



**FORENSIC APPLICATIONS CONSULTING TECHNOLOGIES, INC.**

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

**19042 E 53rd Avenue  
Denver, Colorado**

**Prepared for:  
Metro Brokers (Gollas and Company, Inc.)  
3401 Quebec Street, #9300  
Denver, Colorado 80207**

Prepared by:

**FORENSIC APPLICATIONS CONSULTING TECHNOLOGIES, INC.  
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March 7, 2009

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## EXECUTIVE SUMMARY

On or about August 18, 2005, the United States Drug Enforcement Agency conducted a raid and executed a search warrant at 19042 E 53rd Ave., Denver, Colorado (the subject property). During that action, materials used in the manufacturing of methylenedioxymethamphetamine (MDMA) were discovered in the residence. Pursuant to State regulations, MDMA is covered under the definition of “methamphetamine,” and for the purposes of regulation, is indistinguishable from methamphetamine.

On August 18, 2005 the City and County of Denver, Department of Environmental Health, Environmental Protection Division placarded the structure prohibiting entry.

Following the discovery, three separate industrial hygiene consultants entered the property and performed non-mandatory sampling. The reports from two of the consultants were available for our review. Neither of the work products met the regulatory elements of a “Preliminary Assessment,” (both were fatally flawed and/or incomplete and neither could be used as a Preliminary Assessment). FACTs was informed that a third consultant also performed some kind of unspecified work at the property.

Illegal cleaning activities took place by unknown parties at the property between the dates of the discovery and the date of the Preliminary Assessment.

Monday, December 1, 2008, Mr. Caoimhín P. Connell, Forensic Industrial Hygienist, entered the property and performed the visual inspection site work and issued a Preliminary Assessment on December 10, 2009.

Between December 10, 2008 and February 5, 2009 authorized remediation activities were conducted by Bio-clean of Colorado.

On February 5, 2009 FACTs entered the property to perform an inspection and final verification sampling. The results of the sampling indicated that with the exception of the upstairs master bathroom, the concentration of MDMA was below regulatory limits. (It is not an unusual occurrence for a final inspection to fail and only about 50% of properties will pass on the first inspection). On February 17, 2009, FACTs issued a letter to the property manager detailing the necessary steps to ensure compliance and correct the deficiencies.

On February 25, 2009, Bio-Clean of Colorado performed the necessary corrective actions pursuant to the requirements outlined in the Feb. 17, 2009 letter; and, on the same day, FACTs performed an inspection of the pre-work containment, and the area 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. 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.<sup>1</sup>

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.

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<sup>1</sup> 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.



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.

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,<sup>2</sup> that area shall be deemed to be compliant with CRS §25-18.5-103 (2) and the Industrial Hygienist shall release the property.<sup>3</sup>

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.

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

<sup>3</sup> 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	Note 1
§8.12	Analytical Description and Laboratory QA/QC	<i>Carl</i>
§8.13	Location and results of initial sampling with figure	<i>Carl</i>
§8.14	FACTs health and safety procedures in accordance with OSHA	<i>Carl</i>
§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	<i>Carl</i>
§8.20	FACTs Pre-remediation photographs and log	Note 1
	FACTs Post-remediation photographs and log	Note 2
§8.21	FACTs SOQ	<i>Carl</i>
§8.22	Certification of procedures, results, and variations	<i>Carl</i>
§8.23	Mandatory Certification Language	<i>Carl</i>
§8.24	Signature Sheet	<i>Carl</i>
NA	Analytical Laboratory Reports	<i>Carl</i>
	FACTs final closeout inventory document	<i>Carl</i>
	Available Law Enforcement documents	Note 1
	FACTs Field Sampling Forms	<i>Carl</i>

Note 1: See the Preliminary Assessment dated December 10, 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

## ***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 MDMA analysis.



## Lead and Mercury

Based on the best information available, active manufacturing took place on the property via a safrole/ P-2-P method. One version of the method involves the use of mercuric chloride, and indeed, this compound was identified at the property by Law Enforcement officers.

Pursuant to State 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>.

Furthermore, the regulations require final verification sampling to be based on the Preliminary Assessment.

For this property, objective sampling data existed from previous consultants who had performed sampling in the structure. Specifically, on or about April 6, 2007, AG Wassenaar Inc. (AGW) had performed lead wipe sampling and mercury wipe sampling for the property. The sample results of the AGW samples are included as an Appendix in this Decision Statement. The objective sample results, were included as an integral part of the Preliminary Assessment, and were used in the decision making process to issue the Decision Statement.

## Lead

Although the initial work by performed by AGW did not rise to the level of a Preliminary Assessment, FACTs nevertheless has confidence in the lead wipe samples AGW had collected.

The wipe samples indicated that lead was not a reasonably anticipated contaminant in the structure. Each of the samples, except one, indicated that the lead was not present at detectable levels. AGW had two *de facto* reportable quantities: 3.7 µg/ft<sup>2</sup> and 18.5 µg/ft<sup>2</sup>. One composite sample, collected from the ventilation system, indicated a concentration greater than the decision level for lead.<sup>4</sup> However, the sample was collected from the surfaces of galvanized metal. The zinc used in hot dipped galvanic protection typically has a lead content of about 0.5%. Therefore, one would normally anticipate elevated lead concentrations on this kind of surface. In light of the otherwise non-detects associated with the sampling, it is reasonable to interpret the single elevated lead concentration as normal background for the surface under consideration. According to State Regulations:

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<sup>4</sup> Although available documents did not specify the area represented by the wipe, AGW indicated that their result was greater than the "Limit." This could only be the case if AGW collected a five parted sample, which would result in a decision threshold of 8.0 µg/ft<sup>2</sup>.





#### 7.0 Cleanup Levels.

The following cleanup levels shall be used to determine if a property has been adequately decontaminated. They may also be used during the preliminary assessment to demonstrate that a property, or portion of a property, is not contaminated. All properties must meet the cleanup level for methamphetamine. Additional cleanup levels that may be applied to a property shall be based on information gained during the preliminary assessment.

Therefore, FACTs incorporated the lead wipes as part of the Preliminary Assessment, and interpreted the wipe sample results to indicate that lead was not a reasonable expected contaminant at the property, as permitted by regulation.

### Mercury

Similarly, AGW performed surface wipe sampling for mercury. The final clearance testing for mercury is based on the mass of mercury in the air per unit cubic meter.

In indoor modeling, experimentation has shown that contaminant concentrations in the air are in dynamic equilibrium with source emission versus exfiltration rates. The predicted decay in contaminant concentration following release inside a building can be described by a standard<sup>5</sup> air modeling algorithm:

$$C_t = C_o \times e^{-\left(\frac{kQ}{V}\right)t}$$

Wherein:

$C_t$  is the dynamic concentration ( $C$ ) at any time ( $t$ );

$C_o$  is the original (baseline) concentration;

$k$  is the mixing factor;

$Q$  is the amount of outside air being brought into the building; and

$V$  is the volume of the study area

The concentration of the contaminant in the indoor space at any time ( $C_t$ ) can thus be estimated by:<sup>6</sup>

$$C_t = C_o \times e^{-\left(\frac{kQ}{V}\right)t} + \left(\frac{S}{kQ} + C_a\right) \times \left(1 - e^{-\left(\frac{kQ}{V}\right)t}\right)$$

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<sup>5</sup> Wadden, R.A.; Scheff, P.A., *Indoor Air Pollution: Characterization, Prediction, and Control* Wiley-Interscience Publications, 1983

<sup>6</sup> Wadden, R.A.; Scheff, P.A., *Indoor Air Pollution: Characterization, Prediction, and Control* Wiley-Interscience Publications, 1983



Wherein:

$C_t$  is the dynamic concentration ( $C$ ) at any time ( $t$ );

$C_o$  is the original (baseline) concentration;

$k$  is the mixing factor;

$Q$  is the amount of outside air being brought into the building;

$V$  is the volume of the study area;

$S$  represents the source(s) of contaminants;

$C_a$  is the concentration of CO<sub>2</sub> in the outside air.

The model is essentially a single-compartment, dynamic equilibrium model which considers “sinks” (places where the contaminant is lost from the structure) and “sources” (places within and without the structure from whence the contaminant is coming).

“Sinks” are factors which will significantly reduce the concentration of the contaminant of concern and “sources” are the factors that will increase the concentration of the contaminant of concern.

Based on known fugitive emission properties, in the case of 19042 E 53rd Avenue, objective sampling demonstrated that although mercury was identified in law enforcement documents, there was no objective source in the structure following discovery and removal of the gross materials and equipment.

Objective sampling by AGW demonstrated that mercury in the structure, where sampled, was not present at a concentration exceeding 0.0002 µg/cm<sup>2</sup>, and for two samples, the concentration was less than 0.00004 µg/cm<sup>2</sup>. At these non detectable levels, it would be impossible for the airborne concentration to exceed the regulatory limit of 1 µg/m<sup>2</sup>. Furthermore, considering the length of time that had passed from discovery to final verification sampling, even if “hidden” mercury was present, the hidden source would have been long ago depleted as mercury was lost from the structure via the airborne route.

Having said all this, the above is based on the worst case scenario of elemental mercury being present; elemental mercury has a vapor pressure of 0.001 mm Hg at 20°C. For this structure, however, law enforcement documents indicate that mercuric chloride was recovered from the property, and not elemental mercury (although some verbal anecdotal statements were found that elemental mercury *may* have been present and not documented). The vapor pressure of mercuric chloride at 20°C is negligible.

Therefore, based on the objective data available to FACTs at the time of the Preliminary Assessment, and as incorporated into this Decision Statement, mercury was ruled out as a potential contaminant at the property, as permitted by regulation.



## Sample Results

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

Sample Number	Location	Area (cm <sup>2</sup> )	Result µg/100cm <sup>2</sup>	Decision Threshold	Decision Status
53E020509-1	Living room/Dining room S wall at ceiling	523	0.00	0.50	PASS
53E020509-2	Back wall of pantry closet	523	0.00	0.50	PASS
53E020509-3	Powder bathroom E wall alongside mirror	523	0.01	0.50	PASS
53E020509-4	Laundry room at water control panel	542	0.01	0.50	PASS
53E020509-5	Garage inside hot water door	523	0.01	0.50	PASS
53E020509-6	Stair/Study/Closet tops of door jambs	565	0.01	0.50	PASS
53E020509-7	SW Bedroom ceiling at entrance	523	0.00	0.50	PASS
53E020509-8	Field Blank	NA	0.02	0.50	PASS
53E020509-9	US Bathroom Plastic tile around tub	542	0.01	0.50	PASS
53E020509-10	Field Blank	NA	0.02	0.50	PASS
53E020509-11	NW Bedroom ceiling at north end	523	0.00	0.50	PASS
53E020509-12	Master bedroom lower west wall	523	0.01	0.50	PASS
53E020509-13	Master Bath top of shower rail	523	1.05	0.50	FAIL
53E020509-14	Master closet top of west wall south end	523	0.00	0.50	PASS
53E020509-15	Vent interior	523	0.27	0.50	PASS
<b>Follow up Sampling Visit, February 25, 2009</b>					
53E022509-1	East wall in master bath by light switch	523	0.00	0.50	PASS
53E022509-2	Master closet lower north wall	523	0.00	0.50	PASS

\*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 MDMA 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***

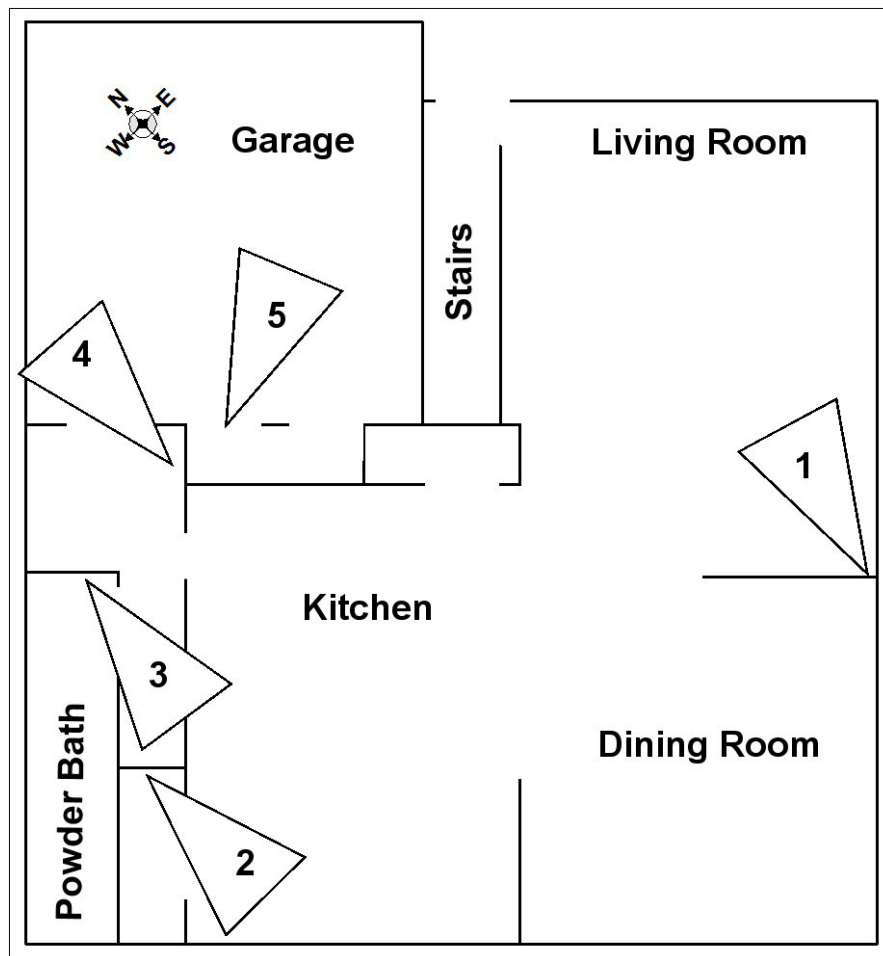
For the purposes of the data quality objectives associated with this final verification sampling, duplicates were not required.

### ***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.

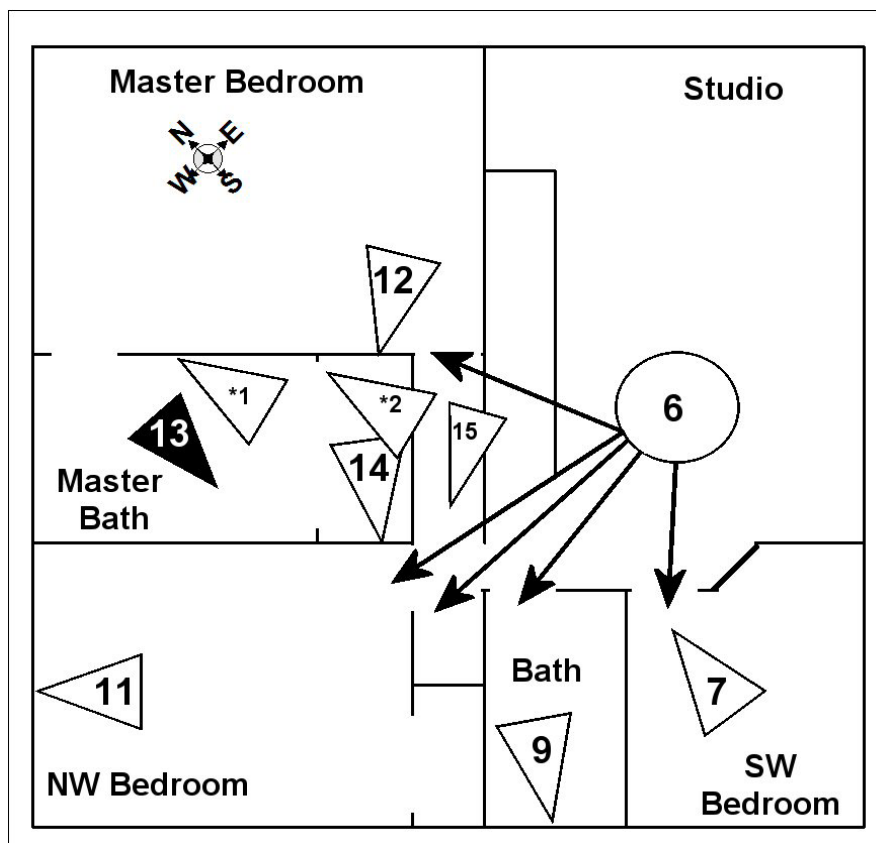
### ***Sample Locations***

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**  
**Second Floor - Not To Scale**

In the above drawings, the blackened sample location indicates the non-compliant sample, and the samples designated with an asterisk (\*) are the follow-up (compliant) samples.

## ***Quality Assurance / Quality Control***

### **February 5, 2009 Data Set**

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. The QA/QC indicate the data meet the stated data quality objectives. MDL was 0.004 µg; LOQ was 0.03 µg; MBX <MDL; LCS 1 µg (RPD 3%, recovery =97%); Matrix spike 1 µg (RPD 4%; recovery 96%); Surrogate recovery (all samples): High 105% (Sample 5 and 14), Low 80% (Sample 15); FACTs reagents: MeOH lot #A0801 <MDL for n=8; Gauze lot #G0901 <MDL for n=6. Sample 15 had a surrogate recovery that was flagged. FACTs performed a recovery correction, correcting to 100% recovery, and estimated the total mass recovered to be 1.75 µg; which would have resulted in a concentration of 0.33 µg/100cm<sup>2</sup>.



## February 25, 2009 Data Set

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. The QA/QC indicate the data meet the stated data quality objectives. MDL was 0.004 µg; LOQ was 0.03 µg; MBX <MDL; LCS 1 µg (RPD 2%, recovery =102%); Matrix spike 1 µg (RPD 3%; recovery 97%); Surrogate recovery (all samples): High 93% (Sample 2), Low 90% (Sample 1); 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.

## CONCLUSIONS

Diligent adherence to the State regulations does not guarantee that a remediated property will be completely free of all residual MDMA. 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 apartment are presumed to contain *de minimis* MDMA 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<sup>7</sup> described in the supporting documentation for 6-CCR 1014-3, suggest that exposure to *de minimis* concentrations from 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 19042 E 53rd Avenue, Denver, Colorado, compliant as defined in 6-CCR 1014-3. We recommend the property be immediately released for occupancy.

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<sup>7</sup> *Support For Selection Of A Cleanup Level For Methamphetamine At Clandestine Drug Laboratories*, Colorado Department Of Public Health And The Environment, February 2005



**APPENDIX A  
REMIATOR'S SUBMITTALS**

**SEE ENCLOSED DVD**

**APPENDIX B**  
**POST-REMEDIATION PHOTOGRAPH LOG SHEET**



## POST-REMEDIATION PHOTOGRAPH LOG SHEET

**FACTs project name:** 19042 E 53rd Ave

**Form #** ML9

**Date:** February 5, 2009

**Reporting IH:**

Caoimhín P. Connell, Forensic IH



Exterior



Exterior (2)



Exterior (3)



Furnace



Furnace (2)



Furnace (3)



Furnace (4)



Furnace (5)



Furnace (6)



Furnace (7)



Furnace (8)



Garage



Garage (2)



Garage (3)



Kitchen



Kitchen (2)



Kitchen (3)



Ladder decon



Ladder decon (2)



Laundry soap



Living room



Living room (2)



Living room (3)



Living room (4)



Master closet



NW BR



Powder Bath



Sample 1 (2)



Sample 1 (3)



Sample 1



Sample 2



Sample 3 (2)



Sample 3



Sample 4 (2)



Sample 4



Sample 5 (2)



Sample 5 (3)



Sample 5



Sample 6 (2)



Sample 6 (3)



Sample 6 (4)



Sample 6



Sample 7 (2)



Sample 7 (3)



Sample 7



Sample 9 (2)



Sample 9



Sample 11 (2)



Sample 11



Sample 12 (2)



Sample 12



Sample 13 (2)



Sample 13 (3)



Sample 13



Sample 14 (2)



Sample 14 (3)



Sample 14



Sample 15 (2)



Sample 15



Samples



Samples (2)



SW BR







**FORENSIC APPLICATIONS CONSULTING TECHNOLOGIES, INC.**

**APPENDIX C**  
**FINAL CERTIFICATION SIGNATURE SHEET**

**CERTIFICATION, VARIATIONS AND SIGNATURE SHEET**

<b>FACTs project name: 19042 E 53rd Ave</b>		<b>Form # ML14</b>
<b>Date: March 6, 2009</b>		
<b>Reporting IH:</b>	<b>Caoimhin P. Connell, Forensic IH</b>	

## 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.

I do hereby certify that I conducted a preliminary assessment of the subject property in accordance with 6 CCR 1014-3, § 4. I further certify that the cleanup standards established by 6 CCR 1014-3, § 7 have been met as evidenced by testing I conducted.

Signature



Date: March 6, 2009

**FORENSIC APPLICATIONS CONSULTING TECHNOLOGIES, INC.**

**APPENDIX D**  
**FIELD DATA SHEETS AND ANALYTICAL SUBMITTALS**

# SAMPLING FIELD FORM

FACTs project name: 53 <sup>rd</sup> Ave MDMA		Form # ML17	
Date: February 5, 2009	Alcohol Lot#: A0801	Gauze Lot#: G0901	
Reporting IH: Caoimhín P. Connell, Forensic IH	Preliminary	Intermediate	Final X

Sample ID M008-	Type	Area/ Volume/ Weight	Location	Func. Space	Dimensions	Substrate	Result
-01	W		Living Room/ Dining Room	1	9x9	PTD DW	
-02	W		Kitchen/Pantry/Closet	2	9x9	PTD DW	
-03	W		Powder Bath	3	3x27	PTD DW	
-04	W		Laundry	4	4x21	Plastic	
-05	W		Garage/Furnace	5	9x9	PTD WD	
-06	W		Stairs/Study/closet	6	175x.5	PTD WD	
-07	W		SW BR	7	9x9	PTD DW	
-08	W		BX	NA			
-09	W		US Bath	8	1"x84	Plastic	
-10	W		BX	NA			
-11	W		NW BR	9	9x9	PTD DW	
-12	W		Master BR	10	9x9	PTD <del>WOOD</del> DW	
-13	W		Master Bath	11	81x1	metal	
-14	W		Master Closet	12	9x9	PTD DW	
-15	W		FURNACE supply (in L.R. clg)		9x9	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

- \* 4 Dom. Water Control Panel
- \* 5 INSIDE MIP DOOR Panel (for H<sub>2</sub>O closer)
- \* 6 TOP OF 3 DOOR JAMBS
- \* 7 ceiling
- \* 9 TOP OF plastic 'tiles' AROUND TUB
- \* 11 ceiling
- \* 14 ceiling



FORENSIC APPLICATIONS CONSULTING TECHNOLOGIES, INC.





# ANALYTICAL CHEMISTRY INC.

Established in 1979

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Tukwila WA 98168-3240

Website: [www.acilabs.com](http://www.acilabs.com)

Phone: 206-622-8353

E-mail: [info@acilabs.com](mailto:info@acilabs.com)

<b>Lab Reference:</b>	09110-06
<b>Date Received:</b>	February 12, 2009
<b>Date Completed:</b>	February 16, 2009

February 16, 2009

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

**CLIENT REF:** 53rd Ave MDMA

**SAMPLES:** wipes/15

**ANALYSIS:** 3,4 methylenedioxymethamphetamine (MDMA) & Methamphetamine by  
Gas Chromatography-Mass Spectrometry.

**RESULTS:** in total micrograms (ug)

<b>Sample</b>	<b>MDMA</b>	<b>Methamphetamine</b>	<b>% Surrogate Recovery</b>
53E020509 - 01	< 0.030	not requested	97
53E020509 - 02	< 0.030	not requested	104
53E020509 - 03	0.037	not requested	104
53E020509 - 04	0.050	not requested	100
53E020509 - 05	0.039	not requested	105
53E020509 - 06	0.048	not requested	98
53E020509 - 07	< 0.030	not requested	98
53E020509 - 08	< 0.030	< 0.030	98
53E020509 - 09	0.041	not requested	106
53E020509 - 10	< 0.030	< 0.030	101
53E020509 - 11	< 0.030	not requested	104
53E020509 - 12	0.057	not requested	104
53E020509 - 13	5.51	not requested	104
53E020509 - 14	< 0.030	not requested	105
53E020509 - 15	1.40	not requested	80
QA/QC Method Blank	< 0.004	< 0.004	
QC ug Standard	(1.00) 0.977	(0.100) 0.102	
QA ug Matrix Spike	(1.00) 0.961	(0.020) 0.018	
QA ug Matrix Spike Duplicate	---	(0.020) 0.018	
Method Detection Limit (MDL)	0.004	0.004	
Practical Quantitation Limit (PQL)	0.030	0.030	

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

Robert M. Orheim  
Director of Laboratories





# ANALYTICAL CHEMISTRY INC.

## CDL SAMPLING & CUSTODY FORM

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Page 1 of 2

Please do not write in shaded areas.

<b>SAMPLING DATE:</b>		Feb 5, 2009		<b>REPORT TO:</b>		Caoimhin P. Connell		<b>ANALYSIS REQUESTED</b>							
<b>PROJECT Name/No:</b>		53 <sup>rd</sup> Ave MDMA		<b>COMPANY:</b>		Forensic Applications, Inc.		1 Methamphetamine 2 Use entire contents 3 MDMA 4 5 6 Not Submitted							
<b>eMail:</b>		Fiosrach@aol.com		<b>ADDRESS:</b>		185 Bounty Hunters Lane, Bailey, CO 80421									
<b>SAMPLER NAME:</b>		Caoimhin P. Connell		<b>PHONE</b>		303-903-7494									
<b>LAB Number</b>	<b>Sample Number</b>	<b>SAMPLE MATRIX</b>			<b>ANALYSIS REQUESTS</b>						<b>SAMPLER COMMENTS</b>	<b>LAB COMMENTS</b>	<b>No of Containers</b>		
		<b>Wipe</b>	<b>Vacuum</b>	<b>Other</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>					
	53E020509-01	X				X	X								1
	53E020509-02	X				X	X								1
	53E020509-03	X				X	X								1
	53E020509-04	X				X	X								1
	53E020509-05	X				X	X								1
	53E020509-06	X				X	X								1
	53E020509-07	X				X	X								1
	53E020509-08	X				X	X								1
	53E020509-09	X				X	X								1
	53E020509-10	X				X	X								1
<b>CHAIN OF CUSTODY RECORD</b>		<b>Wipes Results in:</b>			<input type="checkbox"/> µg/100cm <sup>2</sup>	<input checked="" type="checkbox"/> Total µg	<b>Total Number of Containers</b> (verified by laboratory)						10		
<b>PRINT NAME</b>	<b>Signature</b>	<b>COMPANY</b>	<b>DATE</b>	<b>TIME</b>	<b>Turnaround Time</b>		<b>Custody Seals:</b>	<b>Container:</b>	<b>Temperature:</b>	<b>Inspected By:</b>	<b>Lab File No.</b>				
Caoimhin P. Connell		FACTS, Inc.	02/07/09	1700	<input type="checkbox"/> 24 Hours (2X)	<input type="checkbox"/> 2 Days (1.75X)	<input type="checkbox"/> Yes	Intact	Ambient			Broken			
MIA Sazon		ACE	2/12/09	1500	<input type="checkbox"/> 3 Days (1.5X)	<input checked="" type="checkbox"/> Routine	<input type="checkbox"/> 3 Days (1.5X)					Cooled			





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## CDL SAMPLING & CUSTODY FORM

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Page 2 of 2  
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<b>SAMPLING DATE:</b>		Feb 5, 2009		<b>REPORT TO:</b>		Caoimhin P. Connell		<b>ANALYSIS REQUESTED</b>							
<b>PROJECT Name/No:</b>		53 <sup>rd</sup> Ave MDMA		<b>COMPANY:</b>		Forensic Applications, Inc.		1 Methamphetamine 2 Use entire contents 3 MDMA 4 5 6 Not Submitted							
<b>eMail:</b>		Fiosrach@aol.com		<b>ADDRESS:</b>		185 Bounty Hunters Lane, Bailey, CO 80421									
<b>SAMPLER NAME:</b>		Caoimhin P. Connell		<b>PHONE</b>		303-903-7494									
<b>LAB Number</b>	<b>Sample Number</b>	<b>SAMPLE MATRIX</b>			<b>ANALYSIS REQUESTS</b>						<b>SAMPLER COMMENTS</b>	<b>LAB COMMENTS</b>	<b>No of Containers</b>		
		<b>Wipe</b>	<b>Vacuum</b>	<b>Other</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>					
	53E020509-11	X				X	X								1
	53E020509-12	X				X	X								1
	53E020509-13	X				X	X								1
	53E020509-14	X				X	X								1
	15	X				X	X								1
		X													
		X													
		X													
		X													
<b>CHAIN OF CUSTODY RECORD</b>		<b>Wipes Results in:</b>		<input type="checkbox"/> µg/100cm <sup>2</sup>		<input checked="" type="checkbox"/> Total µg		<b>Total Number of Containers</b> (verified by laboratory)		<b>5</b>					
<b>PRINT NAME</b>	<b>Signature</b>	<b>COMPANY</b>	<b>DATE</b>	<b>TIME</b>	<b>Turnaround Time</b>		<b>Custody Seals:</b>	<b>Yes</b>	<b>No</b>						
Caoimhin P. Connell	<i>Caoimhin P. Connell</i>	FACTS, Inc.	02/07/09	1700	<input type="checkbox"/> 24 Hours (2X) <input type="checkbox"/> 2 Days (1.75X) <input type="checkbox"/> 3 Days (1.5X)		<b>Container:</b>	<b>Intact</b>	<b>Broken</b>						
N/Amb Connell	<i>N/Amb Connell</i>	" "	" "	" "			<b>Temperature:</b>	<b>Ambient</b>	<b>Cooled</b>						
MIA SAZON	<i>SAZON</i>	ACT	2/12/09	1500			<b>Inspected By:</b>	MIA SAZON							
					<input checked="" type="checkbox"/> Routine		<b>Lab File No.</b>	09110-06							



## SAMPLING FIELD FORM

<b>FACTs project name: E 53 PI</b>	<b>Form # ML17</b>
<b>Date: February 25, 2009</b>	<b>Alcohol Lot#: A0801 Gauze Lot#: G0901</b>
<b>Reporting IH: Caoimhín P. Connell, Forensic IH</b>	<b>Preliminary X Intermediate ____ Final ____</b>

Sample ID E53M0225 09-	Type	Area/ Volume/ Weight	Location	Func. Space	Dimensions in.	Substrate	Result
-01	W		Master Bathroom E wall above light switch		9X9	PDW	
-02	W		Master Bathroom Closet		9X9	PDW	
	W						
	W						
	W						
	W						
	W						
	W						
	W						
	W						
	W						
	W						
	W						
	W						
	W						
	W						

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, PI=Plastic

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FORENSIC APPLICATIONS CONSULTING TECHNOLOGIES, INC.



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<b>Lab Reference:</b>	09113-07
<b>Date Received:</b>	March 2, 2009
<b>Date Completed:</b>	March 4, 2009

March 4, 2009

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

**CLIENT REF:** E 53rd Ave

**SAMPLES:** wipes/2

**ANALYSIS:** 3,4 methylenedioxymethamphetamine (MDMA) by Gas Chromatography-Mass Spectrometry.

**RESULTS:** in total micrograms (ug)

<b>Sample</b>	<b>MDMA, ug</b>	<b>% Surrogate Recovery</b>
E53M022509 - 01	< 0.030	90
E53M022509 - 02	< 0.030	93
QA/QC Method Blank	< 0.004	
QC 1.00 ug Standard	1.02	
QA 1.00 ug Matrix Spike	0.97	
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.

CDL SAMPLING & CUSTODY FORM

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Page 1 of 1  
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SAMPLING DATE:		Feb 25, 2009		REPORT TO:		Caoimhin P. Connell		ANALYSIS REQUESTED					
PROJECT Name/No:		E 53 <sup>d</sup> Ave		COMPANY:		Forensic Applications, Inc.							
eMail:		Fiosrach@aol.com		ADDRESS:		185 Bounty Hunters Lane, Bailey, CO 80421							
SAMPLER NAME:		Caoimhin P. Connell		PHONE		303-903-7494							
LAB Number	Sample Number	SAMPLE MATRIX			ANALYSIS REQUESTS						SAMPLER COMMENTS	LAB COMMENTS	No of Containers
		Wipe	Vacuum	Other	1	2	3	4	5	6			
	ES3Mφ225φ9-φ1	X				X	X				MDMA		1
	-φ2	X				X	X				MDMA		1
CHAIN OF CUSTODY RECORD		Wipes Results in:		<input type="checkbox"/> µg/100cm <sup>2</sup>		<input checked="" type="checkbox"/> Total µg		Total Number of Containers (verified by laboratory)					
PRINT NAME	Signature	COMPANY	DATE	TIME	Turnaround Time	Custody Seals:	Yes	No					
Caoimhin P. Connell		FACTs, Inc.	02/25/09	1526	<input type="checkbox"/> 24 Hours (2X)	Container:	Intact	Broken					
MIA SAZON	aky	ACI	3/2/09	1400	<input type="checkbox"/> 2 Days (1.75X)	Temperature:	Ambient	Cooled					
					<input type="checkbox"/> 3 Days (1.5X)	Inspected By:	MIA SAZON						
					<input checked="" type="checkbox"/> Routine	Lab File No.	09113-07						

**APPENDIX E**  
**FINAL CLOSEOUT INVENTORY DOCUMENT**



# FINAL SAMPLING CHECKLIST

FACTs project name:	E 53 <sup>rd</sup>	Form # ML18
Date: March 7, 2009		
Reporting IH:	Caoimhín P. Connell, Forensic IH	

Functional Space #	Collected a Minimum of 500 cm <sup>2</sup> /Space		General Sampling Considerations	
	Yes	No		
1			Floor Space Area of Lab (ft <sup>2</sup> )	2,079
	X		One extra sample is required for every 500 ft <sup>2</sup> of floor space >1,500ft <sup>2</sup> . Enter number of <u>extra</u> samples required:	2
2	X		Is the lab a motor vehicle?	No
3	X		Does the lab contain motor vehicles?	No
4	X		Enter number of motor vehicles associated with the lab:	0
5	X		Are the vehicles considered functional spaces of the lab?	NA
6	X		For vehicles that are merely functional spaces, one extra 500 cm <sup>2</sup> sample is required for each vehicle. Enter the number of extra samples for functional space vehicles:	0
7	X		Enter number of large vehicles (campers, trailers, etc)	0
8	X		One extra sample is required for every 50 ft <sup>2</sup> of floor space of large vehicles. Enter number of extra samples required:	0
9	X		One BX must be included for every 10 samples. Enter the number of BX required.	1
10	X		Enter Number of Functional Spaces to be included	13
11	X		Enter total number of samples/BXs required	15
12	X		Enter total number of samples/BXs actually collected	15
13	Not required		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 <sup>2</sup> per functional space?	Yes
			Collected minimum of 1,000 cm <sup>2</sup> surface area from the lab?	Yes
			Sketch of the sample locations performed?	Yes



**APPENDIX F**  
**INDUSTRIAL HYGIENIST'S SOQ**



## FORENSIC APPLICATIONS CONSULTING TECHNOLOGIES, INC.

### CONSULTANT STATEMENT OF QUALIFICATIONS

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

<b>FACTs project name:</b>	<b>E 53rd</b>	<b>Form # ML15</b>
<b>Date:</b>	<b>March 7, 2009</b>	
<b>Reporting IH:</b>	<b>Caoimhín P. Connell, Forensic IH</b>	

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 2<sup>nd</sup>, 7<sup>th</sup> and 9<sup>th</sup> 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 condominiums. 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.

**APPENDIX G**  
**LEAD AND MERCURY WIPE RESULTS**



## 2.2 Preliminary Assessment Sampling Results

**TABLE I**  
**LEAD SAMPLING RESULTS**  
 19042 East 53<sup>rd</sup> Avenue  
 Denver, Colorado  
 April 6, 2007

Sample ID	Functional Space (FS) Sampled	Sample Type and Area	Laboratory Result (µg/sample)	*Contamination Above Limit
242-01A	Garage	Composite Wipe 500 cm <sup>2</sup>	<2	No
242-02A	Ventilation System	Composite Wipe 500 cm <sup>2</sup>	5.3	Yes
242-03A	Living spaces in home- Second floor hallway bathroom ceiling	Discrete Wipe 100 cm <sup>2</sup>	<2	No
242-04A	Living spaces in home- Second floor master bedroom, west wall	Discrete Wipe 100 cm <sup>2</sup>	<2	No
242-05A	Living spaces in home- First floor powder bathroom ledge	Discrete Wipe 100 cm <sup>2</sup>	<2	No
242-06A	Living spaces in home- Kitchen wall behind stove	Discrete Wipe 100 cm <sup>2</sup>	<2	No
242-07A	Living spaces in home- Laundry room wall adjacent to garage	Discrete Wipe (duplicate) 100 cm <sup>2</sup>	<2	No
242-07A 1	Living spaces in home- Laundry room wall adjacent to garage	Discrete Wipe (duplicate) 100 cm <sup>2</sup>	<2	No
242-08A	Field Blank	----	< 0.030	----

Legend:

µg/sample = micrograms of lead per sample

\*Calculated limit for composite samples = 0.09 µg/sample

\*Limit for lead is ~4.5 µg/100 cm<sup>2</sup> (micrograms per 100 square centimeter of area) or 40 µg/ft<sup>2</sup>.

**TABLE II**  
**MERCURY SAMPLING RESULTS**  
**19042 East 53<sup>rd</sup> Avenue**  
**Denver, Colorado**  
**April 6, 2007**

Sample ID	Functional Space (FS) Sampled	Sample Type and Area	Laboratory Result (µg/sample)	*Contamination Above Limit
242-01B	Garage	Composite Wipe 500 cm <sup>2</sup>	<0.02	No
242-02B	Ventilation System	Composite Wipe 500 cm <sup>2</sup>	<0.02	No
242-03B	Living Spaces in Home- Second floor hallway bathroom ceiling	Discrete Wipe 100 cm <sup>2</sup>	<0.02	No
242-04B	Living Spaces in Home- Second floor master bedroom, west wall	Discrete Wipe 100 cm <sup>2</sup>	<0.02	No
242-05B	Living Spaces in Home- First floor powder bathroom ledge	Discrete Wipe 100 cm <sup>2</sup>	<0.02	No
242-06B	Living Spaces in Home- Kitchen wall behind stove	Discrete Wipe 100 cm <sup>2</sup>	<0.02	No
242-07B	Living Spaces in Home- Laundry room wall adjacent to garage	Discrete Wipe (duplicate) 100 cm <sup>2</sup>	<0.02	No
242-07B 1	Living Spaces in Home- Laundry room wall adjacent to garage	Discrete Wipe (duplicate) 100 cm <sup>2</sup>	<0.02	No
242-08B	Field Blank	---	<0.02	No

Legend:

µg/sample = micrograms of mercury per sample

## **APPENDIX H**

### **COMPACT DIGITAL DISC**