



**FORENSIC APPLICATIONS CONSULTING TECHNOLOGIES, INC.**

**Regulatory Audit  
of**

**Preliminary Assessment  
For Methamphetamine at  
728 Cherry Street  
Fort Collins, Colorado**

**Prepared by  
Century Environmental Hygiene LLC  
3201 E. Mulberry St, Unit C  
Fort Collins, CO 80524**

**(403 Regulatory Violations)**

Prepared by:

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December 10, 2015

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## EXECUTIVE SUMMARY

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

This review pertains to the document identified as:

Preliminary Assessment  
For Methamphetamine  
728 Cherry Street  
Fort Collins, Colorado  
Century Environmental Hygiene LLC  
3201 E. Mulberry St, Unit C  
Fort Collins, CO 80524  
*Client Property ID 1007219*  
*January 12, 2015*  
*Century Project #4831.14*

Prepared for:  
David Mares  
Pacific Asset Preservation Services  
3020 Oakfield Court  
Chino Hills, CA 91709  
Work Order # 13675

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

The Consultant in question, Century Environmental Hygiene, LLC (CEH), has an extended documented history of gross technical incompetence, botched illegal drug laboratory assessments, falsified real estate documents and regulatory violations.<sup>1,2,3,4,5,6,7,8</sup> During these reviews FACTs has identified the same recurring

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<sup>1</sup> 3509 Montrose Street, Evans CO (4/5/06) <http://forensic-applications.com/meth/Initial-review.pdf>

<sup>2</sup> 1812 164th Place, Thornton CO (4/23/09) <http://forensic-applications.com/meth/164thCriticalReview.pdf>

<sup>3</sup> Property address sealed by court order (9/23/09)

<sup>4</sup> 24018 Deer Valley Road, Golden, CO (8/25/10) <http://forensic-applications.com/meth/DVRCriticalReview.pdf>

<sup>5</sup> Columbine Apartments, Unit A107 605 Wickes Ave. Craig, CO 81625 (12/30/07) <http://forensic-applications.com/meth/columbinepreliminaryassessment.pdf>



patterns of incompetency and violations exhibited in previous assessments, therefore it would appear that the violations identified in this audit are willful and intentional.

For this regulatory audit, FACTs has identified no fewer than 403 regulatory violations.

## REGULATORY TIMEFRAMES

The Consultant performed the reported work on November 26, 2014, and as such, the work should have been performed under the existing regulations in effect at that time (6 CCR 1014-3 (2005)). In the report, CEH states:

*The PA was performed by Paul Jaeckel, IH on November 26, 2014. Pursuant to guidance from CDPHE, the PA was performed in accordance with the 2014 revised meth regulations.*

This creates three problems:

- 1) On November 26, 2014, Mr. Jaeckel was not authorized to perform the work.
- 2) The CDPHE had no authority to grant Mr. Jaeckel permission to ignore the extant regulations.
- 3) Mr. Jaeckel failed to perform the work “*in accordance with the 2014 revised meth regulations.*”

Mr. Jaeckel issued the report for this subject property on January 12, 2015, for work performed on November 26, 2014, and, falsely claimed the November 26, 2014 work was compliant with the new regulatory provisions of 6 CCR 1014-3 (2014).

In fact, the work for this project, as documented in Mr. Jaeckel's report, was so badly performed that the Consultant entirely failed to comply with the new regulatory provisions of 6 CCR 1014-3 (2014) - with the guidance of the CDPHE - as well as failing to comply with the regulations that were in effect at the time the work was performed (6 CCR 1014-3 (2005)).

Since the work at this subject property is presented as being compliant under two sets of regulations, we have evaluated the work under those two sets of regulations:

- 1) The regulations that were in effect when the work was done - 6 CCR 1014-3 (2005)

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<sup>6</sup> 19042 E 53rd Ave., Denver, CO (12/10/08) <http://forensic-applications.com/meth/gollaspa.pdf>

<sup>7</sup> 3251 S. Elati Street, Englewood, CO, [http://forensic-applications.com/meth/Regulatory\\_audit\\_CEH\\_Elati.pdf](http://forensic-applications.com/meth/Regulatory_audit_CEH_Elati.pdf)

<sup>8</sup> Apartment C-105, Blue Ridge Apartments, 775 West Lake Street, Fort Collins, Colorado 80521-4515



2) The regulations that were in effect when the report was issued 6 CCR 1014-3 (2014)-as performed by Mr. Jaeckel with the guidance of the CDPHE.

In reality, it would have been extremely easy for an ethical and legitimate Industrial Hygienist to comply with the 2005 version of the regulations for the timeframe to which they applied, as well as the 2014 revision of the regulations for the timeframe to which they applied. An excellent example of that would be to review the documentation for 96 Hofer Lane, Evergreen, Colorado. For that property, a Preliminary Assessment was performed on December 12, 2014 pursuant to the 2005 regulations that were in effect at the time of the PA. Three days later, the 2014 revisions came into effect and the property was cleaned and cleared pursuant to the new revised 2014 regulations that became effective on December 15, 2015.

## **PART 1: REVIEW PURSUANT TO 6 CCR 1014-3 (2005)**

### ***Failure to Provide Authorized Personnel***

During the timeframe the Preliminary Assessment was performed for this subject property, the State of Colorado had several State statutes, and one regulation specifically pertaining to the assessment and remediation of methamphetamine contaminated properties. The statutes and regulations contain mandatory provisions.

One of the mandatory provisions, pursuant to state regulations promulgated by the Colorado State Board of Health and designated as “6 CCR 1014-3, Regulations Pertaining To The Cleanup Of Methamphetamine Laboratories” states that assessments of properties within the scope of the regulation can only be performed by authorized Industrial Hygienists meeting the definition of Section 24-30-1402 of the Colorado Revised Statutes. According to the regulations, during the assessment, the Industrial Hygienist must perform hypothesis testing wherein:

*The strength of evidence needed to reject the hypothesis is low, and is only that which would lead a reasonable person, **trained in aspects of methamphetamine laboratories**, to conclude the presence of methamphetamine, its precursors as related to processing, or waste products.*

To our knowledge, Mr. Paul Jaeckel was, and remains, an “asbestos technician” who is not an Industrial Hygienist, does not meet the statutory definition of an Industrial Hygienist, and has not received any legitimate training in the assessment of methamphetamine affected properties. The CDPHE had no authority to grant Mr. Jaeckel permission to perform the work.

Mr. Jaeckel’s statement in the report is patently false when he says

*The consultant is authorized by CDPHE to perform PAs at the time of this assessment (interim authorization on list dated 12/31/14).*



since the work was performed fully one month *before* the authorization was given, and prior to December 15, 2014 (the effective date of the new regulations) the CDPHE had no authorization to authorize anyone to perform such work.

Further, in violation of 6-CCR 1014-3 (2005), §8.21 no “Consultant statement of qualifications,” was included in this report, as required, which would have establish that the work was performed by an Industrial Hygienist, or that the individual, Mr. Jaeckel, had any knowledge of the assessment of illegal drug laboratories.

Nothing within the provided documentation demonstrates that Mr. Jaeckel was authorized to perform an assessment of clandestine drug laboratories, pursuant to pertinent regulations 6 CCR 1014-3 (2005). Considering the gross lack of technical competency exhibited by the author of the report (here and historically), one may reasonably conclude that Mr. Jaeckel has never received any kind of training in either the State requirements or illegal drug laboratory assessment.

### ***Failure to Comply With Mandatory Elements of a Preliminary Assessment***

According to Colorado State regulation 6 CCR 1014-3, when a Preliminary Assessment is conducted specific elements must be included (as specified in both the 2005 and the 2014 versions):

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

#### ***Failure to comply with 6 CCR 1014-3 Paragraph 4.2***

According to State regulations (2005), during the Preliminary Assessment, the **Industrial Hygienist** shall perform and provide:

*4.2 Review of available law enforcement reports that provide information regarding the manufacturing method, chemicals present, cooking areas, chemical storage areas, and observed areas of contamination or waste disposal.*

Nowhere in the reviewed report has Mr. Jaeckel documented that he made any attempt to obtain law enforcement documents or ascertain the availability of such documents. In his report, Mr. Jaeckel states:

*2.1 Fort Collins Records was verbally interviewed and had no meth-related records going back to 2010, as far back as they were able to search. The property was not listed on the DEA’s National Clandestine Laboratory Register on Nov 26, 2014.*

However, in the past, CEH has made many false statements in their reports regarding law enforcement documents. For example, in an August 10, 2009, report of a botched



assessment for 24018 Deer Valley Road, Golden, CO, in his report, Mr. Jaeckel falsely stated:

*2. Description of manufacturing methods and chemicals used. As police reports were not available, it is assumed that meth cooking may or may not have occurred, and if it occurred, it was probably using the Red Phosphorus method of manufacturing, and cooking could have occurred in any part of the house.*

(This language is almost verbatim to the language used for this topic in Mr. Jaeckel's current report for this subject property).

In fact, for the Deer Valley Road property, law enforcement documentation was readily available and on public view; and clearly identified the manufacturing process, the location of the manufacturing in the property, the dates of law enforcement actions, and the chemicals identified at the property by law enforcement. Therefore, since CEH has an established history of providing falsified information in their reports, there is no confidence to the claim that CEH made any attempt to obtain any pertinent law enforcement documents.

Also, since Mr. Jaeckel's report for this subject property contains other boiler-plate references to law enforcement documentation, based on the available documents there is nothing to support that any attempts to obtain law enforcement documents was made.

Examples of boiler-plate language referencing law enforcement documents include:

*2. Summary of available law enforcement reports and inspection observations*

*2.3 Chemicals present. No chemicals that are sometimes associated with meth cooking were identified during our inspection or in police reports (if available).*

*2.4 Cooking areas. No cooking areas were identified during our inspection or in police reports (if available).*

*2.5 Chemical storage areas. No chemical storage areas were identified during our inspection or in police reports (if available).*

### **Failure to comply with 6 CCR 1014-3 Paragraph 4.3 (Ten Violations)**

According to State regulations, during the Preliminary Assessment, the Industrial Hygienist must perform specific duties that determine the potential for contamination migration, establish the grounds for decontamination and prepare the foundation for post clearance sampling by determining functional spaces. The Regulations explicitly require the Industrial Hygienist to provide:

*4.3. Identification of structural features that may indicate separate functional spaces, such as attics, false ceilings and crawl spaces, basements, closets, and cabinets.*



CEH failed to perform its duties and fulfill regulatory requirements by failing to identify functional spaces within the subject property that may be associated with unique contamination, as required by regulation. Pursuant to this section of the regulations, the Industrial Hygienist is required to consider:

According to State regulations 6 CCR 1014-3 (Section 3)

“Functional space” means a space where the spread of contamination may be expected to occur relatively homogeneously, compared to other functional spaces. The “functional space” may be a single room or a group of rooms, designated by a consultant who, based on professional judgment, considers the space to be separate from adjoining areas with respect to contaminant migration. Other typical examples of functional spaces include a crawl space, an attic, and the space between a dropped ceiling and the floor or roof deck above.

In the reviewed report, CEH failed to perform the regulatory mandated identification of structural features that may indicate separate functional spaces. Instead, CEH ignored the regulatory requirements and falsely stated:

*No false ceilings or unusual void spaces were identified.*

And yet, the photographs provided by Mr. Jaeckel clearly show the presence of false ceilings throughout the structure and in fact, Mr. Jaeckel collected a sample from one of the false ceilings that he claims doesn't exist (See the Photograph below).





CEH Photograph of False Ceiling

Similarly, we see that false ceilings were present in other locations in the subject property:





CEH Photographs of False Ceilings

The establishment of Functional Spaces is absolutely integral to the utility of the Preliminary Assessment. Without the assessment and identification of the Functional Spaces, decontamination cannot properly occur, and without the identification of the Functional spaces, final clearance sampling cannot occur since State regulations require the clearance sampling to be based on those Functional Spaces that have been identified in the Preliminary Assessment.



Based on our review of the available documentation, FACTs identified at least 13 Functional Spaces not including the furnace system:

1. Shed 1
2. Shed 2
3. Garage
4. Master Bedroom
5. Master Bathroom
6. Common Bathroom
7. Living Room
8. Dining Room- Kitchen Complex
9. East Bedroom
10. Utility Room

### ***Failure to comply with 6 CCR 1014-3 Paragraph 4.4***

According to State regulations, during the Preliminary Assessment, the Industrial Hygienist shall identify the manufacturing process used on site. The information is imperative and indispensable during the Preliminary Assessment, since the decontamination efforts may be incumbent on the type of manufacturing process used. Furthermore, the post decontamination sampling shall be incumbent on the type of process used. The state regulations explicitly require the Industrial Hygienist to:

*4.4. Identification of manufacturing methods based on observations and law enforcement reports.*

This information is imperative since final verification sampling cannot occur without this vital information since, according to regulations:

7.3. If the preliminary assessment indicates the phenyl-2-propanone (P2P) method of methamphetamine manufacturing was used, surface wipe samples for lead shall not exceed a concentration of 40 µg /ft<sup>2</sup>, and vapor samples for mercury shall not exceed a concentration of 1.0 µg /m<sup>3</sup>.

And:

7.2. If there is evidence of iodine contamination on materials or surfaces that will not be removed, surface wipe samples for iodine shall not exceed a concentration of 22 µg/100 cm<sup>2</sup>.

In his report for this subject property, Mr. Jaeckel makes the following statement:

*2.2 Manufacturing methods. As no police reports were identified, it is assumed that cooking may or may not have occurred, and if it did, it most likely used the Red Phosphorus method or Birch method.*

This is boiler plate language we have seen used in other CEH reports. Since Mr. Jaeckel has no documented training in illegal drug laboratories or their assessment, and has no documentation that would suggest he is an Industrial Hygienist, there is no expectation that Mr. Jaeckel would possess the necessary skill set to determine if such disposal



occurred. However, since Mr. Jaeckel stated that Red Phosphorus method was likely, and the Red Phosphorus method uses iodine, why then did Mr. Jaeckel fail to address iodine in the assessment as required by regulations?

### ***Failure to comply with 6 CCR 1014-3 Paragraph 4.5***

According to State Regulations, during the Preliminary Assessment, the Industrial Hygienist is required to perform specific duties including:

*4.5. Identification of chemicals used, based on observations, law enforcement reports, and knowledge of manufacturing method(s).*

CEH entirely failed to perform its professional, regulatory obligations and duties and failed to fulfill this regulatory requirement by failing to identify the chemicals that may have been present. Although CEH stated that the “Red Phosphorous” method was likely used at the site, CEH failed to explain how the chemicals used in these methods could have impacted the property or how those compounds and chemicals were assessed.

### ***Failure to comply with 6 CCR 1014-3 Paragraph 4.6 – Bias Sampling (27 Violations)***

According to State Regulations, during the Preliminary Assessment, the Industrial Hygienist is required to perform specific duties including:

4.6 Identification and documentation of areas of contamination. This identification may be based on visual observation, law enforcement reports, proximity to chemical storage areas, waste disposal areas, or cooking areas, or based on professional judgment of the consultant; or the consultant may determine that assessment sampling is necessary to verify the presence or absence of contamination. If the consultant determines that assessment sampling is necessary, such sampling shall be conducted in accordance with the sampling protocols presented in Appendices A and D. Sample analysis shall be conducted in accordance with the method requirements presented in Appendices B and D.

CEH failed to perform its duties and fulfill regulatory requirements by failing to collect samples pursuant to Appendix A.

However, had Mr. Jaeckel actually been familiar with Colorado’s Regulations, CEH would have known that Appendix A of Colorado’s regulations state:

#### Biased Sampling

Biased sampling is the type of authoritative sampling that intends **not to estimate average concentrations** or typical properties, but to estimate “worst” or “best” cases (as described in ASTM Method D6051-96 (2001), Standard Guide for Composite Sampling and Field Subsampling for Environmental Waste Management Activities. As described later in this protocol, the aim of the consultant performing post-decontamination sampling is to demonstrate the worst-case scenario in the drug laboratory. The term “biased,” as used here, refers to the collection of samples with expected high concentrations. For example, a sample taken at the source of the actual “cook,” known release, spill or storage area could serve as an estimate of the “worst-case” concentration found in the functional space.



The Colorado regulations continue with:

Sampling Theory

The type of sampling used for stationary structures and vehicles described in this protocol is a type of sampling recognized as “authoritative” sampling. Authoritative sampling is a nonstatistical sampling design that **does not** assign an equal probability of being sampled to all portions of the population. Consultants using this protocol will have a priori knowledge of the property to be sampled. The a priori knowledge, in the hands of a competent consultant, permits immediate inclusion/exclusion of sampling areas, based on professional judgment. As such, the weight of validity of the data gathered with authoritative sampling is largely dependent on the knowledge and competency of the sampler.

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

Of the 53 aliquots collected, 27 aliquots were collected from surfaces expected to have the *lowest* expectation of contamination:

112614PJ-02a	112614PJ-04a	112614PJ-05d	112614PJ-07d
112614PJ-02b	112614PJ-04b	112614PJ-06a	112614PJ-09a
112614PJ-02c	112614PJ-04c	112614PJ-06c	112614PJ-10b
112614PJ-03a	112614PJ-04d	112614PJ-06d	112614PJ-10c
112614PJ-03b	112614PJ-05a	112614PJ-07a	112614PJ-13c
112614PJ-03c	112614PJ-05b	112614PJ-07b	112614PJ-13d
112614PJ-03d	112614PJ-05c	112614PJ-07c	

***Failure to comply with 6 CCR 1014-3 Paragraph 4.6 – Prohibited Surfaces (9 Violations)***

According to State Regulations, during the Preliminary Assessment, the Industrial Hygienist is required to perform specific duties including:

4.6 Identification and documentation of areas of contamination. This identification may be based on visual observation, law enforcement reports, proximity to chemical storage areas, waste disposal areas, or cooking areas, or based on professional judgment of the consultant; or the consultant may determine that assessment sampling is necessary to verify the presence or absence of contamination. If the consultant determines that assessment sampling is necessary, such sampling shall be conducted in accordance with the sampling protocols presented in Appendices A and D. Sample analysis shall be conducted in accordance with the method requirements presented in Appendices B and D.

*Porous Surfaces - Vacuum Sampling*

*Vacuum sampling shall be used to determine the extent of contamination on porous surfaces, including carpeting, drapery, upholstery, clothing, and other soft goods.*

In their report, CEH clearly documents that the following Samples were collected from prohibited porous surfaces.



112614PJ-04d  
112614PJ-09a  
112614PJ-09b

112614PJ-09c  
112614PJ-12a  
112614PJ-13a

112614PJ-13b  
112614PJ-13c  
112614PJ-13d

### ***Failure to comply with 6 CCR 1014-3 Paragraph 4.7***

According to State Regulations, during the Preliminary Assessment, the Industrial Hygienist is required to perform specific duties including providing:

4.7. Identification and documentation of chemical storage areas.

In his report, Mr. Jaeckel states:

*2.5 Chemical storage areas. No chemical storage areas were identified during our inspection or in police reports (if available).*

Public domain documentation clearly shows storage areas in the backyard of the property.



**Googleearth© Photograph of 728 Cherry Street, Fort Collins, Colorado  
March 4, 2014**

Considering that there was heavy leaf litter obscuring the exterior grounds (see discussion and photographs in Part 2, below), CEH made no attempt to determine if illegal dumping had occurred at the property. As clearly shown in the above photograph, illegal dumping was an high probability at the property, and would have warranted soils investigation.



### ***Failure to comply with 6 CCR 1014-3 Paragraph 4.8***

According to State Regulations, during the Preliminary Assessment, the Industrial Hygienist is required to perform specific duties including providing:

4.8. Identification and documentation of waste disposal areas.

In his report, Mr. Jaeckel states:

*2.6 Areas of contamination or waste disposal. No areas of contamination or waste disposal were identified during our inspection or in police reports (if available).*

We again refer to the photograph above indicating profound waste disposal at this property. CEH has entirely failed to perform this mandatory regulatory obligation.

### ***Failure to comply with 6 CCR 1014-3 Paragraph 4.9***

According to State Regulations, during the Preliminary Assessment, the Industrial Hygienist is required to perform specific duties including providing :

4.9. Identification and documentation of cooking areas.

Since Mr. Jaeckel has no documented training in any aspect of illegal drug laboratories, or the assessment of the same, and since CEH failed to document they made any attempt to ascertain the availability of any law enforcement documents, it would be virtually impossible for CEH to make this mandatory determination.

In fact, in other properties assessed by CEH, we have seen CEH fail to identify such areas, even when those areas are patently obvious or have been identified in law enforcement documents.

### ***Failure to comply with 6 CCR 1014-3 Paragraph 4.10***

According to State Regulations, during the Preliminary Assessment, the Industrial Hygienist is required to perform specific duties including providing:

4.10 Identification and documentation of signs of contamination such as staining, etching, fire damage, or outdoor areas of dead vegetation.

In spite of the distressed vegetation in the aerial photography, Mr. Jaeckel failed to note the same in his report.

Given the several false statements made in the reviewed report, there is no reason to believe that Mr. Jaeckel actually inspected the outdoor areas.

### ***Failure to comply with 6 CCR 1014-3 Paragraph 4.11***

According to State Regulations, during the Preliminary Assessment, the Industrial Hygienist is required to perform specific duties including:



4.11. Inspection of plumbing system integrity and identification and documentation of potential disposal into the sanitary sewer or an individual sewage disposal system (ISDS). ... et seq.

Mr. Jaeckel failed to provide any documentation that would indicate he performed a plumbing inspection. In his report, Mr. Jaeckel merely states:

*18. Plumbing systems. Flush with potable water.*

### **Failure to comply with 6 CCR 1014-3 Paragraph 4.12**

According to State Regulations, during the Preliminary Assessment, the Industrial Hygienist is required to perform specific duties including:

4.12. Identification of adjacent units and common areas where contamination may have spread or been tracked.

Nowhere do we see in the report where CEH addressed this mandatory provision.

### **Failure to comply with 6 CCR 1014-3 Paragraph 6.0**

According to the regulations, during the collection of samples for a Preliminary Assessment, the Consultant is required to comply with specific provisions:

#### **6.0 Sampling and Analytical Procedures.**

6.0.1 Except as provided in 6.0.2, assessment sampling shall be conducted as part of the preliminary assessment to characterize the nature and extent of contamination. Assessment sampling and laboratory analysis shall be conducted in accordance with Appendices A, B and D of these regulations.

### **Failure to comply with 6 CCR 1014-3 Section 6.1.1 (27 Violations)**

State regulations require that samples shall be collected from:

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

See the discussion previously presented in Part 1 on the collection of samples from the areas with the lowest expectation of contamination.

### **Violation of Section 6.2.1 Prohibited Composite Sampling Technique (52 violations)**

Mandatory Colorado regulations require:

6.2.1. Discrete sampling is required in all cases, except as provided in 6.2.2 of these regulations.

6.2.2. Composite sampling may only be conducted in situations where contamination is expected to be relatively evenly dispersed throughout a given area, and composite sampling will provide an accurate representation of the area sampled, as described in Appendix A.



A legitimate Industrial Hygienist, trained in the aspects of illegal drug laboratory assessments, would have known that contamination under these circumstances exhibits very large sampling error; a legitimate Industrial Hygienist would have known that field data from properly characterized properties exhibit a lognormal distribution (large variations of concentration). That is, the contamination under the circumstances of the subject property will never be "...expected to be relatively evenly dispersed throughout a given area..." and the geometric standard deviations can be huge.<sup>9, 10</sup>

In spite of this, Mr. Jaeckel used prohibited composite sampling.

A legitimate Industrial Hygienist would have known the anticipated distribution of data and a legitimate Industrial Hygienist would also have known that the composite sampling employed by CEH at this subject property was prohibited by state regulations for this very reason.

When we look at the results produced by Mr. Jaeckel's sample collection, we see the expected lognormal distribution; the one-tail percentage point Shapiro Wilk W statistic is 0.8660; the normal W-Test statistic for Mr. Jaeckel's results is 0.58 and the lognormal is 0.9506, indicating that a the Gaussian distribution is rejected, and the data are lognormally distributed (with a GSD of 5.4 !) As such, composite sampling was prohibited at this property.

Therefore, since all his samples were composites, all his samples are invalid. Since Mr. Jaeckel collected 52 aliquots, there are 52 violations. This is what happens when untrained "asbestos technicians" attempt to pretend they are Industrial Hygienists.

### **Violation of Section 6.2.1 Prohibited Matrix Mixing (44 violations)**

CEH failed to comply with the composite sampling techniques as described in Regulations. According to regulations:

APPENDIX A  
METHAMPHETAMINE LABORATORIES  
SAMPLING METHODS AND PROCEDURES

Any composite sampling must consist of like media, matrices or substrates. The mixing of media, matrices or substrates is not permitted.

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<sup>9</sup> Washington State Department of Health: Summary Results from a Pilot Study to Evaluate Variability and Distribution of Methamphetamine Residue in Remediated Residential Illegal Drug Labs, as reported in NIOSH Method 9106 (DRAFT)

<sup>10</sup> Martyny JW, Arbuckle SL, McCammon CS, Esswein EJ, Erb N, *Chemical Exposures Associated with Clandestine Methamphetamine Laboratories*, ( [http://www.njc.org/pdf/chemical\\_exposures.pdf](http://www.njc.org/pdf/chemical_exposures.pdf) , May 10, 2004).



The following aliquots were mixed with dissimilar matrices:

112614PJ-02a	112614PJ-05d	112614PJ-08c	112614PJ-12a
112614PJ-02b	112614PJ-06a	112614PJ-08d	112614PJ-12b
112614PJ-02c	112614PJ-06b	112614PJ-09a	112614PJ-12c
112614PJ-02d	112614PJ-06c	112614PJ-09b	112614PJ-12d
112614PJ-04a	112614PJ-06d	112614PJ-09c	112614PJ-13a
112614PJ-04b	112614PJ-07a	112614PJ-09d	112614PJ-13b
112614PJ-04c	112614PJ-07b	112614PJ-10a	112614PJ-13c
112614PJ-04d	112614PJ-07c	112614PJ-10b	112614PJ-13d
112614PJ-05a	112614PJ-07d	112614PJ-10c	112614PJ-12a
112614PJ-05b	112614PJ-08a	112614PJ-10d	112614PJ-12b
112614PJ-05c	112614PJ-08b	112614PJ-11a	112614PJ-12c

## **PART 2: REVIEW PURSUANT TO 6 CCR 1014-3 (2014)**

During the performance of a Preliminary Assessment for methamphetamine contamination in a property, the Consultant is required by regulations to perform specific mandatory tasks and provide specific mandatory documentation.

In reviewing the “Preliminary Assessment” report by Century Environmental Services (CEH) prepared for 728 Cherry Street, Fort Collins, Colorado (the subject property), the following regulatory violations have been identified:

### ***Failure to Provide Qualified Personnel***

#### **Violation of Section 4.0**

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

#### PART 2: TRAINING AND CERTIFICATION REQUIREMENTS

##### 3.0 Interim Authorization

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

There is no evidence that Mr. Jaeckel, has ever been “...performing assessment or decontamination activities subject to these regulations...” To date, (December 10, 2015), FACTs has been unable to find a valid drug laboratory assessment performed by Mr. Jaeckel; and to date, all such assessments performed by Mr. Jaeckel and reviewed by FACTs have been fatally flawed and invalid.

There is no evidence in the report for this subject property that Mr. Jaeckel was ever granted interim authorization by the CDPHE to perform sampling/assessments at methamphetamine affected properties. Similarly, there is no documented evidence that Mr. Jaeckel is an Industrial Hygienist, as required by regulation to perform such assessments, and there is no evidence that Mr. Jaeckel has received any kind of training in clandestine drug laboratories or would otherwise have any specialized knowledge or training in the assessment of illegal drug laboratories. Due to the fact that Mr. Jaeckel



has no knowledge of illegal drug laboratories, does not meet the statutory definition of an Industrial Hygienist, and otherwise has no documented training in the pertinent regulations, it is not surprising that his current work at the subject property was so deficient and was fatally flawed.

### **Violation of Section 4.2**

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

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

See the earlier discussion in Part 1 of this audit regarding the review and inclusion of law enforcement documents for the regulations that were in effect at the time of this work.

### **Violation of Paragraph 4.3.1 (3 Violations)**

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

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

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

The subject property under review has an attic. However, nowhere in the report has Mr. Jaeckel provided a description of the integrity of the building ceiling or discussed any signs of access, storage, manufacturing, or venting into the attic.

In his report, Mr. Jaeckel states:

*The attic access was only large enough for the inspector to collect samples at the entry area. A search was made for exterior access to the attic but none was observed.*

However, the veracity of this statement is challenged by the facts:

- 1) If he was not able to access the attic, from whence came the attic samples identified in Mr. Jaeckel's report? That is, the report identifies specific samples collected from within the attic space - if he could not access the attic at the subject property, from which property are the samples collected?
- 2) There is no photo documentation to support the claim of an inaccessible attic.



3) The reviewed report contains other false statements regarding false ceilings and other ceiling penetrations. (See previous discussion on false ceilings in the structure.)

Since traditionally, CEH reports are so full of false statements, and this report similarly contains false statements, there is no reason to believe the claim:

*The attic access was only large enough for the inspector to collect samples at the entry area.*

Finally, in the CEH report, Mr. Jaeckel makes the following boiler-plate statement:

*Building floors and ceilings were typical in terms of penetrations.*

Yet, the regulations require:

4.3.1 If the building has an attic, a description of the integrity of the building ceiling (i.e., attic floor), any signs of access, storage, manufacturing, or venting into the attic (e.g., holes cut in ceiling for the purpose of venting gases from a cook), and a description of observations of the ducting associated with all bathroom and kitchen exhaust vents.

“Typical”? What does typical mean? Typical for a P2P laboratory? Typical for a normal house? Typical for an apartment building with clandestine drug laboratory operations? In his report, CEH provides the following photograph of the integrity of the ceiling:



CEH Photograph of “Typical” Ceiling Penetration



In his report, Mr. Jaeckel states:

*There were no signs of access, storage, manufacturing, disposal, or venting in the attic and crawlspace. No kitchen or bathroom exhausts were observed.*

Yet, Mr. Jaeckel provides the following photograph showing some kind of venting:



CEH Photograph of Venting

Since, in violation of Section 4.14, no photographs of the venting or kitchen site conditions are provided, there is no way to know if other venting was present or not.

### ***Violation of Paragraph 4.3.2***

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

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

4.3.2 A description of the integrity of the building floor, and if there is a crawl space, a description of any signs of access, storage, venting, or disposal related to methamphetamine manufacturing, integrity of any vapor barriers, and any signs of disposal onto the soil of the crawl space. The soil investigation shall be conducted in accordance with the assessment procedures in Section 6 of this Part 1. If the vapor barrier is intact and in good condition, and if there is no indication of chemical disposal,



the soil beneath the vapor barrier may be presumed to meet the cleanup criteria, and no soil sampling is required.

As already mentioned, in his report Mr. Jaeckel falsely stated:

*Building floors and ceilings were typical in terms of penetrations.*

...even though CEH documented that quite abnormal penetrations and venting were present. For this property, there is no mention of a vapor barrier or its integrity, as required by regulation.

Since Mr. Jaeckel has no documented training in illegal drug laboratories or their assessment, and has no documentation that would suggest he is an Industrial Hygienist, there is no expectation that Mr. Jaeckel would possess the necessary skill set to determine if such disposal occurred.

### ***Violation of Paragraph 4.4.1***

During the performance of a Preliminary Assessment, the Consultant is required by regulations to perform specific mandatory functions and include specific information including:

4.4 Description of outdoor areas, including notation of the following:

4.4.1 Factors limiting the inspection, such as snow cover or heavy vegetation.

In his report, Mr. Jaeckel merely used his usual boiler-plate language and falsely stated:

*4.1 Inspection of the grounds outside the structure(s) indicated no signs of a meth lab. No limitations in the outdoor inspection were encountered.*

The regulations require “Description of outdoor areas, including notation of the following:”

Nowhere in the CEH report do we find a description of outdoor areas; what we do find is the following photographs that show heavy leaf litter obscuring the exterior grounds. CEH does not identify the heavy leaf litter as limiting Mr. Jaeckel's inspection, and otherwise does not explain how he was able to inspect the exterior grounds to make his assertions in spite of the leaf litter.





CEH Photograph of Exterior Grounds





CEH Photograph of Exterior Grounds

### ***Violation of Paragraph 4.4.2***

During the performance of a Preliminary Assessment, the Consultant is required by regulations to perform specific mandatory functions and include specific information including:

4.4 Description of outdoor areas, including notation of the following:

4.4.2 Conditions indicative of contamination.

See the aerial photography of outdoor storage and waste areas provided in Part 1 of this audit.

### ***Inability to Comply with Section 4.5***

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

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

As already stated, in his report, Mr. Jaeckel makes the following statement:

*2.2 Manufacturing methods. As no police reports were identified, it is assumed that cooking may or may not have occurred, and if it did, it most likely used the Red Phosphorus method or Birch method.*



Since Mr. Jaeckel has no documented training in illegal drug laboratories or their assessment, and has no documentation that would suggest he is an Industrial Hygienist, there is no expectation that Mr. Jaeckel would possess the necessary skill set to determine if such manufacturing occurred. However, since Mr. Jaeckel stated that Red Phosphorus method was likely, and the Red Phosphorus method uses iodine, why then did Mr. Jaeckel fail to address iodine in the assessment as required by regulations?

### ***Inability to Comply with Section 4.6***

During the performance of a Preliminary Assessment, the Consultant is required by regulations to perform specific mandatory functions 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.

Inherent in this language is the supposition that the consultant would have the appropriate training and knowledge to make such decisions and observations.

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

### ***Violation of Paragraph 4.7***

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

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

As already demonstrated, the consultant failed to document any pertinent law enforcement reports and failed to identify those contamination indicators that were present at the property.

### ***Violation of Paragraph 4.8***

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

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



Clearly, as demonstrated in the aerial photograph previously provided, waste disposal and/or chemical storage occurred in the back yard of the property. This was entirely overlooked by Mr. Jaeckel.

In his report, Mr. Jaeckel falsely stated:

*2.5 Chemical storage areas. No chemical storage areas were identified during our inspection or in police reports (if available).*

*2.6 Areas of contamination or waste disposal. No areas of contamination or waste disposal were identified during our inspection or in police reports (if available).*

### **Violation of Paragraph 4.9**

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

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

In his report, Mr. Jaeckel photographed the signs of contamination (see below), but since Mr. Jaeckel has no documented training or knowledge in illegal drug laboratories or their assessment, Mr. Jaeckel failed to recognize the indicators he photographed and so he erroneously stated:

*No staining, etching, fire damage or other signs of meth manufacturing or use were observed.*





**CEH Photographs of Staining Indicators**

### ***Violation of Paragraph 4.10***

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

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

Instead of complying with the regulations, Mr. Jaeckel stated:

*18. Plumbing systems. Flush with potable water.*

There is no description of the plumbing system as required by regulation. Since Mr. Jaeckel failed to provide photo documentation of site conditions (as those conditions pertain to plumbing), there is now no way to know how the plumbing system has been impacted, if at all.

### ***Violation of Section 4.14***

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

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

As mentioned, nowhere in the Preliminary Assessment do we see photographs of any of the plumbing, or the kitchen.



### ***Violation of Section 4.15***

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

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

As discussed below, sampling was not conducted pursuant to the requirements of Section 6 and none of the samples collected were collected pursuant to Section 6 and none of the samples collected by CEH were valid, and none may be used for regulatory purposes.

### ***Violation of Section 4.15 (4 Violations)***

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

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

According to Ms. Brisnehan with the CDPHE, window blinds are “personal property” and need to be treated as such. FACTs disagrees with this interpretation; nevertheless, according to Ms. Brisnehan, Mr. Jaekel was required to identify the following as “personal property”:





CEH Photographs of Personal Property (Window Blinds)

### ***Violation of Section 4.17.2***

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

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



As described below, CEH failed to complete the chain-of-custody as required.

#### ***Violation of Section 4.17.4***

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

4.17.4 Documentation of variations from standard practices.

Nowhere in his report for this subject property has Mr. Jaeckel documented the many deviations and variations from the standard practices (regulations) as identified in this review.

#### ***Violation of Section 4.18***

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

4.18 Evidence of Consultant certification under Part 2 of these regulations.

Nowhere in the report do we find the mandatory documentation.

#### ***Review of Section 5 Violations***

According to the regulations:

5.15 The investigation and cleanup of soil, surface water and groundwater contamination shall be conducted in accordance with either the Colorado Hazardous Waste Regulations or the Colorado Solid Waste Regulations, as appropriate based on sampling results, and in accordance with Water Quality Control Commission Regulations 31 and 41 (5 CCR 1002-31 and 5 CCR 1002-41). Occurrences of outdoor contamination shall be reported to the Department within 72 hours of discovery.

Clearly the exterior ground exhibits signs of chemical storage/disposal (see previously provided aerial photograph). There is no indication in his report that the Consultant performed the mandatory soil assessment.

#### ***Review of Section 6 Violations***

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

#### ***Violation of Paragraph 6.1.1***

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

6.1.1 No person other than a Consultant in good standing may conduct sampling under these regulations.

There is no documentation in the report, as required by §4.18 to indicate Mr. Jaeckel is "a Consultant in good standing and may conduct sampling under these regulations."



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

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

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

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

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

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

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

As discussed earlier in this report, law enforcement documents were not obtained, and therefore, the methamphetamine production process (if any at all) was not determined by CEH. Furthermore, as already documented, the CEH consultant has no documented training in the assessment of illegal drug laboratories (as evidenced by the technical incompetence exhibited by CEH at this property); therefore, there is no expectation that the author of the CEH report would possess the necessary skill set to determine if the P2P process was used at the property. Therefore, compliance with this section could not have been met.

### ***Violation of Paragraph 6.1.3.3***

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

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

In his report, Mr. Jaeckel states that the Red Phosphorous method was likely used at the subject property. As such, if Mr. Jaeckel had any training in illegal drug laboratories, he would have known that the Red Phosphorous method involves iodine and that may account for the staining observed in the photographs in his report. As discussed earlier in this report, law enforcement documents were not obtained, and therefore, the production process (if any at all) was not determined by the CEH consultant. Furthermore, as already documented, the CEH consultant has no documented training in the assessment of illegal drug laboratories and therefore, there is no expectation that the author of the report would possess the necessary skill set to determine what process, if any, was used at this subject property. Therefore, compliance with this section could not have been met. The available photographs document the potential for iodine contamination, which was entirely overlooked by Mr. Jaeckel, the untrained CEH consultant.



### **Violation of Paragraph 6.1.3.5**

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

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

As already discussed, law enforcement documents were not obtained, and therefore, the production process (if any at all) was not determined by CEH consultant. Furthermore, as already stated, the CEH consultant has no documented training in the assessment of illegal drug laboratories and therefore, there is no expectation that the author of the report would possess the necessary skill set to determine what process, if any, was used at this subject property. Therefore, compliance with this section could not have been met.

### **Violation of Paragraph 6.2.2 (7 Violations)**

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

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

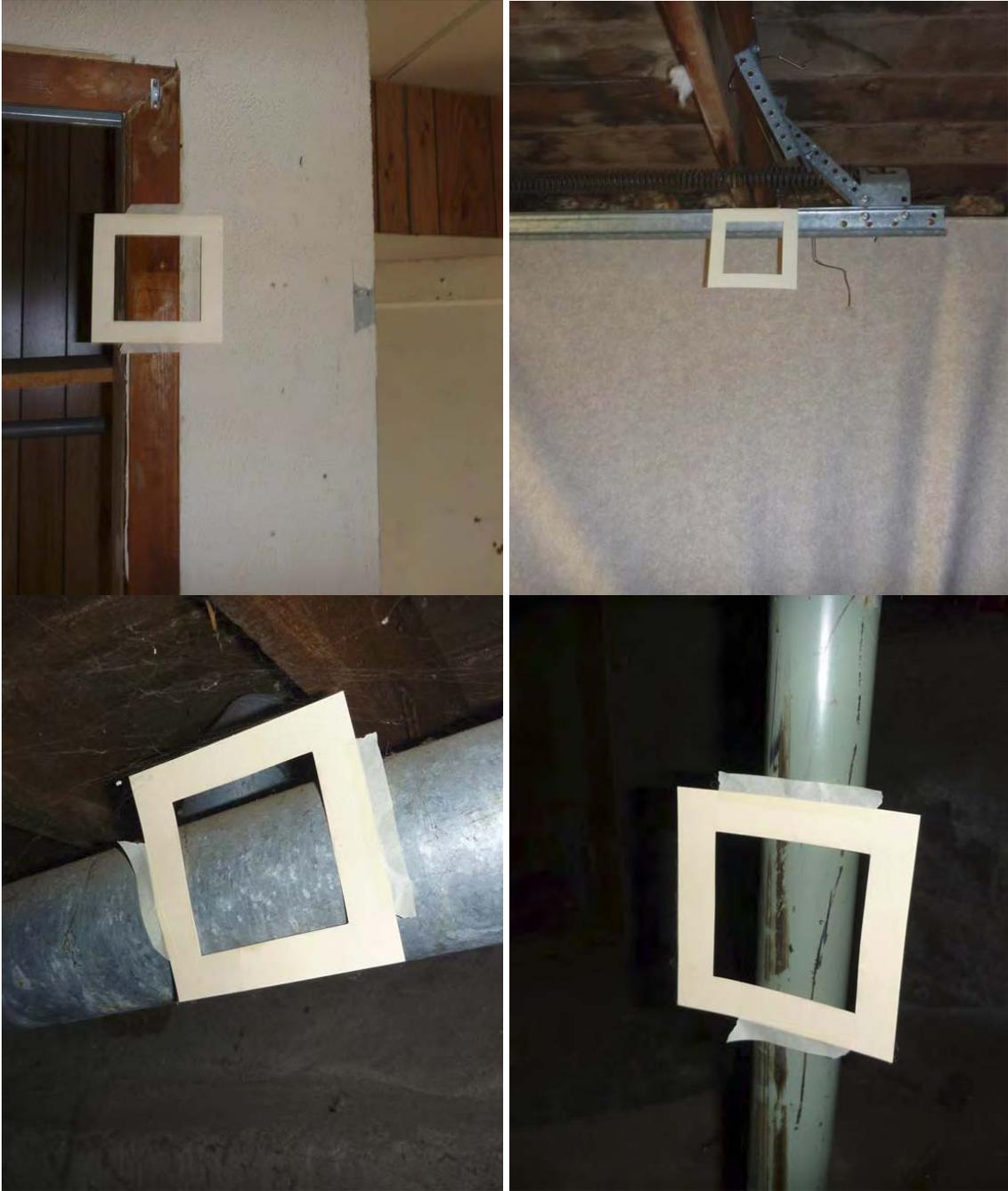
Historically, the consultant performing work at the subject property has been documented as merely holding a 100cm<sup>2</sup> template to a surface, and erroneously believing that the area within the confines of the template are measurable surface, when in fact, the areas within the confines of the template may be empty air.

For this property, the following samples were not 100cm<sup>2</sup> as claimed:

112614PJ-01	d
112614PJ-04	c
112614PJ-06	c
112614PJ-10	b
112614PJ-10	c
112614PJ-14	b
112614PJ-14	c

For a couple of examples, when we look at the photographs provided in the CEH report for this subject property, we see:





**CEH Sample Photographs**

***Violation of Section 6.2.7 (53 Violations)***

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

6.2.7 Wipe the surface using one of the following methods:

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



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

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

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

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

Since, in violation of §4.15.1, CEH failed to even describe their sampling procedure, there is nothing in the CEH report to suggest or document that the samples were collected pursuant to regulations. Since this consultant historically does not follow regulations, there is no reason to believe that for this property, the Consultant would miraculously start performing sampling pursuant to the regulations. In any event, it was Mr. Jaeckel's responsibility to document the sampling procedure, as required by regulation; but nowhere in Mr. Jaeckel's report do we find this documentation.

Therefore, ALL of the samples thus collected at this subject property by the CEH consultant are invalid.

### ***Violation of Section 6.2.12.5 (2 Violations)***

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

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

In violation of §6.2.14.6, Mr. Jaeckel failed to identify the number of sample aliquots on the chain-of-custody, and therefore, there is nothing to suggest this provision was met. All of the analyzed samples were composites, and the available documentation indicates the blanks were discrete.

### ***Violation of Paragraph 6.2.14***

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

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



### ***Violation of Paragraph 6.2.14.3 (Failed to Identify Sampler)***

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

6.2.14.3 sampler name and contact information;

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

### ***Violation of Paragraph 6.2.14.5 (5 Violations)***

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

6.2.14.5 sample area;

On the chain-of-custody, Mr. Jaeckel falsely recorded that each composite was 400 cm<sup>2</sup>; however, as already discussed, for seven samples, the aliquots were not 100 cm<sup>2</sup> as claimed.

112614PJ-01	d
112614PJ-04	c
112614PJ-06	c
112614PJ-10	b
112614PJ-10	c
112614PJ-14	b
112614PJ-14	c

Therefore, for samples -01, 04, 06, -10 and -14, the area could not have been 400cm<sup>2</sup> as claimed.

### ***Violation of Paragraph 6.2.14.6 (17 Violations- Number of Aliquots)***

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

6.2.14.6 number of sample aliquots;

This information is missing for 17 samples on the chain of custody.

### ***Violation of Paragraph 6.2.14.8 (17 Violations- Sampling Time)***

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

6.2.14.8 sample collection time ...

This information is missing for 17 samples on the chain of custody.



### ***Violation of Paragraph 6.2.14.9 (17 Violations)***

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

6.2.14.9 sample matrix;

This information is missing for 17 samples on the chain of custody; the matrix as used by the laboratory on the chain-of-custody is not the same use of the word matrix as used in the regulations.

### ***Violation of Paragraph 6.2.14.11***

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

6.2.14.11 sample preservatives, if applicable; ...

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

### ***Violation of Section 6.3.6 (7 Violations)***

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

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

As already documented above, CEH failed to use a reliable method to delineate the sample locations and cannot state with any degree of accuracy that the CEH consultant collected 100 cm<sup>2</sup> for each of the samples.

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

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

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

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



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

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

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

As demonstrated below, CEH failed to meet the mandatory provisions.

## ***Violation of Paragraph 6.9.1(5 Violations)***

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

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

As already discussed, Mr. Jaeckel failed to collect 100cm<sup>2</sup> for seven sample aliquots. Therefore, Mr. Jaeckel failed to collect 400cm<sup>2</sup> from the following rooms and areas:

1. Forced air system
2. Master bedroom
3. East Bedroom
4. Garage
5. Crawlspace

In his report, Mr. Jaeckel erroneously stated that the crawlspace was cleared pursuant to the regulations. However, until such time that a Consultant collects 400cm<sup>2</sup> as required, the crawlspace remains a contaminated space.

## ***Violation of Paragraph 6.9.1(5 Violations)***

According to mandatory State regulations, the consultant is required to perform the sampling pursuant to specific 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. Samples **shall** be collected from accessible areas within the heat exchanger unit, inside the cold air return system, from inside the supply air system, and from one other location selected at the Consultant's discretion.

For this property, according to his report, Mr. Jaeckel failed to collect a sample from within the heat exchanger.

## ***Violation of Paragraph 6.9.7 (2 Violations)***

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



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

The CEH consultant failed to provide an inventory of the appliances in the property. As it is, a discreet sample was only collected from the interior of the refrigerator. According to Ms. Brisnehan with the CDPHE, Section 6.9.7, cited above, requires the consultant to collect a sample from the exterior of the appliances as well. Although we do not agree with Ms. Brisnehan's personal interpretations, Mr. Jaeckel failed to collect a sample from the exterior of the appliances.

### ***Violation of Paragraph 6.9.11.1 (27 Violations)***

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

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

We have addressed the 27 samples collected from areas with the lowest expectation of contamination in the previous section.

### ***Violation of Paragraph 6.11 (17 Violations)***

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

6.11 Surface Soil Sampling.

6.11.1 The following procedures shall be followed when conditions indicate the potential for soil contamination:

6.11.1.1 Samples for volatile organic compound (VOC) and semi-volatile organic compound (SVOC) analysis must be collected as discrete samples.

As clearly seen in the aerial photography previously provided, site conditions indicated the potential for soil contamination, and yet, Mr. Jaeckel failed to address the soils at the property.

The soil sampling requirements have additional requirements as set forth below. Failure to comply with each of the requirements constitutes a violation:

- 6.11.2
  - 6.11.1.2
  - 6.11.2.1
  - 6.11.2.2
  - 6.11.2.3
  - 6.11.2.4
  - 6.11.2.5
- 6.11.3
  - 6.11.3.1
  - 6.11.3.2



- 6.11.3.3
- 6.11.3.4
- 6.11.3.5
- 6.11.3.6
- 6.11.3.7
- 6.11.3.8
- 6.11.3.9

### ***Failure to Comply with Paragraph 7.1 (2 Violations)***

According to mandatory State regulations, the consultant is required to perform the sampling pursuant to specific protocols and based on those protocols make specific decisions:

**7.0 Cleanup standards.** The following cleanup standards shall be used to determine if a subject property has been adequately decontaminated. They may also be used during the preliminary assessment to demonstrate that a subject property, or portion of a subject property, is not contaminated. All subject properties must meet the cleanup standard for methamphetamine.

7.1 The methamphetamine concentration of any sample shall not exceed 0.5 µg /100 cm<sup>2</sup>, except as provided in Sections 7.1.1 and 7.1.2 below.

For this property, Mr. Jaeckel failed to follow the sampling protocols when clearing the attic and the crawlspace. Therefore, Mr. Jaeckel failed to attain the necessary data quality objectives needed to determine if those areas were in fact compliant.

### **Failure to Comply with Paragraph 7.2**

According to the regulations, the consultant is required to perform specific sampling based on site conditions including:

7.2 If there is evidence of iodine contamination on materials or surfaces that will not be removed, surface wipe samples for iodine shall not exceed a concentration of 22 µg/100 cm<sup>2</sup>.

As documented previously in this discussion, since Mr. Jaeckel has no documented training in illegal drug laboratories or their assessment, and has no documentation that would suggest he is an Industrial Hygienist, there is no expectation that Mr. Jaeckel would possess the necessary skill set to determine if such iodine contamination was present.

### **Failure to Comply with Paragraph 7.3**

According to the regulations, the consultant is required to perform specific sampling based on site conditions including:

7.3 If the preliminary assessment indicates the phenyl-2-propanone (P2P) method of methamphetamine manufacturing was used, surface wipe samples for lead shall not exceed a concentration of 40 µg /ft<sup>2</sup>, and vapor samples for mercury shall not exceed a concentration of 1.0 µg /m<sup>3</sup>.



Since Mr. Jaeckel has no documented training in illegal drug laboratories or their assessment, and has no documentation that would suggest he is an Industrial Hygienist, there is no expectation that Mr. Jaeckel would possess the necessary skill set to determine if a P2P laboratory had been present.

### **Colorado Consumer Protection Act**

In Colorado, consumers are protected against deceptive trade practices as delineated in the Colorado Consumer Protection Act, CRS Title 6, Article 1. According to those statutes, a person engages in a deceptive trade practice when, in the course of such person's business or occupation, that person knowingly makes a false representation as to the certification of their services, and/or knowingly makes a false representation as to the characteristics of their services and/or represents their services are of a particular standard, quality, or grade if he knows or should know that they are not as specified.

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

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

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

Mr. Jaeckel has repeatedly held himself out to be an Industrial Hygienist. As documented in this review (and in other historical documents referenced in this review) there is nothing in the present documentation that would indicate that Mr. Jaeckel is an Industrial Hygienist meeting the State definition.

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

Colorado Case law defines criminal impersonation as knowingly assuming a false or fictitious identity or capacity, and in that identity or capacity, doing any act with intent to unlawfully gain a benefit or injure or defraud another (*People v. Brown*, 193 Colo. 120, 562 P.2d 754 (1977); *People v. Borrego*, 738 P.2d 59 (Colo. App. 1987)). To falsely impersonate means to pretend to be a particular person without lawful authority ( *People v. Horkans*, 109 Colo. 177, 123 P.2d 824 (1942); and to perform an act in assumed character for benefit. It is an offense under the code to falsely impersonate another, and in such assumed character to do any act whereby any benefit might accrue to the offender or to another person. (*People v. Horkans*, 109 Colo. 177, 123 P.2d 824 (1942)). Venue is not an element of the crime of criminal impersonation (*People v. Perez*, 129 P.3d 1090 (Colo. App. 2005)). Although the code does not require two overt acts to be committed, (rather the code requires assuming a false identity and doing an act with the intent to gain a benefit (*People v. Johnson*, 30 P.3d 718 (Colo. App. 2000)), Mr. Jaeckel has repeatedly performed these acts. The requisite intent to gain a benefit may be inferred from the



accused's knowing use of a false identity and the acknowledged intent to secure some advantage from the impersonation (*People v. Borrego*, 738 P.2d 59 (Colo. App. 1987)). The common meaning of "assumes a false or fictitious identity" is not to hold oneself out as someone that he or she is not; it requires the assumption of the identity of another person, whether that other person is real or fictitious (*People v. Jones*, 841 P.2d 372 (Colo. App. 1992)). For example, an attorney with a suspended license who continues to practice law is guilty of criminal impersonation for practicing law. The courts have held that "continuing to represent himself as an attorney and performing legal work when he was aware that he had no valid license to do so amounts to the assumption of a false or fictitious capacity for purposes of the criminal impersonation statute." (*People v. Bauer*, 80 P.3d 896 (Colo. App. 2003)).

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

According to Colorado Revised Statute §18-5-114 (*Offering a false instrument for recording*), a person commits a class 5 felony when offering a false instrument for recording in the first degree if, knowing that a written instrument relating to or affecting real or personal property or directly affecting contractual relationships contains a material false statement or material false information, and with intent to defraud, he presents or offers it to a public office or a public employee, with the knowledge or belief that it will be registered, filed, or recorded or become a part of the records of that public office or public employee.

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

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

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

Pursuant to State statute and state regulations, the "Preliminary Assessment Report" must be filed with the State of Colorado (indeed the report we reviewed was obtained from the State of Colorado through the Colorado Open Records Act) Therefore, we believe the facts objectively establish that Mr. Jaeckel was aware of such recording and was aware of the false statements made therein.



## **CONCLUSION**

For this regulatory audit, FACTs has identified no fewer than 403 regulatory violations within the Preliminary Assessment report performed by Mr. Jaeckel with Century Environmental Health at the property located at 728 Cherry Street, Fort Collins, Colorado.



# Appendix A

## Reviewer's Statement of Qualifications





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

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

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

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

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

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

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

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

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



# Multijurisdictional Counterdrug Task Force Training

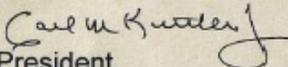


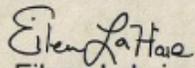
This is to certify that  
**Caoimhin P. Connell**

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

**Rural Patrol**

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

  
President  
St. Petersburg College

  
Eileen Lahaie  
MCTFT Director

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

Midwest Counterdrug Training Center



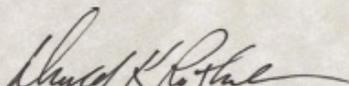
# Certificate of Training

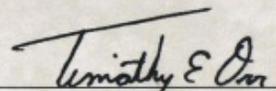
This certifies that

**Caoimhin Connell**

Has successfully completed the  
**Clandestine Laboratory Certification**

Cheyenne, WY  
40 Training Hours  
2-6 August 2004

  
Network Environmental Systems, Inc.

  
LTC Timothy E. Orr  
Commandant



# Center *for* Task Force Training™

THIS IS TO CERTIFY THAT

*Caoimhin P. Connell*

HAS SUCCESSFULLY COMPLETED 20 HOURS OF TRAINING IN

**METHAMPHETAMINE INVESTIGATION MANAGEMENT**

MARCH 20-22, 2006

DENVER, COLORADO

Domingo S. Herraiz  
Director, Bureau of Justice Assistance

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



## State and Local Anti-Terrorism Training

THIS IS TO CERTIFY THAT

**Caoimhin P. Connell**

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

June 1, 2006

Denver, Colorado

Domingo S. Herraiz  
Director, Bureau of Justice Assistance



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

*Rocky Mountain  
High Intensity Drug Trafficking  
Area*



*Certifies that*



*Caoimhín Connell*

*has attended*

*4 hours of*

*Hash Oil Extraction: The Scene and The Patient*

*Aurora, CO*

*July 25, 2014*

*Training Manager, Rocky Mountain HIDTA*

*Director, Rocky Mountain HIDTA*



[www.nesglobal.net](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>



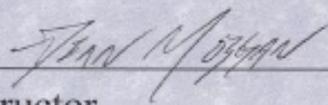
## Park County Sheriff's Office Certificate of Completion

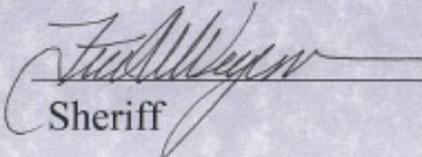
# Caoimhin Connell

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

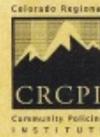
**P. Ritch Wagner**  
Instructor



Director, Law Enforcement Liaison & Education



**COPS**  
COMMUNITY ORIENTED POLICING SERVICES  
U.S. DEPARTMENT OF JUSTICE



# Certificate of Training

This is to certify that  
Caoimhin Connell

(Name)

Park County Sheriff's Office

(Agency)

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

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

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



## Colorado Law Enforcement Officers' Association



This is to certify that

**CAOIMHIN CONNELL**

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

hosted by **Loveland Police Department**

on **February 28 – March 1, 2011**

Tom Finelle  
Tom Finelle, CLEOA President

M. A. [Signature]  
ARIDE Instructor

# State of Colorado



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

**CAOIMHIN PADRAIG CONNELL**

**August 27, 2008**

Date

VIN INSP— **0952**

Number

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

*Bill Ritter Jr.*

Governor

*John W. Suthers*

Attorney General, Board Chairperson

## Certificate of Completion Intoxilyzer 9000 Operator Certification Course

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

**Caoimhin P Connell**

User ID: **841645**

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

**February 21, 2013**

Certificate Date

*Jeffrey A. Groff*

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



*David A. Butcher*

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

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



# Certificate of Achievement

awarded to:

**Caoimhin P. Connell**

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

June 1st, 2005

Date

Signed

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

## CERTIFICATE OF COMPLETION

COLORADO LAW ENFORCEMENT ASSOCIATIONS TRAINING PROJECT

*This Certifies That*

**Caoimhin Connell**

Has Attended the

**CLEAT 40-HOUR**

**Train the Trainer Course**

Hosted by Breckenridge Police Department  
August 14-18, 2006

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

John L. Kammerzell  
Executive Director  
Police Officer Standard & Training

Donald E. Christensen  
Executive Director  
County Sheriffs of Colorado



COLORADO AUTO THEFT INVESTIGATORS



SINCE 1973

This is to certify that

**Caoimlin P. Connell**

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

Presented this 24th day of May, 2008

*Chris Fox*

CATI President

*[Signature]*

VIN Inspector Training Coordinator

State of Colorado



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

**CAOIMHIN PADRAIG CONNELL**

**May 6, 2004**

Date

B- 10670

Number

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

*Phil Owen*

Governor

*Ken Salazar*

Attorney General, Board Chairperson

**Rocky Mountain  
High Intensity Drug Trafficking  
Area**



*Certifies that*



**Caoimhín Connell**

*has attended*

*16 hours of*

**MCTC / RMHIDTA Indoor Marijuana Grows**

**Centennial, CO**

**August 28-29, 2014**

*Training Manager, Rocky Mountain HIDTA*

*Director, Rocky Mountain HIDTA*

**CERTIFICATE OF TRAINING**

THIS IS TO CERTIFY THAT

**Caoimhín Connell**

Has completed 4 hours of successful training for

The Hazards of Hash Oil Extraction

Held at IRIS Fire Investigations in Englewood, CO

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

Robert K. Toth  
IRIS Fire Investigations, President



**COLORADO**  
Department of Public  
Health & Environment

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

December 30, 2014

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

**Consultant Interim Authorization Approval**

Dear Caoimhin Connell:

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

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

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

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

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

12/30/2014





**COLORADO**  
Department of Public  
Health & Environment

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

December 30, 2014

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

**Consultant Firm Interim Authorization Approval**

Dear Forensic Applications Consulting Technologies Inc:

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

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

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

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

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

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

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

Date: 12/30/2014

