



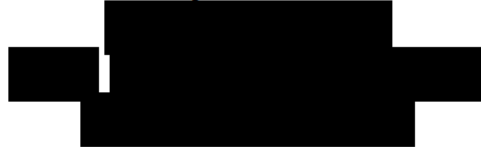
**FORENSIC APPLICATIONS CONSULTING TECHNOLOGIES, INC.**

**Regulatory Audit  
of  
Preliminary Assessment Report  
By  
Robert Woellner  
at an  
Identified Illegal Drug Laboratory**

**Located at:**

**8347 S Reed Street, Unit 2  
Littleton CO 80128**

**Prepared for:**



Prepared by:

**FORENSIC APPLICATIONS CONSULTING TECHNOLOGIES, INC.**

185 Bounty Hunter's Lane  
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June 11, 2015

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## EXECUTIVE SUMMARY

At the request of the [REDACTED], FACTs performed a regulatory audit on the May 29, 2015, report titled “*Methamphetamine Preliminary Assessment Inspection & Clearance Level*” for the residence located at 8347 S. Reed Street, Unit 2 in Littleton, CO 80128. The document was prepared by Mr. Robert Woellner. Based on our review, FACTs has identified no fewer than 41 violations of regulations; if we were to include the individual sample violations, then we have documented no fewer than 121 regulatory violations viz:

- Violation of Section 4.2
- Violation of Section 4.5
- Violation of Section 4.6
- Violation of Section 4.11
- Violation of Section 4.11.1
- Violation of Section 4.11.1
- Violation of Section 4.12 (Three violations)
- Violation of Section 4.15 (Two violations)
- Violation of Section 4.15.3
- Violation of Section 4.17.1
- 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)
- Violation of Section 6.2.2 (Reuse of templates)
- Violation of Section 6.2.7
- Violation of Section 6.2.11 Documenting Sample Times
- Violation of Section 6.2.11 Sample Location Photographs
- 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 (16 Violations)
- Violation of Section 6.2.14.7 (16 Violations)
- Violation of Section 6.2.14.8 (16 Violations)
- Violation of Section 6.2.14.9 (16 Violations)
- Violation of Section 6.2.14.11 (16 Violations)
- Violation of Section 6.3.5
- Violation of Section 6.3.6
- Violation of Section 6.8.1
- Violation of Section 6.9.1
- Violation of Section 6.9.4
- Violation of Section 6.9.4 (Failure to sample supply interior)
- Violation of Section 6.9.4 (Failure to sample heat exchanger)
- Violation of Section 6.9.4 (Failure to sample cold air return)
- Violation of Section 6.9.4 (Failure to sample additional location)
- Violation of Section 6.9.11

On December 15, 2014, Colorado Regulations 6 CCR 1014-3 “*Regulations Pertaining To The Cleanup Of Methamphetamine-Affected Properties*” became effective. The regulations mandate that consultants engaged in the assessment of methamphetamine



affect properties are required to perform specific activities in order for the work to be considered valid.

The new regulations were supposed to correct the problem of fraudulent consultants performing invalid assessments and place the work under the auspices of the Colorado Department of Public Health and the Environment Hazardous Materials and Waste Management Division. Unfortunately, it was Ms. Colleen Brisnehan of the Hazardous Materials and Waste Management Division that had created the problem in the first place by engaging in criminal activities and actively violating State regulations by covering up fraudulent property assessments for consultants who were members of a private pseudo-professional group called the Colorado Association of Meth and Mold Professionals (CAMMP). Ms. Brisnehan was a Director of the private commercial venture and she and her office has a long documented history of attempting to cover up the fraudulent activities of the former members of the CAMMP.

Thus for example, when Mr. Woellner unlawfully performed an assessment of an illegal drug laboratory at 100 W Spaulding Street, Lafayette, CO, 80026, and committed 143 violations of State regulations,<sup>1</sup> the Hazardous Materials and Waste Management Division of the CDPHE, without any authority, issued a letter falsely claiming Mr. Woellner's work was in fact compliant with regulations. In that case, the CDPHE knowingly made false representations to the property owner.

Ms. Brisnehan not only actively condoned the unlawful and fraudulent work by unauthorized practitioners belonging to her commercial group, she has actually personally gone into the field to assist unauthorized individuals in the performance of illegal assessments of methamphetamine contaminated properties.

For example, on August 23, 2011, Ms. Brisnehan personally accompanied Mr. Woellner, to 4893 South Johnson Street, Denver, Colorado where Ms. Brisnehan personally helped that unauthorized consultant unlawfully collect samples at that property and perform an "assessment" in violation of numerous regulatory requirements.

A family moved into the contaminated property at 4893 South Johnson Street, Denver, Colorado and reportedly suffered chemical injuries. When the family investigated the problem by contacting the CDPHE, Ms. Brisnehan intentionally misled the occupant (Ms. Lelani DeVine), and informed Ms. DeVine that the CDPHE and Mr. Woellner had cleared the property according to State regulations. FACTs was subsequently hired by the now ailing occupant, to evaluate the situation and when we arrived on site, we found that none of the cleaning or the assessment work or the sampling had been performed according to regulations as claimed by Ms. Brisnehan. For example, although Ms. Brisnehan claimed that the ventilation system associated with the Johnson Street property, had been cleaned and sampled according to State regulations, upon our site visit, FACTs determined that the ventilation system from whence samples were reportedly collected had never even been opened. Indeed, upon opening the ventilation

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<sup>1</sup> [http://forensic-applications.com/meth/Spaulding\\_Regulatory\\_audit\\_Redacted.pdf](http://forensic-applications.com/meth/Spaulding_Regulatory_audit_Redacted.pdf)



system, we observed heavy debris, and even a dead rodent, in plain view inside the air handler. Below is a photograph of the ventilation system Ms. Brisnehan claimed she and Mr. Woellner had verified as being cleaned:



Upon reaching in to the duct, FACTs pulled out the following debris from the ventilation system CDPHE falsely claimed had been cleaned.





The above photograph depicts an handful of methamphetamine contaminated filth from the ventilation system Ms. Brisnehan claimed the CDPHE had verified as being cleaned and properly assessed by Mr. Woellner.

Thus, in our regulatory audit of the documents for the property at 4893 South Johnson Street, Denver,<sup>2</sup> FACTs identified no fewer than 64 regulatory violations associated with the work. Ms. Brisnehan rejected our report out of hand without being able to address a single identified violation, and merely engaged in attempting to discredit FACTs for reviewing and commenting on the report "clearing" the property.

FACTs also performed surface wipe sampling at the above referenced property, and our results indicated that the property had never been cleaned as claimed, and the contamination levels in the property remain to this day at levels *at least* four times the allowable limit of surface contamination. According to Ms. Brisnehan, at the CDPHE, FACTs has merely "incorrectly interpreted our objective data."

More recently, in violation of Colorado Revised Statutes §25-18.5-107(2)(a), and in violation of Colorado's Criminal Code (CRS §18-8-404 *First degree official misconduct*), Ms. Brisnehan and her office have entirely failed to perform their duties on other gross and repeated violations by Mr. Woellner.

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<sup>2</sup>See the review at [http://www.forensic-applications.com/meth/Johnson\\_Critical\\_review.pdf](http://www.forensic-applications.com/meth/Johnson_Critical_review.pdf)



For example, in the February 24, 2015 “*Methamphetamine Preliminary Assessment Inspection, Sampling & Recommended Scope of Work*” for the property located at 1138 West 32nd Street, Unit 201, in Denver, Colorado 80205, for Monument EH&S, Mr. Woellner committed no fewer than 39 individual regulatory violations; all of which have been ignored by Ms. Brisnehan and her office at the CDPHE.

Also for example, in the March 17, 2015 “*Methamphetamine Preliminary Assessment Inspection, Sampling & Recommended Scope of Work*” for the property located at 771 W. Cleveland Circle in Lafayette, CO 80026, prepared for Tim McWilliams, Muskrat Hat 771, at 1502 S. Vona Court, Superior, CO 80027, Mr. Woellner committed no fewer than 25 individual regulatory violations; all of which have been ignored by Ms. Brisnehan and her office at the CDPHE.

Also for example, in the March 17, 2015 “*Methamphetamine Preliminary Assessment Inspection, Sampling & Recommended Scope of Work*” for the property located at 771 W. Cleveland Circle in Lafayette, CO 80026, prepared for Tim McWilliams, Muskrat Hat 771, at 1502 S. Vona Court, Superior, CO 80027, Mr. Woellner committed no fewer than 25 individual regulatory violations; all of which have been ignored by Ms. Brisnehan and her office at the CDPHE.

Also for example, in the March 2, 2015 “*Methamphetamine Preliminary Assessment Inspection, Sampling & Recommended Scope of Work*” for the property located at 410 Garfield Avenue in Carbondale, CO 81623, prepared for Mr. Ken Olson, 410 Garfield Ave. Carbondale, CO 81623, Mr. Woellner committed no fewer than 26 individual regulatory violations; all of which have been ignored by Ms. Brisnehan and her office at the CDPHE.

Also for example, in the March 20, 2015 “*Methamphetamine Screening Level Assessment*” for the property located at 48400 Routt County Road 56C, Steamboat Springs, CO 80487, prepared for Nancy Jastatt and Carl Juergens, 4265 State Route 7 NE, Burghill, OH 44404, Mr. Woellner committed no fewer than 22 individual regulatory violations; all of which have been ignored by Ms. Brisnehan and her office at the CDPHE.

The list goes on, and on, and Mr. Woellner has accrued an extended list of fraudulent and grossly incompetent, invalid, assessments to his credit<sup>3,4</sup> all of which are ignored by the CDPHE since Mr. Woellner was a member of Ms. Brisnehan’s private pseudo-professional organization called the CAMMP (member of whom, by the way appear to have been paid using Colorado Taxpayer’s money through the Brownfields Program).

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<sup>3</sup> See for example: 131 South Benton Street Denver, CO <http://forensic-applications.com/meth/censoredcriticalreview.pdf>

<sup>4</sup> See for example: 788 W. Lois Ct., Louisville, CO 80027



Therefore, when FACTs was asked to perform a regulatory audit of Mr. Woellner's May 29, 2015, report titled "*Methamphetamine Preliminary Assessment Inspection & Clearance Level*" for your residence located at 8347 S. Reed Street, Unit 2 in Littleton, CO 80128, FACTs was not surprised to objectively document no fewer than 41 regulatory violations (or 121 violations if one considers each sample violation a separate violation).

It is important to note the many fabrications we have documented in other projects regarding Mr. Woellner's claims to his credentials, and to remember that Mr. Woellner has never been able to document any actual training in illegal drug laboratories, their assessment or Industrial Hygiene related issues (indeed, until recently, Mr. Woellner insisted that he was not and Industrial Hygienist.) We have discussed those issues elsewhere<sup>5</sup> and also later in this discussion.

## **REVIEW OF THE DOCUMENT**

During the performance of a Preliminary Assessment, the Contractor is required by regulations to perform specific mandatory tasks and provide specific mandatory documentation.

### ***Violation of Section 4.2***

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

4.0 ...The Preliminary Assessment Report shall include, but not be limited to, the following, to the extent available and applicable:

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

Nowhere in the report has Mr. Woellner documented that he attempted to obtain law enforcement documents or ascertain the availability of such documents from the organizations who would have had such documents. In his report, Mr. Woellner reported that he contact the Jefferson County Health Department (who is not a law enforcement agency with jurisdiction over the property, and the US Drug Enforcement Agency.

However, the property is located in the jurisdiction of Jefferson County Sheriff's Office and, ostensibly Littleton Police Department, and nowhere has Mr. Woellner documented that he made any attempt to contact these law enforcement agencies to determine the availability of law enforcement documents that may be associated with the property, as required by regulation.

### ***Violation of Section 4.5***

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

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<sup>5</sup> [http://forensic-applications.com/meth/Spaulding\\_Regulatory\\_audit\\_Redacted.pdf](http://forensic-applications.com/meth/Spaulding_Regulatory_audit_Redacted.pdf)



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

Mr. Woellner has never been able to document any recognizable training in illegal drug laboratories and therefore, one would not expect him to possess the necessary skills to recognize manufacturing methods based on his observations.

Similarly since Mr. Woellner did not document any attempts to ascertain the availability of pertinent law enforcement documents, such decisions could not be made from that source.

### ***Violation of Section 4.6***

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

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

Mr. Woellner has never been able to document any recognizable training in illegal drug laboratories and therefore, one would not expect him to possess the necessary skills to recognize manufacturing methods based on his observations.

Thus for example, in a recent assessment report<sup>6</sup> (wherein Mr. Woellner committed no fewer than 26 regulatory violations), Mr. Woellner referenced an odor of ammonia and concluded the odor of ammonia indicated the method of methamphetamine production at the property was possibly a one-pot method. Since Mr. Woellner has apparently never been trained in any aspect of illegal drug laboratories, or methamphetamine production or the chemicals used, he was not aware of the fact that an odor of ammonia is not associated with a "one-pot" method of methamphetamine production.

Similarly since Mr. Woellner did not document any attempts to ascertain the availability of law enforcement documents, such decisions could not be made from that source.

### ***Violation of Section 4.11***

During the performance of a Preliminary Assessment, the Contractor is required by regulations to make certain decisions and take specific default positions, including:

4.0 Preliminary Assessment The Preliminary Assessment Report **shall include**, but not be limited to, the following, to the extent available and applicable:

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.

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<sup>6</sup> Methamphetamine Preliminary Assessment Inspection, Sampling & Recommended Scope of Work - 410 Garfield Avenue in Carbondale, CO 81623, prepared for Mr. Ken Olson, 410 Garfield Ave. Carbondale, CO 81623, March 2, 2015



In his report, Mr. Woellner states:

*The subject unit shares walls/floor with Units 1 and 3, but the QUEST representative observed no visible openings in the common walls/floor.*

And yet, Mr. Woellner then makes the following statement:

*There is a supply duct in the bathroom wall, but no bathroom exhaust fan.*

How is it there are “no visible” openings in common walls, but there is a supply vent in the bathroom wall? Why was this opening not addressed as required by regulation?

Similarly, in his report Mr. Woellner states:

*There is an exhaust fan in the kitchen ceiling that appears to exhaust through the attic and through the roof.*

This necessarily begs the question: why does Mr. Woellner not know the answer to the important question of the ducting of the kitchen exhaust? One must conclude that if the attic was inspected as required, Mr. Woellner would not have to rely on appearances, but rather would have ascertained the ducting of the kitchen exhaust as required by regulation.

Therefore, given the otherwise unidentified supply vent identified by Mr. Woellner and the kitchen exhaust into (or through the common attic), how does Mr. Woellner then conclude:

*The potential for significant contamination migration to the adjacent units appeared to be unlikely.*

It would appear that the potential for the migration of contamination is quite probable which is why the regulations required Mr. Woellner to perform the following task:

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.

Yet Mr. Woellner shrugs off his regulatory responsibility onto other future investigators by disclaiming the issue:

*If any contamination pathways are identified, then the non-sampled areas must be assumed to be contaminated or sampled.*

Since other contamination pathways were identified by Mr. Woellner himself (the supply duct in the wall and the attic space) then as Mr. Woellner himself states “...*If any contamination pathways are identified, then the non-sampled areas must be assumed to be contaminated or sampled.*” And yet Mr. Woellner did neither – instead of



investigating the potential route of contamination migration, and performing the sampling as required, he merely wrote a sentence in a report that passed his regulatory responsibility onto a future, competent, consultant.

### **Violation of Section 4.11.1**

During the performance of a Preliminary Assessment, the Contractor is required by regulations to make certain decisions and take specific default positions, including:

4.0 Preliminary Assessment The Preliminary Assessment Report **shall include**, but not be limited to, the following, to the extent available and applicable:

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.

During our April 10, 2015, basic methamphetamine survey, FACTs objectively demonstrated that contamination above the standard is identified in a unit in a multi-unit structure – the results of our composite sample indicated a concentration of not less than 3.8 µg/100cm<sup>2</sup> (which is approximately 8times greater than the standard). Therefore, Mr. Woellner had a regulatory obligation to determine if the attic was shared or not shared. Nowhere in his report has Mr. Woellner addressed the commonality or exclusivity of the attic as required of him by regulation.

### **Violation of Section 4.11.1**

Furthermore, according to the regulations:

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.

We do not find anywhere in the report where Mr. Woellner has advised his client of the regulatory obligation to give notice to the tenants of a shared attic.

### **Violation of Section 4.12 (Three violations)**

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

4.12 For properties with multi-unit buildings, identification and documentation of any common ventilation systems connected to other units or common areas.

As already mentioned Mr. Woellner states in his report:

*There is a supply duct in the bathroom wall, but no bathroom exhaust fan.*

According to the mandatory regulations:



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.

Mr. Woellner failed to perform that regulatory obligation. Mr. Woellner, in violation of the regulations, made no attempt to investigate the supply vent – if it is a “supply vent” as claimed by Mr. Woellner, then it must necessarily supply air from *someplace*. As Mr. Woellner correctly stated in his report, until such time that the system is sampled according to the regulations, it must be deemed contaminated.

Furthermore, according to the regulations:

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.

In his report, Mr. Woellner states the supply vent was “*painted to wall, so interior inaccessible...*”

It is highly arguable that being painted to a wall is a limitation to access the interior of the vent. Mr. Woellner provides a photograph of the vent below:



It is difficult to find support in the photograph for a limitation of access to properly investigate the interior of the supply vent. Why did not Mw simply remove the vent and sample the interior of the vent as required? If the supply vent cover was held on by a screw, would Mr. Woellner similarly determine that his access was limited?

In any event, if we grant that simply being painted to a wall legitimately constitutes “limitation to access” then, we do not see in the report where Mr. Woellner has informed his client of the regulatory obligation to notify the tenants who are connected by the mysterious supply vent as required by regulations.

### ***Violation of Section 4.15 (Two violations)***

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

4.15 If assessment sampling is conducted, it shall be conducted in accordance with Section 6 of this Part 1. Documentation of assessment sampling shall include:

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

Although Mr. Woellner provides a description of sampling supplies, nowhere in the report has Mr. Woellner provided a description of the sampling *procedures* used. As described later in this audit, we see that this also constitutes a violation of 6 CCR 1014-3 §6.2.7.

Nowhere in the report has Mr. Woellner provided a description of the QA/QC.

### ***Violation of Section 4.15.3***

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

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

Nowhere in the report has Mr. Woellner provided a computer generated figure of the layout of the buildings. In the report we merely find a floor plan of one of the units.

### ***Violation of Section 4.17.1***

According to the regulations:

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.

In his report, Mr. Woellner specifically identifies his work as:



*Methamphetamine Preliminary Assessment Inspection & Clearance Level Sampling*

Nowhere in the report do we find where Mr. Woellner has provided a description of the sampling *procedures* used.

**Violation of Section 4.17.4**

According to the regulations:

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:

4.17.4 Documentation of variations from standard practices.

Nowhere in his report do we find where Mr. Woellner has documented any of the multiple variations from standard identified in this audit.

**Violation of Section 4.20**

According to Ms. Colleen Brisnehan (CDPHE) in a March 16, 2015, letter to Forensic Applications, where files are referenced in a report, but those files are not included in the report, failure to include those files constitutes a violations of Section 3.7.7, 4.20, and 8.10.

In his report, Mr. Woellner states:

*4.14 / 8.2 Photographs of Property Conditions: Please see the attached photographs for general site conditions as well as photographs of each sampling location. Most of the sampling locations were photographed close-up, and all of the sampling locations are visible on the wider scale photographs. Including the attached photographs, QUEST maintains approximately 70 photographs of the property and its condition at the time of our initial preliminary assessment inspection on May 4, 2015 and approximately 100 photographs of the property and its condition at the time of our May 14, 2015 follow-up preliminary assessment/clearance sampling.*

And yet, the report only contains approximately 65 photographs. Thus approximately 105 photographs are missing, which according to Ms. Brisnehan constitutes a violation of regulations. It is difficult to understand how this is a regulatory violation for some consultants, but not a violation for favored consultants. In fact, such favoritism is a violation of Colorado criminal statutes:

CRS 18-8-404. First degree official misconduct.

(1)A public servant commits first degree official misconduct if, with intent to obtain a benefit for the public servant or another or maliciously to cause harm to another, he or she knowingly: (a) Commits an act relating to his office but constituting an



unauthorized exercise of his official function; or (b) Refrains from performing a duty imposed upon him by law; or (c) Violates any statute or lawfully adopted rule or regulation relating to his office. (2) First degree official misconduct is a class 2 misdemeanor.

Ms. Brisnehan has a long and documented history of criminal misconduct as already referenced in this report and elsewhere (for example where Ms. Brisnehan unlawfully attempted to cover up the illegal activities of another Director of her private group, “CAMMP” by allowing the Director to use California regulations instead of Colorado regulations<sup>7</sup> and where Ms. Brisnehan’s office officially covered up 143 violations committed by Mr. Woellner on one property alone.<sup>8</sup>

In any event, as described later, in spite of having reportedly taken 170 photographs, in his report, in violation of Section 6.2.11, Mr. Woellner failed to photograph three sample locations.

### **Violations of Section 6.0**

According to the regulations:

If the Consultant determines that assessment sampling is appropriate, such sample collection and analysis **shall** be conducted in accordance with the assessment level sampling protocols and other requirements of Section 6 of this Part 1.

### **Violation of Section 6.2.2 (Failure to collect 100cm<sup>2</sup>)**

During the performance of a Preliminary Assessment, the Contractor is required by regulations to follow specific sampling protocols 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.

6.2.2 Delineate a 100 cm<sup>2</sup> area on the surface to be sampled, either by attaching a physical template to the surface (being careful not to touch the area within the template), or by an equivalently reliable and accurate method. The area within the template (i.e., the sample area) shall be 100 cm<sup>2</sup>.

In several photographs in the report, Mr. Woellner documents that he failed to collect samples from areas that were 100 cm<sup>2</sup>. Indeed, Mr. Woellner even states that he failed to collect 100 cm<sup>2</sup>:

*It should be noted that several of the sampling locations (e.g., the window mounted air conditioner unit) did not have flat surfaces of 100cm<sup>2</sup>, so the industrial hygienist made every effort to sample exactly 100cm<sup>2</sup> in area by such means as sampling the tops and bottoms of diffusers, etc.*

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<sup>7</sup> <http://forensic-applications.com/meth/DimickCriticalReview.pdf>

<sup>8</sup> [http://forensic-applications.com/meth/Spaulding\\_Regulatory\\_audit\\_Redacted.pdf](http://forensic-applications.com/meth/Spaulding_Regulatory_audit_Redacted.pdf)



Ignoring for a moment that Mr. Woellner has in the past denied being an Industrial Hygienist, and has no documentable training as an Industrial Hygienist, there is nothing in the regulations that give exceptions to collecting 100 cm<sup>2</sup>. A legitimate consultant would have no difficulty in collecting 100cm<sup>2</sup>.

In every drug laboratory assessment project performed by Mr. Woellner, as reviewed by FACTs, Mr. Woellner has always failed to collect 100 cm<sup>2</sup> as he claims.<sup>9,10,11,12,13</sup>

However, since Mr. Woellner has no documentable training or competency in sample collection, he insists on using a junk-science concept of applying “100 cm<sup>2</sup> templates” and then merely wiping the available area and pretending the area constitutes 100 cm<sup>2</sup>. (FACTs has addressed this in detail for other properties.<sup>14,15,16,17</sup>

For example, in the referenced Spaulding report (which contained 143 regulatory violations that were covered up by Ms. Brisnehan’s office) Mr. Woellner falsely identified each sampling area as “100 cm<sup>2</sup>.” However, during their sampling, based on his own documentation, Mr. Woellner did not collect 100 cm<sup>2</sup> for each sample. Rather, Mr. Woellner merely *reported* collecting 100cm<sup>2</sup> regardless of the actual surface area.

As an example, in the photograph below, Mr. Woellner shows himself holding a 10 cm X 10 cm template up to the item sampled (a light switch). Mr. Woellner claims the surface area was 100 cm<sup>2</sup> when in fact, as can be seen, a very large portion of the sampling template is thin air and not a surface sample at all.

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<sup>9</sup> See for example: 4893 S Johnson Street, Denver [http://www forensic-applications.com/meth/Johnson Critical review.pdf](http://www.forensic-applications.com/meth/Johnson_Critical_review.pdf)

<sup>10</sup> See for example: 788 W. Lois Ct., Louisville, CO 80027 – Available from CDPHE through the CORA (Colorado Open Records Act)

<sup>11</sup> See for example: 1138 West 32nd Street, Unit 201, Denver, CO [http://www forensic-applications.com/meth/Addendum 2 Woellner 1138 32 St.pdf](http://www.forensic-applications.com/meth/Addendum_2_Woellner_1138_32_St.pdf)

<sup>12</sup> See for example: 771 Cleveland Circle, Lafayette, CO 80026 [http://www.forensic-applications.com/meth/Addendum 3 Woellner 771 Cleveland.pdf](http://www.forensic-applications.com/meth/Addendum_3_Woellner_771_Cleveland.pdf)

<sup>13</sup> See for example: 410 Garfield Avenue, Carbondale, CO 81623 [http://www forensic-applications.com/meth/Addendum 4 Woellner 410 Garfield.pdf](http://www.forensic-applications.com/meth/Addendum_4_Woellner_410_Garfield.pdf)

<sup>14</sup> See for example: 788 W. Lois Ct., Louisville, CO 80027 – Available from CDPHE through the CORA (Colorado Open Records Act)

<sup>15</sup> See for example: 1138 West 32nd Street, Unit 201, Denver, CO [http://www forensic-applications.com/meth/Addendum 2 Woellner 1138 32 St.pdf](http://www.forensic-applications.com/meth/Addendum_2_Woellner_1138_32_St.pdf)

<sup>16</sup> See for example: 771 Cleveland Circle, Lafayette, CO 80026 [http://www.forensic-applications.com/meth/Addendum 3 Woellner 771 Cleveland.pdf](http://www.forensic-applications.com/meth/Addendum_3_Woellner_771_Cleveland.pdf)

<sup>17</sup> See for example: 410 Garfield Avenue, Carbondale, CO 81623 [http://www forensic-applications.com/meth/Addendum 4 Woellner 410 Garfield.pdf](http://www.forensic-applications.com/meth/Addendum_4_Woellner_410_Garfield.pdf)





**Photograph 1**  
**QUEST Photograph**

Another example is given in the QUEST photograph below:



**Photograph 2**  
**QUEST Photograph**



In this way, Mr. Woellner has made a habit of falsely reporting that a particular surface was compliant, when in fact, the surface is **not** compliant. Thus, for example, in the sample above, Mr. Woellner reported the surface as being compliant (0.36 µg/100 cm<sup>2</sup>). Mr. Woellner falsely told the laboratory the sample area was 100 cm<sup>2</sup>. The laboratory recovered 0.36 total micrograms from the sample, and calculated the sample result as

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

Thus for that sample, the laboratory used the following:

$$\text{Concentration} = \frac{0.356 \mu\text{g recovered}}{\left(\frac{\text{Reported area} = 100 \text{ cm}^2}{100}\right)} = 0.356 \mu\text{g}/100 \text{ cm}^2$$

...which seems to indicate the surface was compliant with the State threshold limit of 0.5 µg/100 cm<sup>2</sup> – indeed, in his report, Mr. Woellner falsely reported the surface as compliant. However, as documented in the photograph, a large portion of the template has been bent down to the floor, and only a portion of the hot water heater was sampled.

When we measure the area that was actually sampled, we see that only 40 cm<sup>2</sup> was sampled, and not 100 cm<sup>2</sup> as falsely reported by Mr. Woellner. When we use the correct surface area in the calculation, we see the following:

$$\text{Concentration} = \frac{0.356 \mu\text{g recovered}}{\left(\frac{\text{Actual area} = 40 \text{ cm}^2}{100}\right)} = 0.90 \mu\text{g}/100 \text{ cm}^2$$

Therefore, although Mr. Woellner reported the surface passed – the surface did not pass, and remains (to this day) non compliant (on this property, Ms. Brisnehan’s office falsely claimed that these events did not happen).

QUEST has made a habit of this practice over the years, which makes Mr. Woellner very “contractor friendly” and very friendly to those who wish to falsely claim a property is compliant when it is not compliant.

Such is also the case with this property. For example, let’s look at Mr. Woellner Sample Number 1 which consisted of four locations which Mr. Woellner falsely identified as 400 cm<sup>2</sup> on his laboratory submittal, but which he admits in his report did not actually consist of four 100 cm<sup>2</sup> samples as required by regulations. Two of the sample locations do appear to be 100 cm<sup>2</sup>, however two clearly are not.

In the first photograph, Mr. Woellner presents identifies the object of his sample as the “AC controls”





Since Mr. Woellner claims the template he is using is 10 cm X 10 cm, we can use the template as a reference for the actual size of the sample collected. In so doing, we see the controls are actually about 42 cm<sup>2</sup>.

Next for the kitchen fan:





In this photograph we see that only about 9 cm<sup>2</sup> is actually being sampled and not the mandatory 100 cm<sup>2</sup>.

We see similar regulatory violations with Sample 3A and 3B:





Approximately 50 cm<sup>2</sup> being reported as 100 cm<sup>2</sup>.



Approximately 35 sm<sup>2</sup> being reported as 100 cm<sup>2</sup>. Using this extremely poor (and unlawful) sampling technique, Mr. Woellner is able to falsely represent falsely low methamphetamine contamination levels.



## ***Violation of Section 6.2.2 (Reuse of templates)***

According to the regulations:

6.2.2 ... Physical templates may not be re-used.

In every project FACTs has reviewed for Mr. Woellner, we have seen Mr. Woellner reuse templates in violation of good sampling protocols and State regulations. Such is the case here. In this case, Mr. Woellner claims he received a variance from Ms. Brisnehan to reuse the templates. However, Mr. Woellner reused the templates on May 4, 2015, and did not receive the variance until three weeks later on May 27, 2015.

On February 27, 2015, in a letter to FACTs, Ms. Brisnehan states that a request for variance will be rejected if the request for variance ...

... does not address the requirements of Part 1, Section 10.1.4 of the Regulations:

*A description of the manner in which the person requesting the variance proposes to meet the intention of the regulatory requirement, or other justification for the proposed alternate procedure.*

In this project, we do not see anywhere in the report where Mr. Woellner provided **any**

*...description of the manner in which the person requesting the variance proposes to meet the intention of the regulatory requirement, or other justification for the proposed alternate procedure.*

And neither do we see where Mr. Woellner informed the CDPHE that he was already in violation of State regulations when he performed the sampling for which he was now requesting a variance. As is common, thus far every request for variance by this contractor has been approved by Ms. Brisnehan no matter how contradictory, or convoluted or tortuous the reasoning that must be implied by Ms. Brisnehan to protect her former CAMMP members.

## ***Violation of Section 6.2.7***

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

6.2.7 Wipe the surface using one of the following methods:

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

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

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



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

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

Nowhere in the report, do we see where Mr. Woellner documented that he used this protocol. As already mentioned, in violation of Section 4.15.1, Mr. Woellner failed to prove a description of his sampling procedures.

### ***Violation of Section 6.2.11 Documenting Sample Times***

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

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

Nowhere in the report do we see where Mr. Woellner provided the times of the sample collection as required. Therefore, strictly speaking, one could consider each sample without a sample time as a separate violation.

### ***Violation of Section 6.2.11 Sample Location Photographs***

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

6.2.11 ... Photograph each sample location.

In his report, Mr. Woellner states:

*No picture available.*

*The sample collected from the laundry (master bedroom soft contents) contained a meth concentration ( $<0.008 \mu\text{g}/100\text{cm}^2$ ) below the  $0.5 \mu\text{g}/100\text{cm}^2$  criteria.*

And:

*No picture available.*

*The sample collected from the dresser (child's room hard contents) contained a meth concentration ( $<0.008 \mu\text{g}/100\text{cm}^2$ ) below the  $0.5 \mu\text{g}/100\text{cm}^2$  criteria.*

And:

*No picture available.*

*The sample collected from the toy box left (child's room hard contents) contained a meth concentration ( $<0.008 \mu\text{g}/100\text{cm}^2$ ) below the  $0.5 \mu\text{g}/100\text{cm}^2$  criteria.*



It is difficult to understand how a consultant could visit the site on two separate occasions and claim to have collected 170 photographs and yet still violate the State statutes and not provide the mandatory photographs. Furthermore, if Mr. Woellner needed to return to the site a third time and get the mandatory photographs then that was his obligation.

### ***Violation of Section 6.2.12.1***

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

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

6.2.12.1 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.

As already described, nowhere in the report has Mr. Woellner identified how he collected the blanks and there are no photographs of the blanks to demonstrate they were in fact collected on site.

### ***Violation of Section 6.2.12.2***

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

6.2.12.2 Repeat this procedure for multiple aliquots when collecting a composite field blank.

As described below, since Mr. Woellner failed to provide the mandatory information on the chain-of-custody as required by regulation, there is no documentation that Mr. Woellner complied with this requirement.

### ***Violation of Section 6.2.14***

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

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:

### ***Violation of Section 6.2.14.6 (16 Violations)***

6.2.14.6 number of sample aliquots;

Nowhere in the chain-of-custody is the number of aliquots provided for any of the samples – since there were 16 samples, there were 16 violations of regulation.

### ***Violation of Section 6.2.14.7 (16 Violations)***

6.2.14.7 number of containers for each sample;



Nowhere in the chain-of-custody is the number of containers for each sample provided – since there were 16 samples, there were 16 violations of regulation.

**Violation of Section 6.2.14.8 (16 Violations)**

6.2.14.8 sample collection time and date;

Nowhere in the chain-of-custody is the sample collection time provided- – since there were 16 samples, there were 16 violations of regulation.

**Violation of Section 6.2.14.9 (16 Violations)**

6.2.14.9 sample matrix;

Nowhere in the chain-of-custody is the sample matrix provided– since there were 16 samples, there were 16 violations of regulation.

**Violation of Section 6.2.14.11 (16 Violations)**

6.2.14.11 sample preservatives, if applicable; and

Nowhere in the chain-of-custody is the sample preservative addressed.

**Violation of Section 6.3.5**

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

6.3.5 All aliquots in a single composite sample collected from personal property must be collected from similar material (non-porous, porous other than textiles/fabrics, and textiles/fabrics).

In his report, Mr. Woellner documents that he collected mixed matrices such as combining fur rugs with porous hard surfaces. For example - Sample composite 10C and 10D are collected from a soft rug and hard picture frames respectively.



### ***Violation of Section 6.3.6***

During the performance of a Preliminary Assessment and/or Clearance Sampling, the Contractor is required by regulations to follow specific sampling protocols including:

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, with the following exceptions:

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

As already described, in violation of Section 6.2.2, Mr. Woellner failed to collect samples from 100 cm<sup>2</sup>.

### ***Violation of Section 6.8.1***

Pursuant to Section 6.8.2, the Consultant is allowed to presume an area is contaminated. If however, the Consultant wants to challenge the compliance status of an area, the Consultant must follow the rules found in Section 6 which, in part, state:

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.

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

As already described above, by his own admission, Mr. Woellner failed to collect 100 cm<sup>2</sup> aliquots for “several” of his samples, therefore, the composites listed as 400 cm<sup>2</sup> are not 400 cm<sup>2</sup> as required, and therefore, those rooms were never cleared pursuant to regulations and therefore, those rooms were never cleared, and therefore the personal items belonging to the occupant in those room are still considered contaminated pursuant to:

### ***Violation of Section 6.9.1***

The Consultant is allowed to presume an area is contaminated. If however, the Consultant wants to challenge the compliance status of an area, the Consultant must follow the rules found in Section 6 which, in part, state:

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

As already discussed above, and by his own admission, Mr. Woellner failed to collect at least 400 cm<sup>2</sup> from those rooms from which samples were collected.

### ***Violation of Section 6.9.4***

During the performance of a Preliminary Assessment and/or Clearance Sampling, the Contractor is required by regulations to follow specific sampling protocols including:

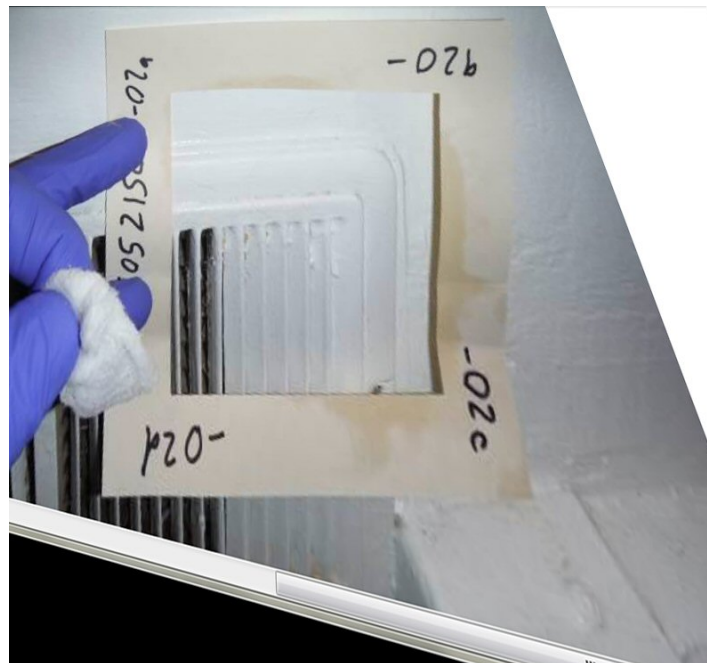


6.9.4 For buildings and structures that have forced air ventilation systems, at least 400 cm<sup>2</sup> of surface area of the ventilation system shall be sampled, unless the entire ventilation system is removed.

For this property, Mr. Woellner collected a single sample of less than one 100 cm<sup>2</sup> from the supply vent in the bathroom (see the photograph below).



By using distortion correcting software, we are able to use the template in the photograph as a reference to determine the actual size of the sample collected. Since Mr. Woellner states that his templates are 10 cm by 10 cm we can determine the area of supply vent actually sampled turns out to be only 42 cm<sup>2</sup>. (See next photograph).



Furthermore, if Mr. Woellner really did sample this surface, then it would have been physically impossible for his to have collected the sample by

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).

### ***Violation of Section 6.9.4 (Failure to sample supply interior)***

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

6.9.4 Samples shall be collected from accessible areas within the heat exchanger unit, inside the cold air return system, from inside the supply air system, ...

As can be seen from the photograph, although the regulations require a sample to be collected "...from inside the supply air system, ...", Mr. Woellner collected his sample from *outside* the system. Mr. Woellner claim that the vent system was "inaccessible" due to the fact there was a layer of paint holding it to the wall, is nothing short of laughable.

### ***Violation of Section 6.9.4 (Failure to sample heat exchanger)***

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

6.9.4 Samples shall be collected from accessible areas within the heat exchanger unit,...

We do not see where this was performed.

### ***Violation of Section 6.9.4 (Failure to sample cold air return)***

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

6.9.4 Samples shall be collected from accessible areas ...inside the cold air return system, ...

We do not see where this was performed.



### ***Violation of Section 6.9.4 (Failure to sample additional location)***

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

6.9.4 Samples shall be collected from accessible areas ...from one other location selected at the Consultant's discretion.

We do not see where this was performed.

### ***Violation of Section 6.9.11***

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

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

For this property, Mr. Woellner's results were significantly lower than the concentrations we reported in our basic methamphetamine survey report. The reason his results are significantly lower is because of Mr. Woellner's failure to comply with this provision.

During our BMS, FACTs collected samples from locations that had the highest probability of being contaminated. We selected a sampling theory known as "authoritative judgmental bias sampling." In the original State of Colorado regulations, in 2004, I wrote the original assessment language for sampling, and I incorporated this scientific concept in those regulations.

During the 2014 revision, the CDPHE stated that the scientific provisions were "too complicated to be understood" by poorly trained practitioners who were performing fraudulent and illegal assessments in Colorado. Mr. Woellner was one of those individuals. Therefore, to make the regulations easier for people like Mr. Woellner to understand, the CDPHE removed ALL of the scientific basis of sampling and replaced it with what is now in the regulations.

As such, according to the regulations there is tremendous emphasis on **how** to collect a sample (this is the actually cook-book mechanical steps), but all of the requirements of **why** one collects a sample (that is the actual scientific objectives of sample collection and data quality objectives), has been removed.

Mr. Woellner likes to claim he uses "standard industry practices" but in fact, he has a long documented history of fabricating his own "industry standards" out of thin air. For example, on another project, Mr. Woellner became the only person on the planet to attempt to perform an indoor mold assessment using an combustible gas meter and measuring for hydrogen sulfide. Mr. Woellner originally defended his bizarre junk-science action by claiming that the use of such a meter during a mould assessment was "standard industry practice." Although Mr. Woellner was never able to identify the "standard."



Mr. Woellner was criticized for inventing a “standard industry practice” that did not exist, and questions as to why he didn’t use legitimate Industrial Hygiene practices, Mr. Woellner resounded “I am not an Industrial Hygienist – I don’t have to follow Industrial Hygiene practices.”

Later, under oath,<sup>18</sup> Mr. Woellner lied under oath, and denied using the meter during his mold assessment in the following exchange:

**Q (by Counsel). Do you ever request during your air sampling that samples be tested for hydrogen sulfide as part of your investigation?**

**A (by Woellner). No. I have not.**

**Q (by Counsel). As part of your air sampling, at any point in time during the project, did you ever conduct air sampling and request that oxygen content be assessed as part of your investigation?**

**A (by Woellner). No. I have not.**

This testimony placed Mr. Woellner in a very awkward position since in his June 6, 2007 report (which was the subject of the sworn oral testimony) Mr. Woellner had written:

*During Quest’s inspection, a BW Technologies GasAlertMicro multi gas trace gas detector and a Vulcain SP-IAQ4 trace gas monitor were utilized to measure airborne concentrations of combustible gases (%LEL), hydrogen sulfide (ppm), carbon monoxide (ppm), carbon dioxide (ppm) oxygen (%), temperature (degree F) and relative humidity (%). No combustible gases (0% LEL), hydrogen sulfide (0ppm) or carbon monoxide (0 ppm) levels were detected. The residences contained 20.9 % oxygen, between 480 and 981 ppm carbon dioxide, ...*

Mr. Woellner must have realized the predicament he placed himself in by giving false testimony under oath, because he then changed his story AGAIN and during a second round of testimony,<sup>19</sup> Mr. Woellner explained that, contrary to his original testimony he actually did perform the sampling, but (contrary to his original report) he only did it because he was performing Confined Space monitoring. However, during my testimony,<sup>20</sup> this explanation too became troublesome for Mr. Woellner since I testified that there were no confined spaces on the project during which he used his gas meter and hydrogen sulfide meter.

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<sup>18</sup> 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.

<sup>19</sup> In the Matter of: Fidelity and Deposit Company of Maryland v. White River Townhomes, LLC, et al. Reporter’s Transcript of Proceedings Volume 37, Date Taken: August 18, 2010

<sup>20</sup> In the Matter of: Fidelity and Deposit Company of Maryland v. White River Townhomes, LLC, et al. Reporter’s Transcript of Proceedings Volume 37, Date Taken: August 18, 2010



So when Mr. Woellner speaks of “standard industry practices” it is our experience that in his mind this translates to “Mr. Woellner’s standard practices” and has very little to do with actual standard industry practices.

Pursuant to the new regulations, since the sampling objectives have now been removed, a consultant is permitted by regulation to enter an extremely heavily contaminated property, and elect to collect samples from locations that have virtually no probability of being contaminated, and thereby the consultant is now able to “clear” an extremely heavily contaminated property, and still comply with the regulations. For this property, however, Mr. Woellner failed to do either.

## **JEFFERSON COUNTY DEPARTMENT OF HEALTH**

Regarding the June 1st, 2015 letter issued by Mr. Sanders with the Jefferson County Department of Health. Mr. Sanders is an highly professional, and ethical Public Servant who, for the convenience of the general public maintains a file of reports.

Mr. Sanders issues the letter regardless of the contents of the report and regardless of the validity of the statements made by the author of the report.

Mr. Sander’s issues his letter to simply acknowledge the receipt of the report, and that is why, at the end of his letter, he states:

### **DISCLAIMER**

**JCPH has not verified the adequacy or veracity of any statement or action contained in any of the submitted documents. In the event of a future civil action the report must stand on its own merits as meeting the requirements of 25-18.5-102 C.R.S. and 6 CCR 1014-3.**

**This letter makes no representation concerning compliance issues relating to actions required or taken by any other governmental body with regard to the property in question, or any of the remediation or demolition activities that may have taken place at the property.**

We have been involved in other properties<sup>21,22</sup> wherein the occupants or owners have falsely claimed that Mr. Sander’s has “personally certified” the property as clean, and/or compliant. To our knowledge, Mr. Sanders has never taken such actions, however, we will defer that conclusion to Mr. Sanders.

<sup>21</sup> See for example: [http://www.forensic-applications.com/meth/Censored\\_Weecycle\\_review.pdf](http://www.forensic-applications.com/meth/Censored_Weecycle_review.pdf)

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



## **CONCLUSIONS**

Mr. Woellner has a long documented history of regulatory violations regarding illegal drug laboratories.

Mr. Woellner has a long history of making statements (written and otherwise) that he cannot support.

During previous assessments, Mr. Woellner has never been able to provide any documentation to indicate that he has received any kind of training in the assessment of illegal drug laboratories.

Based on the documentation provided, FACTs has identified no fewer than 41 regulatory violations associated with the work performed by Mr. Woellner at the property located at 8347 S Reed Street, Unit 2, Littleton CO 80128.



STATEMENT OF QUALIFICATIONS  
Caoimhín P. Connell





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

FACTs project name:	Reed	Form # ML15
June 11, 2015		

Caoimhín P. Connell, has been involved in clandestine drug lab investigations since 2002 and meets the Colorado Revised Statute §24-30-1402 definition of an "Industrial Hygienist" and is authorized under 6 CCR 1014-3 to perform assessments in illegal drug laboratories. He has been a practicing Industrial Hygienist since 1987. Mr. Connell is a recognized authority in drug-lab operations and is a Certified Instructor in Meth-Lab Safety through the Colorado Regional Community Policing Institute, CRCPI (Colorado Division of Criminal Justice) and was the lead instructor for the CRCPI providing over 260 hours of methlab training for over 45 Colorado Law Enforcement Agencies, federal agents, probation and parole officers throughout Colorado judicial districts. He has provided meth-lab lectures to the US Air Force, the National Safety Council, and the American Industrial Hygiene Association (of which he is a member and serves on the Clandestine Drug Lab Work Group and for whom he conducted the May, 2010, Clandestine Drug Lab Course, and is a coauthor of the AIHA methlab assessment publication.)

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

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

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

Mr. Connell is a current sworn law enforcement officer who has conducted clandestine laboratory investigations and performed risk, contamination, hazard and exposure assessments from both the law enforcement (criminal) perspective, and from the civil perspective in residences, apartments, motor vehicles, and condominiums. Mr. Connell has conducted over 592 assessments of illegal drug labs in CO, SD, NE, OK, and collected over 5,368 samples during assessments (a partial detailed list of drug lab experience is available on the web at): <http://forensic-applications.com/meth/DrugLabExperience2.pdf>

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

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



## Multijurisdictional Counterdrug Task Force Training

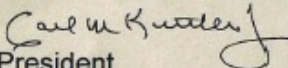


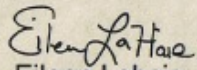
This is to certify that  
**Caoimhin P. Connell**

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

**Rural Patrol**

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

  
President  
St. Petersburg College

  
Eileen Lahaie  
MCTFT Director

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

Midwest Counterdrug Training Center



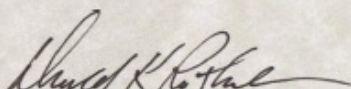
## Certificate of Training

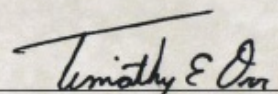
This certifies that

**Caoimhin Connell**

Has successfully completed the  
**Clandestine Laboratory Certification**

Cheyenne, WY  
40 Training Hours  
2-6 August 2004

  
Network Environmental Systems, Inc.

  
LTC Timothy E. Orr  
Commandant



# Center *for* Task Force Training™

THIS IS TO CERTIFY THAT

*Caoimhin P. Connell*

HAS SUCCESSFULLY COMPLETED 20 HOURS OF TRAINING IN

**METHAMPHETAMINE INVESTIGATION MANAGEMENT**

MARCH 20-22, 2006

DENVER, COLORADO

Domingo S. Herraiz  
Director, Bureau of Justice Assistance

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



## State and Local Anti-Terrorism Training

THIS IS TO CERTIFY THAT

**Caoimhin P. Connell**

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

**June 1, 2006**  
**Denver, Colorado**

Domingo S. Herraiz  
Director, Bureau of Justice Assistance



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

*Rocky Mountain  
High Intensity Drug Trafficking  
Area*



*Certifies that*



*Caoimhín Connell*

*has attended*

*4 hours of*

*Hash Oil Extraction: The Scene and The Patient*

*Aurora, CO*

*July 25, 2014*

*Training Manager, Rocky Mountain HIDTA*

*Director, Rocky Mountain HIDTA*



[www.nesglobal.net](http://www.nesglobal.net)

*Certificate of Completion*

*Caoimhin Connell*

*has successfully completed training in*

*Advanced Clan Labs: Beyond the Basics*

*presented by*

*NES, Inc.*

*1141 Sibley Street Folsom, CA 95630*

*Instructor - Brian Escamilla*

*04/28/14 04/30/14*

*Date*

*Contact Hours:24*

This certifies that

*Caoimhin P Connell*

Has met the requirements for the online course

*Expert Testimony Training for the Prosecutor and Scientist*



11-07-2012

Certificate Number: 1109778763

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



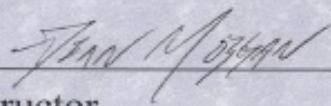
## Park County Sheriff's Office Certificate of Completion

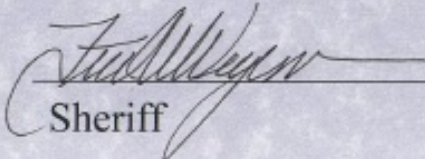
### Caoimhin Connell

has completed an 8 hour course in:

**Crime-scene Approach and Evidence Collection**

Completed this 29th day of April, 2009

  
Instructor

  
Sheriff

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



*Certifies that*



**Caoimhín P. Connell**

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

Training Manager, Rocky Mountain HIDTA

Director, Rocky Mountain HIDTA

***Certificate of Completion***

*This Will Certify That*

***Caoimhín P. Connell***

*Successfully Completed*

**Prescription Drug Crimes**

7 Hours Completed

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

**P. Ritch Wagner**  
Instructor



Director, Law Enforcement Liaison & Education



# Certificate of Training

This is to certify that  
Caoimhin Connell

(Name)

Park County Sheriff's Office

(Agency)

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

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

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



## Colorado Law Enforcement Officers' Association



This is to certify that

**CAOIMHIN CONNELL**

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

hosted by **Loveland Police Department**

on **February 28 – March 1, 2011**

Tom Finelle  
Tom Finelle, CLEOA President

M. A. [Signature]  
ARIDE Instructor

# State of Colorado



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

**CAOIMHIN PADRAIG CONNELL**

**August 27, 2008**

Date

VIN INSP— **0952**

Number

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

*Bill Ritter Jr.*

Governor

*John W. Suthers*

Attorney General, Board Chairperson

## Certificate of Completion Intoxilyzer 9000 Operator Certification Course

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

**Caoimhin P Connell**

User ID: **841645**

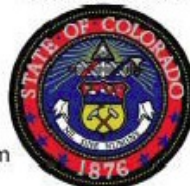
*has successfully completed the "Intoxilyzer 9000 Operator Certification Course"  
to determine the alcohol concentration in breath specimens pursuant to the  
State Board of Health Rules Pertaining to Testing for Alcohol and Other Drugs (5 CCR, 1005-2)  
Training was provided by the Evidential Breath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

**February 21, 2013**

Certificate Date

*Jeffrey A. Groff*

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



*David A. Butcher*

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

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



# Certificate of Achievement

awarded to:

**Caoimhin P. Connell**

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

June 1st, 2005

Date

Signed

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

## 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***

*Chris Fox*

*CATI President*

*[Signature]*

*VIN Inspector Training Coordinator*

**Rocky Mountain  
High Intensity Drug Trafficking  
Area**



*Certifies that*



**Caoimhín Connell**

*has attended*

*16 hours of*

**MCTC / RMHIDTA Indoor Marijuana Grows**

**Centennial, CO**

**August 28-29, 2014**

*Training Manager, Rocky Mountain HIDTA*

*Director, Rocky Mountain HIDTA*

**CERTIFICATE OF TRAINING**

THIS IS TO CERTIFY THAT

**Caoimhín Connell**

Has completed 4 hours of successful training for

The Hazards of Hash Oil Extraction

Held at IRIS Fire Investigations in Englewood, CO

on this 7<sup>th</sup> day of November, 2014

Robert K. Toth  
IRIS Fire Investigations, President



**COLORADO**  
Department of Public  
Health & Environment

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

December 30, 2014

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

**Consultant Interim Authorization Approval**

Dear Caoimhin Connell:

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

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

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

Approved By: \_\_\_\_\_

Date: \_\_\_\_\_

12/30/2014





**COLORADO**  
Department of Public  
Health & Environment

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

December 30, 2014

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

**Consultant Firm Interim Authorization Approval**

Dear Forensic Applications Consulting Technologies Inc:

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

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

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

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

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

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

Approved By: \_\_\_\_\_

Date: 12/30/2014

