



FORENSIC APPLICATIONS CONSULTING TECHNOLOGIES, INC.

**Regulatory Audit
of
Preliminary Assessment Report
by
Koch Environmental Health, Inc.
July 29, 2014**

**Identifying 203 Regulatory Violations
for the property located at:**

**1325 Monroe Street
Denver, CO**

Prepared by:

FORENSIC APPLICATIONS CONSULTING TECHNOLOGIES, INC.
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May 9, 2016

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EXECUTIVE SUMMARY

Forensic Applications Consulting Technologies, Inc. (FACTs) is a private S-Corporation in the State of Colorado offering classical Industrial Hygiene services to its clients.

This document has been prepared by Forensic Applications Consulting Technologies, Inc. in response to a formal request, on behalf of her client, by Ms. Cinthia M. Manzano, an attorney with the law firm of with Franscona, Joiner, Goodman and Greenstein, PC. The request was to remove the address of her client's residence, 1325 Monroe Street, Denver, Colorado from the FACTs web-site which names properties in Colorado that have been identified as illegal drug labs, or methamphetamine affected properties, as discovered by positive results from sampling performed at a property. This site lists those properties which have been legitimately tested and proven contaminated with methamphetamine, and for which no documentation exist to demonstrate compliance. This document has been prepared and made available 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:

KOCH ENVIRONMENTAL HEALTH, INC.
POTENTIAL CLANDESTINE METHAMPHETAMINE LABORATORY
PRELIMINARY ASSESSMENT REPORT

Prepared for:

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3070 W. PRENTICE AVE., #C
LITTLETON, COLORADO 80123

Project:

1325 MONROE STREET
DENVER, COLORADO
July 29, 2014

The purpose of this review is to document regulatory violations associated with regulatory work regarding the assessment of illegal drug laboratories (6 CCR 1014-3). The level of scrutiny employed in this review is that which has been established by the Colorado Department of Public Health and Environment.

For this regulatory audit, FACTs has identified no fewer than 203 (two hundred and three) total individual regulatory violations.

This particular consultant, Mr. Tom Koch, with Koch Environmental Health (KEH), has an extended history of documented regulatory violations under 6 CCR 1014-3^{1,2,3,4}

¹ 3324 S. Field Street Lakewood, Colorado, (January 21, 2015) 179 Regulatory Violations (http://forensic-applications.com/meth/KEH_Field_PA_RA.pdf)

² 1301 Speer Blvd. Denver, Colorado (Jan. 8, 2015) 498 Regulatory Violations (http://forensic-applications.com/meth/KEH_Speer_PA_Clearance_RA.pdf)



including attempts to knowingly “certify” contaminated properties with contamination levels in excess of regulatory limits.^{5,6}

FACTs obtained a public domain copy of the July 29, 2014 report in question directly from the City and County of Denver, where the file was held for public review. Therefore, there is no confidentiality issues associated with the document.

Based on our review, FACTs has found the following:

- It would appear that, in violation of 6 CCR 1014-3 and in violation of State Statutes following the June 17, 2014 cursory evaluation by FACTs, unlawful and unauthorized renovations occurred at the property.
- Based on the best information available, it would appear that following the illegal renovations and unlawful cleaning, Koch Environmental performed two separate invalid assessments.
- On July 29, 2014, Koch Environmental issued a report claiming to be compliant with Colorado Regulation 6 CCR 1014-3.
- The July 29, 2014 report issued by Koch Environmental documented numerous regulatory violations and documented that the assessment performed was not compliant in any way with State regulations, is not a Preliminary Assessment and cannot be used for regulatory Compliance purposes.
- The July 29, 2014, was not prepared, as required, by an individual with any known or documented training in the assessment of illegal drug laboratories.
- The July 29, 2014, document exhibited gross technical incompetence in regulatory compliance and illegal drug laboratory assessment.
- The document prepared by KEH contained at least 203 violations of State regulations and/or state statutes:
 - Failure to Provide Trained Personnel
 - Failure to Comply With Paragraph 4.1
 - Failure to Comply With Paragraph 4.2
 - Failure to Comply With Paragraph 4.4
 - Failure to Comply With Paragraph 4.5
 - Failure to Comply With Paragraph 4.6
 - Failure to Comply With Paragraph 4.7
 - Failure to Comply With Paragraph 4.8

³ 1812 164th Place, Thornton CO, <http://forensic-applications.com/meth/164thCriticalReview.pdf>

⁴ 1533 N. Monroe Street, Loveland, CO, http://www.forensic-applications.com/meth/KEH_Rpt_review_M.pdf

⁵ 1812 164th Place, Thornton CO, <http://forensic-applications.com/meth/164thCriticalReview.pdf>

⁶ See for example, 4182 Woodglen Blvd, Thornton, CO



- Failure to Comply With Paragraph 4.9
 - Failure to Comply With Paragraph 4.10
 - Failure to Comply With Paragraph 4.11
 - Failure to Comply With Paragraph 4.14 (10 Violations)
 - Violation of Section 6 – Mandatory Sampling Protocols
 - Violation of Section 6.1 (41 Violations)
 - Violation of Section 6.1.2
 - Violation of Section 6.2.1 (48 Violations)
 - Failure to Comply with Appendix A
 - Failure to Apply Mandatory Sampling Theory
 - Failure to Collect Minimum Required Surface Areas (5 Violations)
 - Failure to Collect Minimum 1,000 cm² from the Property
 - Failure to Collect Minimum Five Samples From the Property
 - Failure to Collect Minimum Three Discrete Samples
 - Failure to Sample the Shed
 - Collection of Prohibited Porous Samples (7 Violations)
 - Collection of Prohibited Composite Samples (35 Violations)
 - Failure to Comply with Section 7 - Functional Space (12 Violations)
 - Failure to Provide Documents Required for Final Inclusion
 - Failure to comply with Paragraph 8.1
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 - Failure to Provide Information Required by Paragraph 8.11
 - Failure to Provide Information Required by Paragraph 8.12
 - Failure to Provide Information Required by Paragraph 8.13 (10 violations)
 - Failure to Provide Information Required by Paragraph 8.14
 - Failure to Comply With Paragraph 8.20
 - Failure to Comply With Paragraph 8.21
 - Failure to Comply With Paragraph 8.22
 - Colorado Consumer Protection Act
 - Colorado Criminal Code – Fraud; Offering a false instrument for recording
- For this project, virtually no aspect of State Regulation or State statutes was followed by the consultant.
 - No legitimate Preliminary Assessment, as required by regulation, has been performed at 1325 Monroe Street, Denver CO as required by regulation.
 - Pursuant to State regulations, no clean-up activities may occur at an illegal drug laboratory except on the production of a legitimate Preliminary Assessment. Since no legitimate Preliminary Assessment exists for this property, no decontamination or cleaning would have been permitted. Any cleaning performed at the property would have been in violation of State regulations.
 - Pursuant to State regulations, following authorized cleaning, final verification sampling must be performed pursuant to specific mandatory elements found in 6 CCR 1014-3. No such verification sampling is on record with the City and County of Denver.



- Pursuant to Colorado Revised Statutes §25-18.5-104, entry into the property has been restricted by regulation since at least June 23, 2014 and that restriction continues to the day of this discussion (May 9, 2016).
- Pursuant to Colorado Revised Statutes §25-18.5-104, occupancy of the property is unlawful.
- Pursuant to CRS §25-18.5-104, prohibition on entry extends to any current occupants, Real Estate agents, property owner(s), maintenance personnel, potential buyers, home inspectors, 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).
- Use of fatally flawed work in violation of the State Regulations, may prevent the registered owner from receiving the liability immunity provided by Colorado Revised States.

Recent Statutory Changes

Over the last couple of years, many incompetent and unauthorized consultants, such as KEH, have provided consultation in drug laboratory related properties. Local Governments were being provided with bad information regarding the regulations from a State level. Eventually it was discovered that one State employee, Coleen Brisnehan with the Colorado Department of Health and Environment, was actually engaged in assisting in unlawful assessments,^{7,8} including knowingly providing false information to law enforcement agencies.⁹

Due to the serious problems thus created by Ms. Brisnehan and the CDPHE, Sen. Tochtrop promulgated SB13-219 which was signed by Gov. Hickenlooper in May 2013, and many aspects of the new statutes became effective on August 7, 2013. The author of this review, Mr. Connell assisted in crafting the language of SB13-219 which amended many of the rubrics found in CRS Title 25 and Title 38. For this property in question, 1325 Monroe Street, Denver, CO, the entire timeframe fell within the original statutes and regulations. Therefore, throughout this discussion, where we reference “regulations” and statutes, we are exclusively referring to the regulations and statutes that were current at the time and pertained at the time the work was performed by KEH. (The existing regulations became effective on December 15, 2014).

INITIAL DISCOVERY AND NOTIFICATION

According to Colorado State Statutes and State Regulation 6-CCR 1014-3, following the discovery of an illegal drug laboratory as that term is defined in CRS §25-18.5-101 (2.7),

⁷ See for example: http://www.forensic-applications.com/meth/Johnson_Critical_review.pdf

⁸ See for example: <http://forensic-applications.com/meth/DimickCriticalReview.pdf>

⁹ Letter from Colleen Brisnehan, to Joan Whittemore (CSPD) and Sgt. Harrell (CSPD) regarding Citizen Request #4967 (Tuesday, September 4, 2012 4:00 pm) From:, WHITTEJO@ci.colospgs.co.us to FACTs, Inc.



and following “notification,” an affected property must either be demolished or a “Preliminary Assessment” must be conducted at that property to characterize extant contamination (if any), and to direct appropriate decontamination procedures (if any). Pursuant to these regulations, information obtained in the Preliminary Assessment, must be used as the basis for remediation, and must be the basis for any final clearance sampling.

On Tuesday, June 17, 2014, at the request of a potential buyer, FACTs performed a cursory real estate site assessment at 1325 Monroe Street, Denver, CO and collected samples pursuant to the intent of Colorado Revised Statutes §38-35.7-103(2)(a).¹⁰

The sample results indicated profoundly elevated concentrations of methamphetamine contamination in the residence. The table below summarizes the results of FACTs’ samples.

Sample ID	Sample Location	Sample Results µg/100cm ²
MM061714-01A	Living room ceiling fan	29
MM061714-01B	Kitchen Ceiling fan	
MM061714-01C	NW Bedroom ceiling fan	
MM061714-01D	NE Bedroom ceiling fan	
MM061714-01E	Upstairs bathroom molding	
MM061714-02A	Garage door opening mechanism	15
MM061714-02B	Furnace interior	
MM061714-02C	Door bell mechanism	
MM061714-02D	Basement bedroom NE bedroom pipe	
MM061714-02E	Basement bathroom top of light	

**Table 1
Results of Methamphetamine Samples
1325 Monroe Street, Denver, CO**

Based on the results of the samples, an “illegal drug laboratory,” as defined in Colorado Revised Statutes §25-18.5-101(8) exists at the subject property.

The seller was informed that pursuant to Colorado Revised Statutes §25-18.5-104(1), from that point forward, entry into the subject property was restricted by regulation.

In our report, the seller was advised that no cleaning was permitted except pursuant to a legitimate Preliminary Assessment. Photographic records indicate that the property was significantly altered between the time of our assessment (June 17, 2014) and the photographs taken by Koch Environmental and presented as part of their July 29, 2014 report.

¹⁰ For this project, the State of Colorado recognizes that statutory language within CRS 38-35.7 notwithstanding, it is not possible to comply with the language of the statute as written with regarding to sampling. See *Cleanup of Clandestine Methamphetamine Labs Guidance Document*, July 2003 (Revised October 2007)



As described to the seller in our report, contrary to common belief, any subsequent testing performed at the subject property cannot be used to rebut these data, except upon the performance of a legitimate Preliminary Assessment, as defined in 6 CCR 1014-3.

Any seller who is aware of the presence of an illegal drug laboratory is required by Colorado Revised Statutes 38-35.7-103(3)(a) to disclose to any potential buyer, in writing, the presence of the same.

In our June 23, 2014 report, the registered owner of the property was advised that several unauthorized consultants (including untrained Certified Industrial Hygienists), were performing unlawful consultation in illegal drugs labs in Colorado. The Registered Owner of the property was advised that use of such consultants had resulted in serious litigation problems and would result in a fatal flaw in the work. The Registered Owner of the property appears to have disregarded the information and selected a consultant, Mr. Tom Koch, who had a documented history of providing invalid assessments, and falsifying certification documents for Real Estate transactions.^{11,12,13,14}

The seller was advised that according to Regulation 6 CCR 1014-3, any cleaning and/or remediation and/or decontamination is strictly prohibited, except pursuant to a legitimate and completed Preliminary Assessment.

The property description provided by Koch Environmental was not consistent with the property FACTs had assessed. Similarly, the photographs taken by FACTs are not consistent with the photographs taken by KEH. It would appear that in violation of State regulations and State statutes, unlawful renovations occurred prior to a supposed Preliminary Assessment. For example, the furnace present during our visit does not appear to be the same furnace that was present when KEH performed their evaluation. Similarly the color schemes in the house do not appear to be consistent, indicating that in violation of State regulations, some surfaces appear to have been painted following the FACTs assessment (6/23/2014-report) but prior to the KEH assessment (7/29/2014-report).

Quality Assurance – Quality Control (QA/QC)

Methamphetamine does not simply disappear from houses. That is, unless the residence was illegally cleaned, the methamphetamine contamination that FACTs identified in June

¹¹ 3324 S. Field Street Lakewood, Colorado, (January 21, 2015) 179 Regulatory Violations (http://forensic-applications.com/meth/KEH_Field_PA_RA.pdf)

¹² 1301 Speer Blvd. Denver, Colorado (Jan. 8, 2015) 498 Regulatory Violations (http://forensic-applications.com/meth/KEH_Speer_PA_Clearance_RA.pdf)

¹³ 1812 164th Place, Thornton CO, <http://forensic-applications.com/meth/164thCriticalReview.pdf>

¹⁴ 1533 N. Monroe Street, Loveland, CO, http://www.forensic-applications.com/meth/KEH_Rpt_review_M.pdf



of 2014 was still present at the property when KEH performed their invalid work in July 2014.

When FACTs performed its sampling, we used standard QA/QC protocols including spiked samples and field blanks.

The wipe sample media was individually wrapped commercially available Johnson & Johnson™ brand 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.

The spikes used by FACTs were positive controls and ensured that if methamphetamine is present, FACTs would have confidence the laboratory would correctly identify the contamination. For this property's data set, as part of our general QA/QC protocol, FACTs submitted samples prepared by a third party independent laboratory for the inclusion of known amounts of *d*-methamphetamine¹⁵ into the selected sample media. The spiked samples are then surreptitiously submitted with the normal project samples. To ensure the integrity of the spikes, laboratory personnel are unaware of the presence or nature of the spikes. The spikes allow FACTs to determine the adequacy of the laboratory in recovering known amounts of methamphetamine from the samples. Sample results reported are then corrected to the spike recovery.

In this case, we used the pooled spike recovery from all previous projects which indicates a spike recovery of 96.3% recovery (n=30, σ =0.14 μ g).

FACTs is the only consulting firm that followed normal Industrial Hygiene protocols and submitted spike samples as part of our QA/QC.

In addition to QA/QC spikes, FACTs also submitted field blanks. Field blanks are negative controls, and ensure that if methamphetamine is identified in a sample, the identified contamination is a result of surface contamination at the property and not the result of contaminated sampling materials or contaminated handling and analysis problems.

For this property, at the time of our assessment, the history of the FACTs sampling media demonstrated a media and solvent contamination level below the analytical detection limit for the method. FACTs reagents blank information for the methyl alcohol lot used (Lot #A13Ø2) was less than the method detection limit for the previous 29 (twenty nine blanks), and the gauze used during our assessment (Lot # G13Ø1) was less than the method detection limit for previous 29 (twenty nine) blanks. Therefore, we are confident the methamphetamine reported in the sample was a result of surface contamination and not a result of contaminated sampling materials or handling. FACTs remains the only

¹⁵ S(+)-methamphetamine, S,S(+)-pseudoephedrine, 1S,2R(+)-ephedrine



consulting Industrial Hygiene firm that uses normal, standard Industrial Hygiene QA/QC protocols in our work.

Therefore, the methamphetamine contamination that FACTs identified on Tuesday, June 17, 2014 during our assessment would have still been on site in July when Mr. Koch performed his invalid assessment, and had Mr. Koch followed the mandatory sampling requirements, he would have identified the contamination. However, Mr. Koch has an history of knowingly falsifying his reports, and violating State regulations, and knowingly providing false certifications for real estate transactions.

For this property, by knowingly using prohibited “sampling” techniques, and knowing performing invalid “sampling,” Mr. Koch was able to falsely demonstrate “compliance” for a heavily contaminated illegal drug laboratory.

According to the mandatory State regulations, the Preliminary Assessment must be conducted according to specified requirements¹⁶ and must contain specific elements. The regulations were not guidelines, but were mandatory requirements. The Industrial Hygienist does not have the liberty or authority to simply not comply with the regulations or “pick-and-choose” which elements he will follow and which elements he will ignore.

In this case, failure to comply with the regulations resulted in invalid work.

REVIEW OF PRELIMINARY ASSESSMENT

Failure to Provide Trained Personnel

Regulatory Requirements

One of the mandatory provisions, pursuant to state regulations promulgated by the Colorado State Board of Health and designated as “6 CCR 1014-3, *Regulations Pertaining To The Cleanup Of Methamphetamine Laboratories*” is that assessments of properties within the scope of the regulation can only be performed by an authorized Industrial Hygienist who not only meets the definition found in Section 24-30-1402 of the Colorado Revised Statutes, but also, the Industrial Hygienist must perform hypothesis testing wherein:

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

Similarly, regarding contamination migration, the regulations explicitly state:

“Functional space” means a space where the spread of contamination may be expected to occur relatively homogeneously, compared to other functional spaces. The “functional

¹⁶ Section 4 of 6 CCR 1014-3



space” may be a single room or a group of rooms, designated by a consultant who, **based on professional judgment**, considers the space to be separate from adjoining areas with respect to contaminant migration. Other typical examples of functional spaces include a crawl space, an attic, and the space between a dropped ceiling and the floor or roof deck above.

And:

4.6 Identification and documentation of areas of contamination. This identification may be based on visual observation, law enforcement reports, proximity to chemical storage areas, waste disposal areas, or cooking areas, or **based on professional judgment** of the consultant; or the consultant may determine that assessment sampling is necessary to verify the presence or absence of contamination.

And:

Other outdoor surfaces should be evaluated based on **best professional judgment**. Wipe samples and destructive samples may be required.

And:

Composite sampling is permitted by this regulation, as described herein. The consultant may not use composite sampling unless in their **professional judgment**, contamination is expected to be relatively evenly dispersed throughout a given area, such that the sampling will accurately represent the conditions of the drug laboratory.

And so forth; the allusion to an appropriately trained IH is woven intrinsically into the regulation and is needed for compliance. Indeed, the Regulations explicitly require the consultant to include a synopsis of the consultant’s experience and training in the final report.

8.0 Reporting. A final report shall be prepared by the consultant to document the decontamination process and demonstrate that the property has been decontaminated to the cleanup levels listed in Section 7.0 of these regulations. The final report **shall** include, but not be limited to, the following:

8.21. Consultant statement of qualifications, including professional certification or qualification as an industrial hygienist as defined in section 24-30-1402, C.R.S., *and description of experience in assessing contamination associated with methamphetamine labs.*

KEH entirely failed to provide this mandatory information in their report, simply because, Mr. Koch has never been able to demonstrate any training or knowledge in the assessment of illegal drug laboratories and, to our knowledge, Mr. Koch has **never** performed a single valid assessment pursuant to 6 CCR 1014-3.

In the case of the Monroe Street property, it is not even known who actually performed the work, since in the report, KEH states:

*All work is conducted by or under the supervision of a Certified Industrial Hygienist.*¹⁷

¹⁷ Reproduction of text throughout this document is pursuant to the “Fair Use Doctrine” Copyright Law of the United States of America U.S.C. Title 17, §107: Notwithstanding the provisions of sections §106 and



Although, in the July 29, 2014 report, Mr. Koch also stated:

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

As demonstrated in this review the statement is knowingly false since:

- 1) A Preliminary Assessment pursuant to 6 CCR 1014-3 Section 4 was NOT conducted at the property, and –
- 2) KEH never confirmed the cleanup standards established by 6 CCR 1014-3, Section 7 since KEH never performed any sampling at the property as required by regulations.

Therefore, the assessment was performed by an individual with no documentable training in clandestine drug laboratory operations, and no documented training in any aspect of manufacturing, or processing of illegal drugs. The KEH report contains so many gross errors, regulatory violations, omissions and false statements, and has been so incompetently prepared that one is led to the obvious conclusion that the KEH author has no legitimate training or knowledge in clandestine drug laboratories or the mandatory State regulations (or that the author was aware of the mandatory regulations, and intentionally, with the intent to defraud, ignored the regulations).

Failure to Comply with Mandatory Elements

According to Colorado State regulation 6 CCR 1014-3, when a Preliminary Assessment is conducted specific elements must be included:

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

Failure to Comply With Paragraph 4.1

According to State regulations, during the Preliminary Assessment, the Industrial Hygienist shall perform specific duties including providing a description of the structure including:

4.1. 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.

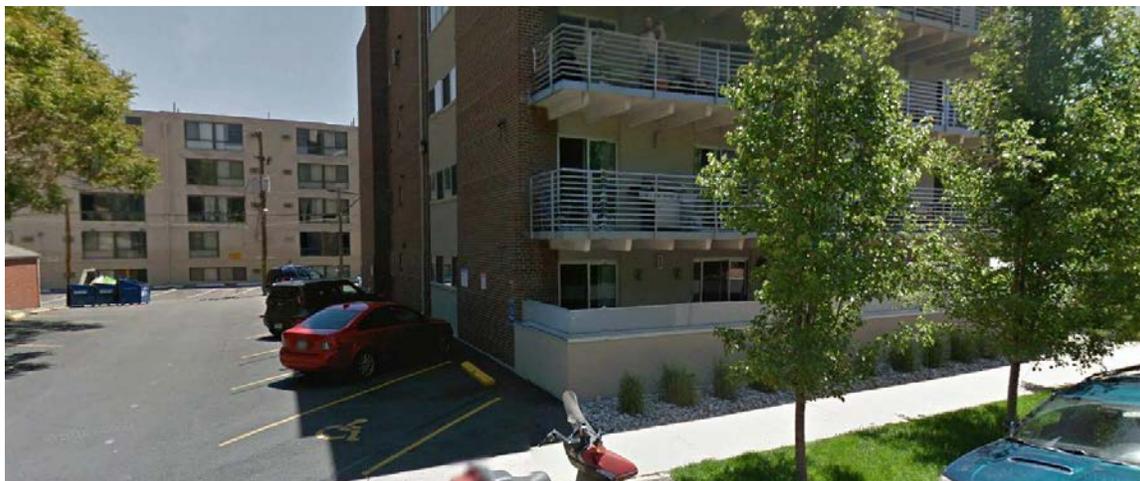
§106A, the fair use of a copyrighted work, including such use by reproduction in copies ... or by any other means ... for purposes such as criticism, comment, news reporting, teaching ... scholarship, or research, is not an infringement of copyright.



KEH failed to perform its duties and fulfill regulatory requirements by failing to document the structure as required. In the report, Mr. Koch falsely stated:

The property is located in a residential neighborhood and is surrounded by similar single-family properties under separate addresses.

In fact, if one stood on the front doorstep of 1325 Monroe Street, in Denver, in June of 2014, one would have seen the following:



**Photograph 1
1325 Monroe Street Denver, Looking East**

In his report, Mr. Koch describes the above structures as similar to a 900 square foot

“... four-bedroom, single family, ranch style house with a finished basement and detached garage...”

It would appear that Mr. Koch simply uses this boiler plate language regardless of actual site conditions. For example, on another property,¹⁸ Mr. Koch described a 3,036 square foot carpeted structure built of plaster and lath as an 884 square foot property constructed of drywall with no carpeting except in bedrooms, and for that property Mr. Koch stated:

The property is located in a residential neighborhood and is surrounded by similar single-family properties under separate addresses. Domestic water and waste services

In fact, similar to the Monroe Street property in Denver, across the street from the Monroe property in Loveland we see the following:

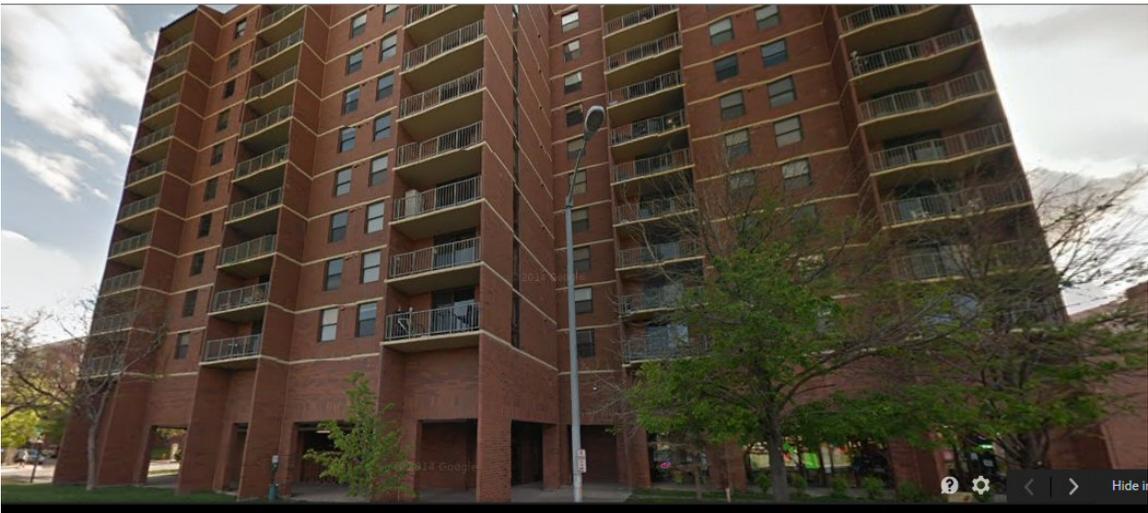
¹⁸ 1533 N. Monroe Street, Loveland, CO, http://www.forensic-applications.com/meth/KEH_Rpt_review_M.pdf





Photograph 2
Street View of 1533 Monroe Avenue, Loveland, CO
Described by KEH as Similar to an 884 Square Foot Residential Property

This is not unusual for Mr. Koch, who described the building in the next photograph as “...a two-level commercial space...”¹⁹



Photograph 3
Structure Described by KEH as a *two-level commercial space*

Therefore, it is often difficult to know from whence Mr. Koch derives his structural descriptions, but in our experience, the description in the KEH reports often do not pertain to the property under investigation.

¹⁹ 1301 Speer Blvd. Denver, Colorado (Jan. 8, 2015) 498 Regulatory Violations (http://forensic-applications.com/meth/KEH_Speer_PA_Clearance_RA.pdf)



Failure to Comply With Paragraph 4.2

According to State regulations, during the Preliminary Assessment, the Industrial Hygienist shall perform specific duties regarding law enforcement documentation:

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

KEH failed to perform its duties and fulfill regulatory requirements by failing to document the availability of any law enforcement documents. Instead, in their report, KEH stated:

KEH is unaware of the existence of any law enforcement activity report (i.e. El Paso Intelligence Center or EPIC form) related to methamphetamine manufacturing at this address. KEH reviewed the US Department of Justice National Clandestine Laboratory Database and found the subject address not listed at the time of generation of this report.

There is no indication that KEH made any attempt to comply with this mandatory provision. Instead, the language used by KEH is boiler plate language that KEH appears to use in its reports regardless of actual site conditions.^{20,21} The allusion to the “EL Paso Intelligence Center” demonstrates that Mr. Koch has no knowledge of illegal drug laboratories or their assessment since the “El Paso Intelligence Center” (EPIC) has *nothing* to do with the property, and EPIC is not the law enforcement agency with jurisdiction over the property. The El Paso Intelligence Center (EPIC) is a Federal DEA and U.S. Customs Service Center located at the Biggs Army Airfield in Texas.

Similarly, the US Department of Justice National Clandestine Laboratory Database would only have information if it was provided to them by the law enforcement agency with jurisdiction over the property – the Denver Police Department (DPD). There is no particular compelling reason the property would have been identified on the US Department of Justice National Clandestine Laboratory Database. There is otherwise no indication that Mr. Koch made any attempts to contact the pertinent law enforcement agency to determine if there was law enforcement documentation associated with the property.

The language used by KEH appears to be verbatim plagiarism from the reports of another fraudulent consultant, (Titan Environmental Services²²) who was also performing

²⁰ See for example: 3324 S. Field Street Lakewood, Colorado, (January 21, 2015) 179 Regulatory Violations (http://forensic-applications.com/meth/KEH_Field_PA_RA.pdf)

²¹ See for example: 1301 Speer Blvd. Denver, Colorado (Jan. 8, 2015) 498 Regulatory Violations (http://forensic-applications.com/meth/KEH_Speer_PA_Clearance_RA.pdf)

²² P.O. Box 410295, Kansas City, MO 64141



fraudulent assessments in Colorado, who in their reports would state almost exactly the same thing:^{23,24}

TES is unaware of the existence of any federal law enforcement activity report (i.e. El Paso Intelligence Center or EPIC form) related to methamphetamine manufacturing at this address. TES also reviewed the US Department of Justice National Clandestine Laboratory Database and found the subject address not listed at the time of generation of this report....

Otherwise nowhere in the documentation provided do we see where KEH made any documented attempts to obtain or review any available law enforcement documents.

Failure to Comply With Paragraph 4.4

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

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

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

Inherent in this requirement is the presumption that the consultant would be capable of actually having some knowledge of manufacturing processes, and some training which would allow the recognition of observations to be linked to some kinds of manufacturing.

As already stated, there is no documentation that indicates that the work was performed by an individual who has any training whatsoever in illegal drug laboratories. Therefore, it would be impossible for Mr. Koch to be capable of describing the method of manufacturing or chemicals used.

Similarly, since Mr. Koch failed to determine if law enforcement records were available, as required, he could not have known what those documents may identify.

Failure to Comply With Paragraph 4.5

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

²³ See for example, TES report for 673 Shooks Lane, Colorado Springs, CO 80903 (http://forensic-applications.com/meth/Shooks_DS_regulatory_audit.pdf)

²⁴ See for example, TES report for 5571 E. 66th Way Commerce City, CO 80022 (http://forensic-applications.com/meth/E66th_PA_regulatory_audit_HUD.pdf)



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

KEH entirely failed to perform its professional, regulatory obligations and duties and failed to fulfill this regulatory requirement by failing to identify the chemicals that may have been identified on law enforcement documents since Mr. Koch failed to obtain those documents and otherwise has no documentable training or knowledge of illegal drug laboratories.

Failure to Comply With Paragraph 4.6

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

4.6 Identification and documentation of areas of contamination. This identification may be based on visual observation, law enforcement reports, proximity to chemical storage areas, waste disposal areas, or cooking areas, or based on professional judgment of the consultant; or the consultant may determine that assessment sampling is necessary to verify the presence or absence of contamination...

Since Mr. Koch has no documented training in the assessment of illegal drug laboratories and otherwise failed to obtain law enforcement documents, there is no way Mr. Koch could have complied with this section.

Failure to Comply With Paragraph 4.7

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

4.7. Identification and documentation of chemical storage areas.

Since Mr. Koch failed to obtain law enforcement documents, there is no way Mr. Koch could have complied with this section.

Failure to Comply With Paragraph 4.8

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

4.8. Identification and documentation of waste disposal areas.

Since Mr. Koch failed to obtain law enforcement documents, there is no way Mr. Koch could have complied with this section. Similarly, KEH failed to photograph any of the plumbing fixture basins, and therefore, it remains unknown if disposal occurred in the plumbing system.

Failure to Comply With Paragraph 4.9

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



4.9. Identification and documentation of cooking areas.

Since Mr. Koch failed to obtain law enforcement documents, there is no way Mr. Koch could have complied with this section.

Failure to Comply With Paragraph 4.10

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

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

Nowhere in the KEH report do we find that KEH addressed this mandatory element for a Preliminary Assessment. In fact, nowhere in the KEH report does KEH even made mention of any aspect of this element except to state in his report that he was required to assess for these signs.

Photographic documentation taken during the FACTs assessment for this subject property indicate corrosion and staining indicative of a possible illegal salting process.

Failure to Comply With Paragraph 4.11

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

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

KEH entirely failed to comply with this mandatory activity and entirely failed to perform an inspection of the plumbing as required by mandatory regulations. Instead, in the report KEH explicitly noted they were aware of the fact they were supposed to have performed this work. In their report KEH states:

PRELIMINARY ASSESSMENT PROCEDURES

The preliminary assessment was performed in accordance with CDPHE Regulations Pertaining to the Cleanup of Methamphetamine Laboratories 6 CCR 1014-3. KEH's preliminary assessment included the following items from the METHAMPHETAMINE PRELIMINARY ASSESSMENT CHECKLIST, a copy of which is contained herein:

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

Unfortunately since KEH failed to comply with Section 4.14 of the regulations (See below), and there are no photographs of the plumbing fixture basins, there is no way to really know the condition of the plumbing's integrity or if there was disposal into the



sanitary sewer system. However, the photographs collected by FACTs during our assessment appear to show staining, possibly indicative of meth-related waste disposal.

Failure to Comply With Paragraph 4.14 (10 Violations)

During the Preliminary Assessment, the Industrial Hygienist is required to provide:

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

KEH failed to comply with this provision of regulations and entirely failed to provide any photographs of the following:

1. Attic
2. Plumbing
3. Living room ceiling fan, confirmed by FACTs as contaminated (in the KEH report, it would appear the ceiling fan had been illegally removed)
4. Kitchen ceiling fan, confirmed by FACTs as contaminated (in the KEH report, it would appear the ceiling fan had been illegally removed)
5. Upstairs bathroom confirmed by FACTs as contaminated
6. Area of living room by doorbell (confirmed by FACTs as contaminated)
7. North east basement bedroom (confirmed by FACTs as contaminated)
8. Upstairs bathroom (confirmed by FACTs as contaminated)
9. Furnace interior (confirmed by FACTs as contaminated)
10. Shed (interior or exterior)

Violation of Section 6 – Mandatory Sampling Protocols

During the performance of a Preliminary Assessment, where samples are collected, they must be collected pursuant to specific protocols.

6.0 Sampling and Analytical Procedures.

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

For this property, KEH entirely failed to collect any samples pursuant to mandatory protocols. That is, all samples collected by KEH at this property were in violation of State regulations.

Violation of Section 6.1 (41 Violations)

According to the regulations, the Industrial Hygienist was required to collect samples pursuant to specific protocols including:

6.1. Locations of samples shall be based on information gathered during the preliminary assessment. Samples shall be collected from:

6.1.1. Areas expected to have the highest levels of contamination, such as cooking



areas, chemical storage areas, and waste disposal areas.

KEH acknowledged they were aware of the requirement that there was supposed to have collected samples from areas expected to have the highest levels of contamination. In their report, KEH explicitly (and falsely) stated:

*Samples were collected from traffic areas, visibly stained areas, contents, at or near water or electric sources and/or other suspect areas where clandestine drug manufacturing was suspected, **or where previous sample results yielded concentrations in excess of 0.5 ug/cm².***

During the cursory evaluation by FACTs, the following areas were conclusively identified as being contaminated:

Sample ID	Sample Location	Sample Results µg/100cm ²
MM061714-01A	Living room ceiling fan	29
MM061714-01B	Kitchen Ceiling fan	
MM061714-01C	NW Bedroom ceiling fan	
MM061714-01D	NE Bedroom ceiling fan	
MM061714-01E	Upstairs bathroom molding	
MM061714-02A	Garage door opening mechanism	15
MM061714-02B	Furnace interior	
MM061714-02C	Door bell mechanism	
MM061714-02D	Basement bedroom NE bedroom pipe	
MM061714-02E	Basement bathroom top of light	

**Table 2
Areas Conclusively Identified as Contaminated**

Contrary to the false statements made in the KEH report, KEH did not collect samples from the following surfaces that had been previously identified as having concentrations in excess of 0.5 µg/100cm²:

1. Living room ceiling fan
2. Upstairs bathroom molding
3. Garage door opening mechanism
4. Furnace interior
5. Door bell mechanism
6. Basement bedroom NE bedroom pipe
7. Basement bathroom top of light

Furthermore, in violation of the provisions of §6.1.1, the following samples were collected from areas expected to have the LOWEST levels of contamination:

- 1) 1325-02 West side floor of living room @ HVAC supply
- 2) 1325-02 W. stairway above light switch
- 3) 1325-08 W. wall below light switch
- 4) 1325-08 S. wall trim behind door



- 5) 1325-08 Floor @ HVAC supply
- 6) 1325-08 Window sill
- 7) 1325-10 E. wall below light switch
- 8) 1325-10 Floor @ E. HVAC supply
- 9) 1325-10 S. wall trim behind door
- 10) 1325-11 S. wall below light switch
- 11) 1325-11 Tub basin @ drain
- 12) 1325-11 Center of floor
- 13) 1325-11 Center of ceiling
- 14) 1325-03 E. wall kitchenette below HVAC supply
- 15) 1325-03 S. wall family room @ HVAC supply
- 16) 1325-03 W. wall W. bedroom below light switch
- 17) 1325-03 W. wall E. bedroom below HVAC diffuser
- 18) 1325-03 E. wall utility room above HVAC diffuse
- 19) 1325-13 Center E. wall of family room
- 20) 1325-13 Center of family room ceiling
- 21) 1325-14 E. wall below light switch
- 22) 1325-14 E. wall base behind door
- 23) 1325-14 Sink basin
- 24) 1325-14 Center of floor
- 25) 1325-14 Center of ceiling
- 26) 1325-15 Center of E. wall
- 27) 1325-15 Center of N. wall
- 28) 1325-15 Center of ceiling
- 29) 1325-15 Ceiling @ HVAC supply
- 30) 1325-16 W. wall @ HVAC supply
- 31) 1325-16 N. wall E. window sill
- 32) 1325-16 Center E. wall
- 33) 1325-16 Center ceiling
- 34) 1325-04 Top of attic hatch (200)
- 35) 1325-04 2X4 above W. bedroom (200)
- 36) 1325-05 2X4 above kitchen
- 37) 1325-01 Exterior of E. entry on handle
- 38) 1325-01 Interior E. wall below light switch on 2x4
- 39) 1325-01 Interior floor @ East entry
- 40) 1325-01 Center of floor
- 41) 1325-01 S. wall on un-textured drywall

Violation of Section 6.1.2

According to the regulations, the Industrial Hygienist was required to collect samples pursuant to specific protocols including:

6.1.2. Areas where contamination may have migrated, such as adjacent rooms or units, common areas, and ventilation systems.



For this project KEH failed to collect a minimum of 500 cm² from the ventilation Function Space.

Violation of Section 6.2.1 (48 Violations)

According to the regulations, the Industrial Hygienist was required to collect samples pursuant to specific protocols including:

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

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

A properly trained Industrial Hygienist would have known that field data from fully characterized properties exhibit a lognormal distribution (large variations of concentration). That is, the contamination under the circumstances of the subject property will never be "...expected to be relatively evenly dispersed throughout a given area..." and the geometric standard deviations can be huge. This distribution has been reported elsewhere.^{25, 26} A legitimate Industrial Hygienist, trained in the aspects of illegal drug laboratory assessments, would have known that contamination under the circumstances at the Monroe Street, Denver, CO property, would exhibit very large spatial variation and would not be "expected to be relatively evenly dispersed throughout a given area."

Indeed, if we simply look at the FACTs data from the samples we collected during our cursory review, we see exactly the type of lognormal variation expected. However, lacking the technical training necessary to perform this work, Mr. Koch failed to anticipate the distribution and therefore, composite sampling for this property was prohibited. Therefore, strictly speaking, ALL of the samples collected by KEH in this property are invalid except two samples:

- Sample 1325-07
- Sample 1325-09

²⁵ Washington State Department of Health: Summary Results from a Pilot Study to Evaluate Variability and Distribution of Methamphetamine Residue in Remediated Residential Illegal Drug Labs, as reported in NIOSH Method 9106 (DRAFT)

²⁶ Martyny JW, Arbuckle SL, McCammon CS, Esswein EJ, Erb N, *Chemical Exposures Associated with Clandestine Methamphetamine Laboratories*, (http://www.njc.org/pdf/chemical_exposures.pdf , May 10, 2004).



Failure to Comply with Appendix A

Failure to Apply Mandatory Sampling Theory

According to the regulations, during the performance of a Preliminary Assessment, the Industrial Hygienist is required to perform sampling pursuant to the mandatory provisions of Appendix A which, in part, state:

In pre-decontamination sampling, the assumption (hypothesis) is made that the area is clean i.e. "compliant," and data will be collected to find support for the hypothesis. Data (such as samples) are collected to "prove" the area is compliant. Sampling, if it is performed, is conducted in the areas with the highest probability of containing the highest possible concentrations of contaminants. Any data that disproves the hypothesis, including police records, visual clues of production, storage, or use or documentation of drug paraphernalia being present, is considered conclusive, and leads the consultant to accept the null hypothesis and declare the area non-compliant.

Therefore, based on the sampling performed by FACTs, at a minimum KEH was required by regulation to do one of two things: 1) Either perform sampling pursuant to the regulations to demonstrate compliance, or 2) Presume all surfaces in the property were non compliant. For this property, KEH did neither, instead Mr. Koch invented his own imaginary clearance criteria, and, without any legal authority, circumvented the regulations and personally declared the property as compliant.

Failure to Collect Minimum Required Surface Areas (5 Violations)

According to the regulations, during the performance of a Preliminary Assessment, if the samples are to be used to demonstrate compliance, the Industrial Hygienist is required to perform sampling pursuant to the mandatory provisions of Appendix A which, in part, state:

For any given *functional space*, at least 500 cm² of surface shall be sampled, unless the area is assumed to be non-compliant.

For this property, Mr. Koch identified 11 Functional Spaces:

1. Living Room / Kitchen / Dining Room
2. East bedroom
3. West bedroom
4. Bathroom
5. Basement family room / kitchenette
6. Basement Bathroom
7. Basement West bedroom
8. Basement East bedroom
9. Attic
10. Garage
11. Shed



Therefore, a minimum of 500 square centimeters was required for each of the Functional Spaces identified. However, the table below identifies the actual surface areas collected from each of the identified Functional Spaces:

Functional Space	Description	Area Required cm2	Area Actually Collected cm2
1	Living Room / Kitchen / Dining Room	500	300
2	US East bedroom	500	500
3	US West Bedroom	500	500
4	US Bathroom	500	500
5	Basement family room / kitchenette	500	700
6	Basement Bathroom	500	500
7	Basement West bedroom	500	400
8	Basement East bedroom	500	400
9	Attic	500	500
10	Garage	500	500
11	Shed	500	0
12	Furnace	500	200

Summary of KEH Samples – Areas Collected

Therefore, based on surface area requirements, KEH failed to collect compliance samples from five of the Functional Spaces.

Yet in his report, Mr. Koch knowingly makes the following false statement:

For any given functional space identified by KEH, at least 500 cm2 of surface was sampled, unless the area was assumed to be non-compliant.

This is simply untrue; Mr. Koch has knowingly misrepresented his work, and knowingly violated the mandatory State requirements to the detriment of his client.

Failure to Collect Minimum 1,000 cm2 from the Property

According to the regulations, during the performance of a Preliminary Assessment, if the samples are to be used to demonstrate compliance, the Industrial Hygienist is required to perform sampling pursuant to the mandatory provisions of Appendix A which, in part, state:

At least 1,000 cm2 of total surface area must be sampled for any single laboratory identified pursuant to section 25-18.5-103, C.R.S.

Implicit in this requirement is the 1,000 cm2 must comprise of lawful samples. For this property, as described throughout, only two one hundred square centimeter samples were valid for a total of 200 cm2 collected from the property; the only two valid samples collected from this property were:



- Sample 1325-07
- Sample 1325-09

Failure to Collect Minimum Five Samples From the Property

According to the regulations, during the performance of a Preliminary Assessment, if the samples are to be used to demonstrate compliance, the Industrial Hygienist is required to perform sampling pursuant to the mandatory provisions of Appendix A which, in part, state:

No fewer than five samples shall be collected from any laboratory identified pursuant to section 25-18.5-103, C.R.S.

Implicit in this requirement is the five samples must be five *lawful* samples. For this property, as described throughout, only two samples were valid;

- Sample 1325-07
- Sample 1325-09

Failure to Collect Minimum Three Discrete Samples

According to the regulations, during the performance of a Preliminary Assessment, if the samples are to be used to demonstrate compliance, the Industrial Hygienist is required to perform sampling pursuant to the mandatory provisions of Appendix A which, in part, state:

The required sample area shall be composed of no fewer than three discrete samples.

Implicit in this requirement is the five samples must be three *lawful* samples. For this property, KEH falsely claims to have collected three discrete:

- Sample 1325-05
- Sample 1325-07
- Sample 1325-09

However, when we look at Sample 1325-05, we see the following description:

ATTIC SPACE				
1325-04	07/01/14	1. Top of attic hatch (200) 2. 2X4 above W. bedroom (200)	400	BRL
1325-05	07/16/14	1. 2X4 above kitchen	100	BRL

That is, according to KEH, Sample 1325-05 was collected from a 2X4 (timber) which is a porous material. According to Appendix A of the mandatory regulations:

Wipe sampling shall not be used to demonstrate that cleanup levels have been met on porous surfaces.



Therefore, not only are all three of the samples from the attic unlawful, but the apparent discrete sample is unlawful and cannot be included as one of the mandatory discrete samples.

Failure to Sample the Shed

According to the regulations, during the performance of a Preliminary Assessment, if the samples are to be used to demonstrate compliance, the Industrial Hygienist is required to perform sampling pursuant to the mandatory provisions of Appendix A which, in part, state:

Each functional space exhibiting indicia of contamination shall be sampled. For example, where a single- family dwelling meets the definition of a drug laboratory, and an associated detached garage contains indicia of contamination, the dwelling and the garage shall be evaluated separately.

For this property, KEH identified an exterior shed, but failed to collect any samples from the shed.

Collection of Prohibited Porous Samples (7 Violations)

According to the regulations, during the performance of a Preliminary Assessment, if the samples are to be used to demonstrate compliance, the Industrial Hygienist is required to perform sampling pursuant to the mandatory provisions of Appendix A which, in part, state:

Wipe sampling shall not be used to demonstrate that cleanup levels have been met on porous surfaces.

For this property, KEH collected seven samples from porous surfaces and attempted to use those samples to demonstrate attainment of clean-up levels.

Room	Sample	KEH Description	Material
Attic	1325-04	Top of attic hatch (200)	Porous wood
Attic	1325-04	2X4 above W. bedroom (200)	Porous wood
Attic	1325-05	2X4 above kitchen	Porous wood
Garage	1325-01	Interior E. wall below light switch on 2x4	Porous wood
Garage	1325-01	Interior floor @ East entry	Porous Concrete
Garage	1325-01	Center of floor	Porous Concrete
Garage	1325-01	S. wall on un-textured drywall	Porous drywall

Collection of Prohibited Composite Samples (35 Violations)

According to the regulations, during the performance of a Preliminary Assessment, if the samples are to be used to demonstrate compliance, the Industrial Hygienist is required to perform sampling pursuant to the mandatory provisions of Appendix A which, in part, state:

Any composite sampling must consist of like media, matrices or substrates. The mixing



of media, matrices or substrates is not permitted.

For this property, KEH unlawfully composited the following 35 (thirty five) samples:

Functional Space	Sample Number	Sample Substrate
1	1325-02	Laminated wood
		Painted Drywall
		Painted Drywall
2	1325-08	Hard wood
		Painted Drywall
		Painted Drywall
		Plastic
3	1325-10	Hard wood
		Painted Drywall
		Painted wood
		Varnished wood
4	1325-11	Ceramic? Wood?
		Painted Drywall
		Painted Drywall
		Wood
		Porcelain
5	1325-03	Painted concrete
		Painted Drywall
6	1325-14	Painted Drywall
		Painted Drywall
		Painted wood
		Porcelain
		Wood
8	1325-16	Painted dry wall
		Painted dry wall
		Painted Drywall
		Varnished wood
10	1325-01	Porous Concrete
		Porous Concrete
		Metal
		Porous drywall
		Porous wood



Failure to Comply with Section 7 - Functional Space (12 Violations)

According to the regulations, prior to occupancy, the Industrial Hygienist is required to perform sampling pursuant to the mandatory provisions of Appendix A which, in part, state:

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

- For any given *functional space*, at least 500 cm² of surface shall be sampled, unless the area is assumed to be non-compliant.

For this property, no lawful compliance samples were collected from any of the Functional Spaces for the following reasons:

Functional Space	Description	Compliance Status	Reason(s) for Non-compliance
1	Living Room complex	Non-compliant	1) Failure to collect 500 cm ² (collected 300 cm ²). 2) Collected mixed matrices
2	US East bedroom	Non-compliant	Collected mixed matrices
3	US West Bedroom	Non-compliant	Collected mixed matrices
4	US Bathroom	Non-compliant	Collected mixed matrices
5	Basement family room / kitchenette	Non-compliant	Collected mixed matrices
6	Basement Bathroom	Non-compliant	Collected mixed matrices
7	Basement West bedroom	Non-compliant	Failure to collect 500 cm ² (collected 400 cm ²)
8	Basement East bedroom	Non-compliant	Failure to collect 500 cm ² (collected 400 cm ²)
9	Attic	Non-compliant	Collected samples from porous materials
10	Garage	Non-compliant	1) Collected samples from porous materials. 2) Collected samples from porous materials
11	Shed	Non-compliant	No samples collected
12	Furnace	Non-compliant	Failure to collect 500 cm ² (collected 200 cm ²)

Failure to Provide Documents Required for Final Inclusion

State regulations require the Industrial Hygienist to include specific documentation in the final report.

8.0 Reporting. A final report shall be prepared by the consultant to document the decontamination process and demonstrate that the property has been decontaminated to



the cleanup levels listed in Section 7.0 of these regulations. The final report shall include, but not be limited to, the following:

Much of the mandatory final documentation is material which, if excluded from the Preliminary Assessment, cannot be available or known for inclusion in the final documentation. The following documentation must be included in the Preliminary Assessment or it cannot be available for inclusion in the final report. None of the following was included in the final report as required.

Failure to comply with Paragraph 8.1

According to the regulations, the Industrial Hygienist is required to include specific information in the final report, including:

8.1. Property description including physical address, legal description, ownership, number and type of structures present, description of adjacent and/or surrounding properties, and any other observations made.

As already described, KEH failed to accurately describe the property site.

Failure to comply with Paragraph 8.2

According to the regulations, the Industrial Hygienist is required to include specific information in the final report, including:

8.2. Description of manufacturing methods and chemicals used, based on observations, law enforcement reports and knowledge of manufacturing method.

As already described, KEH failed to attempt to obtain any law enforcement documents and would otherwise possess no documented knowledge in illegal drug laboratories of their assessment. This information was therefore missing from the final report.

Failure to comply with Paragraph 8.3

According to the regulations, the Industrial Hygienist is required to include specific information in the final report, including:

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

As already described, KEH failed to attempt to obtain any law enforcement documents and would otherwise possess no documented knowledge in illegal drug laboratories of their assessment. This information was therefore missing from the final report.

Failure to comply with Paragraph 8.4

According to the regulations, the Industrial Hygienist is required to include specific information in the final report, including:

8.4. A description of chemical storage areas, with a figure documenting location(s).



As already described, KEH failed to attempt to obtain any law enforcement documents and would otherwise possess no documented knowledge in illegal drug laboratories of their assessment. This information was therefore missing from the final report.

Failure to comply with Paragraph 8.5

According to the regulations, the Industrial Hygienist is required to include specific information in the final report, including:

- 8.5. A description of waste disposal areas, with a figure documenting location(s).

As already described, KEH failed to attempt to obtain any law enforcement documents and would otherwise possess no documented knowledge in illegal drug laboratories of their assessment. This information was therefore missing from the final report.

Failure to comply with Paragraph 8.6

According to the regulations, the Industrial Hygienist is required to include specific information in the final report, including:

- 8.6. A description of cooking areas, with a figure documenting location(s).

As already described, KEH failed to attempt to obtain any law enforcement documents and would otherwise possess no documented knowledge in illegal drug laboratories of their assessment. This information was therefore missing from the final report.

Failure to Provide Information Required by Paragraph 8.7

The Industrial Hygienist must include the following information in the final documentation:

- 8.7. A description of areas with signs of contamination such as staining, etching, fire damage, or outdoor areas of dead vegetation, with a figure documenting location(s).

As already described, this information was not present in the report.

Failure to Provide Information Required by Paragraph 8.8

The Industrial Hygienist must include the following information in the final documentation:

- 8.8. The results of inspection of plumbing system integrity and identification of sewage disposal mechanism.

As already described, this information was not present in the final report and was not addressed by KEH.



Yet, clearly, as documented here, these claims are patently deceptive and false.

Failure to Provide Information Required by Paragraph 8.12

The Industrial Hygienist must include the following information in the final documentation:

8.12. A description of the analytical methods used and laboratory QA/QC requirements.

Nowhere in the final document does Mr. Koch provide the mandatory descriptions. In fact, since Mr. Koch falsely identified his sampling information to the laboratory, it is likely Mr. Koch lacks the technical competency to even understand the laboratory QA/QC.

Failure to Provide Information Required by Paragraph 8.13 (10 violations)

The Industrial Hygienist must include the following information in the final documentation:

8.13. A description of the location and results of initial sampling (if any), including a description of sample locations and a figure with sample locations and identification.

KEH failed to produce the required information, even though in his report, Mr. Koch admits he had that information. In his report, Mr. Koch explicitly states:

A report from Forensics Applications Consulting Technologies, Inc. dated June 23, 2014 reported that surface samples collected by Forensics Applications Consulting Technologies, Inc. within the subject property were elevated and in excess of State of Colorado standards for surface methamphetamine contamination.

That report was on public display with the City and County of Denver, and in his report Mr. Koch states he contact the City and County of Denver to obtain pertinent documentation. Therefore, Mr. Koch had a copy of the report and entirely failed to include the information as required by regulations. Since there were ten initial samples, there are ten regulatory violations.

Failure to Provide Information Required by Paragraph 8.14

The Industrial Hygienist must include the following information in the final documentation:

8.14. A description of the health and safety procedures used in accordance with OSHA requirements.

KEH failed to provide the required information in the final report.



In fact, it would appear that OSHA standards were violated. According to OSHA regulations, the property would be identified as an Hazardous Waste Site pursuant to 29 CFR Part 1910.120 which states:

1910.120(a)(3)

Hazardous waste site or Site means any facility or location within the scope of this standard at which hazardous waste operations take place.

1910.120(a)(1)(i)

Clean-up operations required by a governmental body, whether Federal, state local or other involving hazardous substances that are conducted at uncontrolled hazardous waste sites (including, but not limited to, the EPA's National Priority Site List (NPL), state priority site lists, sites recommended for the EPA NPL, and initial investigations of government identified sites which are conducted before the presence or absence of hazardous substances has been ascertained);

1910.120(a)(1)(iii)

Voluntary clean-up operations at sites recognized by Federal, state, local or other governmental bodies as uncontrolled hazardous waste sites;

Qualified person means a person with specific training, knowledge and experience in the area for which the person has the responsibility and the authority to control.

1910.120(e)(1)(i)

All employees working on site (such as but not limited to equipment operators, general laborers and others) exposed to hazardous substances, health hazards, or safety hazards and their supervisors and management responsible for the site shall receive training meeting the requirements of this paragraph before they are permitted to engage in hazardous waste operations that could expose them to hazardous substances, safety, or health hazards, and they shall receive review training as specified in this paragraph.

There is nothing in the KEH report that would indicate Mr. Koch has ever received any of the training as required by OSHA for performing the work on this property.

Failure to Comply With Paragraph 8.20

According to State Regulations, the Industrial Hygienist is required to provide specific information to be included in the final document including:

8.20. Photographic documentation of pre- and post-decontamination property conditions, including cooking areas, chemical storage areas, waste disposal areas, areas of obvious contamination, sampling and decontamination procedures, and post-decontamination conditions.

As already discussed, KEH failed to provide a full photographic record of site conditions. Photographs are missing for at least the following:

1. Attic
2. Plumbing
3. Living room ceiling fan, confirmed by FACTs as contaminated (in the KEH report, it would appear the ceiling fan had been illegally removed)



In fact, as delineated in audit, KEH has not now, and apparently has never complied with Colorado Regulation 6 CCR 1014-3 with regard to illegal drug laboratory assessments.

Since no Preliminary Assessment has been conducted, and the work does not comply with State regulations, no such certification of compliance is possible until a legitimate Preliminary Assessment has been performed.

VIOLATION of ABIH/AIHA CODE of ETHICS

KEH employs ABIH²⁷ Certified Industrial Hygienists, and one of the authors of the report identifies himself as a member of the AIHA.²⁸ Part of membership in the ABIH and AIHA is supposed to include mandatory adherence to the ABIH Code of Ethics. In reality, neither the ABIH nor the AIHA take the Code of Ethics seriously, but nevertheless, the work performed by KEH constituted a violation of the joint Code of Ethics and failed to meet a minimum standard of professional care. Specifically, Mr. Koch and KEH violated the following Codes of Ethics:

Violation of the AIHA/ABIH Code of Ethics

It is also our belief that the work performed by Mr. Koch with KEH constituted a violation of the Code of Ethics of the American Board of Industrial Hygienists and the American Industrial Hygiene Association and fails to meet a minimum standard of professional care. Specifically, it appears that Mr. Koch has violated the following professional Codes of Ethics:

Violation of ABIH (I)(A)(1)

Violation of AIHA (I)(A)(1)

Violation of ABIH (I)(A)(5)

Violation of ABIH (I)(A)(6)

Violation of AIHA (I)(A)(5)

Violation of ABIH (II)(A)(1)

Violation of AIHA (II)(A)(1)

Violation of ABIH (II)(A)(2)

Violation of AIHA (II)(A)(2)

Violation of ABIH/AIHA (II)(A)(3)

Violation of ABIH/AIHA (II)(A)(5)

Violation of ABIH/AIHA (II)(A)(6)

Violation of ABIH/AIHA (II)(C)(1)

Violation of AIHA (II)(C)(2)

Violation of ABIH (I)(A)(1)

Comply with laws, regulations, policies and ethical standards governing professional practice of industrial hygiene and related activities.

²⁷ American Board of Certified Industrial Hygienists

²⁸ American Industrial Hygiene Association



Clearly Mr. Koch's behavior is not in compliance with regulations or ethical practices.

Violation of AIHA (I)(A)(1)

Comply with laws, regulations, policies, and ethical standards governing professional practice of industrial hygiene and related activities, including those of professional associations and credentialing organizations.

Clearly, as described above, Mr. Koch failed to comply with the mandatory Colorado Regulations in the performance of this work.

Violation of ABIH (I)(A)(5)

Report apparent violations of the ethics code by certificants and candidates upon a reasonable and clear factual basis.

To our knowledge, Mr. Koch has failed to report his violations to the ABIH.

Violation of ABIH (I)(A)(6)

Refrain from any public behavior that is clearly in violation of accepted professional, ethical or legal standards.

We believe the clearly deviant behavior of Mr. Koch is a violation of accepted professional standards.

Violation of AIHA (I)(A)(5)

Refrain from any public behavior that is clearly in violation of accepted professional, ethical or legal standards.

Clearly, as described above, Mr. Koch failed to refrain from public behavior that is in violation of the accepted professional and legal standards, by performing work in the public arena that appears to be in violation of environmental regulations and criminal statutes.

Violation of ABIH (II)(A)(1)

Deliver competent services with objective and independent professional judgment in decision-making.

As described in this review, Mr. Koch failed to perform the necessary work in a competent manner.

Violation of ABIH (II)(A)(2)

Recognize the limitations of one's professional ability and provide services only when qualified. The certificant/candidate is responsible for determining the limits of his/her own professional abilities based on education, knowledge, skills, practice experience and other relevant considerations

Mr. Koch has no documented training in this area of practice and should have defer the project to a consultant with the technical competency to perform the work.



Violation of AIHA (II)(A)(2)

Recognize the limitations of one's professional ability, and provide services only when qualified. The member is responsible for determining the limits of his/her own professional abilities based on education, knowledge, skills, practice experience, and other relevant considerations.

As described above, Mr. Koch has clearly performed work for which he was not capable or qualified. If, on the other hand, Mr. Koch argues that he was capable and qualified, one must then conclude that his work was intentionally deficient, which may constitute criminal fraud.

Violation of ABIH/AIHA (II)(A)(3)

Make a reasonable effort to provide appropriate professional referrals when unable to provide competent professional assistance.

Mr. Koch failed to refer the work to a competent Industrial Hygienist.

Violation of ABIH/AIHA (II)(C)(1)

Follow appropriate health and safety procedures, in the course of performing professional duties, to protect clients, employers, employees and the public from conditions where injury and damage are reasonably foreseeable.

By performing grossly deficient work, as described above, one can reasonably foresee that any occupants of the property, Mr. Koch's client, and the general public, are now placed at a higher risk of chemical and financial injury and damage due to his lack of technical competency.

Violation of AIHA (II)(C)(2)

Inform appropriate management representatives and/or governmental bodies of violations of legal and regulatory requirements when obligated or otherwise clearly appropriate.

Mr. Koch has presented himself as familiar with State Regulation 6 CCR 1014-3. Therefore, Mr. Koch must be aware of the fact that his work is in gross violation of those regulations. Therefore, Mr. Koch had the professional obligation to bring his regulatory violations to the attention of the Governing Body with jurisdiction over this subject property. The public record does not contain any information to indicate that Mr. Koch has reported his violations to anyone.

Colorado Consumer Protection Act

In Colorado, consumers are ostensibly 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 this discussion documents that Mr. Koch 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 KEH reports), and the general public, have been harmed.

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

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

If KEH did not know that their work was grossly deviating from mandatory State requirements, then that is sufficient information to surmise that they lacked the technical competency and authority to perform the work in the first place since it would have been their professional obligation to conform to those regulations and perform work pursuant to those regulations. However, since Mr. Koch presents himself as knowledgeable, (and explicitly states knowledge of the regulations), one must surmise that Mr. Koch knowingly and willingly performed work that grossly deviated from mandatory State requirements with the intent to defraud.

Furthermore, as already mentioned, we have reviewed many other KEH reports in the past, and we have documented numerous and virtually identical flaws over the course of many years. Therefore, it would be impossible for Mr. Koch to argue that he did not know their work was grossly incompetent and fraudulent. In reality, Mr. Koch has learned that he may deceive with impunity since he knows that Ms. Coleen Brisnehan with the Colorado Department of Public Health and Environment will lie on his behalf, and in violating of 6 CCR 1014-3 (2014) and in violation of CRS 18-8-404 First degree official misconduct Ms. Brisnehan will intentionally fail to perform her lawful duties and help unscrupulous consultants hide regulatory violations, and, in her official capacity, knowingly provide false information to obscure her illegal activities.^{29,30,31}

²⁹ 100 W. Spaulding Street, Lafayette, Colorado http://www.forensic-applications.com/meth/Spaulding_PA.pdf

³⁰ 4690 West 76th Ave., Westminster <http://forensic-applications.com/meth/DimickCriticalReview.pdf>

³¹ 4893 S Johnson Street, Denver http://www.forensic-applications.com/meth/Johnson_Critical_review.pdf



According to Colorado Revised Statute CRS §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.

Pursuant to State statute, KEH presented their work to Mr. Huffman, as a legitimate document for the property, as a genuine Preliminary Assessment, this too would appear to meet the definition of “*Offering a false instrument for recording.*”

Similarly KEH explicitly stated they were going to file their report:

The property owner is advised that according to CDPHE regulations, a copy of the final report for this project must be provided to the local governing body. In Denver, Colorado, the local governing body is:

- City and County of Denver Dept. of Environmental Health (although they may not require nor accept a copy of this report).

Normally, we would recommend that the situation be forwarded to the State Attorney’s Office and District Attorney for proper evaluation to determine if the case rises to the level of criminal conduct. However, the State Attorney General Office is actively assisting Ms. Brisnehan in attempting to hide the tens of thousands of regulatory violations by fraudulent consultants – in the hopes the public will not learn of the gross violation of public trust and criminal activities of the CDPHE.

General Conclusions

Based on our review, FACTs has found the following:

- It would appear that, in violation of 6 CCR 1014-3 and in violation of State Statutes following the June 17, 2014 cursory evaluation by FACTs, unlawful and unauthorized renovations occurred at the property.
- Based on the best information available, it would appear that following the illegal renovations and unlawful cleaning, Koch Environmental performed two separate invalid assessments.
- On July 29, 2014, Koch Environmental issued a report claiming to be compliant with Colorado Regulation 6 CCR 1014-3.
- The July 29, 2014 report issued by Koch Environmental documented numerous regulatory violations and documented that the assessment performed was not compliant in any way with State regulations, is not a Preliminary Assessment and cannot be used for regulatory Compliance purposes.



- The July 29, 2014, was not prepared, as required, by an individual with any known or documented training in the assessment of illegal drug laboratories.
- The July 29, 2014, document exhibited gross technical incompetence in regulatory compliance and illegal drug laboratory assessment.
- The document prepared by KEH contained at least 203 violations of State regulations and/or state statutes.
- For this project, virtually no aspect of State Regulation or State statutes was followed by the consultant.
- No legitimate Preliminary Assessment, as required by regulation, has been performed at 1325 Monroe Street, Denver CO as required by regulation.
- Pursuant to State regulations, no clean-up activities may occur at an illegal drug laboratory except on the production of a legitimate Preliminary Assessment. Since no legitimate Preliminary Assessment exists for this property, no decontamination or cleaning would have been permitted. Any cleaning performed at the property would have been in violation of State regulations.
- Pursuant to State regulations, following authorized cleaning, final verification sampling must be performed pursuant to specific mandatory elements found in 6 CCR 1014-3. No such verification sampling is on record with the City and County of Denver.
- Pursuant to Colorado Revised Statutes §25-18.5-104, entry into the property has been restricted by regulation since at least June 23, 2014 and that restriction continues to the day of this discussion (May 9, 2016).
- Pursuant to Colorado Revised Statutes §25-18.5-104, occupancy of the property is unlawful.
- Pursuant to CRS §25-18.5-104, prohibition on entry extends to any current occupants, Real Estate agents, property owner(s), maintenance personnel, potential buyers, home inspectors, 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).
- Use of fatally flawed work in violation of the State Regulations, may prevent the registered owner from receiving the liability immunity provided by Colorado Revised States.

__END__



APPENDIX A
FACTs SOQ





Forensic Applications Consulting Technologies, Inc. Consultant Statement of Qualifications

FACTs project name:	Monroe	Form # ML15
May 9, 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 620 assessments of illegal drug labs in CO, SD, NE, OK, and collected over 5,652 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

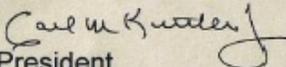


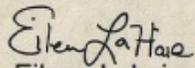
This is to certify that
Caoimhin P. Connell

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



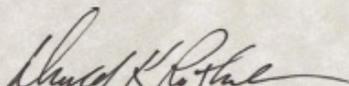
Certificate of Training

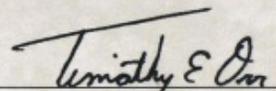
This certifies that

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>



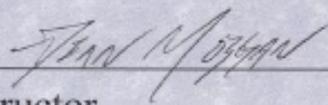
Park County Sheriff's Office Certificate of Completion

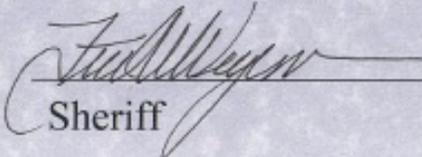
Caoimhin Connell

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

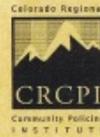
7 Hours Completed

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

CATI President

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.

Governor

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

