FORENSIC APPLICATIONS CONSULTING TECHNOLOGIES, INC.

Final Verification Sampling and DECISION STATEMENT of an Identified Illegal Drug Laboratory At:

812 Cow Bell Court
Montrose, CO 81401

Prepared for:
DELTA Disaster Services
5535 W 56th Ave, Suite 104
Arvada, CO 80002

Prepared by:

FORENSIC APPLICATIONS CONSULTING TECHNOLOGIES, INC.
185 Bounty Hunter's Lane
Bailey, CO 80421

March 19, 2009

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EXECUTIVE SUMMARY

On September 12, 2008, the Seventh Judicial District Drug Task Force (SJDDTF) conducted a law enforcement action at 812 Cow Bell Court in Montrose, CO (the subject property). During that action, an undisclosed quantity of methamphetamine was discovered in the residence. Also during that action, drug paraphernalia was observed throughout the residence by law enforcement agents. Subsequent testimony by the property residents revealed that methamphetamine had been smoked in the property.

In the time frame between September 12, 2009 and Friday, November 21, 2008, the occupant of the property engaged in illegal cleaning activities and illegal removal of items from the property.

On Friday, November 21, 2008, Mr. Caoimhín P. Connell, Forensic Industrial Hygienist, entered the property and performed state-mandated site work and issued a Preliminary Assessment on December 5, 2008.

Between December 5, 2008 and February 7, 2009 authorized remediation activities were conducted at the subject property by Custom Environmental.

On February 7, 2009 FACTs entered the property to perform an inspection and final verification sampling. FACTs determined that the property was not compliant, and no Decision Statement was issued. On February 17, 2009, FACTs issued a letter to the property manager detailing the necessary steps to ensure compliance and correct the deficiencies.

Between February 17, 2009 and February 24, 2009 Custom Environmental returned to the property and performed re-cleaning activities.

On February 24, 2009 FACTs entered the property to perform an inspection and final verification sampling. FACTs determined that the property was not compliant, and no Decision Statement was issued. On March 3, 2009, FACTs issued a second letter to the property manager detailing the necessary steps to ensure compliance and correct the deficiencies.

On March 5, 2009, Custom Environmental performed the necessary corrective actions pursuant to the requirements outlined in the March 3, 2009 letter; and, on the same day, FACTs performed an inspection of the pre-work containment, and the area in question following decontamination. Also on that day, FACTs collected the necessary final verification samples.

Based on the analytical results of the objective sampling performed by FACTs, and based on the totality of the circumstances, FACTs concludes that insufficient information exists to support the hypothesis that any area in the property is non-compliant. Therefore, pursuant to State Board of Health Regulations, FACTs accepts the null hypothesis, and

issues this **DECISION STATEMENT** and hereby declares the subject property compliant with CRS 25-18.5-103 (2).
FACTs makes the recommendation to the Governing Body to allow immediate reoccupancy.

REGULATORY REQUIREMENTS

Federal Requirements

All work performed by FACTs was consistent with OSHA regulations. The Remediation Contractor was responsible for ensuring its own compliance with OSHA. FACTs has no firsthand knowledge of the Remediator's actions or procedures while on site at the subject property. However, FACTs is not aware of any violations of OSHA regulations during this project.

State Requirements

The Colorado State Board Of Health *Regulations Pertaining to the Cleanup of Methamphetamine Laboratories* (6-CCR 1014-3) become applicable when an owner of a property has received notification from a peace officer that chemicals, equipment, or supplies indicative of a drug laboratory are located at the property or when a drug laboratory is otherwise discovered and the owner of the property where the drug laboratory is located has received notice. Whenever a methlab has been so discovered, the property must be either demolished or documented as containing contaminant levels below statutory thresholds.[1]

State statutes CRS §25-18.5-103 (1)(b) states:

> An owner of any personal property within a structure or vehicle contaminated by illegal drug laboratory activity shall have ten days after the date of discovery of the laboratory or contamination to remove or clean his or her personal property according to board rules. If the personal property owner fails to remove the personal property within ten days, the owner of the structure or vehicle may dispose of the personal property during the cleanup process without liability to the owner of the personal property for such disposition.

State statutes CRS §25-18.5-103 (3) states:

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

During this project, personal belongings were removed by parties unknown and taken to locations unknown, using transportation unknown. The locations and the vehicles used in transportation are now considered contaminated.

[1] The actual contaminant thresholds will vary based on the type of activities identified at the lab; the actual statutory threshold is incumbent on the number of samples collected as a composite or discrete samples.

After a property has been remediated, an Industrial Hygienist must test the hypothesis that the property is not compliant with State Statutes (i.e. the property contains contamination levels in excess of regulatory thresholds). As part of the hypothesis testing, the Industrial Hygienist must perform objective sampling to quantify the remaining contamination (if any).

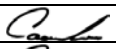
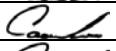
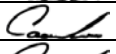
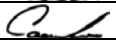
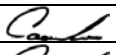
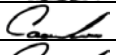
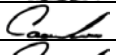
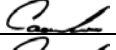
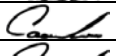
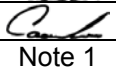
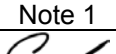
If, based on the totality of the circumstances, the Industrial Hygienist finds insufficient evidence to support the hypothesis that any given area is non-compliant, [2] that area shall be deemed to be compliant with CRS §25-18.5-103 (2) and the Industrial Hygienist shall release the property.[3]

In order for a proper final declaration to be made, a final decontamination verification assessment must be performed by an Industrial Hygienist as defined in CRS §24-30-1402. This decontamination verification was performed by Mr. Caoimhín P. Connell, Forensic Industrial Hygienist, who meets the statutory definition and is entitled to practice Industrial Hygiene in the State of Colorado and is additionally qualified to perform the necessary testing.

According to 6-CCR 1014-3, specific mandatory information must be presented in the final verification assessment. Included with this discussion, is the mandatory information as summarized in Table 1, below:

[2] No guarantee is ever made or implied that the property is completely free of contamination. Rather, a reasonable, standardized approach to decontamination is executed.

[3] If objective sampling data indicates contamination is less than the cleanup level, that data may be used as *prima facie* evidence that insufficient evidence exists to support the hypothesis that any given area is non-compliant.

Mandatory Final Documents 6-CCR1014-3	DOCUMENTATION	Included
§8.1	Property description field form	Note 1
§8.2	Description of manufacturing methods and chemicals	Note 1
§8.3	Law Enforcement documentation review discussion	Note 1
§8.4	Description and Drawing of Storage area(s)	Note 1
§8.5	Description and Drawing of Waste area(s)	Note 1
§8.6	Description and Drawing of Cook area(s)	Note 1
§8.7	Field Observations field form	Note 1
	FACTs Functional space inventory field form	Note 1
§8.8	Plumbing inspection field form	Note 1
	FACTs ISDS field form	Note 1
§8.9	Contamination migration field form	Note 1
§8.10	Identification of common ventilation systems	Note 1
§8.11	Description of the sampling procedures and QA/QC	
§8.12	Analytical Description and Laboratory QA/QC	
§8.13	Location and results of initial sampling with figure	
§8.14	FACTs health and safety procedures in accordance with OSHA	
§8.15	Contractor's description of decontamination procedures and each area that was decontaminated	Note 2
§8.16	Contractor's description of removal procedures each area where removal was conducted, and the materials removed	Note 2
§8.17	Contractor's description of encapsulation areas and materials	Note 2
§8.18	Contractor's description of waste management procedures	Note 2
§8.19	Drawing, location and results of final verification samples	
§8.20	FACTs Pre-remediation photographs and log	Note 1
	FACTs Post-remediation photographs and log	Note 2
§8.21	FACTs SOQ	
§8.22	Certification of procedures, results, and variations	
§8.23	Mandatory Certification Language	
§8.24	Signature Sheet	
NA	Analytical Laboratory Reports	
	FACTs final closeout inventory document	
	Available Law Enforcement documents	Note 1
	FACTs Field Sampling Forms	

Note 1: See the Preliminary Assessment dated December 5, 2008 (included with this Decision Statement on the DVD) and filed with the Governing Body.
Note 2: See attached DVD

Table 1
Inventory of Mandatory Final Information

VERIFICATION SAMPLING

Inspection

During the final inspection, a bottle was found hidden in the attic. The bottle appears to be consistent with a commercial soft drink. FACTs was unable to remove the bottle from the hidden recess. We believe the bottle may have been left in the recess by a construction worker when the residence was built.

Sample Collection

During final verification sampling, exclusively wipe samples were collected from suitable surfaces at the subject property. All samples were collected by FACTs in a manner consistent with State Regulation 6-CCR 1014-3.

Wipe Samples

The wipe sample medium was individually wrapped commercially available Johnson & Johnson™ gauze pads (FACTs Lot# G0901). Each pad was moistened with reagent grade methyl alcohol (FACTs Lot# A0801). Each gauze pad was prepared in a clean environment and inserted into an individually identified plastic centrifuge tube with a screw-cap.

Prior to the collection of each sample, the Industrial Hygienist donned fresh surgical gloves to prevent the possibility of cross-contamination. Consistent with State Regulations and good sampling theory, the location of the samples was based on professional judgment. In this case, it was FACTs' professional opinion that authoritative random sampling within each functional space would be appropriate.

The general sample location within each functional space was randomly identified by the input of an unpredictable number, whose output was a function of a simple algorithm. In this way, every and all surfaces had an equal probability of being sampled, and the Industrial Hygienist had no way of knowing the exact location of the sample. Once the algorithm identified the general sample location, each possible sample area was assigned a numerical value, and the final sampling location was determined by the algorithm. If the resultant surface was a suitable surface, the sample would be collected. Surfaces with an intrinsic low probability of contamination were excluded from consideration (e.g. windows, water basin or water catchment areas, faucets, etc.) Each sample area was then delineated with a measured outline and sampled.

Each wipe sample was collected by methodically wiping the entire surface of the selected area with moderate pressure; first in one direction and then in the opposite direction, folding the gauze to reveal fresh material as necessary. Each sample was returned to its centrifuge tube and capped with a screw-cap.

Samples were maintained in the control of FACTs at all times, and submitted via FedEx to Analytical Chemistry, Inc. (ACI) of Tukwila, Washington. ACI is one of the

laboratories identified in State regulation 6-CCR 1014-3 as being proficient in performing methamphetamine analysis.

Sample Results

In the table below, we have presented the results of the final verification sampling.

Non-Mandatory Verification Sampling					
Sample	Sample Location	Area Sampled (cm2)	Result: µg/100cm2	Decision Threshold	Decision Status
CM020709-*3	Foyer/Closet/BR Hall/Laundry Vent duct	406	1.50	0.50	FAIL
CM020709-*8	Living room door bell	83	6.64	0.50	FAIL
CM020709-*9	Kitchen/Dining room top of divider	2090	0.10	0.50	PASS
CM020709-*10	Garage door rail	694	4.79	0.50	FAIL
CM020709-*11	Attic	855	0.26	0.50	Inconclusive
Mandatory Sampling					
CM22409-1	Master bedroom N wall lower E side	523	0.03	0.50	PASS
CM22409-2	BX	NA	<0.03[1]	0.50	PASS
CM22409-3	Master bath N wall of shower stall	523	0.10	0.50	PASS
CM22409-4	Laundry room, south wall	523	0.07	0.50	PASS
CM22409-5	N Central BR West wall, N of closet	523	0.08	0.50	PASS
CM22409-6	NE BR Closet door	523	0.04	0.50	PASS
CM22409-7	SE BR Back of room door	523	0.04	0.50	PASS
CM22409-8	Foyer bath N wall drywall	523	0.03	0.50	PASS
CM22409-9	BX	NA	<0.03[1]	0.50	PASS
CM22409-10	Living room top of divider	523	0.10	0.50	PASS
CM22409-11	Kitchen N pantry wall E side of door	503	0.04	0.50	PASS
CM22409-12	Garage top of door mechanism	523	0.05	0.50	PASS
CM22409-13	Attic N side sewer stack relief	523	0.04	0.50	PASS
CM22409-14	Shed, inside door	523	<0.01	0.50	PASS
CM22409-15	Furnace interior	570	2.79	0.50	FAIL
Third Verification Visit					
CM030509-†1	Top of water heater	523	<0.01	0.5	PASS

Note 1: Expressed as absolute micrograms
The symbol "<" indicates that the concentration was "less than" the reported value.

Table 2
Summary of Final Sample Results

Quality Assurance/Quality Control Precautions

Field Blanks

For QA/QC purposes, and in accordance with State requirements, one field blank was submitted for every ten wipe samples. The field blanks were randomly selected from the batch, and randomly inserted in the sampling sequence and submitted along with the samples for methamphetamine analysis. To ensure the integrity of the blanks, FACTs personnel were unaware, until the actual time of sampling, which specific samples would be submitted as blanks. To ensure the integrity of the blanks, laboratory personnel were not informed which specific sample(s) may have been blank.

Field Duplicates

For the purposes of the data quality objectives associated with this final verification sampling, duplicates were not required.

Cross Contamination

Prior to the collection of each specific sample area, the Industrial Hygienist donned fresh surgical gloves, to protect against the possibility of cross contamination. Prior to entering the property, the Industrial Hygienist donned a fresh disposable Tyvek suit. The ladder brought into the structure had been cleaned at a car wash prior to entry.

Sample Locations

The drawing below identifies the location of each verification sample.

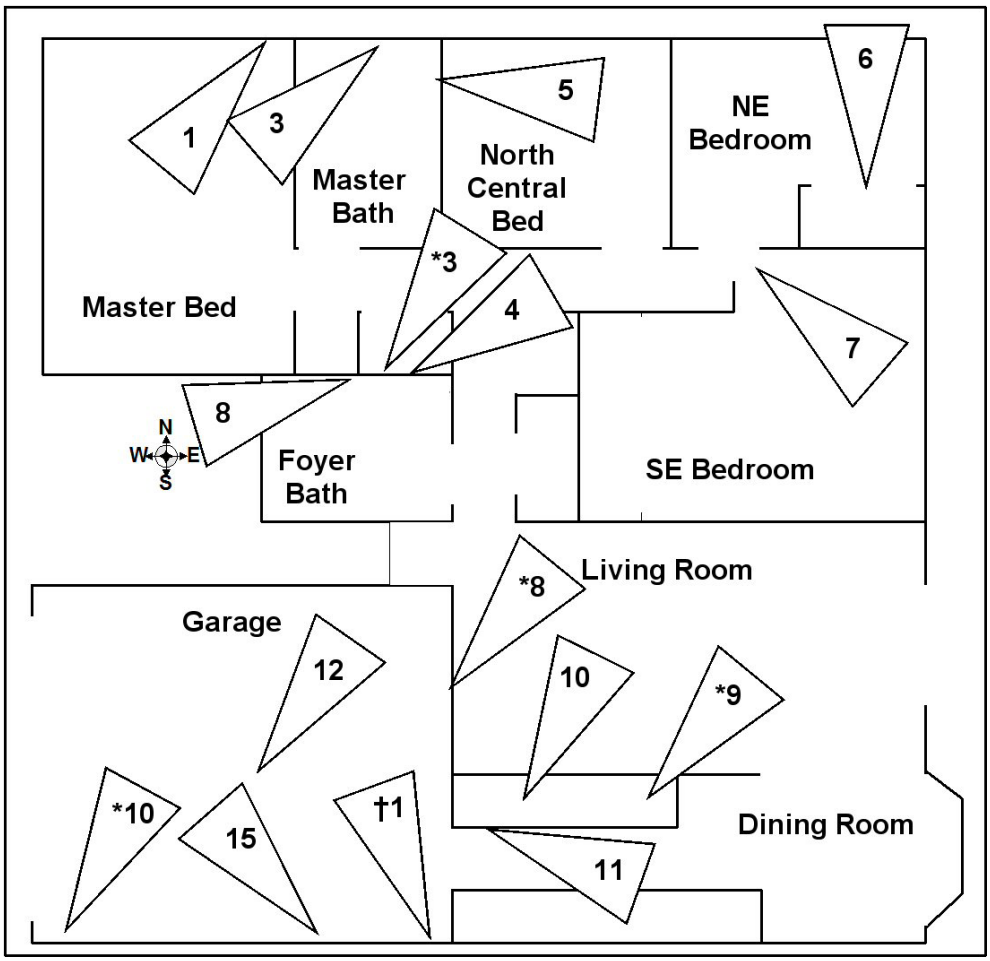


Figure 1
Locations of Final Verification Samples
First Floor - Not To Scale

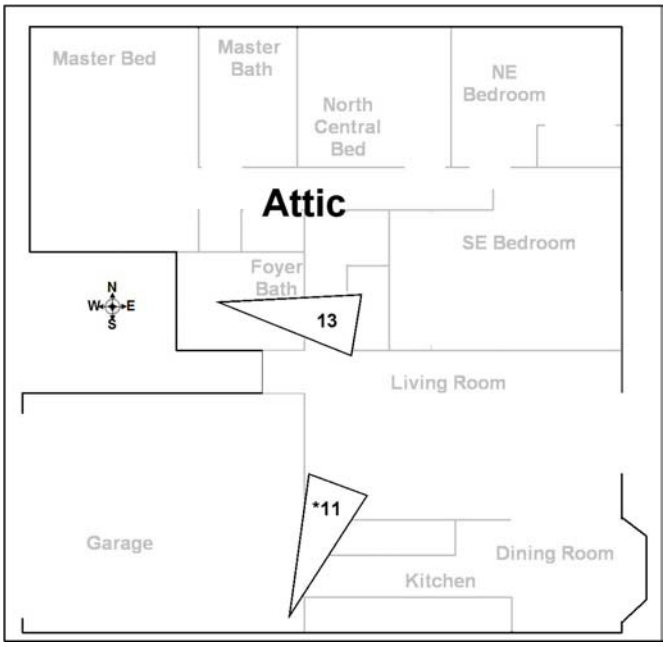


Figure 2
Locations of Final Verification Samples
Attic- Not To Scale

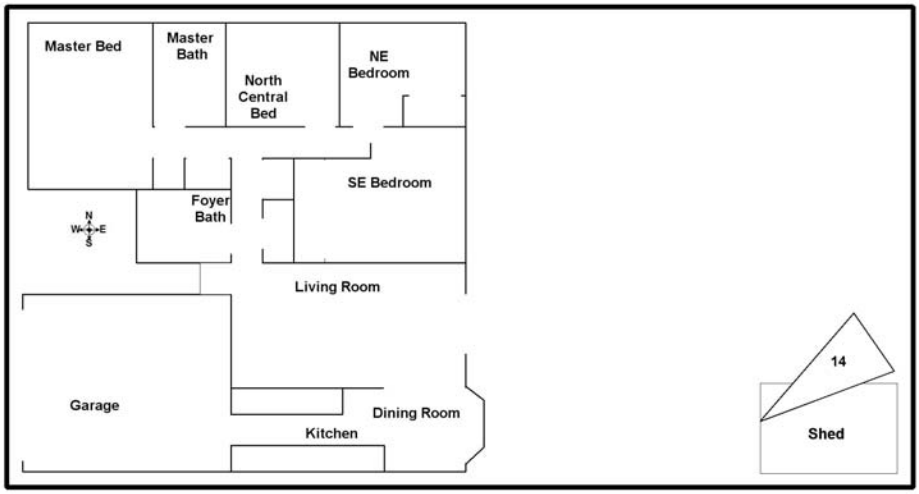


Figure 3
Locations of Final Verification Samples
Shed- Not To Scale

In the above drawings, the samples designated with an asterisk (*) are the initial "finals" that FACTs collected on February 7, 2009; the sample designated with a dagger (†) is the final sample collected on March 5, 2009; the remaining samples were collected on February 24, 2009.

Quality Assurance / Quality Control

The following section is not intended to be understood by the casual reader; this mandatory QA/QC section is standard SW846 style QA/QC reporting. All abbreviations are standard laboratory use.

February 7, 2009 Data Set

The February 7th , 2009 data set is not part of the final clearance sampling and the QA/QC description is not required by regulation.

February 24, 2009 Data Set

MDL was 0.004 µg; LOQ was 0.03 µg; MBX <MDL; LCS 0.1 µg (RPD <1%, recovery =100%); Matrix spike 0.02 µg (RPD 5%; recovery 95%); Matrix spike Dup 0.02 µg (RPD 11%; recovery 90%); Surrogate recovery (all samples): High 11% (Sample 11), Low 95% (Sample 1 and 2); FACTs reagents: MeOH lot #A0801 <MDL for n=8; Gauze lot #G0901 <MDL for n=6.

The QA/QC indicate the data met the data quality objectives; and the results do not appear to exhibit a net bias.

March 5, 2009 Data Set

MDL was 0.004 µg; LOQ was 0.03 µg; MBX <MDL; LCS 0.1 µg (RPD 6%, recovery =94%); Matrix spike 0.02 µg (RPD <1%; recovery 100%); Matrix spike Dup 0.02 µg (RPD 11%; recovery 90%); Surrogate recovery 89% (Sample 1 and 2); FACTs reagents: MeOH lot #A0801 <MDL for n=8; Gauze lot #G0901 <MDL for n=6.

The QA/QC indicate the data met the data quality objectives; although the recovery was low for the surrogate, bias cannot be determined from one sample..

CONCLUSIONS

Diligent adherence to the State regulations does not guarantee that a remediated property will be completely free of all residual methamphetamine. Rather, the purpose of the regulations is to ensure that properties are assessed and remediated in a consistent fashion, and that verification of remediation is performed in a scientifically valid manner.

In the absence of contradictory information, hollow wall cavities and other inaccessible places in the residence are presumed to contain *de minimis* methamphetamine residue. These residues are not considered to be toxicologically significant, and are not within the definition of "contamination" as defined by State regulation. Furthermore, these areas are reasonably considered to be "no-contact" or "low-contact" areas that do not present a reasonable probability of exposure.

Pursuant to the current state of knowledge, and pursuant to state regulations, "contaminant" is defined as "…*a chemical residue that may present an immediate or long-term threat to human health and the environment*." The risk models[4] described in the supporting documentation for 6-CCR 1014-3, suggest that exposure to *de minimis* concentrations from

[4] *Support For Selection Of A Cleanup Level For Methamphetamine At Clandestine Drug Laboratories*, Colorado Department Of Public Health And The Environment, February 2005

these areas would not reasonably pose "an immediate or long-term threat to human health and the environment" and, therefore, the presumed residues (if they exist) do not meet the definition of "contamination."

In post-decontamination sampling, the hypothesis is made that the area is non-compliant, and data are collected to test the hypothesis. The lack of data supporting the hypothesis leads the Industrial Hygienist to accept the null hypothesis and regulations require the Industrial Hygienist to thus conclude that the area is compliant.

In this case, the sampling failed to demonstrate that the subject property was non-compliant. As such, pursuant to 6-CCR 1014-3, we accept the null hypothesis and find the subject property at 812 Cow Bell Court, Montrose, Colorado, compliant as defined in 6-CCR 1014-3. We recommend the property be immediately released for occupancy.

To avail of the civil liability immunity provided by CRS §25-18.5-103(2) and to ensure complete compliance with State regulations, this Preliminary Assessment and Decision Statement must be submitted to the Governing Body with jurisdiction over the property. Based on the best information available, The Governing Body is;

c/o Sgt. Paul Eller
Montrose Police Department
434 S. First Street
Montrose, CO 81401

FACTs has supplied a copy of this document complete with all appendices and the digital disc to the Governing Body via email and registered mail through the US Post Office.

Appendix A
Remediator's Submittals

See Enclosed DVD

185 Bounty Hunter's Lane, Bailey, Colorado 80421
Phone: 303-903-7494 http://www.forensic-applications.com

Appendix B
Post-Remediation Photograph Log Sheet

185 Bounty Hunter's Lane, Bailey, Colorado 80421
Phone: 303-903-7494 http://www.forensic-applications.com

Post-Remediation Photograph Log Sheet

FACTs project name: Cow Bell	Form # ML9
Date: March 19, 2009	
Reporting IH:	Caoimhín P. Connell, Forensic IH

Name	Date taken
Attic	2/7/2009 11:42
Attic (2)	2/7/2009 11:42
Attic (3)	2/7/2009 11:42
Attic (4)	2/7/2009 11:42
Attic (5)	2/7/2009 11:42
Attic (6)	2/7/2009 11:42
Attic (7)	2/7/2009 12:12
Attic (8)	2/7/2009 12:12
Attic (9)	2/7/2009 12:12
Attic (10)	2/7/2009 12:12
Dining room	2/7/2009 11:57
Dining room (2)	2/7/2009 11:57
Encapsulant	
Encapsulant.THM	
Encapsulant 2	
Encapsulant 2.THM	
Exterior	2/7/2009 12:34
Exterior (2)	2/7/2009 12:46
Exterior (3)	2/7/2009 12:46
Garage	2/7/2009 12:05
Garage (2)	2/7/2009 12:05
Garage (3)	2/7/2009 12:05
Garage (4)	2/7/2009 12:05
Garage (5)	2/7/2009 13:32

Name	Date taken
Garage door jamb	2/7/2009 12:36
Glass door	2/7/2009 12:37
Glass door (2)	2/7/2009 12:37
Glass door (3)	2/7/2009 12:37
H2O2	
H2O2.THM	
IMG_3533	2/7/2009 12:21
Kitchen	2/7/2009 12:35
Kitchen (2)	2/7/2009 12:35
Kitchen (3)	2/7/2009 12:35
Kitchen (4)	2/7/2009 12:36
Kitchen (5)	2/7/2009 12:36
Kitchen (6)	2/7/2009 12:36
Ladder decon	2/7/2009 11:03
Ladder decon (2)	2/7/2009 11:05
Ladder decon (3)	2/7/2009 11:08
Ladder decon (4)	2/7/2009 11:08
Ladder decon (5)	2/7/2009 11:12
Ladder decon (6)	2/7/2009 11:13
Ladder decon (7)	2/7/2009 11:13
Ladder decon (8)	2/7/2009 11:13
Ladder decon (9)	2/7/2009 11:14
Laundry	2/7/2009 11:40
Laundry (2)	2/7/2009 11:41

Name	Date taken
Laundry (3)	2/7/2009 11:41
Laundry (4)	2/7/2009 11:41
Laundry (5)	2/7/2009 11:42
Laundry (6)	2/7/2009 11:43
Master Bath	2/7/2009 11:39
Master Bath (2)	2/7/2009 11:39
Master Bath (3)	2/7/2009 11:39
Master Bath (4)	2/7/2009 11:48
Master Bath (5)	2/7/2009 11:48
Master Bath (6)	2/7/2009 11:49
Master Bath (7)	2/7/2009 11:49
Master Bath (8)	2/7/2009 11:49
Master Bath (9)	2/7/2009 11:49
Master Bath (10)	2/7/2009 11:50
Master Bath (11)	2/7/2009 11:50
Master Bath (12)	2/7/2009 11:51
Master Bath (13)	2/7/2009 11:51
Master BR	2/7/2009 11:38
Master BR (2)	2/7/2009 11:38
Master BR (3)	2/7/2009 11:38
Master BR (4)	2/7/2009 11:38
Master BR (5)	2/7/2009 11:47
Master BR (6)	2/7/2009 11:47
Master BR (7)	2/7/2009 11:47

Name	Date taken
Master BR (8)	2/7/2009 11:48
Master BR (9)	2/7/2009 11:48
Material	2/7/2009 12:49
Material (2)	2/7/2009 12:47
Material (3)	2/7/2009 12:47
Material (4)	2/7/2009 12:47
Material (5)	2/7/2009 12:47
Material (6)	2/7/2009 12:48
Material (7)	2/7/2009 12:48
Material (8)	2/7/2009 12:48
MVI_3463	
MVI_3463.THM	
MVI_3485	
MVI_3485.THM	
Shed	2/7/2009 12:31
Shed (2)	2/7/2009 12:31
Shed (3)	2/7/2009 12:31
Shed (4)	2/7/2009 12:32
Shed (5)	2/7/2009 12:32
Small bath	2/7/2009 11:41
Small bath (2)	2/7/2009 11:41
Small Bath (3)	2/7/2009 11:54
Window track	2/7/2009 12:21
Window track (2)	2/7/2009 12:21

Name	Date taken
Attic	2/24/2009 13:15
Attic (2)	2/24/2009 13:16
Attic (3)	2/24/2009 13:23
Attic (4)	2/24/2009 13:23
Attic (5)	2/24/2009 13:29
Attic hidden bottle	2/24/2009 13:19
Bedroom hall	2/24/2009 12:19
Bedroom hall (2)	2/24/2009 12:20
Bedroom hall (3)	2/24/2009 12:22
Bedroom hall (4)	2/24/2009 12:22
Bedroom hall (5)	2/24/2009 12:22
Dining	2/24/2009 12:16
Dining (2)	2/24/2009 12:17
Exterior	2/24/2009 12:01
Exterior (2)	2/24/2009 12:17
Exterior (3)	2/24/2009 12:17
Exterior (4)	2/24/2009 12:17
Exterior (5)	2/24/2009 12:17
Exterior (6)	2/24/2009 12:17
Exterior (7)	2/24/2009 12:31
Exterior (8)	2/24/2009 12:40
Exterior (9)	2/24/2009 12:40
Exterior (10)	2/24/2009 12:41
Exterior (11)	2/24/2009 12:41

Name	Date taken
Exterior (12)	2/24/2009 14:09
Exterior (13)	2/24/2009 14:09
Exterior (14)	2/24/2009 14:09
Exterior (15)	2/24/2009 14:09
Foyer	2/24/2009 12:18
Foyer (2)	2/24/2009 13:02
Foyer (3)	2/24/2009 13:49
Foyer bath	2/24/2009 12:43
Foyer bath (2)	2/24/2009 12:43
Foyer hall	2/24/2009 12:19
Foyer hall (2)	2/24/2009 12:19
Foyer hall (3)	2/24/2009 12:19
Foyer hall (4)	2/24/2009 12:19
Furnace	2/24/2009 12:15
Furnace (2)	2/24/2009 12:15
Furnace (3)	2/24/2009 12:15
Furnace (4)	2/24/2009 12:15
Furnace (5)	2/24/2009 12:16
Furnace (6)	2/24/2009 13:31
Furnace (7)	2/24/2009 13:31
Furnace (8)	2/24/2009 13:31
Furnace (9)	2/24/2009 13:31
Furnace (10)	2/24/2009 13:31
Furnace (11)	2/24/2009 13:31

Post-Remediation Photograph Log Sheet

FACTs project name: Cow Bell	Form # ML9
Date: March 19, 2009	
Reporting IH:	Caoimhín P. Connell, Forensic IH

Name	Date taken
Furnace (12)	2/24/2009 13:31
Garage	2/24/2009 12:16
Gloves	2/24/2009 13:49
IMG_4227	2/24/2009 12:58
Kitchen	2/24/2009 12:16
Kitchen (2)	2/24/2009 12:16
Kitchen (3)	2/24/2009 12:16
Kitchen (4)	2/24/2009 12:16
Kitchen (5)	2/24/2009 12:16
Kitchen (6)	2/24/2009 12:16
Kitchen (7)	2/24/2009 12:16
Kitchen (8)	2/24/2009 13:01
Ladder decon	2/24/2009 11:29
Ladder decon (2)	2/24/2009 11:30
Ladder decon (3)	2/24/2009 11:30
Ladder decon (4)	2/24/2009 11:33
Ladder decon (5)	2/24/2009 11:33
Laundry	2/24/2009 12:19
Laundry (2)	2/24/2009 12:20
Laundry (3)	2/24/2009 12:20
Laundry (4)	2/24/2009 12:20
Living room	2/24/2009 12:17
Living room (2)	2/24/2009 12:17
Living room (3)	2/24/2009 12:18

Name	Date taken
Living room (4)	2/24/2009 12:18
Living room (5)	2/24/2009 12:19
Living room (6)	2/24/2009 12:31
Living room (7)	2/24/2009 13:01
Living room (8)	2/24/2009 13:02
Master bath	2/24/2009 12:20
Master bath (2)	2/24/2009 12:20
Master bath (3)	2/24/2009 12:20
Master bath (4)	2/24/2009 12:20
Master bath (5)	2/24/2009 12:20
Master bath (6)	2/24/2009 12:20
Master bath (7)	2/24/2009 12:21
Master BR	2/24/2009 12:21
Master BR (2)	2/24/2009 12:21
Master BR (3)	2/24/2009 12:21
Master BR (4)	2/24/2009 12:21
Master BR (5)	2/24/2009 12:21
Master BR (6)	2/24/2009 12:21
Master BR (7)	2/24/2009 12:21
Master BR (8)	2/24/2009 12:22
Master BR (9)	2/24/2009 12:22
NE BR	2/24/2009 12:23
NE BR (2)	2/24/2009 12:23
NE BR (3)	2/24/2009 12:24

Name	Date taken
NE BR (4)	2/24/2009 12:24
NE BR (5)	2/24/2009 12:24
North Central BR	2/24/2009 12:22
North Central BR (2)	2/24/2009 12:22
North Central BR (3)	2/24/2009 12:23
North Central BR (4)	2/24/2009 12:23
North Central BR (5)	2/24/2009 12:23
Sample 1	2/24/2009 12:44
Sample 3 (2)	2/24/2009 12:47
Sample 3	2/24/2009 12:46
Sample 4 (2)	2/24/2009 12:49
Sample 4	2/24/2009 12:49
Sample 5 (2)	2/24/2009 12:51
Sample 5	2/24/2009 12:51
Sample 6 (2)	2/24/2009 12:53
Sample 6	2/24/2009 12:53
Sample 7 (2)	2/24/2009 12:56
Sample 7	2/24/2009 12:55
Sample 8 (2)	2/24/2009 12:58
Sample 8	2/24/2009 12:58
Sample 10 (2)	2/24/2009 13:01
Sample 10 (3)	2/24/2009 13:01
Sample 10	2/24/2009 13:01
Sample 11 (2)	2/24/2009 13:07

Name	Date taken
Sample 11	2/24/2009 13:06
Sample 12 (2)	2/24/2009 13:10
Sample 12 (3)	2/24/2009 13:10
Sample 12 (4)	2/24/2009 13:11
Sample 12 (5)	2/24/2009 13:11
Sample 12 (6)	2/24/2009 13:11
Sample 12 (7)	2/24/2009 13:11
Sample 12	2/24/2009 13:10
Sample 13 (2)	2/24/2009 13:24
Sample 13 (3)	2/24/2009 13:24
Sample 13 (4)	2/24/2009 13:24
Sample 13	2/24/2009 13:23
Sample 14 (2)	2/24/2009 13:44
Sample 14 (3)	2/24/2009 13:44
Sample 14	2/24/2009 13:42
Sample 15 (2)	2/24/2009 13:40
Sample 15 (3)	2/24/2009 13:40
Sample 15 (4)	2/24/2009 13:40
Sample 15 (5)	2/24/2009 13:40
Sample 15 (6)	2/24/2009 13:40
Sample 15 (7)	2/24/2009 13:42
Sample 15	2/24/2009 13:39
Samples	2/24/2009 12:12
Samples (2)	2/24/2009 12:12

Name	Date taken
Sample 15 (2)	2/24/2009 13:40
Sample 15 (3)	2/24/2009 13:40
Sample 15 (4)	2/24/2009 13:40
Sample 15 (5)	2/24/2009 13:40
Sample 15 (6)	2/24/2009 13:40
Sample 15 (7)	2/24/2009 13:42
Sample 15	2/24/2009 13:39
Samples	2/24/2009 12:12
Samples (2)	2/24/2009 12:12
SE BR	2/24/2009 12:24
SE BR (2)	2/24/2009 12:25
SE BR (3)	2/24/2009 12:25
SE BR (4)	2/24/2009 12:25
SE BR (5)	2/24/2009 12:25
Shed	2/24/2009 12:40
Shed (2)	2/24/2009 12:40
Shed (3)	2/24/2009 12:40
Shed (4)	2/24/2009 12:40
Shed (5)	2/24/2009 12:40
Shed (6)	2/24/2009 12:40
Walkthrough	
Walkthrough.THM	
Water heater	2/24/2009 12:15
Water heater (2)	2/24/2009 12:16

Name	Date taken
Criticals on ceiling	3/5/2009 13:19
Enclosure	3/5/2009 11:00
Enclosure1	
Enclosure1.THM	
Enclosure2	
Enclosure2.THM	
Enclosure (2)	3/5/2009 11:01
Enclosure (3)	3/5/2009 11:01
Enclosure (4)	3/5/2009 11:01
Furnace removed	3/5/2009 13:19
Water heater	3/5/2009 13:19

Appendix C
Inspection Letters

FORENSIC APPLICATIONS CONSULTING TECHNOLOGIES, INC.

February 17, 2009

Steve Foster
Delta Disaster Services
5535 W. 56th Ave., Unit #104
Arvada, CO 80002

RE: 812 Cow Bell Court, Montrose, CO

Dear Mr. Foster:

On February 7th 2009, Forensic Applications, Inc. visited 812 Cow Bell Court, Montrose, Colorado (the subject property) to perform a final inspection of the remediation of an identified illegal drug lab, and to collect final verification samples. During our site visit, we made the following general observations:

- The remediation contractor employed remediation practices that are prohibited by the State of Colorado Board of Health *Regulations Pertaining to the Cleanup of Methamphetamine Laboratories*, 6 CCR 1014-3.

- The remediation contractor failed to employ mandatory remediation practices that are required by 6 CCR 1014-3.

- The remediation contractor made major deviations from the scope of work that was outlined in the Preliminary Assessment for the subject property.

- Upon our arrival the property was unsecured.

Analytical results from the sampling demonstrated that:

- Elevated concentrations of methamphetamine in excess of that allowed by 6 CCR 1014-3 remain at the property.

The property failed to meet the minimum requirements necessary to issue a Decision Statement.

The following discussion details our observations, rationale, and conclusions.

Prohibited Activities

Encapsulation

According to 6 CCR 1014-3, "Encapsulation" means applying a surface sealant to create a physical barrier intended to decrease or to eliminate the potential for exposure to residual

contaminants that may exist beneath the physical barrier even after decontamination. Section 5.4 of 6 CCR 1014-3 states:

> *5.4. Encapsulation of porous and semi porous surfaces may be conducted after detergent water washing and after clearance sampling has demonstrated that cleanup levels have been achieved.*

The use of encapsulants as a mitigation method is prohibited. Upon our arrival, we observed that an encapsulating coating had been applied over most of the surfaces in the occupiable portion of the structure. The encapsulant effectively "locked-down" dust, and other debris onto those surfaces, and interfered with the collection of final clearance samples.

Included with this discussion is a CD of photographs and video clips that we made during our February 7th visit. The encapsulant is evident in several of the photographs and videos, however, two video clips (*Encapsulant* and *Encapsulant 2*) archives the presence of the encapsulating material.

While on site at the subject property, we observed an empty container of a product identified as "Citrus-Scrub" which contained surfactants, but also contained a material (polyethylene glycol octylphenyl ether) that has an insignificant vapor pressure. It is possible this product was partially the encapsulant we observed on the surfaces.

Oxidizers

Section 5.2 of 6 CCR 1014-3 requires detergent water washing of non-porous, porous and semi porous surfaces that are contaminated, or that are reasonably expected to be contaminated, and that will not be removed.

In its October 2007 Guidance Document, the Colorado Department of Health and Environment stated that although the use of hydrogen peroxide may be used, it may only be used in conjunction with "intensive cleaning with a water-detergent solution." The State of Colorado prohibits the application of hydrogen peroxide as the primary mitigation method.

Upon entry into the subject property on February 7, 2009, FACTs personnel encountered an overwhelming odor consistent with the application of high-content hydrogen peroxide solutions.

Present at the property was an empty container of "Suprox™ Thickened Peroxide Restroom and Shower Room Cleaner." According to the manufacturer, the material contains 8% hydrogen peroxide. By comparison, standard over-the-counter USP hydrogen peroxide topical solution contains 3% hydrogen peroxide.

The accompanying CD includes a video clip (file name: H2O2) which documents the presence of material that had been applied to surfaces that was not subsequently wiped from those surfaces. Based on the widespread presence of heavy dust and debris on surfaces that have been "locked-down" under a coating of an unidentified encapsulant, we believe the thickened hydrogen peroxide product, in conjunction with the encapsulant was

merely sprayed onto surfaces and allowed to dry. We did not observe evidence that the surfaces were subject to an "intensive cleaning with a water-detergent solution."

Required Activities

Flushing the Plumbing System

In addition to those activities already discussed (intensive cleaning with a water-detergent solution), Section 5.6 of 6 CCR 1014-3 requires water flushing of plumbing systems connected to the sanitary sewer to eliminate any residual chemicals.

During our visit, we observed the presence of heavy debris and dust (under an encapsulating layer) in each of the plumbing fixtures. Not only had the surfaces of the fixtures not been wiped, as required by regulation, but the presence of the debris around the fixture drains conclusively demonstrates that the remediation contractor failed to water flush the plumbing system.

Scope of Work

According to Section 4.0 of the regulations, the Preliminary Assessment shall be the basis of the decontamination activities. Under normal circumstances, it is expected that the remediation contractor will have minor deviations from the Scope of Work. However, in this case, there were major deviations that went beyond the errors and omissions already described.

Paragraph 14 Universal Site Requirements

Paragraph 14 of the Scope of Work explicitly prohibits encapsulation.

Paragraph 15 Universal Site Requirements

Paragraph 15 of the Scope of Work reads:

> *Following the decontamination process, and prior to the final clearance sampling by the Industrial Hygienist, the remediation contractor subcontractor shall be contractually obligated to collect a minimum of three QA/QC wipe samples from the subject property, as part of their own QA program, and submit those samples for methamphetamine analysis. The contractor shall be contractually obligated to provide their wipe sampling data (including location of sample, area of sample, and analysis results), to the consulting Industrial Hygienist for review prior to final clearance sampling.*

FACTs has not been provided with the QA/QC sampling results, and we have no knowledge of whether this sampling was performed.

Paragraph 8 Decontamination of The Residence

Paragraph 8 reads:

> *All large household appliances (dishwasher, refrigerator, large screen TV, etc) shall be wiped down and salvaged.*

The remediation contractor should be required to describe the rationale for discarding the appliances. Simple decontamination of the appliances was both technically and economically feasible.

Similarly, nowhere in our Scope of Work did we recommend removal and discarding of kitchen cabinets. The removal of the cabinets greatly increases the costs of the project, and does not benefit the homeowner. The remediation contractor should show justification for removal of the cabinets. Simple decontamination of the kitchen cabinets was both technically and economically feasible.

Securing the Property

Colorado Revised Statutes §25-18.5-104 states

> *If a structure or vehicle has been determined to be contaminated or if a governing body or law enforcement agency issues a notice of probable contamination, the owner of the structure or vehicle shall not permit any person to have access to the structure or vehicle unless the person is trained or certified to handle contaminated property pursuant to board rules or federal law.*

Upon our arrival at the subject property we observed the following:

- The main garage door was unlocked, allowing free access to the structure.
- The side garage door was unlocked, allowing free access to the structure.
- The back sliding glass door was unlocked, allowing free access to the structure.
- The shed door was unlocked (with keys in the lock), allowing free access to the shed.

The remediation contractor, by allowing the structure to remain accessible and unattended placed potential criminal and toxic tort liability onto the property owner. The remediation contractor is expected and required to ensure the structure is secure when they leave the property.

Control Samples

It was immediately apparent to FACTs, upon entering the property, that, due to overt failures on the part of the remediation contractor, final clearance sampling would not be possible, and could not, by regulation, lead to a Decision Statement.

Contrary to popular belief, final clearance of a structure is **not** based exclusively on the results of final clearance samples. According to 6 CCR 1014-3, Mandatory Appendix A:

> ***Decision Statement***
> *If, based on the totality of the circumstances, the consultant finds that insufficient evidence exists to support the hypothesis that any given area is non-compliant, that area shall be deemed to be compliant with section 25-18.5-103 (2), C.R.S., and shall be released.*

The objective of the Industrial Hygienist, in final clearance activities, is explicitly identified by regulation. In post-decontamination sampling, the hypothesis is made that

the area is non-compliant, and data is collected to test the hypothesis. The lack of data supporting the hypothesis leads the Industrial Hygienist to accept the null hypothesis and conclude that the area is compliant.

In this case, our visual inspection revealed sufficient information to conclusively demonstrate that the primary hypothesis (the area is non-compliant) was well supported, and no Decision Statement could be issued regardless of the results of any samples.

Furthermore, contrary to popular belief, final clearance samples are not to be collected in the absence of any other information, but rather, according to 6 CCR 1014-3:

> *If objective sampling data indicates contamination is less than the cleanup level, that data may be used as* prima facie *evidence that insufficient evidence exists to support the hypothesis that any given area is non-compliant.*

In this case, although there was sufficient evidence to accept the primary testing hypothesis, it was our professional opinion that limited objective sampling would be wise to curtail any objections or arguments by the remediation contractor that the conclusions were exclusively subjective.

Therefore, during our February 7, 2009 visit, FACTs collected five control wipe samples from various locations for the analysis of methamphetamine. The table below summarizes the results of those samples.

Sample ID	Sample Location	Result µg/100 cm2
CM020709-03	Functional Space Number 3	**1.50**
CM020709-08	Functional Space Number 8	**6.64**
CM020709-09	Functional Space Number 9	**0.10**
CM020709-10	Functional Space Number 10	**4.79**
CM020709-11	Functional Space Number 11	**0.26**
53E020509-8	Field Blank	**<0.03 µg**
53E020509-10	Field Blank	**<0.03 µg**

The actual locations of the samples are being withheld at this time to ensure that future cleaning activities are not merely focused on those locations. Since the samples are merely control samples and not final clearance samples, FACTs is not obligated to reveal the locations. However, each sample was collected from an *immediately available* surface from the representative Functional Space. All sample locations will be provided in the Decision Statement. All samples were collected in a manner described in the Preliminary Assessment.

Each sample, except two, conclusively demonstrate that methamphetamine concentrations in the subject property exceed the decision level. The field blanks support the argument that the detected methamphetamine was not due to internal contamination by the laboratory or FACTs sampling materials.

Each of the samples that are greater than the decision level speak for themselves, and support the primary hypothesis that the structure is non-compliant.

The two remaining samples do not provide sufficient information to reject the hypothesis for the following reasons.

CM020709-09

This sample was collected from an area that contained heavy debris and dust which was encapsulated under a layer of an unknown application. FACTs collected the sample in an effort to determine if the sampling procedure was capable of removing the encapsulant. The sampling procedure was not capable of adequately removing the encapsulant, thus exposing the underlying surface. This sample therefore is rejected.

CM020709-11

This sample was collected from the attic and appears to demonstrate that the concentration was below the decision level. For all sampling and analytical methods, there is a specific uncertainty associated with the result. Therefore, for any reported laboratory value, there is a *probability* that the true result is greater than the reported value (Upper Confidence Limit, UCL), or less than the reported value (Lower Confidence Limit, LCL). A laboratory result, therefore, represents a *probable* result in between two confidence limits and may be depicted thus:

Figure 1
Confidence Intervals of a Reported Value

The reported value (RV) lies somewhere in between two possible "true" values, the UCL and the LCL.

Compliance is based not only on the reported value, but also on the *totality of circumstances* including the statistical uncertainty of the results. So, as depicted in the drawing below, where the reported value (A) and the LCL are greater than the decision threshold (the horizontal line), we are *confident* the reported value indicates noncompliance. Where the reported value (D) and the UCL are less than the decision threshold, we are *confident* the reported value indicates compliance.

There is an ambiguous range of reported values, such as (B), where although the reported value is greater than the decision threshold, there is a probability the true value is less than the decision threshold. Similarly, (C), where the reported value is less than the decision threshold, such as the case of Sample CM020709-11 taken from the attic , there is a finite probability the true value is greater than the decision threshold.

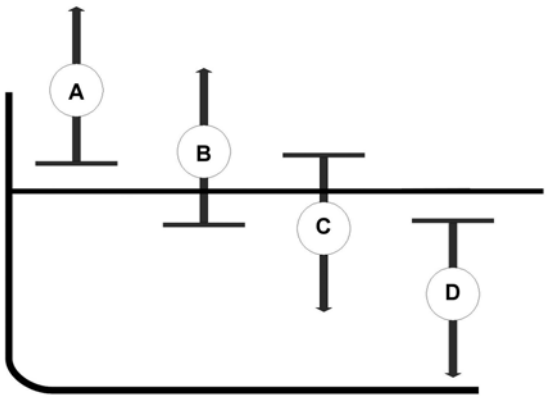


Figure 2
Uncertainty in Reported Values

Standard industrial hygiene sampling protocols require that the Industrial Hygienist consider this degree of uncertainty, known as the total coefficient of variation (Cv_T), for each method. The Cv_T includes the uncertainty associated with both the sampling and analytical processes. For many methods, the degree of uncertainty is known and published.

For field methamphetamine sampling and analysis, the statistical uncertainty has yet to be fully characterized. However, when we analyze field data from other properties, we see a trend in sampling error in that sample variation, as an whole, exhibits a lognormal distribution. The sampling error (which speaks to the heterogeneous distribution of contamination at a subject property) is very large, and the geometric standard deviation is similarly large. Therefore, even for a sample result whose apparent result is below a specified quantity (such as Sample CM020709-11), there is a probability that the concentration of methamphetamine in the attic is in fact greater than compliance levels.

Standard Industrial Hygiene protocols typically use the 95% confidence intervals to determine the possible "spread" of the laboratory results about the true value. As such, where the Cv_T is known, the IH calculates the UCL and LCL and determines if the UCL is greater than or less than the Decision Threshold.[1]

We see a lognormal variability in the post-remediation sample results for this property. The post-remediation samples exhibited the expected lognormal distribution (Shapiro-Wilk *W* test = 0.916), whose geometric standard deviation is greater than 6. Based on the this information, we can confidently predict, especially in light of the previously discussed issues and in light of the remaining samples, that the remediation of the attic cannot be declared completed. We can state that at a confidence of 95%, any randomly collected sample from the structure, including a sample collected from the attic has a greater than 83% chance of exceeding a decision level of 0.5 µg/100 cm2.

[1] For this data set, for W= 0.916 (µ=2.6), UCL=5.21, LCL=0.1

In this case, we see that the variance in the sample set is large, and therefore, although the reported numerical value of Sample CM020709-11was less than the often cited 0.5 µg/100 cm2, based on the best available sampling error information, the error is such that the UCL for the sample does not confidently provide evidence to reject the hypothesis.

Our role as Industrial Hygienists is to ensure that public health is protected, and we believe that we are obligated to err on the side of the highest standard of care, and report that the sample results actually indicate widespread non-compliance for the structure. Our position is supported by the fact that from a regulatory perspective, the Industrial Hygienist is required to establish, as his hypothesis, the position that a particular area is noncompliant and set out to prove, with reasonable care, that hypothesis. State regulations state:[2]

> The [sampling] protocol is not a substitute for professional judgment, but must be utilized by cognizant professionals in the application of their professional skills. Neither is the method a "cook-book" recipe that if followed, decontamination is guaranteed, and risks are assumed to be zero. The evaluation of any specific area must necessarily be based on the totality of the circumstances.

As such, our professional judgment is that there is sufficient evidence to conclude that unacceptable concentrations of contamination exists in all of the subject property, and therefore, the wipe sample from this area does not provide evidence of relief from the need for additional remediation.

Conclusions

At the time of our February 7, 2009, visit to the subject property, there was sufficient visual evidence and objective sampling evidence to conclusively support the sampling hypothesis that the property was non-compliant.

There was considerable evidence the remediation contractor used prohibited activities in their remediation.

There was considerable evidence the remediation contractor failed to follow mandatory remediation activities.

Based on the above, 812 Cow Bell Court, Montrose, Colorado has not been remediated, and remains non-compliant.

A qualified remediation contractor, trained in mandatory decontamination protocol pursuant to Colorado Regulations should be hired to perform the following:

1) Clean ALL surfaces of residual encapsulant- final clearance sampling cannot be performed until all encapsulating material has been removed from all applied surfaces.

[2] 6 CCR 1014-3, Attachment to Appendix A

2) Properly clean ALL surfaces (including all sinks, bathtubs, lighting fixtures, walls, ceilings, windows, window wells, window tracks, remaining cabinets, and all other surfaces whether mentioned here or not) in the occupied space, the attic, and the shed pursuant to State regulations. The use of hydrogen peroxide or any other oxidizing agent as the primary remediation technique is prohibited.

3) Provide FACTs with the QA/QC samples as delineated in the Preliminary Assessment.

4) Water flush all plumbing pursuant to State regulations.

If you have any questions, please do not hesitate to contact us.

Sincerely,

Caoimhín P. Connell
Forensic Industrial Hygienist

CC: Governing Body, City of Montrose
RO: Mary Ann Shepard

FORENSIC APPLICATIONS CONSULTING TECHNOLOGIES, INC.

March 3, 2009

Steve Foster
Delta Disaster Services
5535 W. 56th Ave., Unit #104
Arvada, CO 80002

RE: 812 Cow Bell Court, Montrose, CO

Dear Mr. Foster:

On February 24, 2009, FACTs visited 812 Cow Bell Court, Montrose, Colorado to perform final verification activities pursuant to Colorado Regulations 6 CCR 1014-3.

The several deficiencies we identified in our February 17th , 2009, letter had been properly addressed. FACTs performed a visual inspection and determined that, for the most part, the structure was ready for final sampling. However, we did observe two areas that were questionable: 1) the garage and 2) the furnace. Regarding the furnace, in our December 5, 2008 *Preliminary Assessment*, we made the following statement:

> In general, decontamination of a forced air furnace system can be difficult, and often impossible. The contractor may propose removal of the furnace and associated ductwork, *in toto*, or may propose cleaning, and decontamination of the ventilation system. If the furnace system is left in place, final clearance sampling will include at least two locations of the furnace duct interiors.

Our inspection of the furnace interior revealed heavy dust (See the photograph below).

Furnace Interior

185 BOUNTY HUNTER'S LANE, BAILEY, COLORADO 80421
PHONE: 303-903-7494 www.forensic-applications.com

In light of the improvements from our previous site visit, FACTs decided to collect final verification samples and allow the results to speak for themselves. In the table below, we have presented the results of the samples collected during the February 24 assessment.

Sample Location	Result µg/100cm2	Decision Threshold µg/100cm2	Status
Master bedroom N wall lower E side	0.03	0.50	PASS
Field Blank	<0.03	0.50	PASS
Master bath N wall of shower stall	0.10	0.50	PASS
Laundry room, south wall	0.07	0.50	PASS
N Central BR West wall, N of closet	0.08	0.50	PASS
NE BR Closet door	0.04	0.50	PASS
SE BR Back of room door	0.04	0.50	PASS
Foyer bath N wall drywall	0.03	0.50	PASS
Field Blank	<0.03	0.50	PASS
Living room top of divider	0.10	0.50	PASS
Kitchen N pantry wall E side of door	0.04	0.50	PASS
Garage top of door mechanism	0.05	0.50	PASS
Attic N side sewer stack relief	0.04	0.50	PASS
Shed, inside door	<0.01	0.50	PASS
Furnace interior	2.79	0.50	FAIL

The sampling indicated that, for the most part, the residual contamination in the structure would be below the regulatory "decision level." However, the sample from one location (the Furnace Interior) was approximately six times greater than the regulatory "decision level." Overall, the remediation work appeared proficient, and this area would be considered an oversight. However, because of the non-compliant sample, a Decision Statement cannot be issued for the property until the area is fully remediated.

The remediation contractor is permitted to merely correct the one remaining area that is non-compliant, provided they follow the State regulations, and treat the area as though it were a new project. In this case, the remediation contactor can establish critical barriers to isolate the area surrounding the furnace. Once critical barriers have been established, the work area surrounding the furnace must be placed under negative pressure before the work begins. Fortunately, the furnace is located at an exterior door, thus allowing the air locks and bag-out to proceed immediately to the exterior of the building.

The following information is critical:

If FACTs cannot objectively validate that a negative pressure enclosure had been established during the corrective action, we must presume the contrary and presume the corrective action re-contaminated the entire structure, including the attic. That is, if FACTs cannot objectively validate that negative pressure had been established to clean (or remove) the furnace, **ALL** of the other previous samples that were collected must be voided, and the entire structure **must** be resampled.

Therefore, it is **imperative** that the remediation contractor provide FACTs with sufficient evidence to demonstrate that they established critical barriers and isolated the area with negative pressure as required by regulation.

To satisfy this condition, FACTs can either visit the site and inspect the containment prior to the commencement of work in the above mentioned area, or FACTs will need, at a minimum, the following:

1) A minimum of twenty (20) photographs of the negative pressure enclosure and related work area. The photographs **must** depict the following:
   a) Critical barriers
   b) Air lock and air chambers
   c) Negative air handling unit
   d) Exhaust port of the negative air handing unit
   e) A face of a dial or digital readout of a manometer attached across the critical barrier that indicates negative pressure within the critical barriers
   f) Critical barriers sealed to the furnace penetration in the attic.

The critical barriers and the negative air machine **must** remain operational until the point of final sampling. If the negative air machines are nor present during final sampling, the previously collected final samples must be voided, and the entire structure must be resampled.

To date, the remediation contractor has developed a poor track record for following mandated protocols. It is imperative that they understand the need to ensure complete adherence to these requirements to avoid escalating the costs of the project any further.

If the above conditions are met, the furnace can be cleaned (or removed), and FACTs can collect just one sample from the negative pressure enclosure for inclusion in the full final clearance sampling suite.

If it would help the contractor, FACTs can coordinate to meet the contractor on-site and collect the final sample on the same day as the corrective action.

The preceding recommendations cannot be objectionable to the City of Montrose who has the statutory authority to reject our recommendations with or without alternative suggestions. For this reason, we have forwarded a copy of this letter to Sgt. Eller at the Montrose Police Department for his files.

Sincerely,

Caoimhín P. Connell
Forensic Industrial Hygienist

CC: Sgt. Paul Eller, MPD

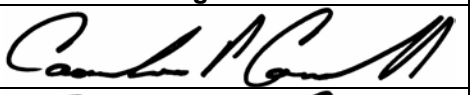
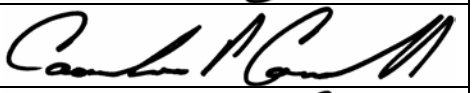
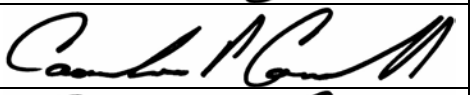
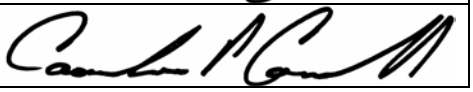
Appendix D
Final Certification Signature Sheet

185 Bounty Hunter's Lane, Bailey, Colorado 80421
Phone: 303-903-7494 http://www.forensic-applications.com

Certification, Variations and Signature sheet

FACTs project name: Cow Bell	**Form # ML14**
Date: March 19, 2009	
Reporting IH:	**Caoimhín P. Connell, Forensic IH**

Certification

Statement	Signature
I do hereby certify that I conducted a preliminary assessment of the subject property in accordance with 6 CCR 1014-3, § 4.	
I do hereby certify that I conducted post-decontamination clearance sampling in accordance with 6 CCR 1014-3, §6.	
I do hereby certify that the cleanup standards established by 6 CCR 1014-3, § 7 have been met as evidenced by testing I conducted.	
I do hereby certify that the analytical results reported here are faithfully reproduced.	

In the section below, describe any variations from the standard.

Variations from the standard have been described in the letters presented in the appendices.

Pursuant to the language required in 6 CCR 1014-3, § 8:

I do hereby certify that I conducted a preliminary assessment of the subject property in accordance with 6 CCR 1014-3, § 4, and that I conducted post-decontamination clearance sampling in accordance with 6 CCR 1014-3, § 6. I further certify that the property has been decontaminated in accordance with the procedures set forth in 6 CCR 1014-3, § 5, and that the cleanup standards established by 6 CCR 1014-3, § 7 have been met as evidenced by testing I conducted.

Signature  Date: March 19, 2009

Appendix E
Field Data Sheets and Analytical Submittals

185 Bounty Hunter's Lane, Bailey, Colorado 80421
Phone: 303-903-7494 http://www.forensic-applications.com

ANALYTICAL CHEMISTRY INC.

Established in 1979

4611 S. 134th Place, Ste 200
Tukwila WA 98168-3240

Website: www.acilabs.com

Phone: 206-622-8353
E-mail: info@acilabs.com

Lab Reference:	09110-05
Date Received:	February 12, 2009
Date Completed:	February 16, 2009

February 16, 2009

CAOIMHIN P CONNELL
FORENSIC APPLICATIONS INC
185 BOUNTY HUNTER'S LN
BAILEY CO 80421

CLIENT REF: Cow Bell

SAMPLES: wipes/5

ANALYSIS: Methamphetamine by Gas Chromatography-Mass Spectrometry.

RESULTS: in total micrograms (ug)

Sample	***Methamphetamine, ug***	***% Surrogate Recovery***
CM020709 - 03	4.58	100
CM020709 - 08	4.13	100
CM020709 - 09	1.57	98
CM020709 - 10	24.9	105
CM020709 - 11	1.66	82
QA/QC Method Blank	< 0.004	
QC 0.100 ug Standard	0.102	
QA 0.020 ug Matrix Spike	0.018	
QA 0.020 ug Matrix Spike Duplicate	0.018	
Method Detection Limit (MDL)	0.004	
Practical Quantitation Limit (PQL)	0.030	

'<': less than, not detected above the PQL

Robert M. Orheim
Director of Laboratories

ANALYTICAL CHEMISTRY INC.

4611 S 134th Pl, Ste 200 Tukwila WA 98168-3240
Website: www.acilabs.com
Phone: 206-622-8353
FAX: 206-622-4623

CDL SAMPLING & CUSTODY FORM

Please do not write in shaded areas.

				ANALYSIS REQUESTED	
SAMPLING DATE:	Feb 7, 2009	REPORT TO:	Caoimhín P. Connell	1	Methamphetamine
PROJECT Name/No:	Cow Bell	COMPANY:	Forensic Applications, Inc.	2	Use entire contents
eMail:	Fiosrach@aol.com	ADDRESS:	185 Bounty Hunters Lane, Bailey, CO 80421	3	MDMA
				4	
SAMPLER NAME:	Caoimhín P. Connell	PHONE	303-903-7494	5	
				6	Not Submitted

LAB Number	Sample Number	SAMPLE MATRIX			ANALYSIS REQUESTS						SAMPLER COMMENTS	LAB COMMENTS	No of Containers
		Wipe	Vacuum	Other	1	2	3	4	5	6			
	CMØ2Ø7Ø9-Ø1	X			X	X				X			0
	CMØ2Ø7Ø9-Ø2	X			X	X				X			0
	CMØ2Ø7Ø9-Ø3	X			X	X							1
	CMØ2Ø7Ø9-Ø4	X			X	X				X			0
	CMØ2Ø7Ø9-Ø5	X			X	X				X			0
	CMØ2Ø7Ø9-Ø6	X			X	X				X			0
	CMØ2Ø7Ø9-Ø7	X			X	X				X			0
	CMØ2Ø7Ø9-Ø8	X			X	X							1
	CMØ2Ø7Ø9-Ø9	X			X	X							1
	CMØ2Ø7Ø9-1Ø	X			X	X							1

CHAIN OF CUSTODY RECORD — **Wipes Results in:** ☐ µg/100cm² ☒ Total µg — **Total Number of Containers** (verified by laboratory): 4

PRINT NAME	Signature	COMPANY	DATE	TIME	Turnaround Time			
Caoimhín P. Connell		FACTs, Inc.	Ø2/Ø7/Ø9	1700	☐ 24 Hours (2X)	Custody Seals:	Yes	No
Niamh Connell	Niamh Connell	" "	" "	1700	☐ 2 Days (1.75X)	Container:	Intact	Broken
MIA SAZON		ACI	2/12/09	1500	☐ 3 Days (1.5X)	Temperature:	Ambient	Cooled
					☒ Routine	Inspected By:	MIA SAZON	
						Lab File No.	0910-05	

ANALYTICAL CHEMISTRY INC.

4611 S 134th Pl, Ste 200 Tukwila WA 98168-3240
Website: www.acilabs.com
Phone: 206-622-8353
FAX: 206-622-4623

CDL SAMPLING & CUSTODY FORM

Please do not write in shaded areas.

				ANALYSIS REQUESTED	
SAMPLING DATE:	Feb 7, 2009	REPORT TO:	Caoimhín P. Connell	1	Methamphetamine
PROJECT Name/No:	Cow Bell	COMPANY:	Forensic Applications, Inc.	2	Use entire contents
eMail:	Fiosrach@aol.com	ADDRESS:	185 Bounty Hunters Lane, Bailey, CO 80421	3	MDMA
SAMPLER NAME:	Caoimhín P. Connell	PHONE	303-903-7494	4	
				5	
				6	Not Submitted

LAB Number	Sample Number	SAMPLE MATRIX			ANALYSIS REQUESTS						SAMPLER COMMENTS	LAB COMMENTS	No of Containers
		Wipe	Vacuum	Other	1	2	3	4	5	6			
	CMØ2Ø7Ø9-11	X			X	X							1
	CMØ2Ø7Ø9-12	X			X	X				X			0
	CMØ2Ø7Ø9-13	X			X	X				X			0
	CMØ2Ø7Ø9-14	X			X	X				X			0
		X											
		X											
		X											
		X											
		X											
		X											

CHAIN OF CUSTODY RECORD | **Wipes Results in:** ☐ µg/100cm² ☒ Total µg | **Total Number of Containers** (verified by laboratory) 1

PRINT NAME	Signature	COMPANY	DATE	TIME	Turnaround Time			
Caoimhín P. Connell		FACTs, Inc.	Ø2/Ø7/Ø9	1700	☐ 24 Hours (2X)	Custody Seals:	Yes	No
Niamh Connell		" "	" "	" "	☐ 2 Days (1.75X)	Container:	Intact	Broken
MIA SAZON		ACI	2/12/09	1500	☐ 3 Days (1.5X)	Temperature:	Ambient	Cooled
					☒ Routine	Inspected By:	MIA SAZON	
						Lab File No.	0911O-05	

ANALYTICAL CHEMISTRY INC.

Established in 1979

4611 S. 134th Place, Ste 200
Tukwila WA 98168-3240

Website: www.acilabs.com

Phone: 206-622-8353
E-mail: info@acilabs.com

Lab Reference:	09112-10
Date Received:	February 26, 2009
Date Completed:	March 2, 2009

March 2, 2009

CAOIMHIN P CONNELL
FORENSIC APPLICATIONS INC
185 BOUNTY HUNTER'S LN
BAILEY CO 80421

CLIENT REF: Cow Bell

SAMPLES: wipes/17

ANALYSIS: Methamphetamine by Gas Chromatography-Mass Spectrometry.

RESULTS: in total micrograms (ug)

Sample	***Methamphetamine, ug***	***% Surrogate Recovery***
CM22409 - 01	0.133	95
CM22409 - 02	< 0.030	95
CM22409 - 03	0.503	97
CM22409 - 04	0.352	104
CM22409 - 05	0.398	103
CM22409 - 06	0.204	100
CM22409 - 07	0.192	101
CM22409 - 08	0.134	104
CM22409 - 09	< 0.030	98
CM22409 - 10	0.508	104
CM22409 - 11	0.186	102
CM22409 - 12	0.268	98
CM22409 - 13	0.193	102
CM22409 - 14	< 0.030	103
CM22409 - 15	15.9	111
CM22409 - 16 (17 milligrams)	2.66	97
CM22409 - 17	0.036	105
QA/QC Method Blank	< 0.004	
QC 0.100 ug Standard	0.100	
QA 0.020 ug Matrix Spike	0.019	
QA 0.020 ug Matrix Spike Duplicate	0.018	
Method Detection Limit (MDL)	0.004	
Practical Quantitation Limit (PQL)	0.030	

'<': less than, not detected above the PQL

Robert M. Orheim
Director of Laboratories

ANALYTICAL CHEMISTRY INC.

4611 S 134th Pl, Ste 200 Tukwila WA 98168-3240
Website: www.acilabs.com
Phone: 206-622-8353
FAX: 206-622-4623

CDL SAMPLING & CUSTODY FORM

Please do not write in shaded areas.

				ANALYSIS REQUESTED	
SAMPLING DATE:	Feb 24 2009	REPORT TO:	Caoimhín P. Connell	1	Methamphetamine
PROJECT Name/No:	Cow Bell	COMPANY:	Forensic Applications, Inc.	2	Use entire contents
eMail:	Fiosrach@aol.com	ADDRESS:	185 Bounty Hunters Lane, Bailey, CO 80421	3	
SAMPLER NAME:	Caoimhín P. Connell	PHONE	303-903-7494	4	
				5	
				6	Not Submitted

LAB Number	Sample Number	SAMPLE MATRIX			ANALYSIS REQUESTS						SAMPLER COMMENTS	LAB COMMENTS	No of Containers
		Wipe	Vacuum	Other	1	2	3	4	5	6			
CM22409-	~~CBMØ243Ø9~~-Ø1	X			X	X							1
	~~CBMØ243Ø9~~-Ø2	X			X	X							1
	~~CBMØ243Ø9~~-Ø3	X			X	X							1
	~~CBMØ243Ø9~~-Ø4	X			X	X							1
	~~CBMØ243Ø9~~-Ø5	X			X	X							1
	~~CBMØ243Ø9~~-Ø6	X			X	X							1
	~~CBMØ243Ø9~~-Ø7	X			X	X							1
	~~CBMØ243Ø9~~-Ø8	X			X	X							1
	~~CBMØ243Ø9~~-Ø9	X			X	X							1
	~~CBMØ243Ø9~~-1Ø	X			X	X							1

CHAIN OF CUSTODY RECORD — **Wipes Results in:** ☐ µg/100cm² ☒ Total µg — **Total Number of Containers** (verified by laboratory): 10

PRINT NAME	Signature	COMPANY	DATE	TIME	Turnaround Time		
Caoimhín P. Connell		FACTs, Inc.	Ø2/24/Ø9	1430	☐ 24 Hours (2X)	Custody Seals:	Yes / No
MIA SAZON		ACI	2/26/09	1405	☐ 2 Days (1.75X)	Container:	Intact / Broken
					☐ 3 Days (1.5X)	Temperature:	Ambient / Cooled
					☒ Routine	Inspected By:	MIA SAZON
						Lab File No.	09112-10

ANALYTICAL CHEMISTRY INC.

4611 S 134th Pl, Ste 200 Tukwila WA 98168-3240
Website: www.acilabs.com
Phone: 206-622-8353
FAX: 206-622-4623

CDL SAMPLING & CUSTODY FORM

Please do not write in shaded areas.

				ANALYSIS REQUESTED	
SAMPLING DATE:	Feb 24 2009	REPORT TO:	Caoimhín P. Connell	1	Methamphetamine
PROJECT Name/No:	Cow Bell	COMPANY:	Forensic Applications, Inc.	2	Use entire contents
eMail:	Fiosrach@aol.com	ADDRESS:	185 Bounty Hunters Lane, Bailey, CO 80421	3	WEIGH CONTENTS
				4	
SAMPLER NAME:	Caoimhín P. Connell	PHONE	303-903-7494	5	
				6	Not Submitted

LAB Number	Sample Number	SAMPLE MATRIX			ANALYSIS REQUESTS						SAMPLER COMMENTS	LAB COMMENTS	No of Containers
		Wipe	Vacuum	Other	1	2	3	4	5	6			
CM2409-	~~GBMO243O9~~-11	X			X	X							1
	~~CBMO243O9~~-12	X			X	X							1
	~~CBMO243O9~~-13	X			X	X							1
	~~CBMO243O9~~-14	X			X	X							1
	~~CBMO243O9~~-15	X			X	X							1
	~~CBMO~~ -16	~~X~~	X		X	X	X						1
	-17	X			X	X							1
	/	X			X	X							
	/	X			X	X							
		X			X	X							

CHAIN OF CUSTODY RECORD						Wipes Results in: ☐ µg/100cm² ☒ Total µg	Total Number of Containers (verified by laboratory)	7
PRINT NAME	Signature	COMPANY	DATE	TIME	Turnaround Time	Custody Seals:	Yes	No
Caoimhín P. Connell		FACTs, Inc.	02/24/09	14:30	☐ 24 Hours (2X)	Container:	Intact	Broken
MIA SAZON		ACI	2/26/09	1405	☐ 2 Days (1.75X)	Temperature:	Ambient	Cooled
					☐ 3 Days (1.5X)	Inspected By:	MIA SAZON	
					☒ Routine	Lab File No.	09112-10	

SAMPLING FIELD FORM

FACTs project name: 610 Bell Montrose	**Form # ML17**
Date: February ~~18, 2008~~ 2/24/09	**Alcohol Lot#:** 0801 **Gauze Lot#:** 0901
Reporting IH: Caoimhín P. Connell, Forensic IH	**Preliminary**____ **Intermediate**____ **Final** ✓

Sample ID ~~MM08-~~ MD22408-	Type	Area/ Volume/ Weight	Location	Func. Space	Dimensions	Substrate	Result
-01	W		MASTER BED / NO. WALL NEAR CLOSET	1	9x9	PTD DW	
-02	W		BX				
-03	W		MASTER BATH / NO. WALL SHOWER	2	9x9	CERAMIC TILE	
-04	W		LAUNDRY AREA / SOUTH WALL	3	9x9	PTD DW	
-05	W		NO CENTRAL BDRM / W. WALL (Right of closet)	4	9x9	PTD DW	
-06	W		NE BDRM / CLOSET DOOR	5	9x9	PTD DW	
-07	W		SE BDRM / BACK OF ROOM DOOR	6	9x9	PTD WOOD	
-08	W		FOYER BATH / OVER TILE, NEAR SHOWHEAD, R. of shwr	7	9x9	PTD DW	
-09	W		BX				
-10	W		LR / TOP OF DIVIDING WALL (BTW KIT/LR)	8	9x9	PTD DW	
-11	W		KITCHEN / R. of KITCHEN PANTRY DOOR	9	6x13	PTD DW	
-12	W		GARAGE / TOP of GARAGE DOOR OPENER	10	9x9	METAL	
-13	W		ATTIC / NO. SIDE / SEWER STACK RELIEF	11	3x27	PVC	
-14	W		SHED / INSIDE OF FRONT DOOR	12	9x9	PTD METAL	
-15	W		FURNACE INTERIOR (IN GARAGE) (2 PART)		A) 7½ x 10 B) 3½ x 6	METAL	

Sample Types: W=Wipe; V=Microvacuum; A=Air; B=Bulk; L=liquid
Surfaces: DW= Drywall, PW= Painted wood, LW= Laminated wood, VW= Varnished wood, M= Metal, C=Ceramic

ANALYTICAL CHEMISTRY INC.

Established in 1979

4611 S. 134th Place, Ste 200
Tukwila WA 98168-3240

Website: www.acilabs.com

Phone: 206-622-8353
E-mail: info@acilabs.com

Lab Reference:	09115-10
Date Received:	March 6, 2006
Date Completed:	March 9, 2009

March 9, 2009

CAOIMHIN P CONNELL
FORENSIC APPLICATIONS INC
185 BOUNTY HUNTER'S LN
BAILEY CO 80421

CLIENT REF: Cow Bell

SAMPLES: wipes/1

ANALYSIS: Methamphetamine by Gas Chromatography-Mass Spectrometry.

RESULTS: in total micrograms (ug)

Sample	***Methamphetamine, ug***	***% Surrogate Recovery***
CM090509 - 01	0.052	89
QA/QC Method Blank	< 0.004	
QC 0.100 ug Standard	0.094	
QA 0.020 ug Matrix Spike	0.020	
QA 0.020 ug Matrix Spike Duplicate	0.018	
Method Detection Limit (MDL)	0.004	
Practical Quantitation Limit (PQL)	0.030	

'<': less than, not detected above the PQL

Robert M. Orheim
Director of Laboratories

ANALYTICAL CHEMISTRY INC.

4611 S 134th Pl, Ste 200 Tukwila WA 98168-3240
Website: www.acilabs.com
Phone: 206-622-8353
FAX: 206-622-4623

CDL SAMPLING & CUSTODY FORM

Please do not write in shaded areas.

				ANALYSIS REQUESTED	
SAMPLING DATE:	March 5 ,2009	REPORT TO:	Caoimhín P. Connell	1	Methamphetamine
PROJECT Name/No:	Cow Bell	COMPANY:	Forensic Applications, Inc.	2	Use entire contents
eMail:	Fiosrach@aol.com	ADDRESS:	185 Bounty Hunters Lane, Bailey, CO 80421	3	
				4	
SAMPLER NAME:	Caoimhín P. Connell	PHONE	303-903-7494	5	
				6	Not Submitted

LAB Number	Sample Number	SAMPLE MATRIX			ANALYSIS REQUESTS						SAMPLER COMMENTS	LAB COMMENTS	No of Containers
		Wipe	Vacuum	Other	1	2	3	4	5	6			
	CM030509-01	X			X	X					24 H RUSH!		1

CHAIN OF CUSTODY RECORD — **Wipes Results in:** ☐ µg/100cm² ☒ Total µg — **Total Number of Containers** (verified by laboratory): 1

PRINT NAME	Signature	COMPANY	DATE	TIME	Turnaround Time
Caoimhín P. Connell		FACTs, Inc.	03/05/09	1200	☒ 24 Hours
MIA SAZON		ACI	3/6/09	1400	☐ 2 Days
					☐ 3 Days
					☐ Routine

Custody Seals:	Yes	No
Container:	Intact	Broken
Temperature:	Ambient	Cooled
Inspected By:	MIA SAZON	
Lab File No.	09115-10	

Sampling Field Form

FACTs project name: Cow Bell	**Form # ML17**
Date: March 5, 2009	**Alcohol Lot#: AØ8Ø1 Gauze Lot#: GØ9Ø1**
Reporting IH: Caoimhín P. Connell, Forensic IH	**Preliminary Intermediate Final X**

Sample ID CMØ3Ø5 Ø9-	Type	Area/ Volume/ Weight	Location	Func. Space	Dimensions	Substrate	Result
-Ø1	W		Top of water heater in garage	10	9X9	Metal	

Sample Types: W=Wipe; V=Microvacuum; A=Air; B=Bulk; L=liquid
Surfaces: DW= Drywall, P=Painted; W= Wood, L= Laminated, V= Varnished, M= Metal, C=Ceramic, Pl=Plastic

Appendix F
Final Closeout Inventory Document

185 Bounty Hunter's Lane, Bailey, Colorado 80421
Phone: 303-903-7494 http://www.forensic-applications.com

Final Sampling Checklist

FACTs project name:	**Cow Bell**	**Form # ML18**
Date: March 19, 2009		
Reporting IH:	**Caoimhín P. Connell, Forensic IH**	

Functional Space #	Collected 500 cm^2	General Sampling Considerations	
1	**Yes**	Floor Space Area of Lab (ft^2)	**2,962**
2	**Yes**	One extra sample is required for every 500 ft^2 of floor space >1,500ft^2. Enter number of extra samples required:	**3**
3	**Yes**	Enter minimum number of final samples required based on floor space.	**8**
4	**Yes**	Enter Number of Functional Spaces to be included	**12**
5	**Yes**	Enter the minimum number of sample required based on the number of functional spaces	**12**
6	**Yes**	Is the lab a motor vehicle?	**No**
7	**Yes**	Does the lab contain motor vehicles?	**No**
8	**Yes**	Enter number of motor vehicles associated with the lab:	**0**
9	**Yes**	Are the vehicles considered functional spaces of the lab?	**NA**
10	**Yes**	For vehicles that are merely functional spaces, one extra 500 cm^2 sample is required for each vehicle. Enter the number of extra samples for functional space vehicles:	**0**
11	**Yes**	Enter number of large vehicles (campers, trailers, etc)	**0**
12	**Yes**	One extra sample is required for every 50 ft^2 of floor space of large vehicles. Enter number of extra samples required:	
		Enter total number of samples to be collected.	**12**
		One BX must be included for every 10 samples. Enter the number of BX required.	**2**
		Enter total number of samples/BXs required	**14**
		Enter total number of samples/BXs actually collected	**15**
		Collected a minimum of 5 samples from the lab?	**Yes**
		Collected a minimum of 3 discrete samples from the lab?	**Yes**
		Collected minimum of 500 cm^2 per functional space?	**Yes**
		Collected minimum of 1,000 cm^2 surface area from the lab?	**Yes**
		Sketch of the sample locations performed?	**Yes**

Appendix G
Industrial Hygienist's SOQ

185 Bounty Hunter's Lane, Bailey, Colorado 80421
Phone: 303-903-7494 http://www.forensic-applications.com

FORENSIC APPLICATIONS CONSULTING TECHNOLOGIES, INC.

CONSULTANT STATEMENT OF QUALIFICATIONS

(as required by State Board of Health Regulations 6 CCR 1014-3 Section 8.21)

FACTs project name:	**Cow Bell**	**Form # ML15**
Date: March 19, 2009		
Reporting IH:	**Caoimhín P. Connell, Forensic IH**	

Caoimhín P. Connell, is a private consulting forensic Industrial Hygienist meeting the definition of an "Industrial Hygienist" as that term is defined in the Colorado Revised Statutes §24-30-1402. Mr. Connell has been a practicing Industrial Hygienist in the State of Colorado since 1987 and has been involved in clandestine drug lab (including meth-lab) investigations since May of 2002.

Mr. Connell is a recognized authority in methlab operations and is a Certified Meth-Lab Safety Instructor through the Colorado Regional Community Policing Institute (Colorado Department of Public Safety, Division of Criminal Justice). Mr. Connell has provided over 200 hours of methlab training for officers of over 25 Colorado Police agencies, 20 Sheriff's Offices, federal agents, and probation and parole officers from the 2nd, 7th and 9th Colorado judicial districts. He has provided meth-lab lectures to prestigious organizations such as the County Sheriff's of Colorado, the American Industrial Hygiene Association, and the National Safety Council.

Mr. Connell is Colorado's only private consulting Industrial Hygienist 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 (Certification Number B-10670); he is a member of the Colorado Drug Investigators Association, the American Industrial Hygiene Association, and the Occupational Hygiene Society of Ireland.

He has received over 120 hours of highly specialized law-enforcement sensitive training in meth-labs and clan-labs (including manufacturing and identification of booby-traps commonly found at meth-labs) through the Iowa National Guard/Midwest Counterdrug Training Center and the Florida National Guard/Multijurisdictional Counterdrug Task Force, St. Petersburg College as well as through the U.S. Bureau of Justice Assistance (US Dept. of Justice). Additionally, he received extensive training in the Colorado Revised Statutes, including Title 18, Article 18 "Uniform Controlled Substances Act of 1992."

Mr. Connell is also a current law enforcement officer in the State of Colorado, who has conducted clandestine laboratory investigations and performed risk, contamination, hazard and exposure assessments from both the law enforcement (criminal) perspective, and from the civil perspective in residences, apartments, motor vehicles, and condominia. Mr. Connell has conducted over 110 assessments in illegal drug labs, and collected over 1,200 samples during assessments.

He has extensive experience performing assessments pursuant to the Colorado meth-lab regulation, 6 CCR 1014-3, (State Board Of Health *Regulations Pertaining to the Cleanup of Methamphetamine Laboratories*) and was an original team member on two of the legislative working-groups which wrote the regulations for the State of Colorado. Mr. Connell was the primary contributing author of Appendix A (*Sampling Methods And Procedures*) and Attachment to Appendix A (*Sampling Methods And Procedures Sampling Theory*) of the Colorado regulations. He has provided expert witness testimony in civil cases and testified before the Colorado Board of Health and Colorado Legislature Judicial Committee regarding methlab issues. Mr. Connell has provided private consumers, state officials and Federal Government representatives with forensic arguments against fraudulent industrial hygienists and other unauthorized consultants performing invalid methlab assessments.

Mr. Connell, who is a committee member of the ASTM International Forensic Sciences Committee, was the sole sponsor of the draft ASTM E50 *Standard Practice for the Assessment of Contamination at Suspected Clandestine Drug Laboratories*, and he is an author of a recent (2007) AIHA Publication on methlab assessment and remediation.

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Appendix H
Compact Digital Disc

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