



**FORENSIC APPLICATIONS CONSULTING TECHNOLOGIES, INC.**

**Industrial Hygiene Assessment  
of an Unoccupied Property  
Resulting in  
Re-Confirmation of the Discovery of an  
Illegal Drug Laboratory  
at  
2283 South Fox Street,  
Denver, CO 80223  
(Bid Id: 5360, Property Id: 4736)**

Prepared for:  
Default Services Inc.  
PO Box 91147  
Austin, TX 78709-1147

Prepared by:

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



August 25, 2010

## EXECUTIVE SUMMARY

- A known and previously “Discovered” illegal drug laboratory was inadvertently entered by FACTs.
- Based on statements made by the Trash-out Company on site during our site visit, the property had been already identified by Denver Police as an illegal drug lab, as such all entry (including entry by the Trash-out company) was unlawful.
- Based on our visual observations, the property met the statutory definition on an Illegal Drug Laboratory (CRS §25-18.5-101), and no sampling or testing was required pursuant to the Colorado regulations or Colorado statutes to confirm the existence of the illegal drug laboratory.
- Based on representations made to FACTs by the foreman of the Trash-out clean-up crew on scene, the crew had been made aware by uniformed Denver Police Officers that the property was an Illegal Drug Laboratory (and therefore, entry and Trash-out activities were unlawful).
- “Discovery” of an illegal drug laboratory, as that term is found in Colorado Revised Statutes §25-18.5-103 and Regulation 6CCR 1014-3 (3) had already occurred at the subject property prior to our arrival.
- Based on representations made to FACTs by the foreman of a “trash-out” clean-up crew on scene, “Notification” as that term is used in CRS §25-18.5-103 (1)(a) had already been made prior to our arrival.
- Unlawful cleaning operations were being performed at the time of our assessment, in violation of Colorado Board of Health Regulations 6 CCR 1014-3(4).
- Unlawful entry was being made by unauthorized individuals at the time of our assessment, in violation of CRS §25-18.5-104. (FACTs personnel are authorized for entry pursuant to State statutes and Federal standards).
- Unlawful entry by the Trash-out company was made in violation of Code of Federal Regulations Title 29 Part 1910.120.
- The employees of the Trash-out company were being exposed to extremely elevated levels of methamphetamine and other materials due to improper personal protection equipment.
- Personal belongings were unlawfully being removed from the property at the time of our assessment, in violation of Colorado Revised Statutes §25-18.5-104 and CRS §25-18.5-104(3).



- Although not required by regulation, at the request of The Client, state of the art sampling was performed at the subject property for the determination of methamphetamine.
- The sample results indicated extremely high concentrations of methamphetamine. The samples indicated concentrations in excess of 32,000 times the lawful limit at the property with a 20% probability that levels exceed 150,000 times the lawful limit.
- According to CRS §25-18.5-104, entry into the property was strictly prohibited at the time of our site assessment (and from the point when the first “Discovery” and “Notification” was made) and extends until such time that a Decision Statement is issued by an authorized Industrial Hygienist.
- Prohibition on entry extends to property owner(s), maintenance personnel, home inspectors, realtors, and any and all other personnel, except law enforcement personnel and personnel meeting the requirements of Title 29 of the Code of Federal Regulations, Part 1910.120(e).
- Pursuant to CRS §25-18.5-103, the register owner exclusively has two options: 1) commission an authorized Industrial Hygienist to perform a Preliminary Assessment as described in 6 CCR1014-3 (4.0 *et seq*), 2) Demolish the property. No timeframe is currently assigned to the completion of the Preliminary Assessment.
- Several unauthorized consultants (including untrained Industrial Hygienists), have been performing consultation in illegal drugs labs in Colorado. Use of these consultants will result in a fatal flaw in the work. This, or any other fatal flaw in compliance with the State Regulations, will prevent the registered owner from receiving the liability immunity provided by CRS §25-18.5-103(2).
- According to Regulation 6 CCR 1014-3 (4), any further cleaning and/or remediation and/or decontamination is strictly prohibited, except pursuant to a completed Preliminary Assessment.

## INTRODUCTION

On Tuesday, August 17, 2010, personnel from Forensic Applications Consulting Technologies, Inc. (FACTs) was contracted to perform a standard cursory evaluation for the presence of methamphetamine at 2283 South Fox Street, Denver, CO 80223 (the subject property).

Pursuant to the Colorado Real Estate methamphetamine disclosure and testing statute CRS §38-35.7-103(2)(a), FACTs, no specific “tests” are defined and, according to CRS 25-18-5-103, discovery is said to have occurred ...



“Upon notification from a peace officer that chemicals, equipment, or supplies indicative of an illegal drug laboratory are located on a property, **or** when an illegal drug laboratory used to manufacture methamphetamine is otherwise discovered and the property owner has received notice...”

In turn, an illegal drug laboratory is defined by State statutes thusly:

**CRS 25-18.5-101**

(2.7) "Illegal drug laboratory" means the areas where controlled substances, as defined by section 18-18-102, C.R.S., have been manufactured, processed, cooked, disposed of, used, or stored and all proximate areas that are likely to be contaminated as a result of such manufacturing, processing, cooking, disposal, use, or storing.

The foreman of the Trash-out company informed FACTs that earlier in the day, uniformed Denver Police Officers stopped by the house and informed the Trash-out foreman that the property was an illegal drug lab and specifically a methlab. At that point, the foreman was statutorily obligated under CRS 25-18.5-104 to halt work, immediately secure all property on the property, and immediately evacuate the property.

In addition to the reported notification by Denver Police Department, FACTs personal “otherwise discovered” the illegal drug laboratory by observing several conclusive visual indicators of an illegal drug laboratory including several meth pipes located on the property and other conclusive visual clues of probable contamination.

At the request of Default Services Inc., FACTs personnel collected a five parted composite sample from the interior of the main residence for the quantitative determination of the presence of methamphetamine. The sampling data quality objectives (DQOs) employed, as described in our August 13, 2010, bid cover letter, were to determine, within normal analytical confidences,<sup>1</sup> the possibility of methamphetamine presence at the subject property.

The samples were collected by Mr. Caoimhín P. Connell, who is an Industrial Hygienist, as that term is defined in CRS §24-30-1402. Mr. Connell was assisted in the field by a FACTs field technician. Mr. Connell’s SOQ is included with this discussion.

Based on state of the art sampling and analysis techniques, we conclusively determined the presence of methamphetamine in the residential structure. However, according to Colorado statutes and regulations, the meth sampling and analysis is a moot point and not part of the decision making process. During our assessment, we also observed several visual indicators which were consistent with methamphetamine abuse, storage, and or manufacturing including the presence of controlled substances.

Therefore, based on current Colorado statutes and regulations, the property met the definition of an “illegal drug laboratory.” Analytical results from the subject property

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<sup>1</sup> Colorado Department Of Public Health And Environment, State Board Of Health, *Regulations Pertaining to the Cleanup of Methamphetamine Laboratories*, 6 CCR 1014-3, although not applicable at the time of our sampling, was used as a sampling reference.



have conclusively supported the visual observations and the verbal reports by the Denver Police Department.

Pursuant to State Statute, a Preliminary Assessment must be performed at the property. Based on our observations, the Preliminary Assessment has no probability of resulting in a “Decision Statement” to release the property without the need for remediation.

## **Background Information**

### **Structure**

According to public records, the subject property was reportedly built *circa* 1995 and consists of a single story dwelling consisting of 865 square feet, with one toilet and no finished basement. The structure we entered consisted of a floor plan of approximately 1,730 square feet had a finished basement and two full bathrooms. At the time of our visit, the structure was unoccupied, and exhibited signs of squalor. A “trash-out” company, in violation of Federal OSHA regulations was on-site using untrained employees in improper personal protection equipment to conduct cleaning activities amidst the extreme chemical contamination, ammunition, sharps, and drug paraphernalia.

It is likely that the activities of the trash-out crews spread the contamination throughout the entire structure, and into the adjoining out buildings and into the surrounding exterior grounds, and into the vehicles used by the trash-out contractor.

## **PERTINENT REGULATORY STANDARDS**

The State of Colorado currently has one methamphetamine regulation and three methamphetamine statutes that are germane to the subject property.

### **State Statutes**

#### **Environmental Statutes**

Colorado has one of the country’s most comprehensive and scientifically based clandestine drug laboratory regulations. The Colorado regulations become applicable when the 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,<sup>2</sup> and the owner of the property where the “illegal drug laboratory” is located has received notice.

In turn, “illegal drug laboratory” is defined in Colorado Revised Statutes §25-18.5-101(2.7) as the areas where controlled substances, have been manufactured, processed, cooked, disposed of, used, or stored and all proximate areas that are likely to be contaminated as a result of such manufacturing, processing, cooking, disposal, use, or storing.

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<sup>2</sup> CRS §25-18.5-103



Pursuant to State statute CRS §25-18.5-105(1), an illegal drug laboratory that has not met the cleanup standards set by the State Board of Health must be deemed a public health nuisance, and must either be demolished or remediated pursuant to a *legitimate* Preliminary Assessment.

### **Property Statutes**

Pursuant to CRS §38-35.7-103 (1), a buyer of residential real property has the right to test the property for the purpose of determining whether the property has ever been used as a methamphetamine laboratory.

The fatal flaws of CRS §38-35.7-103, notwithstanding, pursuant to CRS §38-35.7-103 (2)(a):

If the buyer's test results indicate that the property has been used as a methamphetamine laboratory but has not been remediated to meet the standards established by rules of the state board of health..., the buyer shall promptly give written notice to the seller of the results of the test, and the buyer may terminate the contract.

In this case, the notification by Denver Police and the visual presence of methpipes and other visual indicators is a conclusive indicator of probable methamphetamine contamination, all sampling and testing notwithstanding.

Contrary to common misconception, by virtue of these findings, any second test performed pursuant to CRS §38-35.7-103(2)(b) that fails to confirm the presence of methamphetamine **cannot** be used to release the registered owner from the statutory requirements to perform the required Preliminary Assessment, since the discovery and notification have already occurred pursuant to CRS §25-18.5-103 (1)(a) and Colorado regulations 6 CCR 1014-3. Pursuant to State statutes, any additional testing can exclusively be considered from a regulatory perspective if the data support these initial findings; the data are not permitted to be used to refute, rebut or counter these findings, and cannot be used to provide the seller with regulatory relief.

### **Criminal Proceedings – Public Nuisance Statutes**

Pursuant to State statute CRS §16-13-303(c)(1), every building or part of a building including the ground upon which it is situated and all fixtures and contents thereof, and every vehicle, and any real property shall be deemed a class 1 public nuisance when used for the unlawful storage or possession of any controlled substance, or any other drug the possession of which is an offense under the laws of Colorado. Based on CRS §16-13-303(c)(1), the presence of methamphetamine in the meth pipes in the property is *prima facie* evidence of possession of the same.

Pursuant to State statute §16-13-308)(1)(a), if probable cause for the existence of a Class 1 Public Nuisance is shown to the court by means of a complaint supported by an affidavit, the court shall issue a temporary restraining order to abate and prevent the continuance or recurrence of the nuisance or to secure property subject to forfeiture. Such temporary restraining order shall direct the County Sheriff or a peace officer to seize and, where applicable, close the public nuisance and keep the same effectually closed against its use for any purpose until further order of the court.



An alternative declaration of Public Nuisance may be found in statute §16-13-307(4), wherein an action to abate a public nuisance may be brought by the district attorney, or the attorney general with the consent of the district attorney, in the name of the people of the State of Colorado or in the name of any officer, agency, county, or municipality whose duties or functions include or relate to the subject matter of the action.

The property lies within the City and County of Denver, and the office of the “Governing Body” would be:

Gene C. Hook  
Denver Dept. of Environmental Health  
200 W. 14th Avenue, Dept. #310  
Denver, CO 80204

FACTs will forward a copy of this report to the Governing Body on Friday, August 27, 2010.

### ***State Regulations***

Pursuant to Colorado regulations 6 CCR 1014-3,<sup>3</sup> following discovery and notification, a comprehensive and detailed “Preliminary Assessment” must be commissioned by the property owner (seller) and performed by an authorized (properly trained Industrial Hygienist) who must perform and complete several mandatory elements of the compliance process. The content and context of the “Preliminary Assessment” is explicitly delineated by regulation. Any remediation or cleaning of the property must be based on the Industrial Hygienist’s Preliminary Assessment, and cannot occur until such assessment has been conducted.

Although discovery and notification had taken place prior to our arrival, FACTs was not contracted to perform a “Preliminary Assessment” as that term is defined in State regulation, and this work does not meet any of the elements of a “Preliminary Assessment” and cannot be used or otherwise substituted for a Preliminary Assessment.

Furthermore, no retesting of the property can challenge these the “discovery” or “notification” or provide regulatory relief unless the retesting is performed as part of the testing required to issue a Decision Statement (which must be based on a Preliminary Assessment).

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<sup>3</sup> Titled: Colorado Department Of Public Health And Environment, State Board Of Health, *Regulations Pertaining to the Cleanup of Methamphetamine Laboratories.*



# ASSESSMENT PROTOCOLS

## ***Sampling Protocol***

This Industrial Hygiene evaluation was initially to be performed pursuant to the Colorado’s Real Estate methamphetamine disclosure and testing statute as described by CRS §38-35.7-103(2)(a). Upon arrival, and having made our observations, we contacted DSI, and advised them of the situation. DSI informed us to submit the sample for analysis as a fact-finding pursuit.

According to Colorado revised statutes,<sup>4</sup> the seller of a property shall disclose in writing to the buyer whether the seller knows that the property was previously used as a methamphetamine laboratory.

During our cursory evaluation, the hypothesis was made that the subject property was devoid of detectable concentrations of methamphetamine at a specified limit of detection and data would be collected to support the hypothesis. As such, the data quality objectives were not designed to quantify or characterize the *extent* or degree of contamination, but rather to support the statement: “Methamphetamine is not present in the property above specified levels.”

Our DQOs were such that we selected a total sampling area that would result in a reportable quantity limit of 0.1 µg/100cm<sup>2</sup>. That is, unless the concentration of the methamphetamine in the sample submittal exceeded 0.1 µg/100cm<sup>2</sup>, the laboratory would report the concentration as “below detection limit.” The value of 0.1 µg/100cm<sup>2</sup> was selected since according to the State of Colorado Regulations, the minimum permissible concentration of methamphetamine allowed as determined during compliance sampling is 0.1 µg/100cm<sup>2</sup> for a five part composite. The Table below presents the locations from which the composites were collected.

| Sample ID    | Location                                      | Result   |
|--------------|---|----------|
| FM081710-01  | Field Blank                                   | BDL      |
| FM081710-02A | Living room ceiling fan                       | Positive |
| FM081710-02B | Upstairs NE bedroom ceiling fan               |          |
| FM081710-02C | Upstairs NW bedroom ceiling fan               |          |
| FM081710-02D | Downstairs bathroom top of light fixture      |          |
| FM081710-02E | Downstairs NE bedroom top of closet door jamb |          |

BDL= Below Detection Limit

**Table 1**  
**Sample Locations**

## **Sample Results**

The actual methamphetamine *concentrations* found in the samples taken at the subject property, do not enter into the regulatory decision making process, are not required to be reported, and are not germane to the data quality objectives and provide no additional information that was not already available. To avoid confusion, the results are not

<sup>4</sup> CRS 38-35.7-103(3)(a)





reported here, however, the sample results indicated that the contaminated surfaces ranged from an high of 150,000 times over the lawful limit to a low of 32,000 times over the lawful limit, had the composite sample been collected as part of a regulatory Decision Statement.

Contrary to popular misconception, there is no *de minimis* concentration during a cursory evaluation below which a property could be declared “not a meth lab” or “not of regulatory concern” since virtually any concentration of meth present in a sample at the property would:

*...lead a reasonable person, trained in aspects of methamphetamine laboratories, to conclude the presence of methamphetamine, its precursors as related to processing, or waste products.*<sup>5</sup>

Sample concentration results are only germane exclusively at the end of a project, after remediation or while attempting to issue a Decision Statement. In an unofficial opinion issued by the State of Colorado Department of Public Health and the Environment,<sup>6</sup> the state opined that even when the cursory concentrations are far below state mandated limits:

*"Performing a PA [Preliminary Assessment] and clearance sampling is the only way to meet the requirements of the Reg, get the liability shield, and provide protection for future Real Estate transactions."*

For this project, we initially selected a reportable quantity that was designed to avoid unnecessarily triggering the state regulations if merely trace amounts of methamphetamine were identified. The reportable quantity was selected to ensure that only concentrations that were of a potential regulatory concern were identified. However, after making our observations and upon hearing that the property had already been “discovered,” the detection limits became moot.

However, a recurring myth is that if sampling (such as that performed at the subject property) finds methamphetamine, but the concentration is less than 0.5 micrograms per one hundred square centimeters ( $\mu\text{g}/100\text{cm}^2$ ) of surface area, then the property is “OK,” and not covered by the State regulations.

This argument is erroneous and no such provisions are found anywhere in State statutes or State regulation. If an Industrial Hygienist performs non-mandatory sampling (such as performed at the subject property) during an industrial hygiene evaluation, and those samples result in ANY contamination, even below the value of  $0.5 \mu\text{g}/100\text{cm}^2$ , then the property must, by state regulation, be declared an illegal drug laboratory. This is due to

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<sup>5</sup> *Ibid.*

<sup>6</sup> Email transmission from Craig Sanders to FACTs, January 31, 2008, quoting Coleen Bresnahan, CDPHE, regarding a property at 32548 Kinsey Lane Conifer, Colorado.



the fact that cursory sampling does not meet the data quality objectives upon which the State clean-up level of “0.5 µg/100cm<sup>2</sup>” value is based.

In any event, contrary to popular belief, the mere value of “0.5 µg/100cm<sup>2</sup>” is not the State of Colorado cleanup level, but rather is the value upon which the final cleanup level is based and which is described in the mandatory Appendix A of the State regulations. The Colorado clearance level of “0.5 µg/100cm<sup>2</sup>,” frequently misquoted by members of the general public, applies exclusively as *prima facie* evidence of decontamination at the end of a project<sup>7</sup> and is that attainment threshold occasionally needed to issue a “decision statement” (final clearance).

The submitted composite collected at the subject property conclusively contain methamphetamine at concentrations overtly in excess of State thresholds. If the composite sample had been collected and submitted as part of final verification sampling conducted pursuant to Colorado regulation 6 CCR-1014-3, the result would have indicated that the concentration was at least 32,000 times over the statutory clean-up limit permitted by regulation. A copy of the laboratory report is included with this discussion as Appendix A.

Our testing produced results that failed to support our initial hypothesis (that the property did not have evidence of methamphetamine at detectable limits), and we therefore accept the null hypothesis; *viz.* the subject property conclusively contains methamphetamine at detectable limits.

Our data also suggest that there is no probability that the methamphetamine concentrations in the property are such that upon completion of the mandatory Preliminary Assessment, conditions at the property would permit the Industrial Hygienist to issue a Decision Statement directly from the mandatory Preliminary Assessment.

## **Sample Collection**

Using standard industrial hygiene methods, we collected one five-parted composite sample from the primary structure. The sample was submitted to Analytical Chemistry, Inc. for quantitative analysis using gas chromatography coupled with mass spectrometry. Analytical Chemistry Inc. is one of the laboratories listed in Colorado’s regulations as being proficient in methamphetamine analysis.

## **Wipe Samples**

The wipe sample media was individually wrapped commercially available *Johnson & Johnson*<sup>TM</sup> gauze pads. Each gauze material was assigned a lot number for quality assurance and quality control (QA/QC) purposes and recorded on a log of results. Each pad was moistened with reagent grade methyl alcohol. Each batch of alcohol was assigned a lot number for QA/QC purposes and recorded on a log of results.

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<sup>7</sup> Colorado Department Of Public Health And Environment, State Board Of Health, *Regulations Pertaining to the Cleanup of Methamphetamine Laboratories*, 6 CCR 1014-3.



The sampling media were prepared off-site in small batches in a clean environment. The sample media were inserted into individually identified polyethylene centrifuge tubes with screw caps and assigned a unique sample identifier.

### ***Field Blanks***

Our data quality objectives included a field blank. The field blank (Sample number FM081710-01) did not contain methamphetamine at a concentration above the analytical detection limit for the method. Therefore, FACTs can say with confidence the methamphetamine reported by these data are due to methamphetamine present at the property, and not as a result of contamination of the sampling materials.

### ***Field Duplicates***

For the purposes of the data quality objectives associated with this cursory evaluation, no duplicates were required, and none were collected.

## **FOLLOW-UP ACTIONS**

Pursuant to State statutes, the illegal drug lab had been “discovered” prior to our arrival. Pursuant to statute, a Preliminary Assessment must be performed pursuant to regulation by an authorized Industrial Hygienist, and a “decision statement” obtained, or the property must be demolished. The mandatory requirement for the Preliminary Assessment was already a mandatory requirement prior to our arrival, and the sample results were entirely a moot point.

Pursuant to CRS §38-35.7-103(2)(a), a buyer (if one exists and for whom these results have been generated) must promptly give written notice to the seller of the results of the testing, and the buyer may terminate the contract.

The vehicles used by the Trash-out company should be identified and tested for contamination.

The Trash-out company should be notified and advised of their unlawful entry pursuant to Colorado Revised Statutes, and advised of their violation of Federal OSHA standards.

The employees of the trash-out company should be identified and notified of their chemical exposures.

The location of the property removed from the property should be identified, isolated, secured and tested.

Prepared by:



Caoimhín P. Connell  
Forensic Industrial Hygienist



# APPENDIX A LABORATORY REPORT





# ANALYTICAL CHEMISTRY INC.

Established in 1979

4611 S. 134th Place, Ste 200  
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>  | 10150-06        |
| <b>Date Received:</b>  | August 20, 2010 |
| <b>Date Completed:</b> | August 23, 2010 |

August 24, 2010

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

**CLIENT REF:** Fox

**SAMPLES:** wipes/2

**ANALYSIS:** Methamphetamine by Gas Chromatography-Mass Spectrometry.

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

| <b>Sample</b>                      | <b>Methamphetamine, ug</b> | <b>% Surrogate Recovery</b> |
|------------------------------------|----------------------------|-----------------------------|
| FM081710-01                        | < 0.030                    | 108                         |
| FM081710-02                        | 1020                       | 86                          |
| QA/QC Method Blank                 | < 0.004                    |                             |
| QC 0.100 ug Standard               | 0.096                      |                             |
| QA 0.020 ug Matrix Spike           | 0.020                      |                             |
| QA 0.020 ug Matrix Spike Duplicate | 0.021                      |                             |
| 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



# APPENDIX B CONSULTANT'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>Fox</b>                              | <b>Form # ML15</b> |
| <b>Date August 25, 2010</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. He has been a practicing Industrial Hygienist in the State of Colorado since 1987; and he is the contract Industrial Hygienist for the National Center for Atmospheric Research and has been involved in clandestine drug lab (including meth-lab) investigations since 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; he is a member of the Colorado Drug Investigators Association, the American Industrial Hygiene Association (where he serves on the Clandestine Drug Lab Work Group), and the Occupational Hygiene Society of Ireland. Mr. Connell is an Subject Matter Expert for the Department of Homeland Security, IAB Health, Medical, and Responder Safety SubGroup, and he conducted the May 2010 Clandestine Drug Lab Professional Development Course for the American Industrial Hygiene Association.

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 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 190 assessments in illegal drug labs, and collected over 1,700 samples during assessments (a detailed list of drug lab experience is available on the web at: <http://forensic-applications.com/meth/DrugLabExperience2.pdf>)

He has extensive experience performing assessments pursuant to the Colorado meth-lab regulation, 6 CCR 1014-3, (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 services to private consumers, Indian Nations, state officials and Federal Government representatives with forensic services and 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 a coauthor of a 2007 AIHA Publication on methlab assessment and remediation.

**185 BOUNTY HUNTER'S LANE, BAILEY, COLORADO 80421**  
**PHONE: 303-903-7494** [www.forensic-applications.com](http://www.forensic-applications.com)