



**FORENSIC APPLICATIONS CONSULTING TECHNOLOGIES, INC.**

**Preliminary Assessment  
of an  
Identified Illegal Drug Laboratory**

**Resulting in a  
Decision Statement**

**At:  
188 River Drive  
Bailey CO 80421**

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## EXECUTIVE SUMMARY

On Friday, May 27, 2011, Forensic Applications Consulting Technologies, Inc. (FACTs) was contracted to perform a standard cursory evaluation for the presence of methamphetamine at the residence located at 188 River Drive, Bailey, Colorado, (the subject property).

Samples were collected pursuant to the Colorado Real Estate methamphetamine disclosure and testing statute as described by CRS §38-35.7-103(2)(a). Results of the samples conclusively demonstrated concentrations of methamphetamine in excess of the reportable detection limits. On June 4, 2011, FACTs issued a report of our findings which served as “Discovery” and “Notification.”

Starting July 21, 201, personnel from FACTs performed a State mandated Preliminary Assessment pursuant to Colorado Regulation 6 CCR 1014-43, Part 4. Based on the totality of the circumstances, FACTs makes the following observations:

- This document serves as both the Preliminary Assessment<sup>1</sup> and the Final Report of verification sampling, Pursuant to Section 7, 6 CCR 1014-3, resulting in a Decision Statement.<sup>2</sup>
- An illegal drug lab, as that term is defined in CRS §25-18.5-101 (2.7), existed at the subject property at the time of our May 27, 2011 evaluation.
- A Class 1 Public Nuisance, as defined in CRS §16-13-303(1) existed at the property at the time of our May 27, 2011 evaluation.
- Pursuant to 6 CCR 1014-3 (Mandatory Appendix A) FACTs hereby issues, by virtue of this document, a *Decision Statement*<sup>3</sup> affirming that:
  - a. The initial hypothesis was rejected and the initial *null* hypothesis was accepted (sufficient evidence existed to confirm the presence of methamphetamine).

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<sup>1</sup> The Colorado State Board Of Health Regulations Pertaining to the Cleanup of Methamphetamine Laboratories, 6-CCR 1014-3 (§4)

<sup>2</sup> Ibid. (§8)

<sup>3</sup> 6-CCR 1014-3, Appendix A: If, based on the totality of the circumstances, the consultant finds that insufficient evidence exists to support the hypothesis that any given area is non-compliant, that area shall be deemed to be compliant with section 25-18.5-103 (2), C.R.S., and shall be released. If objective sampling data indicates contamination is less than the cleanup level, that data may be used as *prima facie* evidence that insufficient evidence exists to support the hypothesis that any given area is non-compliant.



- b. Upon the performance of the required *Preliminary Assessment*, the second hypothesis was sequentially tested, and no support was found; the null hypothesis was accepted, the property was found to be compliant.
- Pursuant to this *Decision Statement*, FACTs recommends to the Governing Body that the property be released for immediate occupancy: no harmful chemical residues were found at concentrations above the regulatory thresholds or that may present an immediate or long-term threat to human health and/or the environment.

## BACKGROUND

On May 27, 2011, at the request of a potential buyer, personnel from FACTs visited the subject property and performed a cursory industrial hygiene evaluation for the presence of methamphetamine. The data quality objectives of the methamphetamine evaluation were not to determine representative concentrations, nor to characterize degree and/or extent of any extant contamination, but rather to merely provide a “Yes” or “No” answer to the following question: “Is methamphetamine present at the property?”

During the May 27, 2011, evaluation, composite samples were collected from 12 locations at the residence. The reportable limit during the evaluation was set at one half the highest regulatory limit for a discreet sample for methamphetamine in Colorado, namely 0.25 µg/100cm<sup>2</sup>. The composite samples conclusively confirmed the presence of methamphetamine at the property at a concentration greater than the reportable limit.

Based on the sample results, the property was “discovered” and on June 4, 2011, the Property Owner was given “notice” as those terms are found in CRS §25-18.5-103. As a result of the cursory evaluation, a Preliminary Assessment was required, and is presented here.

## REGULATORY REQUIREMENTS

### ***Federal Requirements***

All work associated with this Preliminary Assessment was performed in a manner consistent with regulations promulgated by the Federal Occupational Safety and Health Administration (OSHA).

### ***State Requirements***

According to Colorado State Regulation 6-CCR 1014-3, following the “discovery” and “notification” of an illegal drug laboratory, a “Preliminary Assessment” of the property must be conducted. The Preliminary Assessment must be conducted according to specified requirements<sup>4</sup> by an authorized Industrial Hygienist as that term is defined in CRS §24-30-1402.

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<sup>4</sup> Section 4 of 6 CCR 1014-3



## PRELIMINARY ASSESSMENT

Pursuant to State regulations, during the Preliminary Assessment (PA), the initial hypothesis is made that the subject area is clean and data is collected to find support for this hypothesis. Any reliable data that disproves the hypothesis, including police records, visual clues of illegal production, any evidence of storage or use, or documentation of drug paraphernalia being present, *is considered conclusive*, and compels the Industrial Hygienist to accept the null hypothesis and declare the area non-compliant.<sup>5</sup> 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 illegal drug laboratories, to conclude the *presence* of methamphetamine, and/or its precursors as related to processing, drug use, storage, or waste products.

Sampling during a cursory evaluation or a Preliminary Assessment is not required. However, if performed, it is conducted in the areas with the highest probability of containing the highest possible concentrations of contaminants. According to the State regulations:<sup>6</sup>

*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.*

If the Industrial Hygienist performing the Preliminary Assessment finds evidence of contamination, and no Decision Statement is issued, the property owner is required to either remediate the property or demolish the property.<sup>7</sup>

Normally, after the Preliminary Assessment is issued, the subject property is remediated, and an Industrial Hygienist must perform verification sampling to quantify the remaining contamination or verify that the remediation has reduced the contamination in the property to below statutory limits. If, based on the totality of the circumstances, the Industrial Hygienist fails to find sufficient evidence to support the second hypothesis that any given area is non-compliant, that area must be deemed to be compliant and a Decision Statement must be issued, releasing the property. If objective sampling data indicates contamination is below the cleanup levels, those data may be used as *prima facie* evidence that insufficient evidence exists to support the hypothesis that any given area is non-compliant.<sup>8</sup> In this case, sampling performed during the Preliminary Assessment was simultaneously compliant with the final verification sampling protocols found in Section 7 of the pertinent State Regulations, and lead directly to a Decision Statement without the need for any remediation.

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<sup>5</sup> Appendix A (mandatory) of 6 CCR 1014-3

<sup>6</sup> Section 4.6 of 6 CCR 1014-3

<sup>7</sup> Colorado Revised Statutes §25-18.5-103

<sup>8</sup> No guarantee is ever made or implied that the property is completely free of contamination. Rather, a reasonable, standardized approach to decontamination is executed.



## Elements of the Preliminary Assessment

Specific mandatory information must be presented as part of the complete documentation. This discussion, in its totality, contains the mandatory information for a Preliminary Assessment and a Decision Statement as follows:

Mandatory Documents	DOCUMENTATION	Included
§4.1	Property description field form	<i>CL</i>
§4.2	Law Enforcement documentation review discussion	<i>CL</i>
§§4.3, 4.6, 4.10	Field Observations field form	<i>CL</i>
	FACTs Functional space inventory field form	<i>CL</i>
§§4.4, 4.5	Description of manufacturing methods and chemicals	<i>CL</i>
§4.7	Description and Drawing of Storage area(s)	<i>CL</i>
§4.8	Description and Drawing of Waste area(s)	<i>CL</i>
§4.9	Description and Drawing of Cook area(s)	<i>CL</i>
§4.11	Plumbing inspection field form	<i>CL</i>
	FACTs ISDS field form	NA
§4.12	Contamination migration field form or description	<i>CL</i>
§4.13	Identification of common ventilation systems	<i>CL</i>
§8.1	Property description field form	<i>CL</i>
§8.2	Description of manufacturing methods and chemicals	<i>CL</i>
§8.3	Law Enforcement documentation review discussion	<i>CL</i>
§8.4	Description and Drawing of Storage area(s)	<i>CL</i>
§8.5	Description and Drawing of Waste area(s)	<i>CL</i>
§8.6	Description and Drawing of Cook area(s)	<i>CL</i>
§8.7	Field Observations field form	<i>CL</i>
	FACTs Functional space inventory field form	<i>CL</i>
§8.8	Plumbing inspection field form	<i>CL</i>
	FACTs ISDS field form	NA
§8.9	Contamination migration discussion	<i>CL</i>
§8.10	Identification of common ventilation systems	<i>CL</i>
§8.11	Description of the sampling procedures and QA/QC	<i>CL</i>
§8.12	Laboratory QA/QC	<i>CL</i>
§8.13	Location and results of initial sampling with drawings	<i>CL</i>
§8.14	FACTs health and safety procedures in accordance with OSHA	<i>CL</i>
§8.15 - §8.19	These sections are not applicable to a PA directly resulting in a DS	
§8.20	FACTs Pre-remediation photographs and log	<i>CL</i>
	FACTs Post-remediation photographs and log	NA
§8.21	Industrial Hygienist's SOQ	<i>CL</i>
§8.22	Certification of procedures, results, and variations	<i>CL</i>
§8.23	Mandatory Certification Language	<i>CL</i>
§8.24	Signature Sheet	<i>CL</i>
NA	Analytical Laboratory Reports	<i>CL</i>
	FACTs Field Sampling Forms	<i>CL</i>
	FACTs final closeout inventory document	<i>CL</i>
	Analytical procedure	<i>CL</i>

**Table 1**  
**Inventory of Mandatory Information**



Pursuant to the regulations, information obtained during the Preliminary Assessment and subsequent Decision Statement, are entered into the public domain and are not subject to confidentiality.<sup>9</sup>

Included with this discussion is a read-only DVD. The digital disc contains mandatory information and photographs required by State regulation for a Preliminary Assessment and Decision Statement. Also included is all pertinent documentation associated with the assessment. This Public Record is not complete without the DVD and all associated support documents.

### ***Review of Law Enforcement Documentation***

As part of the Preliminary Assessment, FACTs is required by regulation<sup>10</sup> to review available law enforcement documents pertinent to a subject property. During this project, there was only one law enforcement agency with original jurisdiction who could reasonably be involved in controlled substance related activities at the property – the Park County Sheriff's Office (PCSO).

The PCSO exhibited the highest degree of professionalism and fully cooperated with our requests for information. The PCSO promptly responded to our requests, and PCSO personnel made an extra effort to expedite records and information to FACTs. PCSO indicated that they had no record of controlled substances or hazardous materials responses at the property. This information suggests that no other state or federal agency was likely to have any involvement at the property independent of PCSO.

None of our other law enforcement or governmental sources were able to provide any additional information for the property. Therefore, based on the best information available, there are no records available pertinent to the objectives of this PA.

## **GOVERNING BODY**

Based on the best information available, the Park County Department of Environmental Health is the "Governing Body" as defined in CRS §25-18.5-101. A copy of this report must be filed with that office at:

Tom Eisenman  
Park County Development Services Coordinator  
Environmental Health and Planning and Zoning  
1246 CR 16  
P.O. Box 216  
Fairplay, CO 80440

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<sup>9</sup> Section 8.26 of 6 CCR 1014-3

<sup>10</sup> 6 CCR 1014-3 (Section 4.2)



FACTs will provide a copy of this report to the Governing Body on behalf of the Registered Property Owner pursuant to 6 CCR 1014-3 (§8.26).

## **VISUAL INSPECTION OF THE PROPERTY**

As a mandatory element of the Preliminary Assessment, on July 21, 2011, personnel from FACTs performed a visual inspection of the subject property.

### ***General Building Overview***

The subject property is a single family, stand alone residence built *circa* 1980. The construction is a poured foundation wall resulting in a minimal crawlspace, and drywall interior with timber framing. Access into the crawlspace was not possible. The Park County Assessor's Office lists the property as 2,717 square feet of floor space. Based on our observations, and for regulatory purposes, FACTs determined approximately 4,307 square feet of floor space of which 3,656 square feet are included for regulatory sampling purposes.

Upon our July 21, 2011 arrival, personnel from FACTs found the property secured, unoccupied and emptied of all chattels and furniture.

In the photograph below, we have presented the general layout of the structure and surrounding features. The subject property is roughly outlined in red.



**Photograph 1**  
**General Building Layout**





## **Functional Space Summary**

Pursuant to regulatory requirements, the subject property was assigned into “functional spaces,” and an indicia inventory and assessment was performed for each functional space.

During a Preliminary Assessment, the Industrial Hygienist is required to divide the study area into “functional spaces” and evaluate the potential for contamination in each area. The idea is to segment a property into specific spaces which may present different potentials for contamination, based on the anticipated use, or function conducted in that area. Thus, functions of bedrooms and bathrooms may differ, kitchens and living rooms may be different, etc., and a building is divided into such areas based solely on professional judgment. A drawing depicting the Functional Spaces for this property is included in the body of this assessment and the spaces have been summarized in the table below:

Space	Functional space
1	Kitchen, Living Room, Dining Room, Recreation Room, Loft Hall, Main Stairs
2	Ground floor bathroom
3	Furnace room
4	Second floor, northeast bedroom
5	Second floor, bathroom
6	Second floor, southwest bedroom
7	Second floor, southeast bedroom
8	Loft - South
9	Loft - North
10	Garage

**Table 2**  
**Functional Space Summary**

### **Functional Space 1: Ground Floor Complex**

This functional space is the open plan area that comprises the majority of the ground floor. Essentially, this is the ground floor area excluding the bathroom and furnace room. This area was included in the cursory sample that indicated a methamphetamine concentration of 0.42 µg/100cm<sup>2</sup>.

### **Functional Space 2: Ground Floor Bathroom**

This is the small toilet and shower room in the northeast quadrant of the ground floor. This area was included in the cursory sample that indicated a methamphetamine concentration of 0.42 µg/100cm<sup>2</sup>.

### **Functional Space 3: Furnace Room**

The furnace room is located directly to the east of the kitchen area and has an exterior entrance. This area was included in the cursory sample that indicated a methamphetamine concentration of 0.42 µg/100cm<sup>2</sup>.



#### **Functional Space 4: Second Floor Northeast Bedroom**

This is the larger of the three bedrooms located on the second floor. This is the bedroom that occupies the northern half of the second floor and incorporates a small attic space. There were no indicators in this functional space.

#### **Functional Space 5: Second Floor Bathroom**

Located centrally on the second floor, this room is delineated as the term is commonly known. There were no indicators in this functional space.

#### **Functional Space 6: Second Floor Southwest Bedroom and Closet**

This is the bedroom and closet that occupies the southwest quadrant of the second floor. There were no indicators in this functional space.

#### **Functional Space 7: Second Floor Southeast Bedroom and Closet**

This is the bedroom and closet that occupies the southeast quadrant of the second floor. There were no indicators in this functional space.

#### **Functional Space 8: Loft South**

This is the finished space that occupies the southern half of the loft. There were no indicators in this functional space.

#### **Functional Space 9: Loft North**

This is the finished space that occupies the northern half of the loft. There were no indicators in this functional space.

#### **Functional Space 10: Garage**

The garage is semi attached to the main structure via a portico. There were visual indicators in this space that were not conclusive to clandestine drug lab activities. This area was included in the cursory sample that indicated a methamphetamine concentration of 0.42 µg/100cm<sup>2</sup>.

#### **Exterior Grounds**

Although not truly a functional space *per se*, the exterior grounds were assessed independently. Although we did observe evidence of stressed vegetation in many areas of the property, it was not consistent with illegal dumping of waste materials.

### **SEWERAGE SYSTEM**

Regulation 6-CCR-1014-3 (§4.11) requires inspection of plumbing system integrity and identification and documentation of potential disposal into the sanitary sewer or an individual sewage disposal system (ISDS). Based on the best information, this property is on city sewer.



Internal plumbing was visually assessed and the internal drains were also monitored for the presence of acid gases and total residual hydrocarbon vapors.

## **SAMPLE COLLECTION**

### ***Wipe Samples***

The samples collected throughout the subject property comprised of “discreet” samples and “composite” samples.

Discreet samples were collected during the Preliminary Assessment (PA) and are a single wipe, collected from a single area, and submitted for analysis as a unique location.

Composite samples were collected during the cursory evaluation and are single wipes, which are included with other single wipes placed together and analyzed as a single sample.

Each sample location was identified by the Industrial Hygienist based on judgmental authoritative bias sampling theory. In this theory, as mandated by State regulation, samples are purposely collected from those areas which have the highest probability of containing the highest concentrations of methamphetamine.

### **Methamphetamine**

Wipe samples were collected in a manner consistent with State regulations. The wipe sample medium was individually wrapped commercially available Johnson and Johnson™ brand gauze. 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. Each proposed sample area was delineated with a measured outline.

Each wipe sample was collected by methodically wiping the entire surface of the selected area with moderate pressure; first in one direction and then in the opposite direction, folding the gauze to reveal fresh material as necessary. Each sample was returned to its centrifuge tube and capped with a screw-cap. The cursory wipe samples were submitted for analysis to Analytical Chemistry Inc. in Tukwila, Washington; the final verification samples were submitted to Reservoirs Environmental Services in Denver, Colorado.

### **QA/QC Precautions**

The sampling media were prepared in small batches in a clean environment (FACTs Corporate Offices). The sample media were inserted into individually identified disposable plastic centrifuge tubes with caps.



## ***Field Blanks***

For QA/QC purposes, and in accordance with State requirements, one field blank was submitted for every ten discreet wipe samples. The field blanks were randomly selected from the sampling sequence and included with the samples. To ensure the integrity of the blanks, FACTs personnel were unaware, until the actual time of sampling, which specific samples would be submitted as a blank.

## ***Spiked Samples***

As part of our general QA/QC protocol, FACTs regularly submits surreptitious spikes to the analyzing laboratory. "Spiked" samples consist of randomly selecting samples that are submitted to a third party, independent laboratory. The independent laboratory is instructed to place known amounts of methamphetamine into the selected samples. The spiked samples are then 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 are then corrected to the spike recovery.

## **Cross Contamination**

Prior to the collection of each specific sample area, the Industrial Hygienist donned fresh surgical gloves, to protect against the possibility of cross contamination. For the regulatory compliance samples, the ruler used to delineate specific areas was decontaminated with disposable alcohol wipes between each sample.

## ***Collection Rationale***

### **Primary Objective**

It is a common misconception that the Industrial Hygienist is required to collect samples during a PA. However, no such requirement exists in Colorado. Rather, regarding samples, the regulations state:

#### ***Pre-decontamination sampling***

*In pre-decontamination sampling, the question that is being asked is "Is there evidence of the presence of methamphetamine production in this area?" The assumption (hypothesis) is 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 potentially 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. 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, there is a misconception that if samples are collected, and the laboratory results are below the value often misinterpreted as the State's regulatory threshold value (0.5 µg/100



cm<sup>2</sup>), the samples necessarily indicate that the area is not contaminated and no action is required. However, the regulatory threshold values are exclusively to be used as *prima facie* evidence during verification activities in the absence of all other information. Except, during a verification or a properly designed Preliminary Assessment, there is no *de minimis* concentration of methamphetamine below which a statement of compliance can be made in the absence of final verification sampling. As part of this Preliminary Assessment, wipe samples were collected to challenge the compliance status of the structure as a whole.

## Sample Results

### Methamphetamine

The results of the methamphetamine samples are summarized in the table below. The shaded samples are those that were collected during the cursory evaluation.

Sample ID	Location	Area	Result	Criteria	Status
DRM052711-01A	Sun room south wall window frame	11	0.42	0.25	FAIL
DRM052711-01B	Furnace room west wall				
DRM052711-01C	DS Bath west wall				
DRM052711-01D	Living room N wall				
DRM052711-01E	Garage top of door rail				
DRM052711-02A	US NE BR W wall door frame	11	<0.25	0.25	PASS
DRM052711-02B	US Hallway top of smoke detector				
DRM052711-02C	US Bath exhaust fan				
DRM052711-02D	SE BR Ceiling fan				
DRM052711-02E	SW BR top of window frame				
DRM052711-03A	Loft S room top of S wall log	12	<0.25	0.25	PASS
DRM052711-03B	Loft N room top of light fixture W wall				
RDM072111-01	Living room, log over kitchen cabinet	528	<0.01	0.50	PASS
RDM072111-02	Main floor bathroom, light fixture west wall	541	<0.01	0.50	PASS
RDM072111-03	Field Blank	NA	<0.05	0.05	PASS
RDM072111-04	Furnace room, west wall	528	<0.01	0.50	PASS
RDM072111-05	2nd Floor NE Bedroom, west ceiling log	507	<0.01	0.50	PASS
RDM072111-06	2nd Floor bathroom, light fixture over sink	500	<0.01	0.50	PASS
RDM072111-07	2nd floor SW bedroom, central ceiling light	500	<0.01	0.50	PASS
RDM072111-08	2nd floor SE bedroom, central ceiling fan	504	<0.01	0.50	PASS
RDM072111-09	South Loft, S ceiling log	516	<0.01	0.50	PASS
RDM072111-10	North Loft, N ceiling log	500	<0.01	0.50	PASS
RDM072111-11	Garage door rail	500	<0.01	0.50	PASS

Area is expressed in square centimeters

Result and Criteria are expressed as µg/100cm<sup>2</sup> (Field blanks are reported as absolute mass)

The symbol "<" indicates that methamphetamine was not detected at the detection limit expressed.

**Table 3**  
**Results of Methamphetamine Wipe Samples**

### Wipe Sample Results

The samples confirm that, traces of methamphetamine notwithstanding, the property is compliant.



## Quality Assurance/Quality Control

The following section is required by regulation and is not intended to be understood by the casual reader. All abbreviations are standard laboratory use.

### Data Set

MDL was not given; LOQ was reported as 0.05 µg/sample; MBX <MDL; LCS mass was not given, however, the laboratory reported 98% recovery, RPD was not given. Matrix spike mass was not given, however the recovery was recorded as 106% (RPD was not given); Matrix spike Dup mass was not given, and the recovery was not given, however the RPD was reported to have been 2%. Surrogate spike recoveries are not given by the laboratory and are unknown. FACTs' spike closest to this data set was July 28, 2011 and was 88% for a 9 µg spike (SM072811-07). FACTs reagents: MeOH lot # A11Ø1 <MDL for n=20; Gauze lot # G1ØØ6 <MDL for n=33.

There is nothing in the QA/QC that would indicate the data did not meet the data quality objectives; there is insufficient information included in the laboratory report to determine if the data exhibit bias.

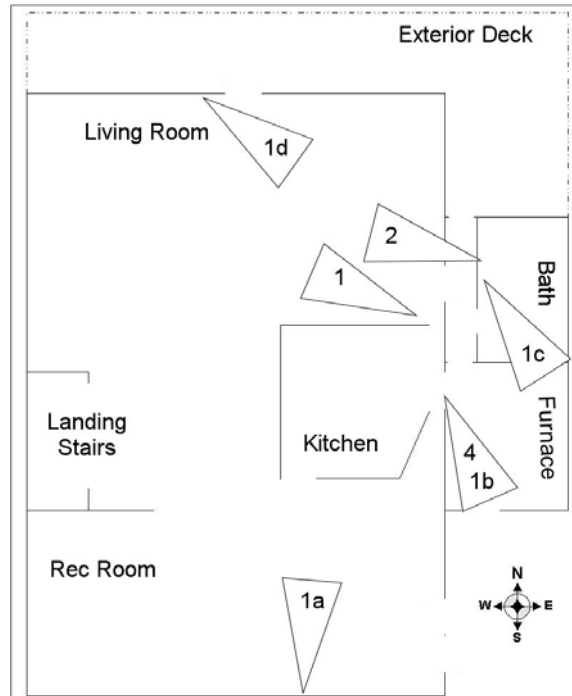
### Sample Locations

Consistent with State Regulations and good sampling theory, the location of the samples was based on professional judgment. In this case, it was FACTs' Industrial Hygienist's professional judgment that judgmental authoritative biased sampling would be appropriate.

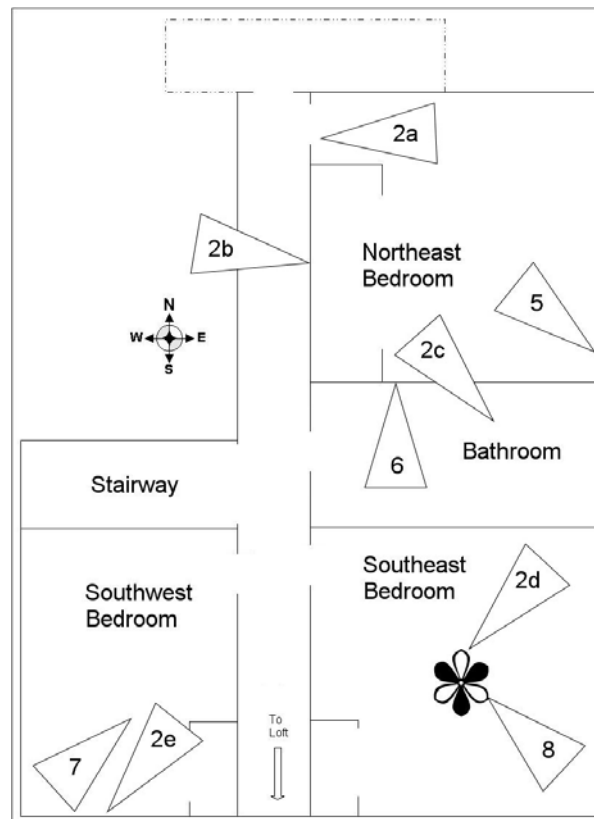
As such, during this project, the Industrial Hygienist selected those areas which had the highest probability of exhibiting the highest concentrations of contamination. Based on our experience, state of the art information on indoor methamphetamine migration patterns and professional judgment, FACTs selected specific locations throughout the structure in an attempt to represent the highest possible concentrations of methamphetamine. Each sample area was then delineated with a measured outline.

In the figures that follow, the sample locations have been presented. The drawings are stylized and not to scale. In the diagrams, the sample locations are indicated by triangles. Where the identifier has an alpha code, the sample was collected during the cursory evaluation.



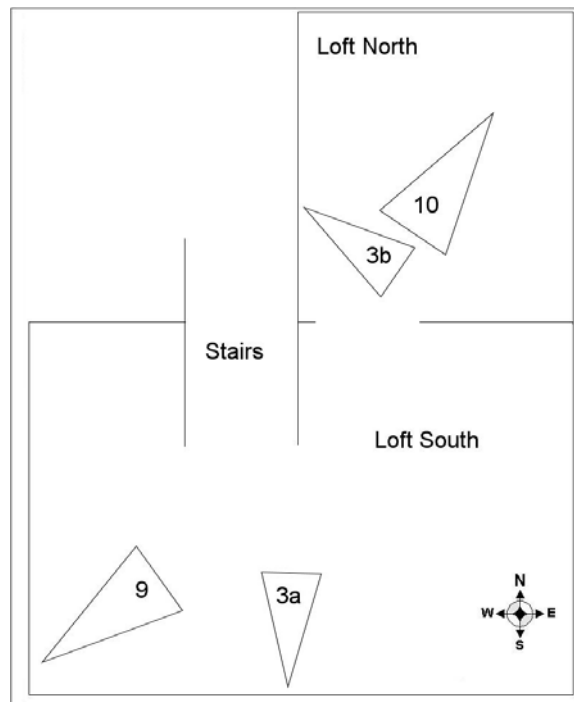


**Figure 1**  
**Main Floor Sample Locations**

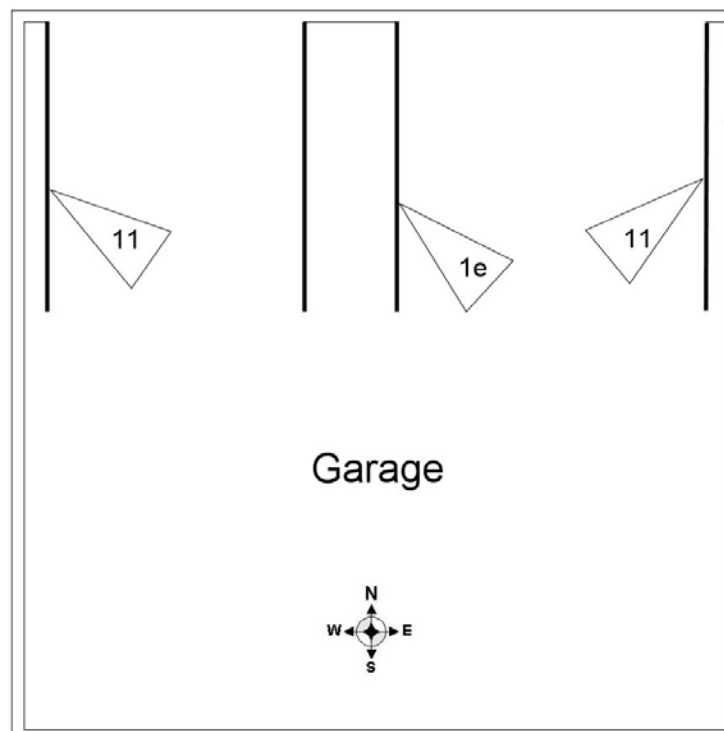


**Figure 2**  
**Second Floor Sample Locations**





**Figure 3**  
**Loft Sample Locations**



**Figure 4**  
**Garage Sample Locations**





## Identification of Cook/Storage Areas

Colorado Regulations 6 CCR 1014-3 (4.2) states that the Industrial Hygienist is required to perform a:

*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*

In this case, we were not able to confidently identify *if* manufacturing took place at all, never mind *where* it may have taken place (if at all). Our best assessment at this point is that the original contamination we observed was the result of methamphetamine smoked at the property. The question of whether or not methamphetamine was actually manufactured is not of regulatory significance.

## Identification of Contamination Migration

FACTs has knowledge that chemicals such as methamphetamine were stored on the property. However, FACTs must rely exclusively on subjective extant observations we make on site. Based on the best information readily available, FACTs was not able to find any indicators that would suggest contamination migration occurred from the subject property.

## CONCLUSIONS

Based on the totality of the circumstances, our subjective observations and objective data from sampling, and in strict adherence to State statutes and State regulations, FACTs concludes the following:

- An illegal drug lab, as that term is defined in CRS §25-18.5-101, existed at the subject property from before May 27, 2011.
- A Class 1 Public Nuisance, as defined in CRS §16-13-303(1) existed at the subject property from before May 27, 2011.
- Localized, trace, concentrations of methamphetamine were confirmed to be present at the property.
- The concentrations of methamphetamine in the subject property were not sufficiently elevated to be considered a “contaminant” as that term is defined in 6 CCR 1014-3 (§3).
- Final verification sampling indicates the property is compliant.
- FACTs hereby issues, by virtue of this document, a *Decision Statement* affirming that:
  - a. The initial hypothesis was rejected and the initial null hypothesis was accepted (sufficient evidence existed to confirm the presence of methamphetamine).



- b. Upon the performance of the required *Preliminary Assessment* the second hypothesis was contemporaneously tested, and no support for the hypothesis was found; the null hypothesis was subsequently accepted (in the totality of the circumstances the property was found to be compliant).
- No harmful chemical residues were found at concentrations that may present an immediate or long-term threat to human health and/or the environment.
- Therefore, pursuant to this *Decision Statement*, the property is to be released for immediate occupancy without the need for any further action.

## RECOMMENDATIONS

To avail of the civil liability immunity provided by CRS §25-18.5-103(2) and to ensure complete compliance with State regulations, this Preliminary Assessment and Decision Statement must be submitted to the Governing Body with jurisdiction over the property. FACTs will provide a copy of this report to the Governing Body on behalf of the Registered Owner pursuant to 6 CCR 1014-3 (§8.26).

Enclosures: One digital disc; Data package, and Appendices

-END-



**APPENDIX A:**  
**SUPPORTING DOCUMENTS**



**FORENSIC APPLICATIONS CONSULTING TECHNOLOGIES, INC.  
CLANDESTINE METHAMPHETAMINE LABORATORY  
ASSESSMENT FIELD FORMS®**

<b>FACTs project name: River Drive</b>	<b>Form # ML1</b>
<b>Date: July 21, 2011</b>	
<b>Reporting IH:</b>	<b>Caoimhin P. Connell, Forensic IH</b>

**PROPERTY DESCRIPTION:**

Physical address	<b>188 River Drive, Bailey CO 80421</b>		
Legal description or VIN	<b>T07 R72 S29 SW4</b> <b>BAILEY</b> <b>Tract 59 Sly part and Tract 64</b>		
Registered Property Owner (as of August 9, 2011)	<b>DEUTSCHE BANK TRUST CO AMERICAS</b> <b>TRUSTEE FOR RALI 2006QA4</b> <b>1100 VIRGINIA DR</b> <b>FT WASHINGTON, PA 19034</b>		
Number of structures			
Type of Structures (Each affected structure will need a "Functional Space" inventory)	FIRST STORY	1,286	Square feet
	FINISHED ATTIC	810	Square feet
	Garage: Detached	720	Square feet
	Carport: Gable	600	Square feet
	Carport: Gable	240	Square feet
	Porch: Covered Wood Deck	347	Square feet
	Porch: Encl Solid Wall	192	Square feet
	Porch: Wood Deck	112	Square feet
	<b>Total Floor Space</b>	<b>4,307</b>	<b>Square feet</b>
Adjacent and/ or surrounding properties	North: River front		
	South: Steep mountain terrain		
	East: Flat mountain terrain		
	West: residential		
General Property Observations	<b>Good condition</b>		
Presumed Production Method	<b>Smoking methamphetamine</b>		

**PLUMBING INSPECTION AND INVENTORY**

<b>FACTs project name: River Drive</b>	<b>Form # ML2</b>
<b>Date: July 21, 2011</b>	
<b>Reporting IH:</b>	<b>Caoimhin P. Connell, Forensic IH</b>

Functional Space	Room	Fixture	Indicia?	Comments
2	Bathroom # 1	Bath	NA	No bath
2	Bathroom # 1	Shower	No	No comment
2	Bathroom # 1	Sink 1	No	No comment
2	Bathroom # 1	Toilet	No	No comment
5	Bathroom # 2	Bath	No	No comment
5	Bathroom # 2	E Sink	No	No comment
5	Bathroom # 2	Toilet	NA	No toilet
5	Bathroom # 2	W Sink	No	No comment
1	Kitchen	Dishwasher	NA	No dishwasher
1	Kitchen	North Sink	No	
1	Kitchen	South Sink	No	
5	Laundry Room	Slop sink	NA	No Slop sink
5	Laundry Room	Washing machine	NA	No Washing Machine

This Space Intentionally Blank

**VENTILATION INSPECTION AND INVENTORY**

Item	Y/N	Indicia ?	Sampled ?	Comments
Isolated AHU?	Y	N	NA	No Comment
Common air intake?	N	N		No Comment
Common bathroom exhausts?	N	N		No Comment
Forced air system?	N	N		No Comment
Steam heat?	Y	N		No Comment
Common ducts to other properties?	N	N		No Comment
Passive plena to other properties?	N	N		No Comment
Active returns to other properties?	N	N		No Comment
Passive wall grilles to other properties?	N	N		No Comment
Industrial ventilation?	N	N		No Comment
Residential ventilation?	Y	N		No Comment
Pressurized structure?	N	N		No Comment



**FORENSIC APPLICATIONS CONSULTING TECHNOLOGIES, INC.**

**FUNCTIONAL SPACE INVENTORY**

<b>FACTs project name: River Drive</b>		<b>Form # ML3</b>
<b>Date: July 21, 2011</b>		
<b>Reporting IH:</b>	<b>Caoimhin P. Connell, Forensic IH</b>	

Structure Number	Functional Space Number	Indicia (Y/N)	Describe the functional space (See drawings for delineating structural features )
1	1	N	Kitchen complex, Living Room, Dining Room, Recreation Room, Loft Hall, Main Stairs
1	2	N	Ground floor bathroom
1	3	N	Furnace room
1	4	N	Second floor, northeast bedroom
1	5	N	Second floor, bathroom
1	6	N	Second floor, southwest bedroom
1	7	N	Second floor, southeast bedroom
1	8	N	Loft - South bedroom
1	9	N	Loft - North bedroom
1	10	Y	Garage

**This Space Intentionally Blank**



**FORENSIC APPLICATIONS CONSULTING TECHNOLOGIES, INC.**

**LAW ENFORCEMENT DOCUMENTATION**

<b>FACTs project name: River Drive</b>	<b>Form # ML4</b>
<b>Date: July 21, 2011</b>	
<b>Reporting IH:</b>	<b>Caoimhin P. Connell, Forensic IH</b>

Inventory of Reviewed Documents	Park County Sheriff's Office ATIMS/CAD search revealed no controlled substance related law enforcement activities.
Described method(s) of production	N/A
Chemicals identified by the LEA as being present	N/A
Cooking areas identified	N/A
Chemical storage areas identified	N/A
LE Observation on areas of contamination or waste disposal	N/A



**FIELD OBSERVATIONS**

<b>FACTs project name: River Drive</b>	<b>Form # ML5</b>
<b>Date: July 21, 2011</b>	
<b>Reporting IH:</b>	<b>Caoimhin P. Connell, Forensic IH</b>

**Structure:**

Indicator	Functional Space	Indicator	Functional Space
Acids	No Comment	Match components	No Comment
Aerosol cans	No Comment	Mercury	No Comment
Alcohols (MeOH, EtOH)	No Comment	Methamphetamine	1,2,3,10
Ammonia	No Comment	Modified coolers/containers	No Comment
Ammunition	No Comment	Modified electrical	No Comment
Artistic expressions	No Comment	Modified plumbing	No Comment
Bags of salt	No Comment	Modified structure	No Comment
Bases	No Comment	Modified ventilation	No Comment
Basters/Pipettes	No Comment	Needles/Syringes	No Comment
Batteries	No Comment	OTC Containers	No Comment
Bi-phasic wastes	No Comment	OTC drugs	No Comment
Booby traps	No Comment	pH papers/indicators	No Comment
Bullet holes	No Comment	Phenyl-2-propanone	No Comment
Burn marks	No Comment	Pornography, Sex toys	No Comment
Cat litter	No Comment	Prescription drugs	No Comment
Chemical storage	No Comment	Presence of cats	No Comment
Colored wastes	No Comment	Propane bottles	No Comment
Corrosion on surfaces	No Comment	Pseudoephedrine	No Comment
Death bag	No Comment	Red P	No Comment
Delaminating paint	No Comment	Red Staining	10
Drug paraphernalia	No Comment	Reserved	No Comment
Empty OTC Containers	No Comment	Salts	No Comment
Ephedrine	No Comment	Security devices	No Comment
Feces	No Comment	Signs of violence	No Comment
Filters	No Comment	Smoke detectors disabled	No Comment
Forced entry marks	No Comment	Solvents - (organic)	No Comment
Funnels	No Comment	Squalor	No Comment
Gang markings	No Comment	Staining on floors	10
Gas cylinders	No Comment	Staining on walls or ceiling	10
Gerry cans	No Comment	Stash holes	No Comment
Glassware	No Comment	Taping on surfaces	No Comment
Graffiti	8①	Tubing	No Comment
Heating mantle/hot plate	No Comment	Urine containers	No Comment
Hidden items	No Comment	Wall anchors	No Comment
Hydrogen peroxide	No Comment	Wall coverings	No Comment
Iodine	No Comment	Wall damage	No Comment
Lead	No Comment	Weapons	No Comment
Lithium	No Comment	Window block material	No Comment
Marijuana	No Comment	Yellow staining	10

① Present but not as indicia

② Copious or unusual quantities

③ Present in normal household expectations

④ Modified in manner consistent with clanlab use

**FORENSIC APPLICATIONS CONSULTING TECHNOLOGIES, INC.**



## CONTAMINANT MIGRATION OBSERVATIONS

FACTs project name: River Drive		Form # ML6
Date: July 21, 2011		
Reporting IH:	Caoimhín P. Connell, Forensic IH	

Describe/identify adjacent areas where contaminants may have migrated.

See Body of Report

Each grid equals approximately \_\_\_\_\_ (Approximate lay-out; Not to scale)

Describe the area: \_\_\_\_\_

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**FORENSIC APPLICATIONS CONSULTING TECHNOLOGIES, INC.**

# INDIVIDUAL SEWAGE DISPOSAL SYSTEM FIELD FORM

<b>FACTs project name: River Drive</b>		<b>Form # ML7</b>
<b>Date: July 21, 2011</b>		
<b>Reporting IH:</b>	<b>Caoimhin P. Connell, Forensic IH</b>	

	Yes	No	N/C
Does the property have an ISDS		X	
Is there unusual staining around internal drains		X	
Are solvent odors present from the internal drains		X	
Is there evidence of wastes being disposed down internal drains		X	
Are solvent odors present from the external sewer drain stacks			X
Was the septic tank lid(s) accessible	City Sewer		
Was the leach field line accessible			
Was the septic tank or leach field lines opened			
Are solvent odors present from the leach field lines (if "yes" see below)			
Are solvent odors present from the septic tank (if "yes" see below)			
Is "slick" present in the septic tank			
Are biphasic (aqueous-organic) layers present in the septic tank			
Was pH measured in the septic tank			
Were organic vapors measured in the septic tank (if "yes" see below)			
Is sampling of the ISDS warranted			
Were calawasi/drum thief samples collected from the septic tank			

\*NC = Not checked

## Qualitative Organic Vapor Monitoring

Instrument Type	Make and Model
Hydrocarbon detector	EnMet Target Series, MOS detector
pH Strips	Baker Industries

Location	MOS*	PID*	FID*
All internal sinks	<1 ppm	NA	

\*Units of measurement are in parts per million equivalents compared to the toluene calibration vapor. Detection limit 1 ppm







































































Locator Notes: No location required for this property.



FORENSIC APPLICATIONS CONSULTING TECHNOLOGIES, INC.

# **PRE-REMEDIATION PHOTOGRAPH LOG SHEET**

<b>FACTs project name: River Drive</b>		<b>Form # ML8</b>
<b>Date: July 21, 2011</b>		
<b>Reporting IH:</b>	<b>Caoimhin P. Connell, Forensic IH</b>	

Name ▲	Date Picture Taken	Name ▲	Date Picture Taken
 1st floor bath	7/21/2011 10:23 AM	 Car port	7/21/2011 10:20 AM
 1st floor bath (2)	7/21/2011 10:23 AM	 Car port (2)	7/21/2011 10:20 AM
 1st floor bath (3)	7/21/2011 10:23 AM	 Car port (3)	7/21/2011 10:20 AM
 1st floor bath (4)	7/21/2011 10:23 AM	 Decon	7/21/2011 11:42 AM
 1st floor bath (5)	7/21/2011 10:31 AM	 Decon (2)	7/21/2011 11:42 AM
 1st floor bath (6)	7/21/2011 10:31 AM	 Decon (3)	7/21/2011 11:47 AM
 1st floor bath (7)	7/21/2011 10:31 AM	 Decon (4)	7/21/2011 11:47 AM
 1st floor bath (8)	7/21/2011 10:31 AM	 Exterior	7/21/2011 10:18 AM
 1st floor bath (9)	7/21/2011 10:32 AM	 Exterior (2)	7/21/2011 10:18 AM
 1st floor bath (10)	7/21/2011 10:32 AM	 Exterior (3)	7/21/2011 10:18 AM
 2nd Fl NE BR	7/21/2011 10:25 AM	 Exterior (4)	7/21/2011 10:18 AM
 2nd Fl NE BR (2)	7/21/2011 10:25 AM	 Exterior (5)	7/21/2011 10:18 AM
 2nd Fl NE BR (3)	7/21/2011 10:25 AM	 Exterior (6)	7/21/2011 10:18 AM
 2nd Fl NE BR (4)	7/21/2011 10:25 AM	 Exterior (7)	7/21/2011 10:18 AM
 2nd Fl NE BR (5)	7/21/2011 10:26 AM	 Exterior (8)	7/21/2011 10:18 AM
 2nd Fl NE BR (6)	7/21/2011 10:26 AM	 Exterior (9)	7/21/2011 10:17 AM
 2nd Fl SE BR	7/21/2011 10:28 AM	 Exterior (10)	7/21/2011 10:17 AM
 2nd Fl SE BR (2)	7/21/2011 10:28 AM	 Exterior (11)	7/21/2011 10:17 AM
 2nd Fl SE BR (3)	7/21/2011 10:28 AM	 Exterior (12)	7/21/2011 10:17 AM
 2nd Fl SE BR (4)	7/21/2011 10:28 AM	 Exterior (13)	7/21/2011 10:17 AM
 2nd Fl SE BR (5)	7/21/2011 10:29 AM	 Exterior (14)	7/21/2011 10:17 AM
 2nd Fl SW BR	7/21/2011 10:28 AM	 Exterior (15)	7/21/2011 10:16 AM
 2nd Fl SW BR (2)	7/21/2011 10:28 AM	 Exterior (16)	7/21/2011 10:16 AM
 2nd Fl SW BR (3)	7/21/2011 10:28 AM	 Exterior (17)	7/21/2011 10:16 AM
 2nd Fl SW BR (4)	7/21/2011 10:28 AM	 Exterior (18)	7/21/2011 10:16 AM
 2nd Fl SW BR (5)	7/21/2011 10:28 AM	 Exterior (19)	7/21/2011 10:16 AM
 2nd Fl SW BR (6)	7/21/2011 11:38 AM	 Exterior (20)	7/21/2011 10:16 AM
 2nd Fl SW BR (7)	7/21/2011 11:39 AM	 Exterior (21)	7/21/2011 10:16 AM
 2nd Floor hall	7/21/2011 10:22 AM	 Exterior (22)	7/21/2011 10:16 AM
 2nd Floor hall (2)	7/21/2011 10:22 AM	 Exterior (23)	7/21/2011 10:16 AM
 2nd Floor hall (3)	7/21/2011 10:22 AM	 Exterior (24)	7/21/2011 10:16 AM
 2nd Floor hall (4)	7/21/2011 10:22 AM	 Exterior (25)	7/21/2011 10:16 AM
 2nd floor hall (5)	7/21/2011 10:25 AM	 Exterior (26)	7/21/2011 10:15 AM
 2nd floor hall (6)	7/21/2011 10:25 AM	 Exterior (27)	7/21/2011 10:15 AM
 2nd floor hall (7)	7/21/2011 10:27 AM	 Exterior (28)	7/21/2011 10:15 AM



**FORENSIC APPLICATIONS CONSULTING TECHNOLOGIES, INC.**

# PRE-REMEDIATION PHOTOGRAPH LOG SHEET

<b>FACTs project name: River Drive</b>		<b>Form # ML8</b>
<b>Date: July 21, 2011</b>		
<b>Reporting IH:</b>	<b>Caoimhin P. Connell, Forensic IH</b>	


Name ▲	Date Picture Taken	Name ▲	Date Picture Taken
Exterior (29)	7/21/2011 10:15 AM	Loft (8)	7/21/2011 10:30 AM
Furnace room	7/21/2011 10:23 AM	Loft (9)	7/21/2011 10:30 AM
Furnace room (2)	7/21/2011 10:23 AM	Loft (10)	7/21/2011 10:30 AM
Furnace room (3)	7/21/2011 10:23 AM	Loft (11)	7/21/2011 10:30 AM
Furnace room (4)	7/21/2011 10:24 AM	Portico	7/21/2011 10:18 AM
Furnace room (5)	7/21/2011 10:24 AM	Rec room	7/21/2011 10:24 AM
Garage	7/21/2011 10:19 AM	Sample	7/21/2011 11:14 AM
Garage (2)	7/21/2011 10:19 AM	Sample 1	7/21/2011 11:08 AM
Garage (3)	7/21/2011 10:19 AM	Sample 1 (2)	7/21/2011 11:09 AM
Garage (4)	7/21/2011 10:19 AM	Sample 2	7/21/2011 11:12 AM
Garage (5)	7/21/2011 10:19 AM	Sample 2 (2)	7/21/2011 11:13 AM
Garage (6)	7/21/2011 10:19 AM	Sample 4	7/21/2011 11:23 AM
Garage (7)	7/21/2011 10:19 AM	Sample 4 (2)	7/21/2011 11:23 AM
Kitchen	7/21/2011 10:22 AM	Sample 4 (3)	7/21/2011 11:24 AM
Kitchen (2)	7/21/2011 10:24 AM	Sample 4 (4)	7/21/2011 11:24 AM
Kitchen (3)	7/21/2011 10:24 AM	Sample 5	7/21/2011 11:27 AM
Kitchen (4)	7/21/2011 10:31 AM	Sample 5 (2)	7/21/2011 11:28 AM
Kitchen (5)	7/21/2011 10:31 AM	Sample 5 (3)	7/21/2011 11:28 AM
Kitchen (6)	7/21/2011 10:31 AM	Sample 6	7/21/2011 11:34 AM
Kitchen (7)	7/21/2011 10:31 AM	Sample 6 (2)	7/21/2011 11:37 AM
Living room	7/21/2011 10:21 AM	Sample 6 (3)	7/21/2011 11:37 AM
Living room (2)	7/21/2011 10:21 AM	Sample 6 (4)	7/21/2011 11:37 AM
Living room (3)	7/21/2011 10:21 AM	Sample 7	7/21/2011 11:41 AM
Living room (4)	7/21/2011 10:21 AM	Sample 7 (2)	7/21/2011 11:41 AM
Living room (5)	7/21/2011 10:21 AM	Sample 7 (3)	7/21/2011 11:41 AM
Living room (6)	7/21/2011 10:22 AM	Sample 8	7/21/2011 11:42 AM
Living room (7)	7/21/2011 10:24 AM	Sample 8 (2)	7/21/2011 11:45 AM
Living room (8)	7/21/2011 10:25 AM	Sample 8 (3)	7/21/2011 11:45 AM
Loft	7/21/2011 10:29 AM	Sample 8 (4)	7/21/2011 11:45 AM
Loft (2)	7/21/2011 10:29 AM	Sample 8 (5)	7/21/2011 11:45 AM
Loft (3)	7/21/2011 10:29 AM	Sample 9	7/21/2011 11:51 AM
Loft (4)	7/21/2011 10:29 AM	Sample 10	7/21/2011 11:54 AM
Loft (5)	7/21/2011 10:30 AM	Sample 10 (2)	7/21/2011 11:54 AM
Loft (6)	7/21/2011 10:30 AM	Sample 11	7/21/2011 12:42 PM
Loft (7)	7/21/2011 10:30 AM	Sample 11 (2)	7/21/2011 12:42 PM



FORENSIC APPLICATIONS CONSULTING TECHNOLOGIES, INC.

**PRE-REMEDIATION PHOTOGRAPH LOG SHEET**

<b>FACTs project name: River Drive</b>	<b>Form # ML8</b>
<b>Date: July 21, 2011</b>	
<b>Reporting IH:</b>	<b>Caoimhin P. Connell, Forensic IH</b>

Name ▲	Date Picture Taken
 Sample 11 (3)	7/21/2011 12:43 PM
 Sample 11 (4)	7/21/2011 12:43 PM
 Sample (2)	7/21/2011 11:20 AM
 Sample (3)	7/21/2011 11:21 AM
 Sample (4)	7/21/2011 12:43 PM
 US Bath	7/21/2011 10:26 AM
 US Bath (2)	7/21/2011 10:26 AM
 US Bath (3)	7/21/2011 10:26 AM
 US Bath (4)	7/21/2011 10:26 AM
 US Bath (5)	7/21/2011 10:26 AM
 US Bath (6)	7/21/2011 10:27 AM
 US Bath (7)	7/21/2011 10:27 AM
 US Bath (8)	7/21/2011 10:27 AM
 US Bath (9)	7/21/2011 10:27 AM
 US Bath (10)	7/21/2011 10:27 AM
 US Bath (11)	7/21/2011 11:33 AM



### DRAWING OF COOK AREA(S)

**FACTs project name: River Drive**

Form # ML10

**Date: July 21, 2011**

### Reporting IH:

Caoimhín P. Connell, Forensic IH

See Body of Report

Each grid equals approximately \_\_\_\_\_ (Approximate lay-out; Not to scale)

Describe the area:

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**FORENSIC APPLICATIONS CONSULTING TECHNOLOGIES, INC.**

### DRAWING OF STORAGE/DISPOSAL AREA(S)

**FACTs project name: River Drive**

Form # ML11

Date: July 21, 2011

### Reporting IH:

Caoimhín P. Connell, Forensic IH

See Body of Report

Each grid equals approximately \_\_\_\_\_ (Approximate lay-out; Not to scale)

Describe the area: \_\_\_\_\_

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**FORENSIC APPLICATIONS CONSULTING TECHNOLOGIES, INC.**





## FINAL SAMPLING CHECKLIST

<b>FACTs project name:</b>	River Drive	<b>Form # ML18</b>
<b>Date: July 9, 2011</b>		
<b>Reporting IH:</b>	Caoimhín P. Connell, Forensic IH	

Functional Space #	Cleared with Sample #	General Sampling Considerations	
1	RDM072111-01	Floor Space Area of Lab (ft <sup>2</sup> )	<b>3,656</b>
2	RDM072111-02	One extra sample is required for every 500 ft <sup>2</sup> of floor space >1,500ft <sup>2</sup> . Enter number of <u>extra</u> samples required:	<b>5</b>
3	RDM072111-04	Enter minimum number of final samples required based on floor space.	<b>10</b>
4	RDM072111-05	Enter Number of Functional Spaces to be included	<b>10</b>
5	RDM072111-06	Enter the minimum number of samples required based on the number of functional spaces	<b>10</b>
6	RDM072111-07	Is the lab a motor vehicle?	<b>No</b>
7	RDM072111-08	Does the lab contain motor vehicles?	<b>No</b>
8	RDM072111-09	Enter number of motor vehicles associated with the lab:	<b>0</b>
9	RDM072111-10	Are the vehicles considered functional spaces of the lab?	<b>NA</b>
10	RDM072111-11	For vehicles that are merely functional spaces, one extra 500 cm <sup>2</sup> sample is required for each vehicle. Enter the number of extra samples for functional space vehicles:	<b>0</b>
This Space Blank		Enter number of large vehicles (campers, trailers, etc)	<b>0</b>
		One extra sample is required for every 50 ft <sup>2</sup> of floor space of large vehicles. Enter number of extra samples required:	<b>0</b>
		Enter total number of samples to be collected.	<b>10</b>
		One BX must be included for every 10 samples. Enter the number of BX required.	<b>1</b>
		Enter total number of samples/BXs required	<b>11</b>
		Enter total number of samples/BXs actually collected	<b>11</b>
		Collected a minimum of 5 samples from the lab?	<b>Yes</b>
		Collected a minimum of 3 discrete samples from the lab?	<b>Yes</b>
		Collected minimum of 500 cm <sup>2</sup> per functional space?	<b>Yes</b>
		Collected minimum of 1,000 cm <sup>2</sup> surface area from the lab?	<b>Yes</b>
		Sketch of the sample locations performed?	<b>Yes</b>





This functional space was discovered during the final verification sampling, and is not discussed in the Preliminary Assessment.



**CERTIFICATION, VARIATIONS AND SIGNATURE SHEET**

<b>FACTs project name: River Drive</b>	<b>Form # ML14</b>
<b>Date: August 9, 2011</b>	
<b>Reporting IH:</b>	<b>Caoimhín P. Connell, Forensic IH</b>

## Certification

Statement	Signature
I do hereby certify that I conducted a preliminary assessment of the subject property in accordance with 6 CCR 1014-3, § 4.	
<del>I do hereby certify that the property has been decontaminated in accordance with the procedures set forth in 6 CCR 1014-3, § 5.</del>	XXXXXXXXXXXXXXXXXXXX
I do hereby certify that I conducted post-decontamination clearance sampling in accordance with 6 CCR 1014-3, §6.	
I do hereby certify that the cleanup standards established by 6 CCR 1014-3, § 7 have been met as evidenced by testing I conducted.	
I do hereby certify that the analytical results reported here are faithfully reproduced.	

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

No known deviation of standard occurred.

**MANDATORY LANGUAGE PURSUANT TO 6 CCR 1014-3 (§8.23 AND §8.24)**

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

Signature 

Date: August 9, 2011





**FORENSIC APPLICATIONS CONSULTING TECHNOLOGIES, INC.  
CONSULTANT STATEMENT OF QUALIFICATIONS**

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

FACTs project name:	River Drive	Form # ML15
Date June 29, 2011		
Reporting IH:	Caoimhín P. Connell, Forensic IH	

Caoimhín P. Connell, who has been involved in clandestine drug lab (including meth-lab) investigations since 2002, is a consulting forensic Industrial Hygienist meeting the Colorado Revised Statutes §24-30-1402 definition of an "Industrial Hygienist." He has been a practicing Industrial Hygienist in the State of Colorado since 1987; and is the contract Industrial Hygienist for the National Center for Atmospheric Research.

Mr. Connell is a recognized authority in methlab operations and is a Certified Meth-Lab Safety Instructor through the Colorado Regional Community Policing Institute (Colorado Department of Public Safety, Division of Criminal Justice). Mr. Connell has provided over 260 hours of methlab training for officers of over 25 Colorado Police agencies, 20 Sheriff's Offices, federal agents and probation and parole officers throughout Colorado judicial districts. He has provided meth-lab lectures to prestigious organizations such as the County Sheriff's of Colorado, the American Industrial Hygiene Association, US Air Force, and the National Safety Council.

Mr. Connell is Colorado's only private consulting Industrial Hygienist certified by the Office of National Drug Control Policy High Intensity Drug Trafficking Area Clandestine Drug Lab Safety Program, and P.O.S.T. certified by the Colorado Department of Law; he is a member of the Colorado Drug Investigators Association, the American Industrial Hygiene Association (where he serves on the Clandestine Drug Lab Work Group), the American Conference of Governmental Industrial Hygienists and the Occupational Hygiene Society of Ireland. Mr. Connell served as the Industrial Hygiene Subject Matter Expert for the Department of Homeland Security, IAB (Health, Medical, and Responder Safety SubGroup), from 2009 and was elected full member of the HMRS in 2011, and he conducted the May 2010 Clandestine Drug Lab Professional Development Course for the AIHA.

He has received over 144 hours of highly specialized law-enforcement sensitive training in meth-labs and clan-labs (including manufacturing and identification of booby-traps commonly found at meth-labs) through the Iowa National Guard/Midwest Counterdrug Training Center and the Florida National Guard/Multijurisdictional Counterdrug Task Force, St. Petersburg College as well as through the US NHTSA, and the U.S. Bureau of Justice Assistance (US Dept. of Justice). Additionally, he received extensive training in the Colorado Revised Statutes, including Title 18, Article 18 "Uniform Controlled Substances Act of 1992" and is currently ARIDE Certified.

Mr. Connell is a current law enforcement officer in the State of Colorado, who has conducted clandestine laboratory investigations and performed risk, contamination, hazard and exposure assessments from both the law enforcement (criminal) perspective, and from the civil perspective in residences, apartments, motor vehicles, and condominiums. Mr. Connell has conducted over 240 assessments in illegal drug labs in Colorado, Nebraska and Oklahoma, and collected over 2,330 samples during assessments (a detailed list of drug lab experience is available on the web at):

<http://forensic-applications.com/meth/DrugLabExperience2.pdf>

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

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

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

## **APPENDIX B**

### **ANALYTICAL REPORTS FOR FACTS SAMPLES**

# SAMPLING FIELD FORM

FACTs project name: River Drive	Form # ML17
Date: July 21, 2011	Alcohol Lot#: A1101 Gauze Lot#: G1006
Reporting IH: Caoimhin P. Connell, Forensic IH	Preliminary <input checked="" type="checkbox"/> X Intermediate <input type="checkbox"/> Final <input type="checkbox"/>

Sample ID RDM0721111 -	Type	Location	Funct. Space	Dimensions	Substrate
-01		LR/KITCHEN COMPLEX / LOG OVER KITCHEN CABINET	1	88 X 6	V WD
-02		MAIN FIR BATH / <del>ceiling</del> glass light shades	2	10 X 50	V WD
-03		BR			
-04		FURNACE RM / log W WALL	3	54 X 50	GLASS
-05	20 W *	2ND FIR / NE BDRM / log log / E clg glass light shades	4	13 X 39	V WD
-06		2ND FIR / BATH / globe light fixture ABOVE SINK	5	500 sq cm	GLASS
-07	xxxx	2ND FIR / SW BDRM / <del>ceiling</del> globe light fixture	6	22 X 25	V W
-08	xxxxx	2ND FIR / SE BDRM / clg FAN / (TRAP)	7	504	V W
-09		LOFT BDRM / SO / ceiling log	8	12 X 43	V W
-10		LOFT BDRM / NO / ceiling log	9	10 X 50	V W
-11		GARAGE / DOOR ECL	5		
-12					
-13					
-14					
-15					

Sample Types: W=Wipe; V=Microvacuum; A=Air; B=Bulk; L=liquid

Surfaces: DW= Drywall, P=Painted; W= Wood, L= Laminated, V= Varnished, M= Metal, C=Ceramic, PI=Plastic

\* 2 = 541 sq cm / GLASS  
 \*\* 4 = 6 X 88 / VARN. WOOD  
 \*\*\* 5 = ceiling log / EAST Ceiling  
 \*\*\*\* 7 = 500 sq cm  
 \*\*\*\*\* 8 = L1=12, L2=11, H=33 L1=11 L2=13 H=43  
 7 = center of room



FORENSIC APPLICATIONS CONSULTING TECHNOLOGIES, INC.

**Forensic Applications**

**Final Report**

**RES 217280-1**

**July 27, 2011**

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Cover Sheet	1
Letter	2
Report / Data	3
Quality Control Data	4
Chain of Custody	5-6

July 27, 2011

<b>Laboratory Code:</b>	<b>RES</b>
<b>Subcontract Number:</b>	<b>NA</b>
<b>Laboratory Report:</b>	<b>RES 217280-1</b>
<b>Project # / P.O. #:</b>	<b>River Drive</b>
<b>Project Description:</b>	<b>None Given</b>

Forensic Applications  
182 Bounty Hunters Lane  
Bailey CO 80421

Dear Customer,

Reservoirs Environmental, Inc. is an analytical laboratory accredited for the analysis of Environmental matrices by the National Environmental Laboratory Accreditation Program, Lab Certification #E871030. The laboratory is currently proficient in the ERA PAT Program.

Reservoirs has analyzed the following sample(s) using Gas Chromatography Mass Spectrometry (GC/MS) / Gas Chromatography Flame Ionization Detector (GC/FID) per your request. The analysis has been completed in general accordance with the appropriate methodology as stated in the analysis table. Results have been sent to your office.

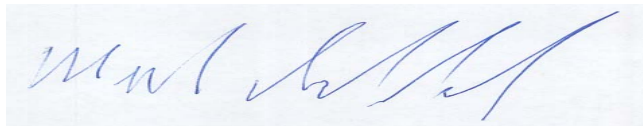
**RES 217280-1** is the job number assigned to this study. This report is considered highly confidential and the sole property of the customer. Reservoirs Environmental, Inc. will not discuss any part of this study with personnel other than those authorized by the client. The results described in this report only apply to the samples analyzed. This report shall not be reproduced except in full, without written approval from Reservoirs Environmental, Inc. Samples will be disposed of after sixty days unless longer storage is requested. If you should have any questions about this report, please feel free to call me at 303-964-1986.

Sincerely,



Jeanne Spencer Orr  
President

Analyst(s):



Mike Schaumloeffel

# RESERVOIRS ENVIRONMENTAL, INC.

NVLAP Accredited Laboratory #101896  
AIHA Certificate of Accreditation #480 LAB ID 101533

**TABLE I. ANALYSIS: METHAMPHETAMINE BY WIPE**

RES Job Number: **RES 217280-1**  
Client: **Forensic Applications**  
Client Project Number / P.O.: **River Drive**  
Client Project Description: **None Given**  
Date Samples Received: **July 22, 2011**  
Analysis Type: **Methamphetamine by GCMS**  
Turnaround: **5 Day**  
Date Samples Analyzed: **July 27, 2011**

Client ID Number	Lab ID Number	Reporting Limit (µg)	METHAMPHETAMINE CONCENTRATION (µg)
RDM072111-01	EM 770443	0.05	BRL
RDM072111-02	EM 770444	0.05	BRL
RDM072111-03	EM 770445	0.05	BRL
RDM072111-04	EM 770446	0.05	BRL
RDM072111-05	EM 770447	0.05	BRL
RDM072111-06	EM 770448	0.05	BRL
RDM072111-07	EM 770449	0.05	BRL
RDM072111-08	EM 770450	0.05	BRL
RDM072111-09	EM 770451	0.05	BRL
RDM072111-10	EM 770452	0.05	BRL
RDM072111-11	EM 770453	0.05	BRL

\* Unless otherwise noted all quality control samples performed within specifications established by the laboratory.

Data QA \_\_\_\_\_



# RESERVOIRS ENVIRONMENTAL, INC.

NVLAP Accredited Laboratory #101896  
AIHA Certificate of Accreditation #480 LAB ID 101533

## QUALITY CONTROL: METHAMPHETAMINE BY WIPE

RES Job Number: **RES 217280-1**  
Client: **Forensic Applications**  
Client Project Number / P.O.: **River Drive**  
Client Project Description: **None Given**  
Date Samples Received: **July 22, 2011**  
Analysis Type: **Methamphetamine by GCMS**  
Turnaround: **5 Day**  
Date Samples Analyzed: **July 27, 2011**

Quality Control Batch	Reporting Limit (µg/sample)	Matrix Blank (µg/sample)	Matrix Duplicate (% RPD)	Matrix Spike (% Recovery)	Laboratory Control Sample (% Recovery)
1	0.05	BRL	2	106	98

\* Unless otherwise noted all quality control samples performed within specifications established by the laboratory.

\*\* These analytical results meet NELAC requirements.

Data QA \_\_\_\_\_

11.22.2

Due Date: 7/27-7/29 W  
Due Time: 9:44a

Due Time: 9:44a

**REILAB**  
2835-96232  
**Reservoirs Environmental, Inc.**

5801 Logan St. Denver, CO 80216 • Ph: 303 964-1986 • Fax 303-477-4275 • Toll Free :866 RESI-ENV

**Fax: 303-509-2098**

INVOICE TO: (IF DIFFERENT)

**CONTACT INFORMATION:**

Company:	Company:	Contact:
Address:	Address:	Phone:
		Fax:
		Cellpaper:
Project Number and/or P.O. #:		Final Data Deliverable Email Address:
Project Description/Location:		

ASBESTOS LABORATORY HOURS: Weekdays: 7am - 7pm				REQUESTED ANALYSIS				VALID MATRIX CODES				LAB NOTES:	
PLM / PCM / TEM		PRIORITY (Next Day) <input checked="" type="checkbox"/> STANDARD											
RUSH (Same Day)		Rush PCM = 2hr, TEM = 6hr											
RUSH		RUSH											
CHEMISTRY LABORATORY HOURS: Weekdays: 8am - 5pm													
Metal(s) / Dust													
RCRA 8 / Metals & Welding													
Fume Scan / TCLP													
Organics													
MICROBIOLOGY LABORATORY HOURS: Weekdays: 9am - 6pm													
E.coli O157:H7, Coliforms, S.aureus													
Salmonella, Listeria, E.coli, APC, Y & M													
HOLD													
RUSH													
24 hr. 3 day <input checked="" type="checkbox"/> 5 Day													
24 hr. 2 Day 3-5 Day													
48 Hr. 3-5 Day													
RUSH 24 Hr 48 Hr 3 Day 5 Day													
Special Instructions:													
STANDARD RES REPORTING LIMIT													
Client sample ID number (Sample ID's must be unique)													
1 RDM072111-01												710 443	
2 RDM072111-02												44	
3 RDM072111-03												45	
4 RDM072111-04												46	
5 RDM072111-05												47	
6 RDM072111-06												48	
7 RDM072111-07												49	
8 RDM072111-08												50	
9 RDM072111-09												51	
10 RDM072111-10												52	

Number of samples received: 11 (Additional samples shall be listed on attached long form.)

NOTE: REI will analyze incoming samples based upon information received and will not be responsible for errors or omissions in calculations resulting from the inaccuracy of original data. By signing client/company representative agrees that submission of the following samples for requested analysis as indicated on this Chain of Custody shall constitute an analytical services agreement with payment terms of NET 30 days. Failure to comply with payment terms may result in a 1.5% monthly interest surcharge.

Relinquished By: <u>Darcy Connell</u>		Date/Time: <u>7/22/11</u> <u>9:42A</u>		Sample Condition: _____		On Ice		Sealed		Intact	
Laboratory Use Only		Date/Time: <u>7/22/11</u> <u>9:44A</u>		Carrier: <u>Hand</u>		Temp. (F°) _____		Yes / No		Yes / No	
Received By: <u>BSJ</u>		Date		Time		Initials		Contact		Phone Email Fax	
Results:		Date		Time		Initials		Contact		Phone Email Fax	
Contact:		Date		Time		Initials		Contact		Phone Email Fax	
Contact:		Date		Time		Initials		Contact		Phone Email Fax	

RES Job # River Drive Page 2 of 2

Submitted by: A. Carey-Cone II

Client sample ID number (Sample ID's must be unique)		REQUESTED ANALYSIS										VALID MATRIX CODES				LAB NOTES:
		PLM - Short report, Long report, Point Count	TEM - AHERA, Level II, 7402, ISO, +/-, Quant, Semi-quant, Micro-vac, ISO-Indirect Preps	PCM - 7400A, 7400B, OSHA	DUST - Total, Respirable	METALS - Analyte(s) RCRA 8, TCLP, Welding Fume, Metals Scan	ORGANICS - BTEX, MTBE, 8260, GRO, METH	MICROBIOLOGY				OTHER -				
								Salmonella +/-	E.coli O157:H7 +/-	Listeria +/-	Aerobic Plate Count +/- or Quantification	E.coli +/- or Quantification	Coliforms +/- or Quantification	S.aureus +/- or Quantification	Yeast/Mold +/- or Quantification	
11	RDM012111-11															
12																
13																
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15																
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39																
40																
41																

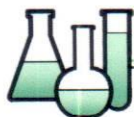
EM Number  
(Laboratory Use Only)  
770453

## **APPENDIX C**

**ANALYTICAL METHODS  
(SEE ATTACHED DVD)**

## **APPENDIX D**

### **INITIAL INDUSTRIAL HYGIENE REPORT**



# ANALYTICAL CHEMISTRY INC.

Established in 1979

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

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

Phone: 206-622-8353

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

<b>Lab Reference:</b>	11145-03DR
<b>Date Received:</b>	May 31, 2011
<b>Date Completed:</b>	June 2, 2011

June 2, 2011

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

**CLIENT REF:** River Drive

**SAMPLES:** wipes/3

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

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

These data are for 188 River Drive, Bailey, Colorado. These results confirm the presence of methamphetamine in the residence. The values on this laboratory report are NOT concentrations, CANNOT be compared directly with any regulatory level, and CANNOT be used as concentrations or converted into concentrations without the original field notes. Based on these data, the property has been "Discovered" and "Notification" has been made pursuant to CRS 25-18.5-103 (1)(a) and Regulation 6 CCR 1014-3 (3). The property meets the definition of an "illegal drug laboratory" and entry into the property is restricted. Sale of the property can only occur with full disclosure of the noncompliance status of the property as an "illegal drug laboratory."

<b>Sample</b>	<b>Methamphetamine, ug</b>	<b>% Surrogate Recovery</b>
DRM052711-001	0.047	98
DRM052711-002	< 0.030	102
DRM052711-003	< 0.030	98
QA/QC Method Blank	< 0.004	
QC 0.100 ug Standard	0.108	
QA 0.020 ug Matrix Spike	0.018	
QA 0.020 ug Matrix Spike Duplicate	0.017	
Method Detection Limit (MDL)	0.004	
Practical Quantitation Limit (PQL)	0.030	

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

Robert M. Orheim  
Director of Laboratories





ANALYTICAL CHEMISTRY INC.

**4611 S 134th Pl, Ste 200 Tukwila WA 98168-3240**  
**Website: [www.acilabs.com](http://www.acilabs.com)**

**Phone: 206-622-8353**  
**FAX: 206-622-4623**

Page 1 of 1

Please do not write in shaded areas:

Page 1 of 1

SAMPLING DATE: May 27, 2011		REPORT TO: Caoimhin P. Connell		ANALYSIS REQUESTED																																	
PROJECT Name/No: River Drive		COMPANY: Forensic Applications, Inc.		1		Methamphetamine																															
eMail: Fiosrach@aol.com		ADDRESS: 185 Bounty Hunters Lane, Bailey, CO 80421		2		Use entire contents																															
SAMPLER NAME: Caoimhin P. Connell		PHONE: 303-903-7494		3		Normal Turn-around time																															
				4		RUSH																															
				5		Weigh and report in mg																															
				6		Not Submitted																															
LAB Number		Sample Number			SAMPLE MATRIX						ANALYSIS REQUESTS		SAMPLER COMMENTS		LAB COMMENTS		No of Containers																				
					Wipe			Vacuum			Other			1			2			3			4			5			6								
R01		RDM052711-01												X			X			X															1		
R02		RDM052711-02												X			X			X													1				
R03		RDM052711-03												X			X			X													1				

## **APPENDIX E**

### **COMPACT DIGITAL DISC (DVD) PHOTOGRAPHS AND VIDEO(S)**