FORENSIC APPLICATIONS CONSULTING TECHNOLOGIES, INC.

November 20, 2015

Colleen Brisnehan
Hazardous Waste Corrective Action Unit
Hazardous Waste Program
4300 Cherry Creek Drive S., Denver, CO 80246-1530

Via: email: ctbrisne@smtpgate.dphe.state.co.us, colleen.brisnehan@state.co.us

RE: Regulatory Violations at 11767 Grant Street, Northglenn, Colorado 80233

Dear Ms. Brisnehan:

Forensic Applications Consulting Technologies, Inc. (FACTs) has begun a series of regulatory audits of reports submitted to the Colorado Department of Public Health and Environment (CDPHE) pursuant to 6 CCR 1014-3 "*Regulations Pertaining To The Cleanup Of Methamphetamine-Affected Properties.*"

Thus far, FACTs has identified a total of five thousand eight hundred and fifty five (5,855) violations of 6 CCR 1014-3. As you know, Section 3.1 of Part 3, of 6 CCR 1014-3 requires enforcement actions on the part of the CDPHE whenever the CDPHE has reason to believe that a person has violated any requirement of the regulations.

FACTs performed a detailed review of a report prepared by a geologist, Mr. Robert Woellner, who, as you know, has a long history of invalid assessments and regulatory violations. [1,2,3,4,5,6,7,8,9]

This review is for the report titled:

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

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

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

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

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

[6] 410 Garfield Avenue, Carbondale, CO 81623

[7] 48400 Routt County Road 56C, Steamboat Springs, CO 80487

[8] 8347 S Reed Street, Unit 2, Littleton CO 80128,

[9] 690 S. Lincoln Street in Denver, CO 80203

Residence at 11767 Grant Street in Northglenn, Colorado 80233
Methamphetamine Preliminary Assessment Inspection, Limited Sampling &
Recommended Scope of Work
June 4, 2015

Prepared for:
Fonda Apostopoulos, P.E
Colorado Department of Public Health and Environment
4300 Cherry Creek Drive South
Denver, CO 80246

As you are aware, Mr. Woellner is not an Industrial Hygienist, and has openly stated that he is not an Industrial Hygienist, and on November 19, 2009, during oral testimony,[10] while under oath, Mr. Woellner was unable of even defining "*Industrial Hygiene*." In spite of these problems, Mr. Fonda Apostopoulos, P.E, with the Colorado Department of Public Health and Environment (CDPHE) hired Mr. Woellner to perform work at the subject property. Naturally, the work was not performed pursuant to State regulations, and FACTs has identified no fewer than 113 regulatory violations in the following categories:

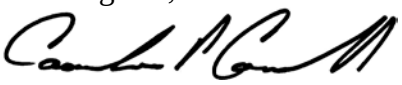
- Violation of Section 4.0
- Violation of Section 4.2
- Violation of Section 4.3.1 (Three violations)
- Violation of Section 4.4
- Violation of Section 4.5
- Violation of Section 4.6
- Violation of Section 4.14
- Violation of Section 4.15
- Violation of Section 4.15.3 (Eight violations)
- Violation of Section 4.17.1
- Violation of Section 4.17.3 (Eight violations)
- Violation of Section 4.17.4
- Violation of Section 4.17.4
- Violation of Section 4.20
- Violations of Section 6.0
- Violation of Section 6.2.2 (Failure to collect 100cm2) Nine violations
- Violation of Section 6.2.3 (Eight violations)
- Violation of Section 6.2.7
- Violation of Section 6.2.12.1
- Violation of Section 6.2.12.2
- Violation of Section 6.2.14
- Violation of Section 6.2.14.6 (14 Violations)
- Violation of Section 6.2.14.7 (14 Violations)
- Violation of Section 6.2.14.9 (14 Violations)
- Violation of Section 6.2.14.11 (14 Violations)
- Violation of Section 6.3.6
- Violation of Section 6.8.1
- Violation of Section 6.9.1
- Violation of Section 6.9.1

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

This communication is being sent to your office in good faith pursuant to pursuant to the provisions of C.R.S. 18-8-115 *Duty to report a crime - liability for disclosure.*

My SOQ is attached.

Kind regards,



Caoimhín P. Connell
Forensic Industrial Hygienist

CC:
Daniel S. Miller, Senior Assistant Attorney General
Howard Thigpen, Esq.

Appendix A
Statement of Qualifications

Forensic Applications Consulting Technologies, Inc.

Consultant Statement of Qualifications

FACTs project name:	General Distribution	Form # ML15
Nov. 19, 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 condominia. Mr. Connell has conducted over 606 assessments of illegal drug labs in CO, SD, NE, OK, and collected over 5,482 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, Sate 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

MCTC

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

BJA Bureau of Justice Assistance
Office of Justice Programs ■ U.S. Department of Justice

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

BJA Bureau of Justice Assistance
Office of Justice Programs ■ U.S. Department of Justice

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

NES

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

RTI INTERNATIONAL NIJ National Institute of Justice

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

PURDUE

P. Ritch Wagner
Instructor

Director, Law Enforcement Liaison & Education

C7954

Certificate of Training

This is to certify that

Caoihin 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

4/12/10

~~Caoimhin P. Connell~~ Instructor/Date
Glenn 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

Tony Finelle, CLEOA President

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, Program Manager
Evidential Breath Alcohol Testing Program

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"

COLORADO AUTO THEFT INVESTIGATORS

CATI CATI

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

STATE OF COLORADO 1876

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

Caoimhin 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