BRL	0.05	BRL

Reservoirs Laboratory Report for 2000 Sunset Way Unit #7318

For sample Number 11484-4 Ms. Sawitsky only collected 100 cm² from the ventilation system. Ms. Sawitsky knew that the regulations required her to collect 400 cm² from the ventilation system. Therefore, in an effort to hide the failure to comply, Ms. Sawitsky simply falsified the laboratory report and changed the 100 cm² to 400 cm²:

Table 1: Preliminary Samples

Sample #	Date	Room	Sample Location	Sample Area (cm ²)	Results (µg/100cm ²)
1	4/8/2015	Kitchen, Living Room	1.1: Stove Vent 1.2: Living Room Ceiling 1.3: Living Room Wall B 1.4: Kitchen Wall A	400	0.05
2	4/8/2015	Bedroom 1	2.1: Ceiling 2.2: Wall D 2.3: Wall C 2.4: Wall A	400	0.04
3	4/8/2015	Bathroom 1	3.1: Ceiling Fan 3.2: Wall D 3.3: Wall B 3.4: Wall C	400	0.11
4	4/8/2015	HVAC	Cold Air Return	400	0.11
5	4/8/2015	Bathroom 2	5.1: Fan	400	0.05

Falsified Data Table – WEC Report Page 4

The falsification of information is extremely common in the reports from WEC who, based on our first hand knowledge, regularly falsifies information in their reports.

Failure to Comply with Paragraph 4.16

According to mandatory State regulations, the consultant is required to provide specific documentation in the assessment report, 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.



Although the property contained a considerable amount of personal property, and Ms. Sawitsky was required to address the personal property, Ms. Sawitsky entirely failed to identify, discuss, or recognize the existence of the personal property at the site. This violation is common for Ms. Sawitsky, who regularly ignores this regulatory requirement.¹⁷

Furthermore, Ms. Sawitsky entirely failed to collect any samples from any of the personal items in the property as required by regulations.

In fact, nowhere in her report has Ms. Sawitsky even used the terms “personal property” or “personal items.” Yet, even her own photographs clearly documented the existence of numerous personal items:



WEC Photographs

Ms. Sawitsky cannot use the provisions of §5.11.1.4.2 to declare the personal items compliant; §5.11.1.4.2 states:

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

¹⁷ See for example: 795 Main St. Limon, CO 80828 (2,934 Regulatory Violations), http://forensic-applications.com/meth/WEC_Limon_PA_Clearance_RA.pdf



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, given the nature of the item, the time the item was introduced to the subject property (if known), and any other relevant factors or information.

Since none of the sampling performed during the assessment was valid, to this day, the contamination levels in the property have not been determined.

Failure to Comply with Paragraph 4.17

According to mandatory State regulations, during an assessment, the consultant is required to perform specific activities and provide specific documentation in the assessment report, 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....

Ms. Sawitsky explicitly claims to have performed Clearance Sampling:

Results of the Clearance Sampling conducted on April 8, 2015, show that the site meets the cleanup standards for methamphetamine-affected properties and is safe for occupancy (6 CCR 1014-3, Section 7.0).

Therefore, her clearance sampling, by regulation, was required to be compliant with Section 6 of Part 1 of 6 CCR 1014.3. Although clearance sampling was performed, as described later, none of the sampling was conducted pursuant to the requirements of Section 6 as required.

Failure to Comply with Paragraph 4.17.1

According to mandatory State regulations, during an assessment, the consultant is required to perform specific activities and provide specific documentation in the assessment report, 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.

Nowhere in the assessment report has Ms. Sawitsky provided a description of the sampling procedures used. For this property, Ms. Sawitsky failed to describe her sampling protocols and/or QA/QC and merely plugged in boilerplate language

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 (if applicable) of 6 CCR-1014-3. Sampling media with field sample kits were prepared by WEC.



As already addressed, the language in her report describing her sampling is demonstrably false. For example, in her report, Ms. Sawitsky claims:

Samples were collected where contamination may have migrated, such as adjacent rooms or functional spaces, common areas, and ventilation systems.

- No samples were collected from adjacent rooms as claimed.
- No samples were collected from functional spaces as claimed.
- No samples were collected from common areas as claimed.
- No samples were collected from the ventilation systems as claimed.

Similarly, in her report, we see the following boiler-plate language that falsely claims:

Samples were collected from previously identified traffic areas and visibly stained areas, at or near water or electric sources and/or other suspect areas where clandestine drug manufacturing was suspected, or where previous sample results yielded concentrations in excess of 0.5 µg/cm².

No samples were collected from traffic areas as claimed.
No samples were collected from stained areas as claimed.
No samples were collected near water sources as claimed.
No samples were collected from electrical sources as claimed.

In fact, none of the samples collected by Ms. Sawitsky at this property actually meet any of these criteria; this is merely boiler plate language Ms. Sawitsky puts in her reports regardless of where she actually collects samples.

Nowhere in her report did Ms. Sawitsky describe the QA/QC for the project; instead, Ms. Sawitsky merely plugged in boilerplate language that appears to be used for all her assessments (all of which that have been reviewed by FACTs, are invalid). For example, nowhere in her report does Ms. Sawitsky explain how her QA/QC field blanks was 100cm² (in violation of the regulations) or why, in violation of the regulations, her QA/QC field blank was only a single component blank and not a multiple component blank as required by regulations.

Nowhere in her report has Ms. Sawitsky described the wipe procedure used (which as described later was not consistent with the regulations).

Failure to Comply with Paragraph 4.17.2

According to mandatory State regulations, during an assessment, the consultant is required to perform specific activities and provide specific documentation in the assessment report, including:

4.17 ...Documentation of clearance sampling shall include:



4.17.2 Documentation of the analytical methods used and laboratory QA/QC documentation, including the laboratory analytical report and chain-of-custody documentation.

As described in detail later, Ms. Sawitsky failed to provide the mandatory chain-of-custody.

Failure to Comply with Paragraph 4.17.3 (Falsified Laboratory Report)

According to mandatory State regulations, during an assessment, the consultant is required to perform specific activities and provide specific documentation in the assessment report, including:

4.17.3 ...Sample results shall be presented as reported by the analytical laboratory, and shall not be adjusted, changed, or manipulated in any way.

In her report, Ms. Sawitsky intentionally falsified the information in the laboratory report in an effort to hide the fact that she failed to collect the samples as required.

The laboratory report very clearly states:

Client ID Number	Lab ID Number	Sample Area (cm ²)	Reporting METHAMPHETAMINE Limit (µg)	Reporting METHAMPHETAMINE CONCENTRATION (µg)	Reporting METHAMPHETAMINE Limit (µg/100cm ²)	Reporting METHAMPHETAMINE CONCENTRATION (µg/100cm ²)
11484-1	EM 1382854	400	0.05	0.20	0.01	0.05
11484-2	EM 1382855	400	0.05	0.17	0.01	0.04
11484-3	EM 1382856	400	0.05	0.42	0.01	0.11
11484-4	EM 1382857	100	0.05	0.11	0.05	0.11
11484-5	EM 1382858	400	0.05	0.21	0.01	0.05
11484-6	EM 1382859	400	0.05	0.13	0.01	0.03
11484-7	EM 1382860	100	0.05	BRL	0.05	BRL

Reservoirs Laboratory Report for 2000 Sunset Way Unit #7318

For sample Number 11484-4 Ms. Sawitsky only collected 100 cm² from the ventilation system. Ms. Sawitsky knew that the regulations required her to collect 400 cm² from the ventilation system. Therefore, in an effort to hide the failure to comply, Ms. Sawitsky simply falsified the laboratory report and changed the 100 cm² to 400 cm²:



Sample #	Date	Room	Sample Location	Sample Area (cm ²)	Results (µg/100cm ²)
1	4/8/2015	Kitchen, Living Room	1.1: Stove Vent 1.2: Living Room Ceiling 1.3: Living Room Wall B 1.4: Kitchen Wall A	400	0.05
2	4/8/2015	Bedroom 1	2.1: Ceiling 2.2: Wall D 2.3: Wall C 2.4: Wall A	400	0.04
3	4/8/2015	Bathroom 1	3.1: Ceiling Fan 3.2: Wall D 3.3: Wall B 3.4: Wall C	400	0.11
4	4/8/2015	HVAC	Cold Air Return	400	0.11
5	4/8/2015	Bathroom 2	5.1: Fan	400	0.05

Falsified Data Table – WEC Report Page 4

The falsification of information is a very common practice in the reports from WEC who, based on our first hand knowledge, regularly falsifies information in their reports.

Failure to Comply with Paragraph 4.17.4

According to mandatory State regulations, during an assessment, the consultant is required to perform specific activities and provide specific documentation in the assessment report, including:

4.17 ...Documentation of clearance sampling shall include:

4.17.4 Documentation of variations from standard practices

In spite of the 301 regulatory violations in her report for this subject property, each representing a variation from the standard, Ms. Sawitsky entirely failed to identify a single variation from standard practice.

Failure to Comply with Paragraph 4.17.5

According to mandatory State regulations, during an assessment, the consultant is required to provide specific documentation in the assessment report, 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.”



Instead, in her report, Ms. Sawitsky invented her own brand of “certification” and falsely and knowingly, in our opinion, with the intent to defraud, stated:

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.



Signed by Judith E. Sawitsky, IH April 15, 2015
Date

Failure to Comply With Section 6.0

The sampling performed by WEC was not compliant with State regulations. As such, since none of the sampling could be used for any kind of regulatory compliance purposes, the sampling conducted by Ms. Sawitsky was both useless, unnecessary and a waste of the client's financial resources.

According to mandatory State regulations,

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.

Also according to the regulations (Part 1, Section 2):

“Shall” is used to indicate a mandatory requirement.

Violation of Section 6.1.3.3

According to the Regulations, during the assessment, the consultant is required to:

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.

For this property, law enforcement documents clearly identified tincture of iodine and hydrogen peroxide. Furthermore, law enforcement documents explicitly stated that substantial steps had been taken by the occupant (suspect) to prepare to manufacture methamphetamine. One of the primary steps in the preparation phase is the reduction of tincture of iodine using the hydrogen peroxide.

Since Ms. Sawitsky has no documentable training in the assessment of illegal drug laboratories, she failed to recognize the importance of this information in the law enforcement documents. In the past, Ms. Sawitsky has entirely failed to notice evidence of iodine staining even when it is profound. For example, the following photograph is from 101 S Clarkson Street in Denver, which had significant evidence of iodine staining.



Ms. Sawitsky performed an invalid assessment at the property, during which, she entirely failed to note the staining.



FACTs Photograph Staining

In this case, since Ms. Sawitsky also failed to comply with §4.14, one cannot now know whether or not iodine contamination is an issue at the property. Instead of performing a valid assessment for this contaminant as required, Ms. Sawitsky merely plugged in her nonsensical usual boiler-plate language that she even uses for properties where evidence of iodine exists:

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

And yet, considering that this property is a methlab, methamphetamine contamination quite clearly was expected at the property.

Violation of Section 6.2

According to the Regulations, during the performance of Preliminary Assessment sampling and Clearance sampling, the consultant shall comply with the following:

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



None of the sampling conducted at the property was performed pursuant to State regulations. All of the sampling performed was invalid, and all of the sampling materials used by Ms. Sawitsky were prohibited.

Violation of Section 6.2.1 (22 Violations – Prohibited Wipe Size)

According to the Regulations, during the performance of Preliminary Assessment sampling and Clearance sampling, the consultant shall comply with the following:

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

6.2.1 Sample media shall consist of 2x2 inch wipes ...

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

In the past, and on projects conducted during the same time frame, as this project, Ms. Sawitsky has documented that she does not use the correct sampling media. For example, on April 14, 2015, Ms. Sawitsky performed invalid sampling at a property located at 795 Main St. Limon, CO 80828, (during that work Ms. Sawitsky committed 2,934 regulatory violations).¹⁸ In her report, for that property, Ms. Sawitsky stated:

Sampling media was provided by Reservoirs Environmental of Denver, CO, the selected laboratory and field sample kits were prepared by Weecycle Environmental Consulting.

The sampling media provided by Reservoirs does not meet the mandatory sampling criteria and cannot be used for regulatory sampling purposes. Reservoirs has no responsibility for supplying sampling media and it is the responsibility of the consultant to ensure the sampling media they are using is compliant with regulations.

The wipe materials provided by Reservoirs are not 2x2 inch wipes. The wipe materials supplied by Reservoirs are a rayon polypropylene material measuring 1^{3/8} by 1 inch (see photograph below).

¹⁸ See the audit located at: http://forensic-applications.com/meth/WEC_Limon_PA_Clearance_RA.pdf





Photograph of Type of Sampling Materials Supplied by Reservoirs¹⁹

In her report, for this property, Ms. Sawitsky failed to comply with §4.15.1 and §4.17.1 and (as will be addressed later) §8.3, and failed to provide a description of her sampling procedures (and, as already demonstrated, the boilerplate descriptions she did provide were demonstrably false). Therefore, FACTs contends Ms. Sawitsky used her normal sampling media as documented elsewhere at this property, and there is nothing in the documentation to demonstrate otherwise.

Ms. Sawitsky documented collecting 21 aliquots and one filed blank, therefore, there were 22 violations.

Violation of Section 6.2.1.1 (22 Violations Prohibited Wipe Materials)

According to the Regulations, during the performance of Preliminary Assessment sampling and Clearance sampling, the consultant shall comply with the following:

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

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

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

6.2.1.1 Cotton gauze material.

¹⁹ FACTs, Inc. Photograph



- 6.2.1.2 4-ply non-woven cotton/polyester blend.
- 6.2.1.3 Tightly knitted continuous filament polyester.

1. The wipe materials provided by Reservoirs and used by WEC are not cotton gauze material.
2. The wipe materials provided by Reservoirs and used by WEC are not cotton/polyester blend.
3. The wipe materials provided by Reservoirs and used by WEC are not 4-ply non-woven.
4. The wipe materials provided by Reservoirs and used by WEC are not tightly knitted continuous filament polyester.

In her report, Ms. Sawitsky documented collecting 21 aliquots with the prohibited material plus one field blank; therefore, there 22 violations.

Violation of Section 6.2.7 - 6.2.10 (21 violations)

According to the State Regulations, the consultant is required to wipe each area three times, following three specific patterns. The Regulations read -

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).

As already described, Ms. Sawitsky failed to comply with §4.15.1 and §4.17.1 and (as will be addressed later) §8.3, and failed to provide a description of her sampling procedures, (and, as already demonstrated, the descriptions she did provide were demonstrably false). Therefore, there is nothing in the document or photographs for this subject property to demonstrate that Ms. Sawitsky used the required sampling protocol. Furthermore, based on her photographs, it would have been a physical impossibility for Ms. Sawitsky to have used the mandatory protocol, and collect 100cm² as claimed. For example, in the two photographs below (Sample 1.1 and Sample 6.1) it would have been a physical impossibility for Ms. Sawitsky to have used the mandatory sampling protocol, and a field template AND collect 100cm².





Photographs by WEC

Furthermore, in other reports,²⁰ Ms. Sawitsky has explicitly stated that she intentionally does not follow the requirements. For example, in the work performed prior to the Sunset property²¹ Ms. Sawitsky explicitly stated:

Methamphetamine sampling was conducted following ASTM sampling Method E1728-03 which is the Standard Practice for collection of Settled Dust Samples - Using Wipe Sampling Methods for Subsequent Methamphetamine Determination.

And one week after the Sunset project, Ms. Sawitsky again explicitly stated she does not follow the regulations but instead uses an old, expired, ASTM sampling method:

Methamphetamine sampling was conducted following ASTM sampling Method E1728-03 which is the Standard Practice for collection of Settled Dust Samples - Using Wipe Sampling Methods for Subsequent Methamphetamine Determination.

Therefore, prior to the Sunset property Ms. Sawitsky documents that she uses a prohibited method for sample collection, and after the Sunset property Ms. Sawitsky continued to document that she uses a prohibited method for sample collection – therefore, we can surmise that during Sunset project, Ms. Sawitsky continued to use the ASTM E1728-03 method instead of the protocols required by regulations. However, this creates a problem for Ms. Sawitsky since:

1. The old ASTM method is not consistent with Colorado State regulations.
2. The old ASTM method is contrary to Colorado State regulations.
3. The old ASTM method would have prohibited most of Ms. Sawitsky's sample locations.

²⁰ See the audit located at: http://forensic-applications.com/meth/WEC_Limon_PA_Clearance_RA.pdf

²¹ 801 South West Street Apartment 9, Fort Morgan, CO 80701, December 19, 2015, http://forensic-applications.com/meth/WEC_801SW_PA_RA.pdf



4. The old ASTM method requires a sampling pattern that is contrary to that required by the Colorado Regulations.

According to the ASTM method, the “operator” uses a one square foot template and perform the following:

1. Wipe in one direction in a zigzag pattern
2. Wipe in a perpendicular direction in a zigzag pattern
3. Wipe exclusively the outside perimeter of the one-foot template, specifically avoiding the center of the template.

In the past, as documented elsewhere,^{22,23,24,25} Ms. Sawitsky has never used the mandatory wiping procedure. Since Ms. Sawitsky claims to have collected 21 aliquots, there were 21 aliquots that were not collected according to State regulations.

Violation of Section 6.2.11 – Photographs (3 violations)

According to the regulations, the Consultant is required to:

6.2.11 ...Photograph each sample location.

For this property, Ms. Sawitsky claims she collected 21 aliquots for samples demonstrating compliance. Therefore, the report should contain a total of 21 photographs of sample locations. However, there are only 18 sample locations photographed.

Violation of Section 6.2.11 – Collection Times (21 violations)

According to the regulations, during the collection of samples, the consultant is required to perform specific tasks, including:

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

In her report, Ms. Sawitsky failed to identify her collection times.

Violation of Section 6.2.12

According to the regulations, during the collection of samples, the consultant is required to perform specific tasks, including:

²² See for example: 3282 E 103rd Dr. Unit 1601, Thornton, CO 80229 (272 regulatory violations): http://forensic-applications.com/meth/WEC_103_PA_Clearance_RAdocx.pdf

²³ See for example 101 S Clarkson Street, Denver, CO (440 regulatory violations) http://forensic-applications.com/meth/WEC_Clarkson_PA_Clearance_RA.pdf

²⁴ See for example: 4190 W. 97th Court, Westminster, CO 80031 (126 Regulatory Violations)

²⁵ See the audit located at: http://forensic-applications.com/meth/WEC_Limon_PA_Clearance_RA.pdf



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

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

According to Ms. Sawitsky's report, the field blank represented 100cm², and therefore, there must have been 100cm² of *something sampled*.

Violation of Section 6.2.12.5

According to the regulations, during the collection of samples, the consultant is required to perform specific tasks, including:

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

All of the samples submitted by Ms. Sawitsky were 400 cm² four-part composites; and yet, in her report, Ms. Sawitsky documents her blank was a single 100cm² sample, indicating the blank was a single piece of sampling material in violation of §6.2.12.5.

Violation of Section 6.2.13

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

6.2.13 Follow sample handling procedures as specified by the analytical method listed in Section 6.12 of this Part 1

As such, the consultant was required to provide a chain-of-custody; there is no chain-of-custody in the documentation for this subject property.

Violation of Section 6.2.14

According to the regulations, the consultant is required to maintain a chain-of-custody that contains specific information:

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

Ms. Sawitsky failed to complete, or even provide a chain-of-custody.

Violation of Section 6.2.14.2

According to the regulations, the consultant is required to maintain a chain-of-custody that contains specific information:

6.2.14 ... At a minimum, the Chain-of-Custody Record shall include the following:
6.2.14.2 subject property address;



The information is missing from the chain-of-custody.

Violation of Section 6.2.14.3 (Identification missing)

According to the regulations, the consultant is required to maintain a chain-of-custody that contains specific information:

6.2.14 ... At a minimum, the Chain-of-Custody Record shall include the following:
6.2.14.3 sampler name...;

The information is missing from the chain-of-custody.

Violation of Section 6.2.14.3 (Contact information missing)

According to the regulations, the consultant is required to maintain a chain-of-custody that contains specific information:

6.2.14 ... At a minimum, the Chain-of-Custody Record shall include the following:
6.2.14.3 sampler name and contact information;

The information is missing from the chain-of-custody.

Violation of Section 6.2.14.4 (7 violations)

According to the regulations, the consultant is required to maintain a chain-of-custody that contains specific information:

6.2.14 ... At a minimum, the Chain-of-Custody Record shall include the following:
6.2.14.4 sample identification number;

The information is missing from the chain-of-custody for seven samples.

Violation of Section 6.2.14.5 (7 violations)

According to the regulations, the consultant is required to maintain a chain-of-custody that contains specific information:

6.2.14 ... At a minimum, the Chain-of-Custody Record shall include the following:
6.2.14.5 sample area;

The information is missing from the chain-of-custody for seven samples.

Violation of Section 6.2.14.6 (7 violations)

According to the regulations, the consultant is required to maintain a chain-of-custody that contains specific information:

6.2.14 ... At a minimum, the Chain-of-Custody Record shall include the following:
6.2.14.6 number of sample aliquots;

The information is missing from the chain-of-custody for seven samples.



Violation of Section 6.2.14.7 (7 violations)

According to the regulations, the consultant is required to maintain a chain-of-custody that contains specific information:

6.2.14 ... At a minimum, the Chain-of-Custody Record shall include the following:
6.2.14.7 number of containers for each sample;

The information is missing from the chain-of-custody for seven samples.

Violation of Section 6.2.14.8 (7 violations – Sample time)

According to the regulations, the consultant is required to maintain a chain-of-custody that contains specific information:

6.2.14 ... At a minimum, the Chain-of-Custody Record shall include the following:
6.2.14.8 sample collection time ...;

The information is missing from the chain-of-custody for seven samples.

Violation of Section 6.2.14.8 (7 violations – Sample date)

According to the regulations, the consultant is required to maintain a chain-of-custody that contains specific information:

6.2.14 ... At a minimum, the Chain-of-Custody Record shall include the following:
6.2.14.8 sample collection ...date;

The information is missing from the chain-of-custody for seven samples.

Violation of Section 6.2.14.9 (7 violations)

According to the regulations, the consultant is required to maintain a chain-of-custody that contains specific information:

6.2.14 ... At a minimum, the Chain-of-Custody Record shall include the following:
6.2.14.9 sample matrix;

The information is missing from the chain-of-custody for seven samples.

Violation of Section 6.2.14.10 (7 violations)

According to the regulations, the consultant is required to maintain a chain-of-custody that contains specific information:

6.2.14 ... At a minimum, the Chain-of-Custody Record shall include the following:
6.2.14.10 requested analysis;

The information is missing from the chain-of-custody for seven samples.



Violation of Section 6.2.14.11 (7 violations)

According to the regulations, the consultant is required to maintain a chain-of-custody that contains specific information:

- 6.2.14 ... At a minimum, the Chain-of-Custody Record shall include the following:
- 6.2.14.11 sample preservatives, if applicable; and

The information is missing from the chain-of-custody for seven samples.

Violation of Section 6.2.14.12

According to the regulations, the consultant is required to maintain a chain-of-custody that contains specific information:

- 6.2.14 ... At a minimum, the Chain-of-Custody Record shall include the following:
- 6.2.14.12 signature and date for each person relinquishing or receiving sample custody

The information is missing from the chain-of-custody.

Violation of Section 6.2.15

According to the regulations, during the assessment the consultant is required to address specific issues, 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.

In her report, Ms. Sawitsky entirely fails to even mention painted-over surfaces at the subject property even though she acknowledges she was aware of the requirement, since in her report, Ms. Sawitsky provides a verbatim quote from the regulations:

7.1.2 Methamphetamine concentrations of discrete or composite surface wipe samples taken from painted-over surfaces in accordance with Section 6.2.15 of this Part 1 shall not exceed 1.5 µg /100 cm.

Yet, Ms. Sawitsky in violation of the regulations, ignored her regulatory obligation and entirely failed to address, identify, discuss or even mention painted-over surfaces at the site. Yet, in some of the photographs, we can clearly see that some of the surfaces had been repainted:





WEC Photographs

Since Ms. Sawitsky failed to address this issue as required, we cannot know if the repainting occurred before, during, or after the cessation of contamination.

Violation of Section 6.3.6 (3 Violations)

According to the regulations, during the assessment the consultant is required to collect specific samples according to specified protocols including:

6.3.6 Collect all individual aliquots from 100 cm² sampling areas.

In her photographs, Ms. Sawitsky documents that she failed to collect 100 cm² samples as required. For example in the following photographs, Ms. Sawitsky document that she did not collect 100cm² as required and in some cases, the surface area collected was extremely minimal:



Photographs by WEC



Violation of Section 6.8

According to the regulations, during the assessment the consultant is required to perform specific duties including:

6.8 Assessment level sampling protocols for buildings and personal property.

6.8.1 Except as provided in Section 6.8.2 below, the Consultant shall conduct sampling for methamphetamine that meets the clearance level sampling protocols of Section 6.9 in all rooms of a methamphetamine-affected property as part of the preliminary assessment.

As documented in this audit, Ms. Sawitsky failed to comply with this provision.

Violation of Section 6.9

According to the regulations, during the assessment the consultant is required to perform specific duties including:

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. ...

As documented in this audit, Ms. Sawitsky failed to comply with this provision.

Violation of Section 6.9.1 (4 Violations)

According to the regulations, during the assessment the consultant is required to perform specific duties including:

6.9 ... If the subject property is a unit in a multi-unit building that has exclusive access to any auxiliary portion of the multi-unit property (such as a storage room or garage), the Consultant shall conduct clearance sampling of the unit and all such auxiliary structures. Samples shall be collected according to the following criteria:

6.9.1 Except as provided in Section 6.9.1.1, at least 400 cm² of surface area shall be sampled from every room, attic, and crawl space.

Ignoring for a moment that none of the samples collected at the property were valid:

1. Ms. Sawitsky failed to collect at least 400 cm² from the attic.
2. Ms. Sawitsky failed to collect at least 400 cm² from the crawlspace.
3. Ms. Sawitsky failed to collect at least 400 cm² from Bathroom 1
4. Ms. Sawitsky failed to collect at least 400 cm² from Bedroom 2



Violation of Section 6.9.4 (4 Violations)

According to the regulations, during the assessment the consultant is required to perform specific duties including:

6.9.4 For buildings and structures that have forced air ventilation systems, at least 400 cm² of surface area of the ventilation system shall be sampled, unless the entire ventilation system is removed. 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. ...

According to the report, Ms. Sawitsky states the unit has two separate forced air ventilation systems:

The building has a forced air heating system and central air cooling.

And also from her report, Ms. Sawitsky states:

10.0 Identification of Common Ventilation Systems

An individual window HVAC unit is located in Bedroom 2 and forced air heat is located on the bedroom 1, living room kitchen side of the unit. Bathroom vents were located in each bathroom and a stove exhaust is located above the stove.

Ms. Sawitsky failed to assess and sample both systems as required. For this property, Ms. Sawitsky knowingly provided false information and falsely claimed to have collected 400 cm² from the HVAC system:

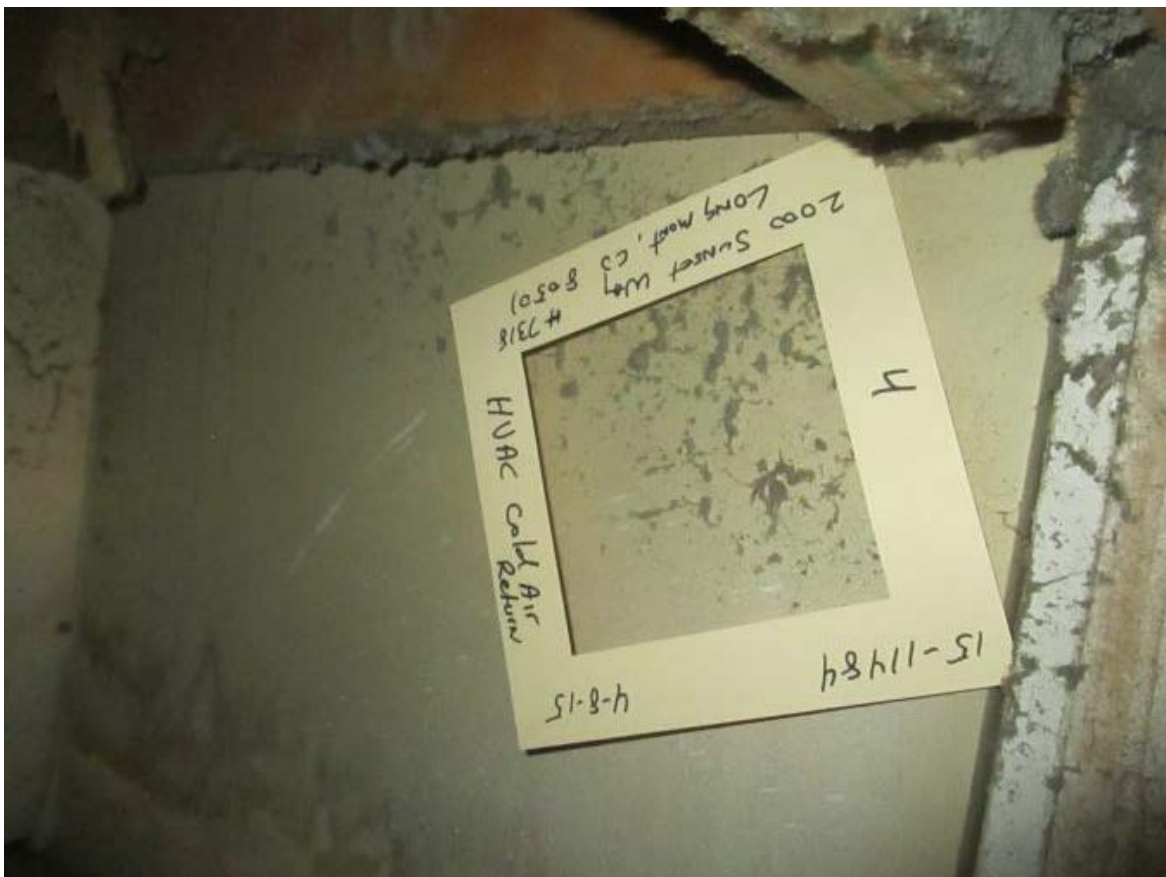
3	4/8/2015	Bathroom 1	3.1: Ceiling Fan 3.2: Wall D 3.3: Wall B 3.4: Wall C	400	0.11
4	4/8/2015	HVAC	Cold Air Return	400	0.11
5	4/8/2015	Bathroom 2	5.1: Fan 5.2: Wall B 5.3: Wall C 5.4: Wall D	400	0.05

However, the sample table explicitly gives the sample as a discrete, not a composite, and the laboratory identifies the sample as a single 100 cm² sample:



Client ID Number	Lab ID Number	Sample Area (cm ²)	Reporting Limit (µg)	METHAMPHETAMINE CONCENTRATION (µg)	Reporting Limit (µg/100cm ²)	METHAMPHETAMINE CONCENTRATION (µg/100cm ²)
11484-1	EM 1382854	400	0.05	0.20	0.01	0.05
11484-2	EM 1382855	400	0.05	0.17	0.01	0.04
11484-3	EM 1382856	400	0.05	0.42	0.01	0.11
11484-4	EM 1382857	100	0.05	0.11	0.05	0.11
11484-5	EM 1382858	400	0.05	0.21	0.01	0.05
11484-6	EM 1382859	400	0.05	0.13	0.01	0.03
11484-7	EM 1382860	100	0.05	BRL	0.05	BRL

Similarly, the photograph below provided by Ms. Sawitsky, also explicitly shows a single 100 cm² discrete sample:



WEC Photograph

Therefore, as is usual practice for this consultant, Ms. Sawitsky has knowingly lied in the documentation and knowingly provided false information with the intent to defraud the Longmont Housing Authority.

No sample was collected from within the heat exchanger unit as required.
 No sample was collected from inside the supply air system as required.
 No sample was collected from a fourth elective as required.



400 cm² was not collected from the system as required.

Violation of Section 6.9.5 (3 Violations)

According to the regulations, during the assessment the consultant is required to perform specific duties including:

6.9.5 For buildings and structures with non-ducted heating or cooling systems that circulate indoor air, **one discrete sample shall be collected from each heating or cooling unit.**

In her report, Ms. Sawitsky explicitly acknowledges the presence of the non-ducted unit:

10.0 Identification of Common Ventilation Systems

An individual window HVAC unit is located in Bedroom 2 ...

And her photograph conclusively documented the presence of non-ducted heating or cooling systems that circulate indoor air (see the photograph below):



WEC Photograph of Non-ducted Heating or Cooling System

However, no discrete sample was collected as required.



Violation of Section 6.9.7 (8 Violations)

According to the regulations, during the collection of clearance samples, the consultant is required to perform specific tasks, 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.

According to the WEC report :

4.0 Description of Chemical Storage Areas

The police report indicates that the precursor materials and chemicals were found in the following locations:

Kitchen – counter, stove, kitchen cabinet above stove, refrigerator freezer, island cabinets; Bathroom; Living Room Area

And also, according to Ms. Sawitsky’s report:

Bathroom vents were located in each bathroom and a stove exhaust is located above the stove.

Therefore, although Ms. Sawitsky failed to provide the mandatory photo-documentation, we can surmise the presence of at least a stove, and a refrigerator. Since the unit is billed as a “complete kitchen” we can similarly state it is reasonable to assume the presence of a dishwasher, and a microwave.

Therefore, according to the regulations, there would have been

- One discrete sample of the interior of the stove
- One discrete sample of the interior of the freezer – refrigerator
- One discrete sample of the interior of the microwave
- One discrete sample of the interior of the dishwasher

In violation of state regulations, Ms. Sawitsky entirely ignored all major appliances and entirely failed to collect any samples from any of the appliances.

Although FACTs disagrees with the interpretation, according to Ms. Colleen Brisnehan with the CDPHE, the above regulation **also** requires the exterior of each appliance to be sampled. Therefore, there would have been four discrete interiors, and four exterior samples for a total of eight regulatory violations.

Violation of Section 6.9.11 (20 Violations)

According to the regulations, during the collection of clearance samples, the consultant is required to perform specific tasks, 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.

In violation of Section 4.15.1 Ms. Sawitsky failed to described her sampling rationale. Therefore, it is difficult to understand why Ms. Sawitsky believed that the aliquots she collected represented "...surfaces that have a reasonable potential to contribute to human exposure..." The reality of course is that the ceiling samples are not "...surfaces that have a reasonable potential to contribute to human exposure..." and in fact, ceilings and interior walls may be surfaces that have the lowest potential for exhibiting contamination. In so selecting the locations for sampling as performed by Ms. Sawitsky, one can artificially under-report contamination that is present. Thus for example, if one knew the contamination level in "...surfaces that have a reasonable potential to contribute to human exposure..." was, say four times greater than the regulatory limit, (2 µg/100cm²), one could selectively collect samples from low probability surfaces (such as interior walls, and ceilings), and falsely "demonstrate" the contamination in the study area was below the regulatory threshold of 0.5 µg/100cm².

We will address the issue of collection of samples from areas with the highest expected contamination below; however for this section, Ms. Sawitsky documented she collected 20 samples from locations that clearly were not "...surfaces that have a reasonable potential to contribute to human exposure..."

Considering for a moment that Ms. Sawitsky

1. Failed to use the mandatory sampling media
2. Failed to use the mandatory wipe size
3. Failed to collect samples using the mandatory three-pass method
4. Failed to collect 100 cm² for each aliquot.

Each of these deficiencies will contribute to false under-estimated results; which can thereby be used to fool a person into thinking a contaminated property has concentrations below the clean-up standard.

Violation of Section 6.9.11.2 (2 Ventilation Violations)

According to the regulations, during the collection of clearance samples, the consultant is required to perform specific tasks, 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:

6.9.11.2 Areas where contamination may have migrated, such as adjacent rooms or units, common areas, shared attics, shared crawl spaces, **shared ventilation systems**, and units connected to the contaminated unit by such attics, crawl spaces, or ventilation systems.



According to Ms. Sawitsky, a shared cooling ventilation system was present in the study area. As already detailed above, Ms. Sawitsky failed to assess the system as required.

Similarly, according to the photographs of the sample close-ups, Ms. Sawitsky failed to recognize the ceiling plenum as a ceiling plenum which is shared with all of the units on the third floor.

Violation of Section 6.9.11.2 (15 Migration Violations)

According to the regulations, during the collection of clearance samples, the consultant is required to perform specific tasks, 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:

6.9.11.2 Areas where contamination may have migrated, **such as adjacent rooms or units, common areas, shared attics**, shared crawl spaces, shared ventilation systems, and units connected to the contaminated unit by such attics, crawl spaces, or ventilation systems.

As already described, Ms. Sawitsky entirely failed to address any of these areas which would have included:

- Attic
- Business Center
- Common hallway
- Common stairway
- Elevator Number 1
- Elevator Number 2
- Exercise Room
- Laundry room
- Lobby
- Stairway
- Third floor ceiling plenum
- Two meeting rooms
- Unit below the subject unit
- Unit to left of subject unit
- Unit to right of subject unit

Violation of Section 6.9.11.3 (6 Violations)

According to the regulations, during the collection of clearance samples, the consultant is required to perform specific tasks, including:

6.9.11.3 Personal property that will not be disposed of, except that hard non-porous household goods including ceramics, hard plastics, metals, and glass that show no signs of having been used during the methamphetamine cooking process (e.g., are not etched, stained, or emitting odors) do not require clearance sampling if they are washed at least two times using a detergent-water solution.



As already documented here, the photographs in the WEC report clearly indicate the subject property contained what appears to be a fully furnished apartment. And yet, in violations of the regulations, none of the items were sampled as required.

1. Ms. Sawitsky failed to assess the personal items in Bedroom 1
2. Ms. Sawitsky failed to assess the personal items in Bedroom 2
3. Ms. Sawitsky failed to assess the personal items in Bathroom 1
4. Ms. Sawitsky failed to assess the personal items in Bathroom 2
5. Ms. Sawitsky failed to assess the personal items in the Living room
6. Ms. Sawitsky failed to assess the personal items in the Kitchen

Violation of Section 7.2

According to the regulations, during the collection of clearance samples, the consultant is required to perform specific tasks, including:

7.2 If there is evidence of iodine contamination on materials or surfaces that will not be removed, surface wipe samples for iodine shall not exceed a concentration of 22 µg/100 cm².

As discussed earlier in this report, although law enforcement documentation indicated the presence of iodine, Ms. Sawitsky has historically failed to recognize iodine contamination when it is present. Since, in violation of §4.14, Ms. Sawitsky failed to provide photographic evidence of the areas where law enforcement identified the iodine, there is now no way to know what iodine contamination may remain in the structure since Ms. Sawitsky has failed to address this mandatory element of a Preliminary Assessment and Clearance Assessment.

As already discussed here, in her report Ms. Sawitsky falsely stated:

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

And yet, considering that this property is a methlab and law enforcement identified iodine as being present, quite clearly methamphetamine contamination and iodine contamination was expected at the property.

Violation of Section 8

Throughout her report, Ms. Sawitsky documented that remediation activities occurred at the subject property:

15.0	Description of the Location and Results of Post-remedial Samples	4
16.0	Photographic Documentation of Pre and Post Decontamination Samples	5

WEC Table of Contents – Document Page 4



APPENDIX D -LAW ENFORCEMENT AND/OR HEALTH DEPARTMENT DOCUMENTATION
APPENDIX E -OTHER SUPPORTING DOCUMENTATION
REMEDIAL CONTRACTOR SUPPORTING DOCUMENTATION

WEC Table of Contents – Document Page 4

observed or suspected on any surfaces during assessment. There were no noticeable organic vapor odors or visible evidence of chemicals, products, or containers present at the Site at the **time of the post-cleanup evaluation.**

WEC Document Page 7

16.0 Photographic documentation of Pre and **Post Decontamination Samples**

Complete photo documentation regarding sampling locations is presented, field documentation, and a site schematic can be found in Appendix B of this report.

WEC Document Page 9

Then Ms. Sawitsky mysteriously states:

14.0 Description of Health and Safety Procedures

No decontamination took place at the property.

The rationale of the above comment notwithstanding, Ms. Sawitsky clearly documented that some kind of (unlawful) decontamination occurred at the property. Since Ms. Sawitsky has a documented history of falsifying information in her reports, and also using boilerplate language regardless of actual site conditions, it is impossible to know what actually occurred at the location. However, since the WEC report contains four references indicating that remediation occurred, and only one reference that indicates remediation did not occur, on the balance, it is reasonable to conclude that some kind of remediation did occur.

Furthermore, remediation at the subject property is documented in the photographs records themselves. Law enforcement documentation clearly identifies that an occupant and an illegal drug laboratory was identified at the property on March 4, 2015.

Pursuant to State statutes:

25-18.5-104. Entry into illegal drug laboratories

(1) If a structure or vehicle has been determined to be contaminated or if a governing body **or law enforcement agency issues a notice of probable contamination**, the owner of the structure or vehicle shall not permit any person to have access to the structure or vehicle unless:

(a) The person is trained or certified to handle contaminated property under board rules or federal law; or



(b) The owner has received certificates of compliance under section 25-18.5-102 (1) (e).

We also know from State statutes:

(1)(c) A person who removes personal property or debris from a drug laboratory shall secure the property and debris to prevent theft or exposing another person to any toxic or hazardous chemicals until the property and debris is appropriately disposed of or cleaned according to board rules.

We also know that according to State regulations:

“Removal” means the taking out or stripping of material or surfaces from methamphetamine-affected properties up to, but not including, demolition. Removal includes taking personal property out of a structure, and physically separating contamination from material or surfaces.

We also know that according to State regulations:

5.0 Decontamination and Removal Procedures. No person other than a Contractor in good standing may conduct decontamination **or removal of contaminated materials.** Decontamination and removal must be overseen at all times by a Decontamination Supervisor.

Therefore, as of March 4, 2015, entry into the subject property was restricted and no removal or cleaning could occur except pursuant to a Preliminary Assessment. However, although Ms. Sawitsky failed to provide a complete photographic record of the site conditions as required by §4.14, the photographs by Ms. Sawitsky clearly show that the property had been cleaned and put to order by *somebody*:



Therefore, pursuant to 6 CCR 1014-3 Ms. Sawitsky was required to provide specific information in the post-decontamination report. According to the regulations, the post-decontamination report is required to contain specific information:

8.0 Post-Decontamination Reporting. The **Consultant shall prepare** a Post-Decontamination Report, in conjunction with the Contractor, to document the decontamination process and demonstrate that the entire subject property meets the



cleanup standards listed in Section 7.0 of this Part 1. The Post-Decontamination Report shall include, but not be limited to, the following, to the extent available and applicable:

Failure to Comply with Section 8.2

According to the Regulations, the consultant is required to provide specific information in the Post Decontamination Report:

8.2 Photographic documentation of post-decontamination property conditions, including previously identified cooking areas, chemical storage areas, waste disposal areas, areas of obvious contamination and sample locations.

Although the law enforcement personnel explicitly identify the kitchen area and the freezer as a chemical storage area, nowhere in her Clearance report do we see where Ms. Sawitsky has provided the documentation which was required.

Failure to Comply with Section 8.3

According to the Regulations, the consultant is required to provide specific information in the Post Decontamination Report:

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

For this property, Ms. Sawitsky failed to describe her sampling protocols and/or QA/QC and merely plugged in boilerplate language

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 (if applicable) of 6 CCR-1014-3. Sampling media with field sample kits were prepared by WEC.

As already addressed, the language in her report describing her sampling is simply falsified information that appears in several of her reports – an example of the false information include:

Samples were collected where contamination may have migrated, such as adjacent rooms or functional spaces, common areas, and ventilation systems.

- And yet, nowhere in her report are there any samples from adjacent rooms as claimed.
- Nowhere in her report are there any samples from functional spaces as claimed.
- Nowhere in her report are there any samples from common areas as claimed.
- Nowhere in her report are there any samples from the ventilation systems as claimed.

Similarly, we see the following boiler-plate language that falsely claims:

Samples were collected from previously identified traffic areas and visibly stained areas, at or near water or electric sources and/or other suspect areas where



clandestine drug manufacturing was suspected, or where previous sample results yielded concentrations in excess of 0.5 µg/cm².

And yet, none of the samples collected by Ms. Sawitsky at this property actually meet any of these criteria; this is merely boiler plate language Ms. Sawitsky puts in her reports regardless of where she actually collects samples, and as documented in her report, Ms. Sawitsky entirely failed to collect samples from “*traffic areas, visibly stained areas, at or near water or electric sources and/or other suspect areas where clandestine drug manufacturing was suspected, or where previous sample results, if applicable, yielded concentrations in excess of 0.5 µg/cm².*”

Since Ms. Sawitsky failed to provide the mandatory photographs as required by §4.14, there is no way to know if samples collected by Ms. Sawitsky during her assessment were collected from those areas with visible staining.

In fact, in violation of §6.9.11.1, Ms. Sawitsky did not even consider site conditions in the selection of her sample locations, but rather seems to have mindlessly collected her samples regardless of the actual indicators for that room.

In her report, Ms. Sawitsky falsely stated:

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 documented in this audit, virtually none of the handling was consistent with the requirements and Ms. Sawitsky was not even sufficiently competent to even provide a chain-o-f-custody as required (described above).

Nowhere in her report did Ms. Sawitsky describe the QA/QC for the project; instead, Ms. Sawitsky merely plugged in boilerplate language that appears to be used for all her assessments (all of which that have been reviewed by FACTs are invalid). For example, nowhere in her report does Ms. Sawitsky explain how her QA/QC field blank was 100cm² (in violation of the regulations) or why, in violation of the regulations, her QA/QC field blank was only a single component blank and not a multiple component blank as required by regulations.

Nowhere in her report has Ms. Sawitsky describe the wipe procedure used (which as described earlier is not consistent with the regulations).

Failure to Comply with Section 8.5 (2 Violations)

According to the Regulations, the consultant is required to provide specific information in the Post Decontamination Report:

8.4 Documentation of the analytical methods used and laboratory QA/QC documentation, including the laboratory analytical report and chain-of-custody documentation.



As already described, Ms. Sawitsky failed to provide a chain-of-custody as required.

Failure to Comply with Section 8.5 (Falsified Laboratory Report)

According to the Regulations, the consultant is required to provide specific information in the Post Decontamination Report:

8.5 Results of post-decontamination clearance sampling, including a description of sample locations and a computer generated figure with sample locations and identification, and a copy of each laboratory report of post-decontamination sample results. Sample results shall be presented as reported by the analytical laboratory, and shall not be adjusted, changed, or manipulated in any way. Spiked samples submitted for analysis shall not be used for purposes of compliance with the regulation.

In her report, Ms. Sawitsky intentionally falsified the information in the laboratory report in an effort to hide the fact that she failed to collect the samples as required. The laboratory report very clearly states:

Client ID Number	Lab ID Number	Sample Area (cm ²)	Reporting METHAMPHETAMINE Limit (µg)	Reporting METHAMPHETAMINE CONCENTRATION (µg)	Reporting METHAMPHETAMINE Limit (µg/100cm ²)	Reporting METHAMPHETAMINE CONCENTRATION (µg/100cm ²)
11484-1	EM 1382854	400	0.05	0.20	0.01	0.05
11484-2	EM 1382855	400	0.05	0.17	0.01	0.04
11484-3	EM 1382856	400	0.05	0.42	0.01	0.11
11484-4	EM 1382857	100	0.05	0.11	0.05	0.11
11484-5	EM 1382858	400	0.05	0.21	0.01	0.05
11484-6	EM 1382859	400	0.05	0.13	0.01	0.03
11484-7	EM 1382860	100	0.05	BRL	0.05	BRL

Reservoirs Laboratory Report for 2000 Sunset Way Unit #7318

For sample Number 11484-4 Ms. Sawitsky only collected 100 cm² from the ventilation system. Ms. Sawitsky knew that the regulations required her to collect 400 cm² from the ventilation system. Therefore, in an effort to hide the failure to comply, Ms. Sawitsky simply falsified the laboratory report and changed the “100 cm²” to read “400 cm²”:



Sample #	Date	Room	Sample Location	Sample Area (cm ²)	Results (µg/100cm ²)
1	4/8/2015	Kitchen, Living Room	1.1: Stove Vent 1.2: Living Room Ceiling 1.3: Living Room Wall B 1.4: Kitchen Wall A	400	0.05
2	4/8/2015	Bedroom 1	2.1: Ceiling 2.2: Wall D 2.3: Wall C 2.4: Wall A	400	0.04
3	4/8/2015	Bathroom 1	3.1: Ceiling Fan 3.2: Wall D 3.3: Wall B 3.4: Wall C	400	0.11
4	4/8/2015	HVAC	Cold Air Return	400	0.11
5	4/8/2015	Bathroom 2	5.1: Fan	400	0.05

Falsified Data Table – WEC Report Page 4

The falsification of information is extremely common in the reports from WEC who, based on our first hand knowledge, regularly falsifies information in their reports.

Failure to Comply with Section 8.6

According to the Regulations, the consultant is required to provide specific information in the Post Decontamination Report including:

8.0 Post-Decontamination Reporting. The **Consultant** shall prepare a Post-Decontamination Report, in conjunction with the Contractor, to document the decontamination process and demonstrate that the entire subject property meets the cleanup standards listed in Section 7.0 of this Part 1. The Post-Decontamination Report **shall include**, but not be limited to, the following, to the extent available and applicable:

8.6 The Contractor shall provide an electronic copy of a Decontamination Summary Report, containing the following information, to the Department and to the Consultant within thirty (30) days of completion of decontamination work at the subject property for inclusion in the Post-Decontamination Report:

Nowhere in the report do we find the mandatory Decontamination Summary as required.

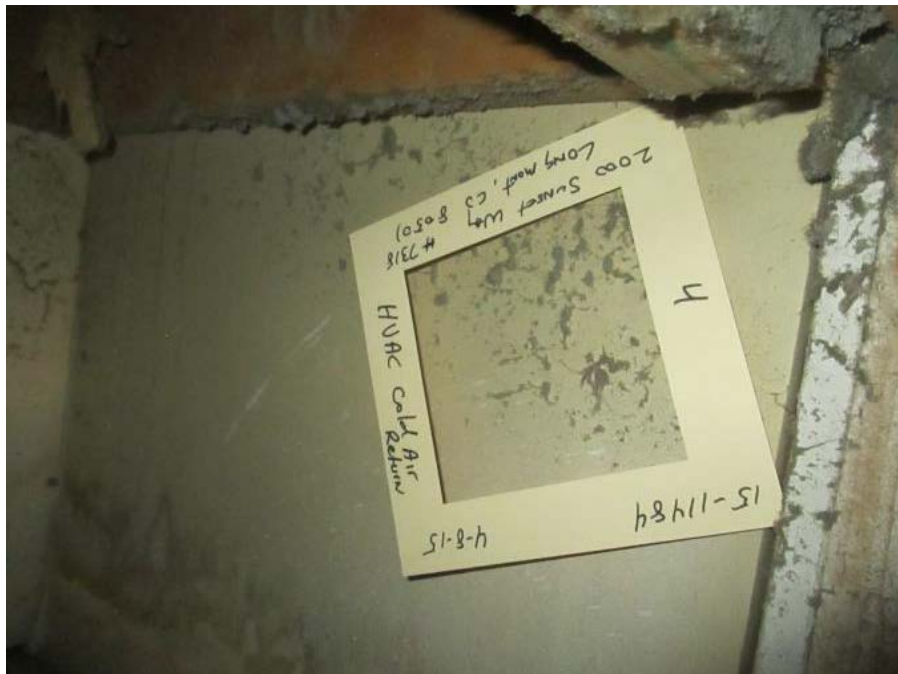
Failure to Comply with Section 8.6.1

According to the Regulations, the consultant is required to provide specific information in the Post Decontamination Report:

8.6.1 A description and photographic documentation of the decontamination procedures used and a description of each area that was decontaminated. Photographic documentation shall include photographs of the ventilation system demonstrating that the system has been cleaned and is free of debris.



The ventilation systems were never sampled pursuant to regulations to confirm compliance, and therefore were left in place without sampling. Nowhere in the report do we find the mandatory information required by §8.6.1 – instead, we do find the following photograph documenting that the ventilation system was never cleaned.



WEC Photograph

Failure to Comply with Section 8.6.2

According to the Regulations, the consultant is required to provide specific information in the Post Decontamination Report:

8.6.2 A description of the removal procedures used, a description of areas where removal was conducted, and the materials removed.

Nowhere in the report for this subject property do we find the mandatory information.

Failure to Comply with Section 8.6.3

According to the Regulations, the consultant is required to provide specific information in the Post Decontamination Report:

8.6.3 A description of the encapsulation procedures used and documentation of the areas and/or materials where encapsulation was performed.

Nowhere in the report do we find the mandatory information.

Failure to Comply with Section 8.6.4 Waste Management

According to the Regulations, the consultant is required to provide specific information in the Post Decontamination Report:



8.6.4 A description of the waste management procedures used, including characterization, handling and final disposition of wastes.

Nowhere in the report do we find the mandatory information.

Failure to Comply with Section 8.6.4 Waste Manifest

According to the Regulations, the consultant is required to provide specific information in the Post Decontamination Report:

8.6.4 ...Copies of the waste manifests or bills of lading shall be included in the final report.

Nowhere in the report do we find the mandatory information.

Failure to Comply with Section 8.6.5 Missing Certificates

According to the Regulations, the consultant is required to provide specific information in the Post Decontamination Report:

8.6.5 Evidence of Contractor certifications in accordance with Part 2 of these regulations.

Nowhere in the report do we find the mandatory information.

Failure to Comply with Section 8.6.6

According to the Regulations, the consultant is required to provide specific information in the Post Decontamination Report:

8.6.6 Documentation of variations from standard practices.

As discussed in this report, there were no fewer than 301 variations from the standard, however, nowhere in the report do we find the mandatory information.

Failure to Comply with Section 8.6.7

According to the Regulations, the consultant is required to provide specific information in the Post Decontamination Report:

8.6.7 A certification statement, signed by the Decontamination Supervisor who oversaw the work, in the following form:

"I hereby certify that the subject property has been decontaminated, and/or contaminated portions of the subject property have been removed, in accordance with the procedures set forth in 6 CCR 1014-3, Part 1, § 5."

Instead, in her report, Ms. Sawitsky knowingly, willfully and intentionally falsified information in the document and, in our opinion, based on the objective facts, and with the intent to defraud the property owner, falsely claimed:



18.0 Certification of Procedures and Results

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.



Signed by Judith E. Sawitsky, IH

April 15, 2015
Date

Based on the totality of circumstances, and the objective data presented in this audit, Ms. Sawitsky knowingly, and with the intent to defraud, provided the above false “certification.”

Violation of 6 CCR 1014-3 Part 2 Section 3.0

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

PART 2: TRAINING AND CERTIFICATION REQUIREMENTS

3.0 Interim Authorization

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

The documentation provided indicates that the sampling and the assessment were performed by an unauthorized individual named “Lauren York.” In any event, even if the work was performed by Ms. Sawitsky, there is no evidence that Ms. Sawitsky, prior to the date of the work at 2000 Sunset Way, has been “...performing assessment or decontamination activities subject to these regulations...” Indeed, there is no evidence that Ms. Sawitsky has *ever* performed a legitimate drug laboratory assessment in the State of Colorado.

Over the last several years, a serious problem has been created by consultants (such as WEC) who have fraudulently claimed to be Industrial Hygienists and, under that assumed title, have been performing invalid assessments of illegal drug laboratories. Since local governments were not receiving support in compliance, many local jurisdictions did not enforce any aspect of the regulations.

Certified Mould Inspectors

Until recently, Ms Sawitsky has not even pretended to be an “Industrial Hygienist” and instead Ms. Sawitsky has historically identified herself 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” mould (mold) inspector and often means



“Certified Mould Contractor” or “Certified Microbial Contractor,” or other meaningless “certification” in mould related issues.

Colorado, like virtually every other State, does not recognize the credentials of a “certified mould inspector” since there is no State Regulatory Board which oversees such “certification.” This “certification” does not carry any indication of proficiency in any field of practice. Typically, “certified” mould inspectors are self-“certified” and generally lack any legitimate training in indoor moulds or in any science related field.

None of the various “certifications” used by Weecycle in their report, are recognized in Colorado; essentially a child of 12 years old could sit down at their computer and print out a “certificate” identifying themselves as a “CMC” or claim they are a “Certified Meth Lab Decontaminator” and run around collecting samples. However that does not make them an Industrial Hygienist, and such a person will not meet the statutory definition of an Industrial Hygienist and none of their assessments in illegal drug laboratories will be valid in the state of Colorado.

In fact, similar to most “certified” mould inspectors Ms. Sawitsky is not even knowledgeable in indoor moulds, 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 an 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 her report, Ms. Sawitsky claims to be 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).

As it is, according to the public records, in the five years prior to July 1, 1997, there is no documentation to indicate Ms. Sawitsky was practicing as an Industrial Hygienist; rather Ms. Sawitsky describes her 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.

The author of this review (Caoimhín P. Connell) was the legislative technical advisor for the 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,²⁶ in conjunction with the American Conference of Governmental Industrial Hygienists,²⁷ 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
- Community Exposures
- Engineering Control and ventilation
- Ergonomics
- Health Risk Analysis and Hazard Communication
- Ionizing radiation
- Management
- Noise and Hearing loss prevention

²⁶ I am a member of the AIHA and currently sit on the Clandestine Drug Laboratory Working Group

²⁷ Of which I am a member



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 ever received any training or experience or knowledge in ANY of the above listed core capabilities. Furthermore, previous work by WEC clearly demonstrates gross incompetence in several of these areas, such as toxicology, biohazards and air sampling.

A part-time FACTs field Technician, was a supervisor at a heavy industry steel manufacturing facility. In November 2013, FACTs asked our technician to contact WEC, and identifying himself and identify his role in heavy industry and to inform WEC he was asked to contact WEC regarding their capabilities to provide Industrial Hygiene services. Specifically, our technician was asked to inquire 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 above listed Industrial Hygiene services. Therefore, out of the 17 core capabilities that constitute Industrial Hygiene, WEC was incapable of providing at least 11 of those services.

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 him they were not able to perform this basic 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 him they were not able to perform this basic 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 him they were not able to perform this basic 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 him they were not able to perform this basic 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 him they were not able to perform this basic 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 him they were not able to perform this basic Industrial Hygiene function.

There is no documentation to suggest WEC is an Industrial Hygiene firm. WEC was not able to provide any of the above, basic Industrial Hygiene services since WEC is not an Industrial Hygiene firm and apparently does not employ any Industrial Hygienists.

There is no documentation suggesting that 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, FACTs has demonstrated that WEC entirely rejects known 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 an illegal drug laboratory.



Fraudulent and Misleading Certifications

Colorado Methlab Certification

In the past, WEC has explicitly claimed to be Certified by the State of Colorado to perform illegal drug laboratory assessment work. However, during that time-frame, there was no such certifications in Colorado, and there never had been any such certification in Colorado.

As of November 9, 2013, on their website, WEC made the patently 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:

<h3>Clandestine Labs Testing</h3> <p>Certified to test for Clandestine Lab (testing for Methamphetamine Contamination) existence in Colorado, Montana, Wyoming, and Idaho.</p>
<small>Copyright © 2013 Weecycle Environmental Consulting - All Rights Reserved - Site Created and Maintained by www.OutsourceLocally.com Powered by WordPress & Atahualpa</small>

Language from the Weecycle Internet Site²⁸

At that time, there was no such certification, and in fact, Ms. Sawitsky was prohibited by regulation from performing regulatory testing for methamphetamine in Colorado.

Mysterious State of Colorado Consultant Registration

In earlier reports, WEC has also claims they hold

State of Colorado Consultant Registration, Reg. #5417

FACTs is entirely unaware of this “registration” or how it may be alluding to these projects. FACTs searched the Official State of Colorado Registry and found there is 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.

Meth Lab Clean-up Company

On the WEC internet page, WEC claims to have a certification in “Clandestine Drug Lab Decontamination Training” and they falsely claimed they were **certified** for performing clandestine drug laboratory assessments in Colorado.

²⁸ 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.”



WEC claimed the certification was from a meth-lab cleanup company who is similarly known for multiple violations of State regulations.^{29,30}

Montana Cleaning License

We have seen in other reports where WEC claimed to be a Montana Certified Methamphetamine Cleanup Supervisor (MCP11-0039-S) – On November 9, 2013, FACTs went to the following internet page: <http://www.deq.mt.gov/Meth/MethContractors.mcp>



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 they list WEC as being certified in any way whatsoever.

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

As described in this audit, none of the work at the property was performed according to mandatory regulations. 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.

²⁹ See for example 9210 Race Street, Thornton, CO 80229 http://forensic-applications.com/meth/Critical_review_Race.pdf

³⁰ See for example: 836 Prospect Lake Drive, Colorado Springs, CO, http://www.forensic-applications.com/meth/MLCC_Prospect_Lake.pdf



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

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

However, since Ms. Sawitsky has specifically referenced 6 CCR 1014-3 and explicitly stated that she was aware of those requirements and since FACTs has identified thousands of similar regulatory violations over the last couple of years regarding Ms. Sawitsky's work, one must conclude that Ms. Sawitsky knowingly and willfully performed work that deviated from mandatory State requirements.

Pursuant to State statute and state regulations, the "Preliminary Assessment" and "Post Decontamination 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 Ms. Sawitsky was aware of such recording and was aware of the false statements made therein.

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

Presently, Ms. Sawitsky holds herself out to be an Industrial Hygienist. As documented in this review (and in other historical documents referenced in this review) there is nothing in the present documentation that would indicate that Ms. Sawitsky is, in fact an Industrial Hygienist meeting the State definition.

The incompetence demonstrated in the WEC report should be 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 she 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 she was aware that she 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 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 her or her qualifications may be in violation of this Act. 18 § 6-1-105(1)(b), (c), (e) and (l), C.R.S.

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

Forensic Applications Consulting Technologies, Inc. (the author of this review), helped the State Legislature write the statutory language that eventually became codified and required



the Colorado Department of Public Health and Environment (CDPHE) to revised the regulations. Unfortunately, the task for the revision was given to the CDPHE regulator who, in violation of Colorado's criminal statutes, had helped create the problem associated with fraudulent consultants performing assessments of methamphetamine affected properties.³¹

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

Although Ms. Brisnehan granted automatic State Interim Authorization, Ms. Sawitsky has, in the past, never claimed to be an Industrial Hygienist until recently (she has always identified herself as a some kind of a "certified" mould inspector) and has never been able to provide any documentation indicating that she has received any training in illegal drug laboratories or their assessment. As such, there is no expectations that the consultant would possess the necessary skills or knowledge to fulfill the regulatory requirements concerning the assessment of a methamphetamine affected property.

Finally, 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.

CONCLUSION

For this regulatory audit of a Preliminary Assessment and Post Decontamination Report and Clearance Sampling by Ms. Judith Sawitsky with Weecycle, for the subject property located at 2000 Sunset Way, Unit #7318, Longmont, CO 80501, FACTs has identified no fewer than 301 regulatory violations.

This property remains an illegal drug laboratory, entry into which and occupancy of is therefore restricted by statutes. Any occupants in the property are at elevated risk of chemical exposures, and any construction personnel involved with the subject property should seek medical advice.

³¹ See for example, the discussion here: http://www.forensic-applications.com/meth/Addendum_7_Woellner_11767_Grant.pdf



Appendix A

Reviewer's Statement of Qualifications





Forensic Applications Consulting Technologies, Inc. Consultant Statement of Qualifications

FACTs project name:	General Distribution	Form # ML15
January 19, 2016		

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

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

From 2009, Mr. Connell served as the Industrial Hygiene Subject Matter Expert on the Federally funded Interagency Board (Health, Medical, and Responder Safety SubGroup), and was elected full member of the IAB-HMRS in 2011 where he now serves. He is the only private consulting Industrial Hygienist in Colorado certified by the Office of National Drug Control Policy High Intensity Drug Trafficking Area Clandestine Drug Lab Safety Program, and P.O.S.T. certified by the Colorado Department of Law.

He has received over 194 hours of highly specialized law-enforcement sensitive training in drug lab operation, and under supervision of the US DEA, he has manufactured methamphetamine using a variety of street methods. He has received highly specialized drug lab assessment training through the Iowa National Guard, Midwest Counterdrug Training Center and the Florida National Guard Multijurisdictional Counterdrug Task Force, St. Petersburg College, Rocky Mountain HIDTA, as well as through the US NHTSA, and the U.S. Bureau of Justice Assistance (US Dept. of Justice) and he is currently ARIDE Certified.

Mr. Connell is a current sworn law enforcement officer who has conducted clandestine laboratory investigations and performed risk, contamination, hazard and exposure assessments from both the law enforcement (criminal) perspective, and from the civil perspective in residences, apartments, motor vehicles, and condominiums. Mr. Connell has conducted over 613 assessments of illegal drug labs in CO, SD, NE, OK, and collected over 5,565 samples during assessments (a partial detailed list of drug lab experience is available on the web at): <http://forensic-applications.com/meth/DrugLabExperience2.pdf>

He has extensive experience performing assessments pursuant to the Colorado meth-lab regulation, 6 CCR 1014-3, and was an original team member on two of the legislative working-groups which wrote the original regulations for the State of Colorado and he was the primary author of Appendix A (*Sampling Methods And Procedures*) and Attachment to Appendix A (*Sampling Methods and Procedures Sampling Theory*) of the original Colorado regulations. Mr. Connell strongly objected to the unscientific, unfounded and inappropriate amendments now found in regulation.

Recommended by the US NIOSH as Peer Review Expert for the NIOSH 9109 Method, *Methamphetamine*, he has been admitted as a drug lab expert in Colorado, and an Industrial Hygiene Expert in Colorado in both civil and criminal courts as well as Federal Court in Pennsylvania. He has provided expert testimony in several criminal cases including Grand Jury testimony and testimony for US Bureau ATF and he testified before the Colorado Board of Health and Colorado Legislature Judicial Committee regarding methlab issues. Mr. Connell has provided services to private consumers, Indian Nations, State Investigators, and Federal Investigators, and provided testimony regarding criminal activities of staff members at the Colorado Department of Public Health Environment.



Multijurisdictional Counterdrug Task Force Training

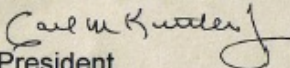


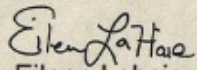
This is to certify that
Caoimhin P. Connell

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

Rural Patrol

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


President
St. Petersburg College


Eileen Lahaie
MCTFT Director

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

Midwest Counterdrug Training Center



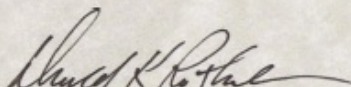
Certificate of Training

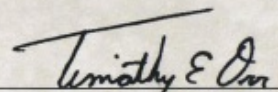
This certifies that

Caoimhin Connell

Has successfully completed the
Clandestine Laboratory Certification

Cheyenne, WY
40 Training Hours
2-6 August 2004


Network Environmental Systems, Inc.


LTC Timothy E. Orr
Commandant



Center *for* Task Force Training™

THIS IS TO CERTIFY THAT

Caoimhin P. Connell

HAS SUCCESSFULLY COMPLETED 20 HOURS OF TRAINING IN

METHAMPHETAMINE INVESTIGATION MANAGEMENT

MARCH 20-22, 2006

DENVER, COLORADO

Domingo S. Herraiz
Director, Bureau of Justice Assistance

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



State and Local Anti-Terrorism Training

THIS IS TO CERTIFY THAT

Caoimhin P. Connell

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

June 1, 2006
Denver, Colorado

Domingo S. Herraiz
Director, Bureau of Justice Assistance



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

*Rocky Mountain
High Intensity Drug Trafficking
Area*



Certifies that



Caoimhín Connell

has attended

4 hours of

Hash Oil Extraction: The Scene and The Patient

Aurora, CO

July 25, 2014

Training Manager, Rocky Mountain HIDTA

Director, Rocky Mountain HIDTA



www.nesglobal.net

Certificate of Completion

Caoimhin Connell

has successfully completed training in

Advanced Clan Labs: Beyond the Basics

presented by

NES, Inc.

1141 Sibley Street Folsom, CA 95630

Instructor - Brian Escamilla

04/28/14 04/30/14

Date

Contact Hours:24

This certifies that

Caoimhin P Connell

Has met the requirements for the online course

Expert Testimony Training for the Prosecutor and Scientist



11-07-2012

Certificate Number: 1109778763

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



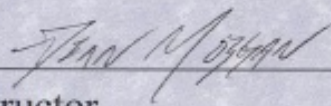
Park County Sheriff's Office Certificate of Completion

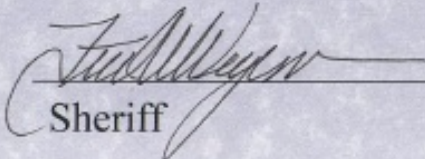
Caoimhin Connell

has completed an 8 hour course in:

Crime-scene Approach and Evidence Collection

Completed this 29th day of April, 2009


Instructor


Sheriff

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



Certifies that



Caoimhín P. Connell

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

Training Manager, Rocky Mountain HIDTA

Director, Rocky Mountain HIDTA

Certificate of Completion

This Will Certify That

Caoimhín P. Connell

Successfully Completed

Prescription Drug Crimes

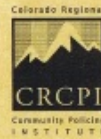
7 Hours Completed

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



P. Ritch Wagner
Instructor

Director, Law Enforcement Liaison & Education



Certificate of Training

This is to certify that
Caoimhin Connell

(Name)

Park County Sheriff's Office

(Agency)

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

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

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



Colorado Law Enforcement Officers' Association



This is to certify that

CAOIMHIN CONNELL

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

hosted by **Loveland Police Department**

on **February 28 – March 1, 2011**

Tom Finelle
Tom Finelle, CLEOA President

M. A. [Signature]
ARIDE Instructor

State of Colorado



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

CAOIMHIN PADRAIG CONNELL

August 27, 2008

Date

VIN INSP— **0952**

Number

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

Bill Ritter Jr.

Governor

John W. Suthers

Attorney General, Board Chairperson

Certificate of Completion Intoxilyzer 9000 Operator Certification Course

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

Caoimhin P Connell

User ID: **841645**

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

February 21, 2013

Certificate Date

Jeffrey A. Groff

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



David A. Butcher

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

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



Certificate of Achievement

awarded to:

Caoimhin P. Connell

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

June 1st, 2005

Date

Signed

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

CERTIFICATE OF COMPLETION

COLORADO LAW ENFORCEMENT ASSOCIATIONS TRAINING PROJECT

This Certifies That

Caoimhin Connell

Has Attended the

CLEAT 40-HOUR

Train the Trainer Course

Hosted by Breckenridge Police Department
August 14-18, 2006

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

John L. Kammerzell
Executive Director
Police Officer Standard & Training

Donald E. Christensen
Executive Director
County Sheriffs of Colorado





SINCE 1973

This is to certify that

Caoimlin P. Connell

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

Presented this 24th day of May, 2008

CATI President

VIN Inspector Training Coordinator

State of Colorado



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

CAOIMHIN PADRAIG CONNELL

May 6, 2004

Date

B- 10670

Number

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

Governor

Attorney General, Board Chairperson

*Rocky Mountain
High Intensity Drug Trafficking
Area*



Certifies that



Caoimhín Connell

has attended

16 hours of

MCTC / RMHIDTA Indoor Marijuana Grows

Centennial, CO

August 28-29, 2014

Training Manager, Rocky Mountain HIDTA

Director, Rocky Mountain HIDTA

CERTIFICATE OF TRAINING

THIS IS TO CERTIFY THAT

Caoimhín Connell

Has completed 4 hours of successful training for

The Hazards of Hash Oil Extraction

Held at IRIS Fire Investigations in Englewood, CO

on this 7th day of November, 2014

Robert K. Toth
IRIS Fire Investigations, President



COLORADO
Department of Public
Health & Environment

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

December 30, 2014

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

Consultant Interim Authorization Approval

Dear Caoimhin Connell:

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

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

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

Approved By: _____

Date: _____

12/30/2014





COLORADO
Department of Public
Health & Environment

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

December 30, 2014

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

Consultant Firm Interim Authorization Approval

Dear Forensic Applications Consulting Technologies Inc:

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

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

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

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

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

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

Approved By: _____

Date: 12/30/2014

