



FORENSIC APPLICATIONS CONSULTING TECHNOLOGIES, INC.

**Regulatory Audit
of**

**Methamphetamine Post-Decontamination Report
Prepared by**

**Quality Environmental Services
Joe Boatman**

**For
1815 Regal Ct., Unit B
Louisville, CO 80027**

**Don Roybal
Boulder County Housing Authority
PO Box 471**

(Identifying 357 Regulatory Violations)

Prepared by:

FORENSIC APPLICATIONS CONSULTING TECHNOLOGIES, INC.

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December 21, 2015

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EXECUTIVE SUMMARY

Performing an regulatory audit for this property is actually difficult since virtually no aspect of regulations was followed at any time. The work is so lacking in technical competence and so lacking in regulatory compliance one could virtually look at any aspect of the regulatory requirements and note that the author of the report, Mr. Boatman failed to comply with the regulations. Indeed, as described below, Mr. Boatman was not even sufficiently competence to identify the regulations he was supposed to be following.

In the end, Mr. Boatman essentially attempted to clear the property by collecting a single 100cm² sample from the furnace system.

Mr. Boatman entirely failed to comply with every aspect of 6 CCR 1014-3.

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 Public Domain document identified as:

Joe F. Boatman, PhD, QEP
Quality Environmental Services
4432 Wellington Road, Boulder, CO 80301
Methamphetamine Clearance Sampling Report
1815B Regal Ct., Louisville, CO 80027
August 3, 2015

Prepared for:
Don Roybal
Boulder County Housing Authority
PO Box 471
Boulder, CO 80306

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

For this regulatory audit of Clearance Sampling performed at 1815 Regal Ct. Unit B, Louisville, CO 80027 (the subject property), FACTs has identified no fewer than 357 (three hundred and fifty seven) regulatory violations.



The Contractor in question, Mr. Joe Boatman, Quality Environmental Services (QES), has a long history of technical incompetence, in valid assessments, and regulatory violations.^{1,2,3,4} In two earlier audits associated with this property,^{5,6} FACTs identified 90 regulatory violations associated with the “Screening Level Assessment” and 234 regulatory violations associated with the Preliminary Assessment (neither of which were valid). Since the Preliminary Assessment was invalid, none of the cleaning that occurred on site could have met regulatory mandates (the decontamination of a property must be predicated on a valid Preliminary Assessment).⁷

Furthermore, since the final Clearance Sampling must also be predicated^{8,9} on a valid Preliminary Assessment, all violations identified here notwithstanding, the Clearance Sampling could not have been valid.

REVIEW OF THE DOCUMENT

During the performance of a Clearance Assessment of a known methamphetamine affected property the Consultant is required by regulations to perform specific mandatory tasks in a specified manner and provide specific mandatory documentation. In reviewing the report associated with 1815 Regal Ct., Unit B, Louisville, CO 80027 (the subject property) FACTs has identified no fewer than 357(three hundred and fifty seven) deficiencies - some of which, according to prior statements and/or correspondences from Boulder County Health, invalidate the entire assessment.

State of Knowledge

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

¹ 769 Cleveland Circle, Lafayette, CO 80026, February 10, 2015 , CO

²731 Excelsior Place, Lafayette, CO 80026

³ 502C West South Boulder Road Louisville, CO 80027

⁴ 2330 Wedgewood Ave., Building 7, Longmont, CO 80503, March 15, 2015 (345 Regulatory Violations)

⁵ Screening Assessment 1815 Regal Ct., Unit B, Louisville, CO 80027 (90 Regulatory violations):

⁶ Preliminary Assessment 1815 Regal Ct., Unit B, Louisville, CO 80027 (234 Regulatory violations):

http://www.forensic-applications.com/meth/Boatman_Regal_PA_RA.pdf

⁷ 6 CCR 1014-3 §4: “Information gained during the preliminary assessment **shall be the basis** for property decontamination and clearance sampling.”

⁸ 6 CCR 1014-3 §6.9.11 “Locations of clearance samples **shall** be based on information gathered during the preliminary assessment.”

⁹ 6 CCR 1014-3 §4: “Information gained during the preliminary assessment **shall be the basis** for property decontamination and clearance sampling.”



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

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

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

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

If an individual has no documented training in illegal drug laboratories or their assessment, there cannot be an expectation that the Consultant would possess the necessary skills needed to perform the professional role of an Industrial Hygienist in the assessment of illegal drug laboratories.

For this property, the consultant who performed the Screening Assessment and the Preliminary Assessment has never provided any documentation which indicates that he has any knowledge or training in Industrial Hygiene, or in the assessment of illegal drug laboratories. As such, there was no expectation that the consultant would possess the necessary skills or knowledge to fulfill the regulatory requirements. This opinion is supported by incompetence and regulatory violations exhibited by the consultant as documented in the past, and in this review.

To date, including the violations identified in this review, FACTs has identified no fewer than 1,914 (one *thousand*, nine hundred and fourteen) regulatory violations by this consultant. For this property, for example, the consultant is so apparently incompetent, that he was not capable of even identifying the correct regulation he was required to be following. The opening sentences in his report state:

The Final Clearance requirements after cleaning Methamphetamine contamination are given in the Colorado Department of Public Health and Environment Regulations Pertaining to the Cleanup of Methamphetamine Laboratories (6 CCR 1014-3, Sect. 8).

1) The "Colorado Department of Public Health and Environment Regulations Pertaining to the Cleanup of Methamphetamine Laboratories" (6 CCR 1014-3, 2005) expired on December 15, 2014 and had not been in effect for eight months when Mr. Boatman performed this work.



2) The final clearance requirements for the “*Colorado Department of Public Health and Environment Regulations Pertaining to the Cleanup of Methamphetamine Laboratories*” (6 CCR 1014-3, 2005) were not found in Section 8, they were found in Section 7.

3) The current regulations (which Mr. Boatman was supposed to be following), have no final clearance requirements in Section 8 either, Pursuant to the current regulations (which Mr. Boatman was supposed to be following, the final clearance requirements are found Section 6.^{10,11,12,13,14,15,16}

It would be difficult to argue the consultant followed the regulations, when the consultant clearly has never read the regulations and clearly has no idea what the regulations require or what his obligations are under those regulations.

CLEARANCE SAMPLES

Remarkably, for this property, Mr. Boatman performed “post decontamination clearance” by collecting a single 100cm² sample from the furnace system.

Mr. Boatman claimed the remaining “clearance” samples were collected during the Preliminary Assessment. However, for the reasons provided below, Mr. Boatman failed to perform the sampling as required and for this property, not a single clearance sample has been collected.

¹⁰ 3.6.2 A full clearance sampling protocol as specified in Section 6 may be conducted.

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

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

¹³ §5.7.5 Following decontamination, the Consultant shall sample the attic area in accordance with the clearance sampling requirements of Section 6 of this Part 1

¹⁴ §5.8.8 After completing steps 1 through 7, sample surfaces, other than dirt floors, in accordance with the clearance sampling requirements of Section 6 of this Part 1 to determine if contaminant concentrations exceed the cleanup standard.

¹⁵ §6.1.3 The following sample collection procedures shall be followed for screening level sampling, preliminary assessment sampling and clearance sampling,

¹⁶ §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.



Violation of Section 4.17

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

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

In his report, QES erroneously states:

This was a Methamphetamine Preliminary Inspection. Clearance sampling will be completed at a later date.

And yet, QES performed clearance sampling during the Preliminary Assessment. For example, in his report Mr. Boatman explicitly stated:

The following rooms and locations were found to contain Methamphetamine at concentrations above the trigger limit.

1. Heater, Return Air, Return Air, Supply Air.

In his report, Mr. Boatman performed clearance sampling to 10 areas:

The following rooms and locations were found not to contain Methamphetamine at concentrations above the trigger limit.

1. Living Room.

2. Dining Room.

3. Kitchen.

4. Hall.

5. Laundry.

6. Center Bedroom.

7. Master Bedroom.

8. Outer Bath.

9. Inner Bath.

10. Crawl Space.

Therefore, during the Preliminary Assessment, Mr. Boatman cleared those areas with samples; that is, Mr. Boatman performed Clearance Sampling during the Preliminary Assessment. According to the regulations:

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



Violation of Section 4.17.1 (Two Violations)

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

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

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

As will be described later, none of the sampling performed at this subject property by QES was performed pursuant to 6 CCR 1014-3 and none of the sampling can be used for clearance purposes.

Nowhere in their report has QES described their QA/QC, and failed to mention that the QA/QC apparently used by QES failed to meet the State regulation (described later).

Violation of Section 4.17.2

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

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 the audit of the Preliminary Assessment, QES failed to complete the chain-of-custody as required.

FAILURE TO COMPLY WITH SECTION 5

Failure to Comply with Paragraph 5.0 (Decontamination Supervisor)

According to the regulations, during decontamination:

5.0 Decontamination and Removal Procedures. ...Decontamination and removal must be overseen at all times by a Decontamination Supervisor.

There is no indication that any work was under the supervision of a Decontamination Supervisor – As described later, in his report, Mr. Boatman failed to provide the mandatory documentation required by Section 8, providing this information.



Failure to Comply with Paragraph 5.0 (Failure to Attain Decontamination)

According to the regulations, during decontamination:

5.0 ... The Contractor shall conduct decontamination to reduce the concentration of all contaminants on the subject property to or below the levels specified in Section 7.0 of this Part 1.

No sampling performed pursuant to Section 6 was performed to determine if contamination levels had been reduced.

Failure to Comply with Paragraph 5.

In violation of §8.6.1 the final documentation failed to include a description and photographic documentation of the decontamination procedures used and a description of each area that was decontaminated. Photographic documentation was supposed to include photographs of the ventilation system demonstrating that the system has been cleaned and is free of debris.

Failure to Comply with Paragraph 5.6.2.1

According to the regulations, during decontamination:

5.6.2.1 Perform a walk-through of the structure prior to initiation of the project to establish a specific plan for decontamination of the ventilation system, and to identify components that will be removed.

There is no indication that this was performed.

Failure to Comply with Paragraph 5.6.2.2

According to the regulations, during decontamination:

5.6.2.2 Except as provided in 5.6.2.8, remove and dispose of all porous components, flexible ducting, glass-lined ducting, and any ducting that has been damaged or compromised.

There is no indication that this was performed.

Failure to Comply with Paragraph 5.6.2.3

According to the regulations, during decontamination:

5.6.2.3 Place protective coverings in areas where work is being performed, including plastic or drop cloths around each area where the duct is penetrated. Utilize controlled containment practices to ensure that debris is not dispersed outside the air conveyance system during cleaning.

There is no indication that this was performed.



Failure to Comply with Paragraph 5.6.2.4

According to the regulations, during decontamination:

5.6.2.4 Perform a visual inspection of plenums, interior ductwork surfaces, and internal components. Inspect all points where lateral lines are attached at the boot (vent) and trunk line in attics and crawl spaces for sufficient integrity to successfully create negative pressure. Seal or remove breaches as necessary to maintain pressure.

There is no indication this was performed.

Failure to Comply with Paragraph 5.6.2.8

According to the regulations, during decontamination:

5.6.2.8 If structural components such as wall cavities are used as duct runs decontaminate the duct run or install a new duct run.

There is no indication this was performed.

Failure to Comply with Paragraph 5.6.2.10

According to the regulations, during decontamination:

5.6.2.10 Draw a negative pressure on the entire ductwork, using HEPA-exhausted vacuum filters, throughout the cleaning process. Establish an appropriate pressure to ensure removal of all loose debris. Commence vacuuming at the furthest vent from the heating and/or cooling unit, and proceed toward the unit.

There is no indication this was performed.

Failure to Comply with Paragraph 5.6.2.11

According to the regulations, during decontamination:

5.6.2.11 Clean the ventilation system, including the outside air intake, supply ductwork, and return air plenums, using pneumatic or electrical agitators to agitate debris into an airborne state. Additional equipment may be also be used in the cleaning process, such as brushes, air lances, and air nozzles.

There is no indication this was performed.

Failure to Comply with Paragraph 5.6.2.12

According to the regulations, during decontamination:

5.6.2.12 Open and inspect air handling units and clean all components in the air pathway.

There is no indication this was performed.



Failure to Comply with Paragraph 5.6.2.13 (Failure to provide Photographs)

According to the regulations, during decontamination:

5.6.2.13 After decontamination of the system, take photographs as necessary to document that the system has been cleaned and is free of debris.

There are no photographs of the system to document the system has been cleaned or is free of debris.

Failure to Comply with Paragraph 5.6.2.14 (Failure to dispose of filters)

According to the regulations, during decontamination:

5.6.2.14 Bag and label all debris and other items removed from the ventilation system, including any filters, and properly dispose of at a solid waste landfill, in accordance with Section 5.12 of this Part 1.

In violation of Paragraph §8.6.4, no waste manifest has been provided and there is otherwise no indication that §5.6.2.14 was followed. According to the photographs provided, one can clearly see that the filter material remains in place:



Photograph by QES



FAILURE TO COMPLY WITH SECTION 6

Violation of Paragraph 6.1.3

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

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

As described below the mandatory elements were not performed at this subject property, as required.

Violation of Paragraph 6.1.3.2

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

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

As documented in the audit for the Preliminary Assessment, Mr. Boatman failed to obtain law enforcement documents and has no documented training in the assessment of illegal drug laboratories (as evidenced by the technical incompetence exhibited by QES as documented in this review) and therefore, there is no expectation that the author of the QES report would possess the necessary skill set to determine if the P2P process was used at the property. Therefore, compliance with this section could not have been met.

Violation of Paragraph 6.1.3.3

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

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

As documented in the audit of the Preliminary Assessment Mr. Boatman failed to identify the manufacturing process, failed to obtain law enforcement documents, and Mr. Boatman has no documented training in the assessment of illegal drug laboratories (or these regulations) and therefore, there is no expectation that the author of the report would possess the necessary skill set to determine what process, if any, was used at the property. Therefore, compliance with this section could not have been met. The available photographs documented the potential for iodine contamination, which was entirely overlooked by the untrained QES consultant.



Violation of Paragraph 6.1.3.5

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

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

As documented in the audit of the Preliminary Assessment Mr. Boatman failed to identify the manufacturing process, failed to obtain law enforcement documents, and Mr. Boatman has no documented training in the assessment of illegal drug laboratories (or these regulations) and therefore, there is no expectation that the author of the report would possess the necessary skill set to determine what process, if any, was used at the property. Therefore, compliance with this section could not have been met.

Violation of Paragraph 6.2.1 (42 Violations - Wipe Aliquots)

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

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

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

In his report, Mr. Boatman states:

All the samples were collected using Methamphetamine (sic) sampling wipes moistened with isopropyl alcohol (supplied by Reservoirs Environmental, Incorporated).

The wipes provided by Reservoirs Environmental are not compliant with State regulations. It was not the obligation of the analyzing laboratory to supply the correct sampling materials, rather, it was the obligation of Mr. Boatman to use the correct sampling materials in compliance with the regulations.

Since none of the sampling media used during the sampling at this subject property was permitted by regulations, none of the samples collected by QES were valid. Since there were 40 individual Clearance Assessment aliquots collected during the Preliminary Assessment and two aliquots collected during post decontamination, each with the unlawful media, there are 42 violations of this section.

Violation of Paragraph 6.2.1 (42 Media Violations)

During the performance of Clearance Sampling, the Consultant is required by regulations to perform sampling pursuant to mandated protocols including:

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



6.2.1.1 Cotton gauze material.

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

6.2.1.3 Tightly knitted continuous filament polyester.

Not only were the size of the pads used by QES not compliant with mandatory regulations, there is nothing in the QES report to indicate that sampling media itself was compliant to the extent that according to Section §6.2.14.9 QES was required to identify the matrix, and failed to do so. As it is, there is nothing in the document to demonstrate QES used required sampling materials. (In fact, according to the manufacturer of the pad, the materials are not compliant with State regulations).

Since there were 42 aliquots (40 collected during the Preliminary Assessment and two collected “post-decontamination”), each with the unlawful media, there are 42 violations of this section.

Violation of Paragraph 6.2.2 (37 Violations)

During the performance of Clearance Sampling during a Preliminary Assessment, the Consultant is required by regulations to perform sampling pursuant to mandated protocols including:

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

Historically, Mr. Boatman has merely held a 100cm² template to a surface, and erroneously believed that 100 cm² surface is within the confines of the template, when in fact, the areas within the confines of the template may be empty air.

For example, in another property (731 Excelsior Place, Lafayette, CO 80026) the QES consultant merely holds a template up to a surface that is approximately 50% air (see the photograph below):





And so it was with this property. At least three of the sample locations comprised of approximately 50% air; and if the locations actually were as identified, then it would have been a virtual impossibility to have collected the sample pursuant to §6.2.7 through §6.2.10.

Violation of Paragraph 6.2.2 (36 Template Violations)

During the performance of Clearance Sampling during a Preliminary Assessment, the Consultant is required by regulations to perform sampling pursuant to mandated protocols including:

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

In their report, QES documented that they did not follow this mandatory protocol when they stated:

*A new 100 sq cm template was **held** to all surfaces for sampling.*

The regulations require the template to be attached, since holding a template to a surface with one hand and attempting to wipe the surface with the other allows the template to



slip and thus, one cannot know if they actually collected 100 cm². Therefore, the method described by QES in their report cannot meet either requirement of §6.2.2 in that the template was neither attached as required, nor was it an equivalently reliable and accurate method.

Violation of Section 6.2.7 (37 Violations)

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

6.2.7 Wipe the surface using one of the following methods:

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

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

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

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

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

According to Mr. Richen, with the Boulder County Department of Health, failure to comply with this requirement necessarily invalidates the entire assessment.

In the QES report, Mr. Boatman explicitly documented he did not follow this mandatory sampling protocol:

The "S" method was used to collect the samples in accordance with 6 CCR 1014-3 Part 1, Section 6.2.7 through 6.2.11.

Since there were 37 individual wipes and only the "S" method was employed, each constitutes a violation.

On February 19, 2015, FACTs officially requested a variance from the provisions of §§6.2.7 through 6.2.10, especially where it was physically impossible to comply with this sampling requirement. In her response to our request,¹⁷ Ms. Brisnehan with the CDPHE explicitly rejected this variance from the regulations:

¹⁷ February 27, 2015, letter from Colleen Brisnehan, Hazardous Waste Corrective Action Unit, Hazardous Waste Program, to Mr. Caoimhín P. Connell, Forensic Applications Consulting Technologies, Inc., 185 Bounty Hunter's Lane, Bailey, Colorado 80421, RE: Request for Variance under 6 CCR 1014-3, 788 West Lois Court, Louisville, Colorado, cc: Mr. Dan Miller - Colorado Attorney General Office, Michael Richen - Boulder County Public Health



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

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

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

Violation of Paragraph 6.2.14

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

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

Violation of Paragraph 6.2.14.2 (2 violations Failure to Identify Situs,)

According to mandatory State regulations, the consultant is required to include specific information for Clearance Sampling:

6.2.14.2 subject property address;

Each chain-of-custody provides only a partial address. The situs location contains at least four separate units; QES has failed to identify which of the four units the submission represents.

Violation of Paragraph 6.2.14.3 (2 violations, Failed to Identify Sampler)

According to mandatory State regulations, the consultant is required to include specific information for Clearance Sampling including:

6.2.14.3 sampler name and contact information;



Nowhere on either chain-of-custody is the mandatory information included. Nowhere on the chain-of-custody has the sampler been identified.

Violation of Paragraph 6.2.14.6 (12 Violations- Number of Aliquots)

According to mandatory State regulations, the consultant is required to include specific information when performing Clearance Sampling, including:

6.2.14.6 number of sample aliquots;

This information is missing from both chains of custody.

Violation of Paragraph 6.2.14.7 (12 Violations- Number of Containers)

According to mandatory State regulations, the consultant is required to include specific information for Clearance Sampling including:

6.2.14.7 number of containers for each sample;

This information is missing for 12 samples on both chains of custody.

Violation of Paragraph 6.2.14.9 (12 Violations- Matrix)

According to mandatory State regulations, the consultant is required to include specific information for Clearance Samples including:

6.2.14.9 sample matrix;

This information is missing from both chain of custody – all samples.

Violation of Paragraph 6.2.14.11

According to mandatory State regulations, the consultant is required to include specific information for Clearance Samples including:

6.2.14.11 sample preservatives, if applicable; and

This information is missing from both chains of custody.

Violation of Section 6.3.6 (37 Violations)

During the performance of Clearance Sampling, the Consultant is required by regulations to follow specific sampling protocols including:

6.3.6 Collect all individual aliquots from 100 cm² sampling areas.



As already documented above, QES failed to use a reliable method to delineate the sample locations and cannot state with any degree of accuracy that QES collected 100 cm² for all of the samples.

Violation of Paragraph 6.5

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

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

As already documented, there is no evidence that QES attempted to ascertain the availability of or obtain any law enforcement documents, and there is no documentation to indicate that the author of the report has ever received any kind of training in illegal drug laboratories or their assessment and therefore would not be expected to possess the necessary skills needed to identify if a P2P process had occurred. Therefore, since QES does not address the process, or even describe how or why the contamination was present, it remains possible that a P2P process occurred in the property, and the issue remains unresolved.

Violation of Paragraph 6.9

According to mandatory State regulations, the consultant is required to perform the sampling pursuant to specific protocols 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 below, Mr. Boatman failed to meet the mandatory provisions.

Violation of Paragraph 6.9.1

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

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.

In his report, there is no indication that 400 cm² was collected from the attic.



Violation of Paragraph 6.9.4 (5 violations -Failure to Sample Forced Air System)

According to mandatory State regulations, the consultant is required to perform the Clearance Sampling pursuant to specific protocols 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. The Consultant will visually inspect accessible portions of the ventilation system and review photo documentation to verify that the system has been cleaned and is free of debris.

1. Only a single 100cm² sample was collected from the forced air system.
2. No sample was collected from within the heat exchanger unit,
3. No sample was collected from inside the cold air return system
4. No sample was collected from a fourth elective
5. There is no photo documentation to verify that the system has been cleaned and is free of debris.

Violation of Paragraph 6.9.7 (Six Violations – Appliances Interior)

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

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

The photographs provided by Mr. Boatman in his report, clearly demonstrate the presence of major appliances, however, no clearance samples were collected from any of the appliances.

The QES photographs include:

- 1) Clothes Washer
- 2) Clothes dryer
- 3) Stove
- 4) Microwave oven
- 6) Kitchen refrigerator

Violation of Paragraph 6.9.7 (Six Violations – Appliances Exterior)

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

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



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

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

- 1) Clothes Washer
- 2) Clothes dryer
- 3) Stove
- 4) Microwave oven
- 6) Kitchen refrigerator

Violation of Paragraph 6.9.11.1 (29 Violations)

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

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

Since Mr. Boatman has no documented training in the assessment of illegal drug laboratories, he was unaware of the fact that virtually all of his samples were collected from areas expected to have the *lowest* levels of contamination (for example, middle of walls).

Violation of Paragraph 7.1 (Failure to Sample Attic)

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

7.1 The methamphetamine concentration of any sample shall not exceed 0.5 µg /100 cm², except as provided in Sections 7.1.1 and 7.1.2 below.

7.1.1 Methamphetamine concentrations of samples taken from limited exposure areas shall not exceed 4 µg /100 cm².

In his assessments, Mr. Boatman has the notorious habit of not finding attics, even where such attics are patently obvious. For example, at another Boulder County Housing Authority property, (769 Cleveland Circle) Mr. Boatman stated:

We did not observe any access port to an Attic above Unit 769.

The access was readily visible, and one merely needed to look up to find it, as is evidenced in the following photograph:





FACTs Photograph of the Attic Access

Similarly for this property, Mr. Boatman has stated:

Unit B did not contain an accessible attic or a basement

The photographs of the structure seem to indicate the presence of an attic.

Failure to Comply with Paragraph 7.2

According to mandatory State regulations, the consultant is required to perform Clearance Sampling pursuant to specific protocols 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 $\mu\text{g}/100\text{ cm}^2$.

As documented in the audit of the Preliminary Assessment, the available photographs document the potential for iodine contamination, which was entirely overlooked by the untrained QES consultant.

Failure to Comply with Paragraph 7.3

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

7.3 If the preliminary assessment indicates the phenyl-2-propanone (P2P) method of methamphetamine manufacturing was used, surface wipe samples for lead shall not exceed a concentration of 40 $\mu\text{g}/\text{ft}^2$, and vapor samples for mercury shall not exceed a concentration of 1.0 $\mu\text{g}/\text{m}^3$.

As already documented, law enforcement documents were not obtained, and therefore, the production process (if any at all) was never determined by Mr. Boatman who otherwise has no documented training in the assessment of illegal drug laboratories and



therefore, there is no expectation that the author of the report would possess the necessary skill set to determine what process, if any, was used at the property. Therefore, compliance with this section could not have been met.

Failure to Comply with Section 8

According to mandatory State regulations, the consultant is required to prepare a Post Decontamination report that must meet certain requirements and contain specific documentation.

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 8.3

According to mandatory State regulations, the consultant is required to prepare a Post Decontamination report that must meet certain requirements and contain specific documentation.

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

Nowhere in the QES has Mr. Boatman provided the mandatory information.

Failure to Comply with Section 8.6.1 (2 Violations)

According to mandatory State regulations, the consultant is required to prepare a Post Decontamination report that must meet certain requirements and contain specific documentation.

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.

1. There are no descriptions of the decontamination procedures in the final report.
2. There are no such photographs in the final report.

Failure to Comply with Section 8.6.1 (2 Violations)

According to mandatory State regulations, the consultant is required to prepare a Post Decontamination report that must meet certain requirements and contain specific documentation.

8.6.4 A description of the waste management procedures used, including characterization, handling and final disposition of wastes. Copies of the waste manifests or bills of lading shall be included in the final report.



There is no waste manifest included in the final report.

Failure to Comply with Section 8.6.5

According to mandatory State regulations, the consultant is required to prepare a Post Decontamination report that must meet certain requirements and contain specific documentation.

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

There is no evidence of the decontamination contractor's certification in the in the final report.

Failure to Comply with Section 8.6.6

According to mandatory State regulations, the consultant is required to prepare a Post Decontamination report that must meet certain requirements and contain specific documentation.

8.6.6 Documentation of variations from standard practices.

Nowhere in the final report has Mr. Boatman addressed any of these violations.

Failure to Comply with Section 8.6.7

According to mandatory State regulations, the consultant is required to prepare a Post Decontamination report that must meet certain requirements and contain specific documentation including:

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."

There is no such certification statement in the final documentation.

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.



We believe that Mr. Boatman has violated the Colorado Consumer Protection Act, and as a result, the registered owner of this subject property (and several others named in previously audited QES reports), and the general public, have been harmed.

We recommend that the situation be forwarded to the District Attorney for proper evaluation, and to determine if the case rises to the level of criminal conduct.

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

Mr. Boatman has repeatedly held himself 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 Mr. Boatman is an Industrial Hygienist meeting the State definition.

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

Colorado Case law defines criminal impersonation as knowingly assuming a false or fictitious identity or capacity, and in that identity or capacity, doing any act with intent to unlawfully gain a benefit or injure or defraud another (*People v. Brown*, 193 Colo. 120, 562 P.2d 754 (1977); *People v. Borrego*, 738 P.2d 59 (Colo. App. 1987)). To falsely impersonate means to pretend to be a particular person without lawful authority (*People v. Horkans*, 109 Colo. 177, 123 P.2d 824 (1942)); and to perform an act in assumed character for benefit. It is an offense under the code to falsely impersonate another, and in such assumed character to do any act whereby any benefit might accrue to the offender or to another person. (*People v. Horkans*, 109 Colo. 177, 123 P.2d 824 (1942)). Venue is not an element of the crime of criminal impersonation (*People v. Perez*, 129 P.3d 1090 (Colo. App. 2005)). Although the code does not require two overt acts to be committed, (rather the code requires assuming a false identity and doing an act with the intent to gain a benefit (*People v. Johnson*, 30 P.3d 718 (Colo. App. 2000))), Mr. Boatman has repeatedly performed these acts. The requisite intent to gain a benefit may be inferred from the accused's knowing use of a false identity and the acknowledged intent to secure some advantage from the impersonation (*People v. Borrego*, 738 P.2d 59 (Colo. App. 1987)). The common meaning of "assumes a false or fictitious identity" is not to hold oneself out as someone that he or she is not; it requires the assumption of the identity of another person, whether that other person is real or fictitious (*People v. Jones*, 841 P.2d 372 (Colo. App. 1992)). For example, an attorney with a suspended license who continues to practice law is guilty of criminal impersonation for practicing law. The courts have held that "continuing to represent himself as an attorney and performing legal work when he was aware that he had no valid license to do so amounts to the assumption of a false or fictitious capacity for purposes of the criminal impersonation statute." (*People v. Bauer*, 80 P.3d 896 (Colo. App. 2003)).



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

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.

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

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

However, since Mr. Boatman has specifically referenced 6 CCR 1014-3 and explicitly stated that he was aware of those requirements and since FACTs has identified hundreds of similar regulatory violations in the past regarding Mr. Boatman's work, one must conclude that Mr. Boatman knowingly and willfully performed work that deviated from mandatory State requirements.

Pursuant to State statute and state regulations, the “Preliminary Assessment 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 Mr. Boatman was aware of such recording and was aware of the false statements made therein.

CONCLUSION

For this regulatory audit, FACTs has identified no fewer than 357 regulatory violations. 1815 Regal Ct. Unit B, Louisville, CO 80027 has never been assessed, cleaned or cleared pursuant to mandatory State Regulations and remains an illegal drug laboratory.



Appendix A

Reviewer's Statement of Qualifications





Forensic Applications Consulting Technologies, Inc. Consultant Statement of Qualifications

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

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

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

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

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

Mr. Connell is a current sworn law enforcement officer who has conducted clandestine laboratory investigations and performed risk, contamination, hazard and exposure assessments from both the law enforcement (criminal) perspective, and from the civil perspective in residences, apartments, motor vehicles, and condominiums. Mr. Connell has conducted over 611 assessments of illegal drug labs in CO, SD, NE, OK, and collected over 5,527 samples during assessments (a partial detailed list of drug lab experience is available on the web at): <http://forensic-applications.com/meth/DrugLabExperience2.pdf>

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

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



Multijurisdictional Counterdrug Task Force Training

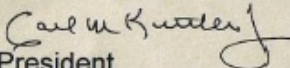


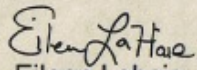
This is to certify that
Caoimhin P. Connell

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

Rural Patrol

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


President
St. Petersburg College


Eileen Lahaie
MCTFT Director

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

Midwest Counterdrug Training Center



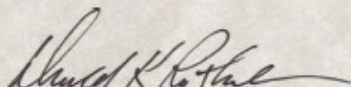
Certificate of Training

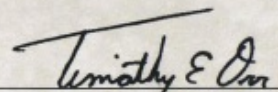
This certifies that

Caoimhin Connell

Has successfully completed the
Clandestine Laboratory Certification

Cheyenne, WY
40 Training Hours
2-6 August 2004


Network Environmental Systems, Inc.


LTC Timothy E. Orr
Commandant



Center *for* Task Force Training™

THIS IS TO CERTIFY THAT

Caoimhin P. Connell

HAS SUCCESSFULLY COMPLETED 20 HOURS OF TRAINING IN

METHAMPHETAMINE INVESTIGATION MANAGEMENT

MARCH 20-22, 2006

DENVER, COLORADO

Domingo S. Herraiz
Director, Bureau of Justice Assistance

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



State and Local Anti-Terrorism Training

THIS IS TO CERTIFY THAT

Caoimhin P. Connell

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

June 1, 2006

Denver, Colorado

Domingo S. Herraiz
Director, Bureau of Justice Assistance



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

*Rocky Mountain
High Intensity Drug Trafficking
Area*



Certifies that



Caoimhín Connell

has attended

4 hours of

Hash Oil Extraction: The Scene and The Patient

Aurora, CO

July 25, 2014

Training Manager, Rocky Mountain HIDTA

Director, Rocky Mountain HIDTA



www.nesglobal.net

Certificate of Completion

Caoimhin Connell

has successfully completed training in

Advanced Clan Labs: Beyond the Basics

presented by

NES, Inc.

1141 Sibley Street Folsom, CA 95630

Instructor - Brian Escamilla

04/28/14 04/30/14

Date

Contact Hours:24

This certifies that

Caoimhin P Connell

Has met the requirements for the online course

Expert Testimony Training for the Prosecutor and Scientist



11-07-2012

Certificate Number: 1109778763

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



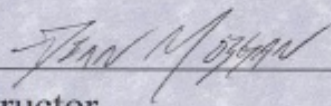
Park County Sheriff's Office Certificate of Completion

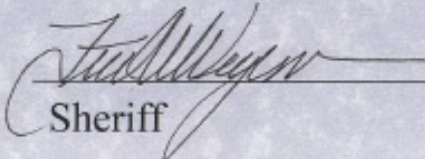
Caoimhin Connell

has completed an 8 hour course in:

Crime-scene Approach and Evidence Collection

Completed this 29th day of April, 2009


Instructor


Sheriff

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



Certifies that



Caoimhín P. Connell

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

Training Manager, Rocky Mountain HIDTA

Director, Rocky Mountain HIDTA

Certificate of Completion

This Will Certify That

Caoimhín P. Connell

Successfully Completed

Prescription Drug Crimes

7 Hours Completed

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

P. Ritch Wagner
Instructor



Director, Law Enforcement Liaison & Education



Certificate of Training

This is to certify that
Caoimhin Connell

(Name)

Park County Sheriff's Office

(Agency)

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

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

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



Colorado Law Enforcement Officers' Association



This is to certify that

CAOIMHIN CONNELL

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

hosted by **Loveland Police Department**

on **February 28 – March 1, 2011**

Tom Finelle
Tom Finelle, CLEOA President

M. A. [Signature]
ARIDE Instructor

State of Colorado



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

CAOIMHIN PADRAIG CONNELL

August 27, 2008

Date

VIN INSP— **0952**

Number

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

Bill Ritter Jr.

Governor

John W. Suthers

Attorney General, Board Chairperson

Certificate of Completion Intoxilyzer 9000 Operator Certification Course

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

Caoimhin P Connell

User ID: **841645**

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

February 21, 2013

Certificate Date

Jeffrey A. Groff

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



David A. Butcher

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

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



Certificate of Achievement

awarded to:

Caoimhin P. Connell

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

June 1st, 2005

Date

Signed

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

CERTIFICATE OF COMPLETION

COLORADO LAW ENFORCEMENT ASSOCIATIONS TRAINING PROJECT

This Certifies That

Caoimhin Connell

Has Attended the

CLEAT 40-HOUR

Train the Trainer Course

Hosted by Breckenridge Police Department
August 14-18, 2006

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



John L. Kammerzell
Executive Director
Police Officer Standard & Training



Donald E. Christensen
Executive Director
County Sheriffs of Colorado



COLORADO AUTO THEFT INVESTIGATORS



SINCE 1973

This is to certify that

Caoimlin P. Connell

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

Presented this 24th day of May, 2008

CATI President

VIN Inspector Training Coordinator

State of Colorado



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

CAOIMHIN PADRAIG CONNELL

May 6, 2004

Date

B- 10670

Number

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

Governor

Attorney General, Board Chairperson

**Rocky Mountain
High Intensity Drug Trafficking
Area**



Certifies that



Caoimhín Connell

has attended

16 hours of

MCTC / RMHIDTA Indoor Marijuana Grows

Centennial, CO

August 28-29, 2014

Training Manager, Rocky Mountain HIDTA

Director, Rocky Mountain HIDTA

CERTIFICATE OF TRAINING

THIS IS TO CERTIFY THAT

Caoimhín Connell

Has completed 4 hours of successful training for

The Hazards of Hash Oil Extraction

Held at IRIS Fire Investigations in Englewood, CO

on this 7th day of November, 2014

Robert K. Toth
IRIS Fire Investigations, President



COLORADO
Department of Public
Health & Environment

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

December 30, 2014

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

Consultant Interim Authorization Approval

Dear Caoimhin Connell:

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

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

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

Approved By: _____

Date: _____

12/30/2014





COLORADO
Department of Public
Health & Environment

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

December 30, 2014

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

Consultant Firm Interim Authorization Approval

Dear Forensic Applications Consulting Technologies Inc:

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

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

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

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

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

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

Approved By: _____

Date: 12/30/2014

