



FORENSIC APPLICATIONS CONSULTING TECHNOLOGIES, INC.

**Regulatory Audit
of
Preliminary Level Assessment
(Identifying 370 Regulatory Violations of
6 CCR 1014-3)**

**By
Robert M. Rodosevich
HEALTH AND ENVIRONMENTAL TECHNOLOGY (*sic*)**

**For
316 South Hancock Avenue
Colorado Springs, Colorado 80903
February 19, 2015**

Audit Prepared by:

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June 8, 2016

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EXECUTIVE SUMMARY

FACTs is performing a series of regulatory audits on public domain documents obtained through the Colorado Open Records Act (CORA) directly from the Colorado Department of Public Health and Environment (CDPHE).

This audit has been prepared by Forensic Applications Consulting Technologies, Inc. pursuant to the provisions of C.R.S. 18-8-115 *Duty to report a crime - liability for disclosure*. This review pertains to the document identified as:

Methamphetamine Contamination
Preliminary Assessment
316 South Hancock Avenue, Colorado Springs, Colorado 80903
Submitted by:
HEALTH AND ENVIRONMENTAL TECHNOLOGY
Robert M. Rodosevich
Submitted to:
John Ballweber
Housing Development Coordinator
Rocky Mountain Community Land Trust
1212 W. Colorado Avenue
Colorado Springs, Colorado 80904
February 26, 2015

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

HISTORY

Mr. Rodosevich conducted an unlawful and invalid “Screening Level Assessment” at 316 South Hancock Avenue, Colorado Springs, Colorado 80903 on February 19, 2015, during which he committed 101 regulatory violations.

The stated recipient of the report, John Ballweber, Housing Development Coordinator, Rocky Mountain Community Land Trust, Colorado Springs, CO was aware of the fraudulent nature of the HET work prior to engaging HET for the work. The Rocky Mountain Community Land Trust has hired HET for other fraudulent work in the past.

For example, in November, 2012, Rocky Mountain Community Land Trust, provided FACTs with a different report¹ by Mr. Rodosevich and asked FACTs to review the report. Our review found no fewer than 67 regulatory violations, and FACTs made Rocky Mountain Community Land Trust aware of the deficiencies. In a November 27, 2012 letter to Mr. John Ballweber, Housing Development Coordinator, Rocky Mountain Community Land Trust, FACTs reported the following observations:

¹ 539 Shady Crest Circle, Colorado Springs, CO 80916, http://forensic-applications.com/meth/Reg_audit_shady_crest.pdf



Existing Documents

I briefly looked at the February 23, 2012, report prepared by Robert M. Rodosevich. As is typical for Mr. Rodosevich, we see that the report submitted by Mr. Rodosevich, isn't even for the right property. Mr. Rodosevich's report is actually for a completely different property and not for the property located at 539 Shady Crest Circle. That is typical for Mr. Rodosevich, who appears to merely reprint the same reports over and over again, hastily changing one or two things and issue his "report." For example, in his report, Mr. Rodosevich states:

This property is located in the general area of Security, Colorado. East of the US-85 highway and north of the Crawford Ave. The subject site is located within a residential area.

In fact, the Shady Crest property is seven miles north of Crawford Avenue and nowhere near US-85, and it is a 15 minute drive to get to Crawford Ave from Shady Crest Circle.

Also, in his report, Mr. Rodosevich states:

There is a no basement at this house and the attic which had the access door was (*sic*) secured and not open at the time of the assessment. Both areas were inspected during this assessment and no clandestine laboratory material was found in either place.

Yet, Mr. Rodosevich then produces a photograph identified as "Stairwell downstairs to basement" and his sample log indicates that he collected a basement sample.

Similarly, if the attic door was secured, how did he gain access to perform the inspection? Further, if he inspected the attic, why are there no photographs as required by regulations, and why are there no samples collected from the attic as required by regulation?

Similarly, in his report to Mr. White, Mr. Rodosevich states:

Ten (10) samples were collected within the house, and the results indicated that only the bedroom had trace levels of methamphetamine.

But when we look at his sample "results" we see that neither one of the bedrooms had ANY detectable methamphetamine; whereas, the furnace, the (apparently nonexistent) basement, and the kitchen DID have methamphetamine.

Similarly, in his report, we see

Please see recommendations for cleaning the master bedroom due to trace levels of methamphetamine.

And yet, his report contains no recommendations for cleaning the master bedroom, no indication there is a master bedroom, and no samples that indicate that ANY bedroom has detectable concentrations of methamphetamine.

The work by Mr. Rodosevich in no way whatsoever was compliant with State Regulations, or State Statutes, and cannot be used for any compliance purposes. The samples collected by Mr. Rodosevich are completely invalid and cannot be used for compliance purposes.

Mr. Rodosevich has a long history of performing fraudulent and invalid assessments with complete disregard for State Regulations; a quick review of the document you provided to us indicates no fewer than 36 violations of State Regulations.



Rocky Mountain Community Land Trust was also aware of other fraudulent assessments performed by Mr. Rodosevich² and was fully aware that Mr. Rodosevich had an history of fraudulent assessments and was aware that the work by Mr. Rodosevich would be invalid.

Part of the reason Mr. Rodosevich has been able to victimize so many people for so long is due to the fact that Ms. Brisnehan, the regulator with the CDPHE who is responsible for insuring the compliance of reports regarding the assessment of methamphetamine affected properties submitted to the CDPHE, has been participating in fraudulent activities by trying to hide the regulatory violations by providing misleading information to the CDPHE, Colorado citizens and to the City of Colorado Springs.³ As a result, the consultant in question (Robert M. Rodosevich) developed a long history of regulatory violations, falsified documents relating to real estate and invalid assessments of illegal drug laboratories in that area.^{4,5,6,7,8,9,10}

REVIEW OF THE DOCUMENT

For this property (316 South Hancock Street, Colorado Springs, CO), it is not known why Mr. Rodosevich wasted the financial resources of his client by collecting more samples, since none were required. In the past, Ms. Brisnehan has knowingly provided false information to the Colorado Springs Police Department claiming that Mr. Rodosevich's sampling during a Preliminary Assessment was a regulatory requirement – however, Ms.

² See for example: 1299 Vondelpark Drive, Unit C, Colorado Springs, CO, http://forensic-applications.com/meth/Vondelpark_audit_censored.pdf

³ See for example the email regarding Citizen Request #4967, Tuesday, September 4, 2012 4:00 PM, Sgt. Harrell, Vice and Narcotics, Colorado Springs Police Department, 705 S Nevada Avenue, Colorado Springs, CO 80903, regarding

⁴ See for example: 2045 Farnsworth, Colorado Springs, CO, http://forensic-applications.com/meth/Farnsworth_Critical_Review.pdf

⁵ See for example: 1299 Vondelpark Drive, Unit C, Colorado Springs, CO http://forensic-applications.com/meth/Vondelpark_audit_censored.pdf

⁶ See for example: 539 Shady Crest Circle, Colorado Springs, CO 80916 http://forensic-applications.com/meth/Reg_audit_shady_crest.pdf

⁷ See for example: 120 violations associated with 1349 Hazeline Lake Drive Colorado Springs, Colorado 80915 http://www.forensic-applications.com/meth/HET_Hazeline_Screen_RAREDACT.pdf

⁸ See for example, 80 violations associated with 1006 Gilfin Circle, Colorado Springs, Colorado 80915, http://www.forensic-applications.com/meth/HET_Gilfin_Screen_RAREDACT.pdf

⁹ See for example, 107 regulatory violations at 2044 Summerset Drive, Colorado Springs, Colorado 80902 http://forensic-applications.com/meth/HET_Summerset_Screen_RA.pdf

¹⁰ See for example: 101 regulatory violations during a Screening Level Assessment at: 316 South Hancock Avenue, Colorado Springs, Colorado 80903, http://forensic-applications.com/meth/HET_Hancock_Screen_RA.pdf



Brisnehan knew when she gave that information to the Colorado Springs Police Department, that the information was false.

So it is in this case, Mr. Rodosevich collected several useless and meaningless samples from a property that had already been documented as being contaminated.

During the performance of a Preliminary Assessment of a methamphetamine affected property, the Consultant is required by regulations to perform specific mandatory tasks and provide specific mandatory documentation, however those regulatory requirements were not met by Mr. Rodosevich on this property as described in the following sections.

Violation of §4.0 Preliminary Assessment.

During the performance of a Preliminary Assessment, the Consultant is required by regulations to perform and fulfill specific elements that constitute a Preliminary Assessment. For this project, Mr. Rodosevich failed to perform those activities. As such, as delineated below, no valid Preliminary Assessment was ever performed for this subject property.

Violation of §4.1

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

- 4.1 Subject property description, including physical address, legal description, number and type of structures present, description of adjacent and/or surrounding properties, and any other observations made.

In his report, Mr. Rodosevich failed to identify the surrounding structures. In his report, Mr. Rodosevich states:

The property is surrounded by other residential houses.

In fact, the property is not “*surrounded by other residential houses*” as claimed; this is standard boiler plate language we find in other reports by Mr. Rodosevich regardless of actual site conditions. The photograph below presents the properties across the street from the subject property:





Looking East from Subject Property

As described later, we also find different references to the structure itself and the square footage of the subject property.

Violation of §4.2

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

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

Nowhere in the reviewed report has Mr. Rodosevich documented any attempt to obtain law enforcement documents or ascertain the availability of such documents. Therefore, the locations of pertinent areas within the structure, as may have been identified by law enforcement personnel, have not been provided.

Violation of § 4.5

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

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

As already documented, there is no evidence that Mr. Rodosevich attempted to ascertain the availability of or obtain any law enforcement documents. There is no documentation to indicate that the author of the report has ever received any kind of training in illegal drug laboratories or their assessment and, therefore, would not be expected to possess the necessary skills needed to identify signs of illegal dumping, if they were present.

In his report for this subject property, Mr. Rodosevich uses the title "Certified Clandestine Laboratory Specialist" which is the same title he has used for many years.



There is no such "certified" title in the State of Colorado, and there is nothing in the public domain documentation that would suggest that Mr. Rodosevich has ever received any kind of training in illegal drug laboratories -- their recognition or assessment.

Since Mr. Rodosevich made no documented attempts to obtain any pertinent law enforcement documents from appropriate law enforcement agencies, and Mr. Rodosevich has no documented training in the assessment of illegal drug laboratories, Mr. Rodosevich could not have complied with this requirement.

Violation of § 4.6

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

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

As already described, Mr. Rodosevich failed to determine the availability of law enforcement documents and there would be no expectation that the consultant would have the necessary professional skills to identify manufacturing methods, if they were present at the property.

Violation of § 4.7

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

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

As already demonstrated, the consultant failed to obtain law enforcement documents and failed to identify those contamination indicators that were present at the property.

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

As described below, the consultant failed to perform such sample collection and analysis in accordance with the assessment level sampling protocols of Section 6. Part 1.

Violation of § 4.9

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

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



As mentioned above, the consultant has no documented training or specialized knowledge in the assessment of illegal drug laboratories, and therefore, there is no information to indicate the consultant would possess the skills necessary to identify such signs.

Violation of §4.13

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

4.13 Identification of surfaces that are known or suspected to have been painted or sealed after the cessation of contamination-causing activities (painted-over surfaces).

In his reports, Mr. Rodosevich frequently uses boiler-plate language that has nothing to do with the subject property, including incorrect addresses, incorrect maps, incorrect square footage, attics that don't exist, etc. In the current report, Mr. Rodosevich explicitly states:

The residence appeared to have been newly painted. There was no staining on the walls or floor. No etching or fire damage was observed.

The entire residence appears to have been recently renovated and completely repainted.

Yet, the photographs taken by Mr. Rodosevich clearly indicate otherwise:



HET Photographs



Violation of §4.15

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

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

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

Violation of §4.15.1

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

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

The required information is missing from the report. For example, nowhere in the report does Mr. Rodosevich explain why his QA/QC (Quality Assurance/Quality Control) blank was not compliant with the mandatory requirements, Mr. Rodosevich never explained why he failed to insert the correct number of aliquots into his blanks, and Mr. Rodosevich failed to discuss why he did not place his blank in the correct sequence as required by regulations. Mr. Rodosevich failed to explain why he used prohibited sampling materials and why he used a prohibited solvent to collect his samples. Instead, Mr. Rodosevich has merely plugged in boiler-plate language claiming compliance with the sampling protocols but that are objectively contrary to the actual sampling that was documented in the photographs and laboratory reports (as described later).

Violation of §4.15.3 (13 Violations)

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

4.15.3 results of sampling, including a description of sample locations and a computer generated figure illustrating the layout of the building(s) and sample locations and identification.

Nowhere in his report has Mr. Rodosevich provided a computer generated figure.

Nowhere in his report has Mr. Rodosevich provided a computer generated figure of the sample locations. (10 Violations as described later)

Nowhere in his report has Mr. Rodosevich provided a figure of the alleged attic.

Nowhere in his report has Mr. Rodosevich provided a figure of the “external – basement” as described in his report:



The residence contains a small attic, as well as an external basement where the furnace is located.

Violation of §4.16

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

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

In his report, Mr. Rodosevich plugs in his usual boiler-plate language that is used regardless of actual site conditions:

No personal effects were present in the unit.

We assume the “unit” was a property that was the topic of a different report. This is the only reference to personal items in the report, yet the photographs document quite a different scenario and the property appears to contain a significant amount of personal items and the property appears to be occupied:





HET Photographs

Mr. Rodosevich otherwise entirely failed to address personal items, including a vehicle, at the residence.

Violation of §4.17

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

4.17 If clearance sampling is conducted during the preliminary assessment, it shall be conducted in accordance with Section 6 of this Part 1. Documentation of clearance sampling shall include:

This property had already been conclusively identified as heavily contaminated. There could have been no rational reason to collect samples except if one was trying to clear specific areas. The purpose of Mr. Rodosevich's sampling was entirely unclear since in his report, Mr. Rodosevich failed to properly interpret his own results – for example, in his report, Mr. Rodosevich states:



On February 18, 2015, HET collected 27 samples from various locations within this residence and within the detached garage. The tests results showed all areas of this residence, including garage, contain levels of methamphetamine contamination above the state regulated clean-up level.

Yet, when we look at the results, we see the following:

The garage sample was below the “state regulated clean-up level.”

The attic sample was below the “state regulated clean-up level.”

The sample from Bedroom #2 was below the “state regulated clean-up level.”

The bathroom sample was below the “state regulated clean-up level.”

Therefore, we have to presume that, as is normal for this consultant, boiler plate language was inserted into the report regardless of actual site conditions.

In any event, in spite of his misinterpretation, the only rational reason for collecting additional samples was 1) to cheat the client or 2) to perform clearance.

Therefore, we will presume Mr. Rodosevich was trying to perform clearance.

§4.8 In the case of single-family dwellings, all rooms, attics, crawl spaces, and forced air ventilation systems of all buildings on the subject property must be assumed to be contaminated above the cleanup standards of Section 7, unless sampling conducted in accordance with the clearance level sampling protocols of Section 6 demonstrates the absence of such contamination in a given room, attic, crawl space, or ventilation system.

A consultant trained in the aspects of illegal drug laboratory assessments would not have conducted the sampling as performed by Mr. Rodosevich at this property since the results were a foregone conclusion. That is, a legitimately trained consultant would have been able to conduct limited sampling to ascertain the compliance status of the property.

A trained consultant would not have wasted the financial resources of the client by collecting and analyzing samples that were not required by regulations and were not collected according to the regulations anyway.

Violation of §4.17.1 (3 violations)

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

4.17.1 A description of the sampling procedures used, including sample collection, handling, and QA/QC.

In his report, Mr. Rodosevich failed to provide the required information and falsified the information that he did provide. For example, in his report, Mr. Rodosevich falsely stated:



At least on (sic) field blank is submitted for each 10 samples. This sample is prepared and handled in the same manner detailed above, but without wiping or blotting. This is to maintain QA/QC in field sampling.

When we go to the results, we see that Mr. Rodosevich failed to provide the field blanks as required by regulations. Instead, as is the standard practice for Mr. Rodosevich, he simply made knowingly false statements in his report knowing that Ms. Brisnehan (CDPHE) would, in violation of State regulations, cover his actions and defend his regulatory violations and his false statements.

Otherwise the following mandatory information is missing from the report:

Mr. Rodosevich failed to explain why he used methyl alcohol instead of the mandatory isopropyl alcohol to collect his samples. In his report, Mr. Rodosevich explicitly stated he intentionally ignored the regulations and used methyl alcohol:

Each gauze pad is moistened with reagent grade methyl alcohol.

As evidence of his use of boiler plate language, regardless of his actual practices, in his report Mr. Rodosevich states:

The sample media is folded again with the sample side in and is placed into the glass vesicle and lidded (for composite samples, all samples that make up the composite are placed in the same container). The sample is numbered and its location is noted on the sketch.

Then, one sentence later, Mr. Rodosevich contradicts his own report when he claims:

Samples are placed within a sterile plastic Ziploc baggy and then placed in a FED-X container and sent to the laboratory.

It is our experience, and as documented in his many fraudulent reports, that Mr. Rodosevich merely makes statements in his reports that are simply fabrications and that, in our experience, Mr. Rodosevich has never actually performed the sampling that he claims he has performed, and has virtually never performed the sampling in a manner he claims to have performed it.

Violation of §4.17.2

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

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



Nowhere in his report does Mr. Rodosevich explain why he failed to provide the mandatory chain-of-custody as required. Although in his report, Mr. Rodosevich falsely stated that he completed the chain of custody as required, as described below, Mr. Rodosevich knowingly refused to comply with state regulations regarding the mandatory documentation.

Violation of §4.17.3 (28 Violations)

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

4.17.3 Results of clearance sampling, including a description of sample locations and a computer generated figure with sample locations and identification, and a copy of each laboratory report of sample results. Sample results shall be presented as reported by the analytical laboratory, and shall not be adjusted, changed, or manipulated in any way. Spiked samples submitted for analysis shall not be used for purposes of compliance with the regulation.

For this property, Mr. Rodosevich intentionally violated the following regulations:

1. Nowhere in the report has Mr. Rodosevich provided the mandatory computer generated figure of sample locations.
2. Nowhere in the report has Mr. Rodosevich provided the mandatory description of sample identification.

The following sample identifications are missing from the report:

- There is no description of the attic sample.
- There is no description of the vent sample(s) – (the provided photograph indicate the samples were collected from the carpets surrounding the ventilation system and not from the vents themselves). (4 violations)
- There is no description of the living room sample(s) (4 violations)
- There is no description of the furnace sample (the photograph indicates a sample was collected from the exterior housing of the furnace, which would actually have been a crawlspace sample, not a furnace sample) (1 violation)
- There is no description of the kitchen samples (3 violations)
- There is no description of the hallway samples (2 violations)
- There is no description of the samples taken from bedroom number 1 (3 violations)
- There is no description of the samples taken from the garage (1 violation)
- There is no description of the samples taken from bedroom number 2 (4 violations)
- The hand drawn figure provided with the report indicates two samples were collected from the bathroom, however, only one sample is identified in laboratory report.



- The hand drawn figure provided with the report indicates two samples were collected from Bedroom #3, however, there were no samples submitted to the laboratory for Bedroom #3. (2 Violations)

According to the regulations:

Sample results shall be presented as reported by the analytical laboratory, and shall not be adjusted, changed, or manipulated in any way.

In his report, Mr. Rodosevich explicitly stated that all samples indicated that all areas of the property contained methamphetamine greater than the state-regulated clean-up level.

The tests results showed all areas of this residence, including garage, contain levels of methamphetamine contamination above the state regulated clean-up level.

Yet when we go to the laboratory report, we see that the laboratory results are very different from that reported by Mr. Rodosevich in his report. According to the laboratory, four of the samples indicated contamination levels that were below the “state regulated clean-up level.”

Client Project Number / P.O.:		316 South Hancock				
Client Project Description:		Preliminary Assessment				
Date Samples Received:		February 19, 2015				
Analysis Type:		Methamphetamine by GCMS				
Turnaround:		5 Day				
Date Samples Analyzed:		February 25, 2015				
Client ID Number	Lab ID Number	Sample Area (cm ²)	Reporting Limit (µg)	METHAMPHETAMINE CONCENTRATION (µg)	Reporting Limit (µg/100cm ²)	METHAMPHETAMINE CONCENTRATION (µg/100cm ²)
Attic	EM 1351995	100	0.05	1.90	0.05	1.90
Vent	EM 1351996	400	0.05	2.66	0.01	0.67
Living Room	EM 1351997	400	0.05	4.16	0.01	1.04
Furnace	EM 1351998	100	0.05	1.10	0.05	1.10
Kitchen	EM 1351999	300	0.05	1.80	0.02	0.60
Hallway	EM 1352000	200	0.05	1.80	0.03	0.90
Bed #1	EM 1352001	300	0.05	3.56	0.02	1.19
Garage	EM 1352002	100	0.05	0.44	0.05	0.44
Bed #2	EM 1352003	400	0.05	0.94	0.01	0.24
Bath	EM 1352004	300	0.05	0.91	0.02	0.30
Bed #3 Vent	EM 1352005	100	0.05	0.99	0.05	0.99
Blank	EM 1352006	0			< 0.05 µg	

Nowhere in his report has Mr. Rodosevich explained how or why he manipulated the four samples that, according to the laboratory were below the state mandated cleanup levels, but were somehow manipulated by Mr. Rodosevich in such a manner as to be greater than the state mandated clean-up levels. This would appear to be an intentional fabrication in an attempt to deceive the client into falsely believing that the entire house needed remediation, when in fact, such remediation may not have been necessary. This suggestion is supported by other fabrication in the Rodosevich report including:



Samples were collected within all functional spaces within this residential unit, including the attic and garage. Test results indicate methamphetamine contamination in all areas of this residence.

Therefore, as can be seen, in his report, Mr. Rodosevich intentionally lied to the State of Colorado, and to his client by falsely claiming that the attic space and the garage both contained contaminant at levels greater than the state clean-up concentrations when the laboratory explicitly reported that both those areas were below the state mandated cleanup levels.

Violation of §4.17.4

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

4.17.4 Documentation of variations from standard practices.

Nowhere in the report has Mr. Rodosevich identified the hundreds of variations from standard practices. In theory, the omission of a discussion of each variation would itself be a violation – thus, the number of regulatory violations could reasonably be argued to be 740 instead of 370; however, FACTs has decided to go with the lower of the two regulatory violation possibilities.

Violation of §4.17.5

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

4.17.5 A certification statement, signed by the Consultant, in substantially the following form:

“I hereby certify that I conducted clearance sampling of the subject property in accordance with 6 CCR 1014-3, Part 1, § 6. I further certify that the cleanup standards established by 6 CCR 1014-3, Part 1, § 7 [**choose one**: have/have not] been met as evidenced by testing I conducted.”

Nowhere in the report, did Mr. Rodosevich provide the mandatory certification or, indeed, any kind of a certification of any description.

Violation of §4.18

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

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

There is no evidence in the report to indicate Mr. Rodosevich was authorized to perform the work.



Violation of §4.18

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

4.19 A certification statement, signed by the Consultant, in the following form:

"I hereby certify that I conducted a preliminary assessment of the subject property in accordance with 6 CCR 1014-3, Part 1, § 4."

Nowhere in the report, did Mr. Rodosevich provide the mandatory certification or, indeed, any kind of a certification of any description – which is probably to Mr. Rodosevich 's credit since virtually no aspect of the work was in fact performed pursuant to 6 CCR 1014-3 Part 1, §4. However, gross incompetence notwithstanding, the certification is required to be included.

Violation of §6.1.3

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

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

Violation of §6.1.3.2

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

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

Nowhere in his documentation has Mr. Rodosevich addressed this issue and nowhere in the documentation does Mr. Rodosevich indicate he would have the necessary skills to identify a P-2-P laboratory or any of the various alternative pathways used during a P-2-P production of methamphetamine.

Violation of §6.1.3.3

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

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

Nowhere in the Rodosevich documentation is this issue addressed; furthermore, nowhere in his documentation has Mr. Rodosevich indicated he would have the necessary skills to identify a Red-P laboratory or a tincture reduction laboratory or any of the various alternative pathways using iodine in the production of methamphetamine.



Violation of §6.1.3.5

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

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

Nowhere in his documentation has Mr. Rodosevich addressed this issue and nowhere in the documentation does Mr. Rodosevich indicate he would have the necessary training or skills to identify a P-2-P laboratory or any of the various alternative pathways used during a P-2-P production.

Violation of §6.2.1 (28 Violations)

During a Preliminary Assessment, the consultant is required to perform specific tasks using specified sampling materials including:

6.2 Discrete Wipe Sample Collection Procedures. The following procedure **shall** be used for collecting discrete wipe samples:

6.2.1 Sample media shall consist of 2x2 inch wipes ...

In his report, Mr. Rodosevich identifies his sampling materials thusly:

The wipe sample media is individually wrapped Johnson and Johnson TM gauze pads.

Johnson & Johnson does not manufacture an individually wrapped 2 in X 2 in gauze pad. The photograph below documents the size of the individually wrapped “Johnson & Johnson 2 X 2” pad – the first photograph is directly from the manufacturer:



Photograph of J&J 2 in X 2 in Pad Packaging



The next photograph is the above product purchased directly from a major retail outlet:



Photograph of J&J 2 in X 2 in Pad

As can be seen, (and as would be immediately obvious to anyone with even mediocre awareness), the Johnson & Johnson product is not even close to being a two inches by two inches pad. Mr. Rodosevich claims to have used 28 of these, therefore, there are 28 violations of regulation, and none of the samples were collected according to the mandatory regulations.

Violation of §6.2.1.1 (28 Violations)

During a Preliminary Assessment, the consultant is required to perform specific tasks using specified sampling materials including:

6.2 Discrete Wipe Sample Collection Procedures. The following procedure **shall** be used for collecting discrete wipe samples:

6.2.1 Sample media shall consist of 2x2 inch wipes made of one of the following:

6.2.1.1 Cotton gauze material.

6.2.1.2 4-ply non-woven cotton/polyester blend.



6.2.1.3 Tightly knitted continuous filament polyester.

In his report, Mr. Rodosevich identifies his sampling materials thusly:

The wipe sample media is individually wrapped Johnson and Johnson TM gauze pads.

The Johnson & Johnson 2X2 inch gauze pad used by Mr. Rodosevich is not a cotton or cotton blend, and polyester is only a minor material component in the product. In his report, Mr. Rodosevich identifies 28 individual pads, therefore, there were 28 violations.

Violation of §6.2.3 (10 Violations)

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

6.2.3 Prepare a rough sketch of the area(s) to be sampled and indicate sample location(s).

In the report, Mr. Rodosevich provides sample locations for samples that were not collected or otherwise identified in his report. Additionally, in the report, Mr. Rodosevich failed to provide sample locations for samples that he claims to have collected.

Focusing just on the samples Mr. Rodosevich claims to have collected, Mr. Rodosevich claimed to have collected 27 individual sample locations (using prohibited methods). Therefore, those 27 locations should have been identified in the rough sketch. However, only 17 of the alleged samples were indicated on the sketch provided.

Violation of §6.2.4 (28 Violations)

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

6.2.4 Wet the sample media with isopropanol to enhance collection efficiency.

In his report, Mr. Rodosevich specifically indicated he intentionally ignored the requirement:

Each gauze pad is moistened with reagent grade methyl alcohol.

In truth, to our knowledge, Mr. Rodosevich has never actually used reagent grade methanol, but probably a lower grade methanol – in the past, Mr. Rodosevich has plagiarized large portions of reports prepared by FACTs on other projects outside the auspices of these regulations, and it would appear that Mr. Rodosevich simply was copying and pasting language from previous FACTs reports.



Probable Failure to Comply §6.2.7

During the performance of a Preliminary Assessment, the Consultant is required by regulations to follow specific sampling protocols, including specific wiping protocols. As described in other reports, Mr. Rodosevich has historically refused to comply with this provision. In his report, Mr. Rodosevich claims to have followed the provisions found in §6.2.7, however, his report demonstrably contains so many patently false claims that FACTs is of the opinion that Mr. Rodosevich would have most likely followed his traditional gross incompetence and would not have followed the mandatory regulations.

However, FACTs has not identified any of the sample locations as non-compliant for the purposes of this audit. However, having said that, it is equally true that Mr. Rodosevich failed to properly document his sampling and therefore, he would be incapable of demonstrating compliance with this section.

Violation of §6.2.11 (81 Violations)

During the performance of a Preliminary Assessment, the Consultant is required by regulations to perform specific sampling and ensuring mandatory sampling documentation including.

6.2.11 ... Place the sample media in a sample container, cap and number it, and note the number at the sample location on the sketch. Remove and discard impervious gloves. Include notes with the sketch giving any further description of the sample, including sample name and time of collection. Photograph each sample location.

- 1) Mr. Rodosevich failed to number any of his samples. (12 Violations)
- 2) Mr. Rodosevich failed to identify any of the sample numbers on his drawings. (28 Violations)
- 3) Mr. Rodosevich failed to identify the time of each sample collection. (28 Violations)
- 4) Mr. Rodosevich failed to provide photographs of 13 sample locations. (13 Violations)

Violation of §6.2.12

During the performance of a Preliminary Assessment, the Consultant is required by regulations to perform specific sampling and ensure specific QA/QC parameters are met.

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

For this property, Mr. Rodosevich failed to provide the mandatory field blank.

Violation of §6.2.12.3

During the performance of a Preliminary Assessment, the Consultant is required by regulations to perform specific sampling and ensure specific QA/QC parameters are met.

6.2.12.3 For projects with fewer than 10 samples collected, the last sample collected shall be the field blank.



For this project Mr. Rodosevich collected eleven samples, and made the twelfth sample the blank.

Violation of §6.2.12.4

During the performance of a Preliminary Assessment, the Consultant is required by regulations to perform specific sampling and ensure specific QA/QC parameters are met.

6.2.12.4 For projects with greater than 10 samples collected, sample 11 shall be a field blank, every 10th subsequent sample shall be a field blank, and the last sample of any sample group with fewer than 10 samples shall be a field blank.

For this project, the eleventh sample was identified as “Bed #3 Vent” and therefore was not a field blank as required.

Violation of § 6.2.12.5

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

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

Mr. Rodosevich submitted seven composite samples; and three discrete samples; representing 64% composites. Therefore, Mr. Rodosevich was required to submit at least one composite field blank. Mr. Rodosevich failed to submit the required blank.

Violation of § 6.2.14

During the performance of a Preliminary Assessment, the Consultant is required by regulations to provide mandatory documentation with the samples including:

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

The chain of custody was not completed as required.

Violation of § 6.2.14.2

According to mandatory State regulations, during the performance of a Preliminary Assessment, the consultant is required to include specific information including:

6.2.14.2 subject property address;



Nowhere on the chain-of-custody is the subject property address provided. The address provided on the chain-of-custody is a partial address. In the chain-of-custody, Mr. Rodosevich merely documented

“316 South Hancock”

This address could equally apply to any address matching those numerics including:

316 S Hancock Ave, Sedalia, MO 65301
316 S Hancock Ave, Colorado Springs, CO 80903
316 S Hancock St, Gary, IN 46403
316 S Hancock Ave, Davenport IA, 52802

Violation of § 6.2.14.3

According to mandatory State regulations, during the performance of a Preliminary Assessment, the consultant is required to include specific information including:

6.2.14.3 sampler name and contact information;

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

Violation of § 6.2.14.4

According to mandatory State regulations, during the performance of a Preliminary Assessment, the consultant is required to include specific information including:

6.2.14.4 sample identification number;

As already described above, Mr. Rodosevich, in violation of §6.2.11, failed to number his samples. Therefore, no sample identification numbers are included on the chain-of-custody.

Violation of § 6.2.14.6 (12 Violations)

According to mandatory State regulations, during the performance of a Preliminary Assessment, the consultant is required to include specific information on the chain-of-custody including:

6.2.14.6 number of sample aliquots;

This information is missing for 12 samples on the chain of custody.

Violation of § 6.2.14.7 (12 Violations)

According to mandatory State regulations, during the performance of a Preliminary Assessment, the consultant is required to include specific information on the chain-of-custody including:



6.2.14.7 number of containers for each sample;

This information is missing for 12 samples on the chain of custody.

Violation of § 6.2.14.8 (11 Violations)

According to mandatory State regulations, during the performance of a Preliminary Assessment, the consultant is required to include specific information on the chain-of-custody including:

6.2.14.8 sample collection time ...;

In his report, Mr. Rodosevich claims to have collected 26 sample aliquots simultaneously at 13:30 – FACTs’ contends this is a physical impossibility. For two of the samples, Mr. Rodosevich simply provided no information regarding sample collection times. Therefore, one could presume that one sample aliquot was collected at 13:30 and the remaining samples were collected at different times. Therefore, there are eleven samples on the chain-of-custody that bear an incorrect collection time.

Violation of § 6.2.14.8 (2 Additional Violations)

According to mandatory State regulations, during the performance of a Preliminary Assessment, the consultant is required to include specific information on the chain-of-custody including:

6.2.14.8 sample collection ... date;

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

Violation of § 6.2.14.9 (21 Violations)

According to mandatory State regulations, during the performance of a Preliminary Assessment, the consultant is required to include specific information on the chain-of-custody including:

6.2.14.9 sample matrix;

This information is missing for 12 samples on the chain of custody.

Violation of § 6.2.14.11

According to mandatory State regulations, during the performance of a Preliminary Assessment, the consultant is required to include specific information on the chain-of-custody including:

6.2.14.11 sample preservatives, if applicable; and

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



Violation of § 6.2.15

According to mandatory State regulations, during the performance of a Preliminary Assessment, the consultant is required to perform specific activities including the special assessment of painted over surfaces:

6.2.15 Painted-over surfaces. Estimate the concentration of methamphetamine present below a painted-over surface (as defined in Section 2 of this Part 1) by one of the following methods:

In his report, Mr. Rodosevich explicitly stated that the property contained newly painted over surfaces meeting the definition of regulations:

The residence appeared to have been newly painted.

And also,

The entire residence appears to have been recently renovated and completely repainted.

Therefore, according to the regulations, where painted over surfaces are present, the consultant is required by regulation to perform the following:

6.2.15.2 collect wipe samples from similar surfaces within the same room that were not painted after contamination was introduced, or

6.2.15.3 sample the painted over surface as set forth in 6.2.1 – 6.2.14, but use methanol instead of isopropanol as the wetting agent for the sampling media to acquire a representative sample from beneath the painted-over surface.

Therefore, Mr. Rodosevich may claim that he was actually using methanol in his sampling to accommodate the painted over surfaces. However, as already described above, the photographic record included by Mr. Rodosevich in his report clearly documents that all surfaces had not been freshly painted.

Violation of Paragraph 6.9.1 (24 Violations)

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

6.9.1 Except as provided in Section 6.9.1.1, at least 400 cm² of surface area shall be sampled from every room, attic, and crawl space.

Based on his report, Mr. Rodosevich documented no fewer than eleven rooms from which he attempted to collect clearance samples:

1. Living room
2. Porch
3. Kitchen
4. Bedroom #1



5. Bedroom #2
6. Bedroom #3
7. External basement
8. Hallway
9. Bathroom
10. Attic
11. Garage

Accordingly, the following table applies:

Room	Area Required cm2	Area Sampled cm2	Aliquots Missing cm2	Violations
Living room	400	400	0	0
Porch	400	0	400	4
Kitchen	400	200	200	2
Bedroom #1	400	300	100	1
Bedroom #2	400	400	0	0
Bedroom #3	400	0	400	4
External basement	400	100	300	3
Hallway	400	200	200	2
Bathroom	400	200	200	2
Attic	400	100	300	3
Garage	400	100	300	3
Total	4,400	2,000	2,400	24

Summary Table of Required Clearance Samples

Violation of Paragraph 6.9.4 (5 violations)

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

6.9.4 For buildings and structures that have forced air ventilation systems, at least 400 cm2 of surface area of the ventilation system shall be sampled, unless the entire ventilation system is removed. Samples shall be collected from accessible areas within the heat exchanger unit, inside the cold air return system, from inside the supply air system, and from one other location selected at the Consultant's discretion. The Consultant will visually inspect accessible portions of the ventilation system and review photo documentation to verify that the system has been cleaned and is free of debris.

1. Only a single 100cm2 sample was collected from the exterior of the forced air system.
2. No sample was collected from within the heat exchanger unit,
3. No sample was collected from inside the cold air return system
4. No sample was collected from a fourth elective
5. There is no photo documentation to verify that the system has been cleaned and is free of debris.



Violation of Paragraph 6.9.6

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

6.9.6 Composite samples may be used for clearance sampling of rooms, attics, crawl spaces, and personal property, provided all aliquots comprising a composite sample come from the same room, attic, or crawl space.

For this project, in violation of §6.9.6, Mr. Rodosevich combined the aliquots from two separate rooms (kitchen and porch), and attempted to use that combined sample as clearance.

Violation of Paragraph 6.9.7 (2 Violations)

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

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

The photographs provided by Mr. Rodosevich, clearly demonstrate the presence of major appliances, however, according to his report, no clearance samples were collected from any of the appliances.

The photographs provided by Mr. Rodosevich include the presence of:

Stove
Kitchen Refrigerator

Violation of Paragraph 6.9.7 (2 Violations)

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

6.9.7 ...The exterior of major appliances may be sampled using composite samples.

Although we disagree with her interpretation, according to Ms. Colleen Brisnehan with the CDPHE, this regulation requires the consultant to collect samples from the exterior of the appliances.

No clearance samples were collected from the exterior of any of the following appliances:

Stove
Kitchen Refrigerator



Violation of Paragraph 6.9.11.1 (27 Violations)

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

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

Since Mr. Rodosevich has no documented training in the assessment of illegal drug laboratories, he was unaware of the fact that virtually all of his samples were collected from areas expected to have the lowest levels of contamination (for example, interior walls).

Colorado Consumer Protection Act

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

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

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

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

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

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



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

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

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

CONCLUSION

For this regulatory audit, for 316 South Hancock Avenue, Colorado Springs, CO, FACTs has identified no fewer than 370 (three hundred and seventy) total individual regulatory violations in the “Preliminary Assessment” portion.

As of the date of this review, June 8, 2016, **not** including fraudulent assessments performed prior to December 15, 2014, (the date of the implementation of the revised regulations regarding the assessment of methamphetamine affected properties) FACTs has documented 921 (nine hundred and twenty one) regulatory violations in just nine reports authored by Mr. Rodosevich..



Appendix A

Reviewer's Statement of Qualifications





Forensic Applications Consulting Technologies, Inc. Consultant Statement of Qualifications

FACTs project name:	Hancock	Form # ML15
June 8, 2016		

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

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

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

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

Mr. Connell is a current sworn law enforcement officer who has conducted clandestine laboratory investigations and performed risk, contamination, hazard and exposure assessments from both the law enforcement (criminal) perspective, and from the civil perspective in residences, apartments, motor vehicles, and condominiums. Mr. Connell has conducted over 628 assessments of illegal drug labs in CO, SD, NE, OK, and collected over 5,720 samples during assessments (a partial detailed list of drug lab experience is available on the web at): <http://forensic-applications.com/meth/DrugLabExperience2.pdf>

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

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



Multijurisdictional Counterdrug Task Force Training

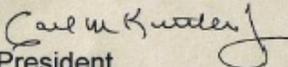


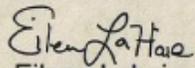
This is to certify that
Caoimhin P. Connell

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

Rural Patrol

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


President
St. Petersburg College


Eileen Lahaie
MCTFT Director

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

Midwest Counterdrug Training Center



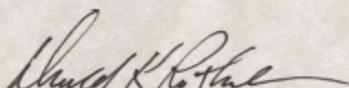
Certificate of Training

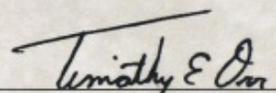
This certifies that

Caoimhin Connell

Has successfully completed the
Clandestine Laboratory Certification

Cheyenne, WY
40 Training Hours
2-6 August 2004


Network Environmental Systems, Inc.


LTC Timothy E. Orr
Commandant



Center *for* Task Force Training™

THIS IS TO CERTIFY THAT

Caoimhin P. Connell

HAS SUCCESSFULLY COMPLETED 20 HOURS OF TRAINING IN

METHAMPHETAMINE INVESTIGATION MANAGEMENT

MARCH 20-22, 2006

DENVER, COLORADO

Domingo S. Herraiz
Director, Bureau of Justice Assistance

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



State and Local Anti-Terrorism Training

THIS IS TO CERTIFY THAT

Caoimhin P. Connell

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

June 1, 2006

Denver, Colorado

Domingo S. Herraiz
Director, Bureau of Justice Assistance



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

*Rocky Mountain
High Intensity Drug Trafficking
Area*



Certifies that



Caoimhín Connell

has attended

4 hours of

Hash Oil Extraction: The Scene and The Patient

Aurora, CO

July 25, 2014

Training Manager, Rocky Mountain HIDTA

Director, Rocky Mountain HIDTA



www.nesglobal.net

Certificate of Completion

Caoimhin Connell

has successfully completed training in

Advanced Clan Labs: Beyond the Basics

presented by

NES, Inc.

1141 Sibley Street Folsom, CA 95630

Instructor - Brian Escamilla

04/28/14 04/30/14

Date

Contact Hours:24

This certifies that

Caoimhin P Connell

Has met the requirements for the online course

Expert Testimony Training for the Prosecutor and Scientist



11-07-2012

Certificate Number: 1109778763

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



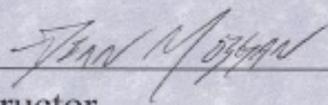
Park County Sheriff's Office Certificate of Completion

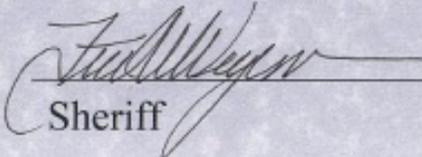
Caoimhin Connell

has completed an 8 hour course in:

Crime-scene Approach and Evidence Collection

Completed this 29th day of April, 2009


Instructor


Sheriff

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



Certifies that



Caoimhín P. Connell

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

Training Manager, Rocky Mountain HIDTA

Director, Rocky Mountain HIDTA

Certificate of Completion

This Will Certify That

Caoimhín P. Connell

Successfully Completed

Prescription Drug Crimes

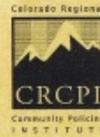
7 Hours Completed

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



P. Ritch Wagner
Instructor

Director, Law Enforcement Liaison & Education



Certificate of Training

This is to certify that
Caoimhin Connell

(Name)

Park County Sheriff's Office

(Agency)

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

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

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



Colorado Law Enforcement Officers' Association



This is to certify that

CAOIMHIN CONNELL

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

hosted by **Loveland Police Department**

on **February 28 – March 1, 2011**

Tom Finelle
Tom Finelle, CLEOA President

M. A. [Signature]
ARIDE Instructor

State of Colorado



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

CAOIMHIN PADRAIG CONNELL

August 27, 2008

Date

VIN INSP— **0952**

Number

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

Bill Ritter Jr.

Governor

John W. Suthers

Attorney General, Board Chairperson

Certificate of Completion Intoxilyzer 9000 Operator Certification Course

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

Caoimhin P Connell

User ID: **841645**

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

February 21, 2013

Certificate Date

Jeffrey A. Groff

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



David A. Butcher

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

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



Certificate of Achievement

awarded to:

Caoimhin P. Connell

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

June 1st, 2005

Date

Signed

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

CERTIFICATE OF COMPLETION

COLORADO LAW ENFORCEMENT ASSOCIATIONS TRAINING PROJECT

This Certifies That

Caoimhin Connell

Has Attended the

CLEAT 40-HOUR

Train the Trainer Course

Hosted by Breckenridge Police Department
August 14-18, 2006

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



John L. Kammerzell
Executive Director
Police Officer Standard & Training



Donald E. Christensen
Executive Director
County Sheriffs of Colorado



COLORADO AUTO THEFT INVESTIGATORS



SINCE 1973

This is to certify that

Caoimlin P. Connell

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

Presented this 24th day of May, 2008

Chris Fox

CATI President

[Signature]

VIN Inspector Training Coordinator

State of Colorado



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

CAOIMHIN PADRAIG CONNELL

May 6, 2004

Date

B- 10670

Number

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

Phil Owen

Governor

Ken Salazar

Attorney General, Board Chairperson

**Rocky Mountain
High Intensity Drug Trafficking
Area**



Certifies that



Caoimhín Connell

has attended

16 hours of

MCTC / RMHIDTA Indoor Marijuana Grows

Centennial, CO

August 28-29, 2014

Training Manager, Rocky Mountain HIDTA

Director, Rocky Mountain HIDTA

CERTIFICATE OF TRAINING

THIS IS TO CERTIFY THAT

Caoimhín Connell

Has completed 4 hours of successful training for

The Hazards of Hash Oil Extraction

Held at IRIS Fire Investigations in Englewood, CO

on this 7th day of November, 2014

Robert K. Toth
IRIS Fire Investigations, President



COLORADO
Department of Public
Health & Environment

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

December 30, 2014

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

Consultant Interim Authorization Approval

Dear Caoimhin Connell:

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

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

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

Approved By: _____

Date: _____

12/30/2014





COLORADO
Department of Public
Health & Environment

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

December 30, 2014

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

Consultant Firm Interim Authorization Approval

Dear Forensic Applications Consulting Technologies Inc:

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

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

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

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

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

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

Approved By: _____

Date: 12/30/2014

