



FORENSIC APPLICATIONS CONSULTING TECHNOLOGIES, INC.

**Industrial Hygiene Assessment
of an Occupied Property
Resulting in the Discovery of an
Illegal Drug Laboratory
at
117 Ross Ave., Alamosa, CO**

Prepared for:

Eric Stevens
Box Adams 0062
Alamosa, CO 81102

Prepared by:

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



November 30, 2010

EXECUTIVE SUMMARY

- At the request of the property occupant (Mr. Eric Stevens), state of the art sampling was performed by personnel from Forensic Applications Consulting Technologies, Inc. (FACTs) at 117 Ross Ave., Unit A, Alamosa, CO (the subject property) for the determination of the presence of methamphetamine. (The entire residential structure is an older house that has been subdivided into three small apartments: Unit A is but one of the three apartments. Mr. Stevens had evidence that methamphetamine contamination was being introduced into his living space via the actions of occupants of a separate Unit in the residence.)
- The sample results indicated overt concentrations of methamphetamine contamination at the subject property in excess of the regulatory and statutory levels permitted in Colorado.
- During the assessment, FACTs personnel observed several visual indicators consistent with illegal drug laboratory activities.
- Based on the results of the samples, and based on our observations, an illegal drug laboratory, as defined in Colorado Revised Statutes §25-18.5-101 exists at the subject property.
- By virtue of this letter and documentation, “Discovery” of an illegal drug laboratory, as that term is found in Colorado Revised Statutes §25-18.5-103 and Regulation 6 CCR 1014-3 (3) has now occurred at the subject property.
- By virtue of this letter and documentation, “Notification” as that term is used in CRS §25-18.5-103 (1)(a) is hereby made.
- According to CRS §25-18.5-104, entry into the property is strictly prohibited. Prohibition on entry extends to the registered owner of the property, each and every tenant occupying the structure, any other occupant, Real Estate agents, property owner(s), maintenance personnel, 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).
- Pursuant to State statute CRS 25-18.5-103(3), removal of any and all personal property from the residence is restricted by state statute. Any person who removes any personal property or debris from the residence shall secure the property and debris to prevent theft or exposing another person to any toxic or hazardous chemicals until the property and debris is appropriately disposed of or cleaned according to State Board of Health rules.



- No personal property may be cleaned except upon the production of a Preliminary Assessment (PA).
- Pursuant to State statutes, each tenant has ten days to secure their property and resolve disposition of that property, or lose all possession rights to that personal property.
- Pursuant to CRS §25-18.5-103, the Registered Owner of the property has exclusively two options: 1) commission an authorized Industrial Hygienist to perform a Preliminary Assessment as described in 6 CCR 1014-3 (4.0 *et seq*), or 2) demolish the property. No timeframe is currently assigned in Alamosa County for the completion of the Preliminary Assessment or demolition.
- Several unauthorized consultants (including untrained Certified Industrial Hygienists), have been performing consultation in illegal drugs labs in Southern Colorado. Use of these consultants will result in a fatal flaw in the work. This, or any other fatal flaw in compliance with the State Regulations, will prevent the registered owner from receiving the liability immunity provided by CRS §25-18.5-103(2).
- According to Regulation 6 CCR 1014-3, any further cleaning and/or remediation and/or decontamination is strictly prohibited, except pursuant to a completed Preliminary Assessment.

HISTORY

The lawful occupant of the subject property contacted Forensic Applications Consulting Technologies, Inc. (FACTs) and explained that he had performed a qualitative test for methamphetamine in the interior of the residence. The result of the qualitative test was “positive.” The location of the qualitative sample was on the west wall of the small hallway leading to the bathroom.

The quantitative method used by the occupant was the SKC Brand *MethCheck*TM. The *MethCheck*TM is a sampling and analysis device developed by the US Public Health Service under a grant by the National Institute of Occupational Safety and Health (NIOSH). NIOSH licensed the device to be sold through a commercial organization called SKC International. The sampling device is a state of the art qualitative method with no reasonable false positives (that is, all positive results are conclusive for methamphetamine).

Based on the *MethCheck*TM findings, the occupant asked FACTs to perform quantitative sampling and analysis. Quantitative analysis is different from qualitative analysis in that in a qualitative analysis, the device is merely answering the question “*Is methamphetamine present?*” resulting in a “yes” or “no” answer. With a quantitative analysis, a sample is collected from an area and submitted to a laboratory, and analyzed by gas chromatography coupled with a mass spectrometer (GCMS). The quantitative



analysis is definitive, and specifically determines if the material is actually methamphetamine, and then definitively *quantifies* the actual amount of methamphetamine that is present.

On Monday, November 22, 2010, FACTs visited the subject residence and performed a standard cursory evaluation for the presence of methamphetamine at the property pursuant to the Colorado Real Estate methamphetamine disclosure and testing statute as described by CRS §38-35.7-103(2)(a). FACTs collected two standard five-part composite samples for the quantitative determination of the presence of methamphetamine from ten different locations in the residence. One sample was collected from hard surface and one sample was collected from soft fabrics.

The sampling data quality objectives (DQOs) employed by FACTs were described in our bid cover letter to the occupant dated November 16, 2010. The samples were collected by Mr. Caoimhín P. Connell, who is an Industrial Hygienist as defined in CRS §24-30-1402.

Based on state of the art sampling and analysis techniques, FACTs conclusively determined the presence of methamphetamine in the subject residential structure at concentrations in excess of the regulatory levels. If the samples had been collected as part of a final verification process, the samples would have been approximately 10 times greater than the allowable limit.

Based on current statutes and regulations, the property meets the definition of an “illegal drug laboratory” as described below, and has been conclusively demonstrated to be noncompliant with Colorado State regulations and State statutes as described below.

According to current State of Colorado Regulations and Statutes, this letter serves as “Discovery” as that term is found in Colorado Revised Statutes §25-18.5-103 and “Notification” as that term is used in CRS §25-18.5-103 (1)(a).

During our evaluation, FACTs also observed a small baggie of marijuana which had been buried outside the northernmost east window of Unit A.

PERTINENT REGULATORY STANDARDS

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

State Statutes

Environmental Statutes

Colorado has one of the country’s most comprehensive and scientifically based clandestine drug laboratory regulations. The Colorado regulations become applicable when the owner of a property has received “notification” from a cognizant authority that a property is or may be noncompliant. The discovery upon which the notification is



based may be from a peace officer indicating that chemicals, equipment, or supplies indicative of a “drug laboratory” are located at the property, “...or when a “drug laboratory” is otherwise discovered.”¹”

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

In this case, the definitive presence of the methamphetamine is conclusive evidence that, at a minimum, methamphetamine is being stored at the property. In this case, the definitive presence of methamphetamine is highly suggestive that methamphetamine is being used or manufactured at the property; the sample results are definitively conclusive that methamphetamine is *either* being manufactured *or* used at the property.

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

Property Statutes

Criminal Proceedings – Public Nuisance Statutes

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

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

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

¹ CRS §25-18.5-103



For each geographic location throughout Colorado, there is a "Governing body." The "Governing body" is defined by CRS §25-18.5-101(2.5) as:

"Governing body" means the agency or office designated by the city council or board of county commissioners where the property in question is located. If there is no such designation, the governing body shall be the health department, building department, and law enforcement agency with jurisdiction over the property in question.

In this case, to our knowledge, no "Governing Body" has been specifically identified by the City of Alamosa or Alamosa County. Therefore, at this point in time, we will assume a default office for the Governing Body. FACTs will forward a copy of this report to the default Governing Body (Chief of Police) on Tuesday, November 30, 2010.

State Regulations

Pursuant to Colorado regulations 6 CCR 1014-3,² following discovery and notification, a comprehensive and detailed "Preliminary Assessment"(PA) must be commissioned by the property owner and performed by an authorized and properly trained Industrial Hygienist who must characterize extant contamination. The content and context of the "Preliminary Assessment" is explicitly delineated by regulation.³ Any remediation or cleaning of the property must be based on the Industrial Hygienist's Preliminary Assessment, and cannot occur until such assessment has been conducted.

Pursuant to State statutes:

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

(3) "Property" means anything that may be the subject of ownership, including, but not limited to, land, buildings, structures, and vehicles.

Since discovery and notification had not, to our knowledge, taken place at the time of our visit, FACTs was not performing a "Preliminary Assessment" as that term is defined in State regulation; and this work does not meet the elements or definition of a "Preliminary Assessment" and cannot be used or otherwise substituted for a Preliminary Assessment.

Additionally, no other sampling performed by any other person may rebut or counter these findings except when performed as part of a mandatory Preliminary Assessment meeting each of the elements of Section 4 of 6 CCR 1014-3 and the Decision Statement with all subsequent documentation as found in Section 8 of 6 CCR 1014-3.

² Titled: Colorado Department Of Public Health And Environment, State Board Of Health, *Regulations Pertaining to the Cleanup of Methamphetamine Laboratories*.

³ An example of a legitimate Preliminary Assessment can be found at:
<http://www.forensic-applications.com/meth/BluebirdPA.pdf>



Mandatory Contamination Thresholds

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

However, this argument is erroneous and no such provisions are found anywhere in State statutes or State regulation. If an Industrial Hygienist chooses non-mandatory sampling (such as performed at the subject property) during an industrial hygiene evaluation, and those samples result in any contamination, even below the value of $0.5 \mu\text{g}/100\text{cm}^2$, then the property must, by state regulation, be declared a methlab.⁴ This is due to the fact that cursory sampling does not meet the data quality objectives upon which the State clean-up level of “ $0.5 \mu\text{g}/100\text{cm}^2$ ” value is based.

It was for this reason that during the establishment of our data quality objectives, FACTs was careful to select reportable limits that were sufficiently elevated such that trace or *de minimis* quantities of methamphetamine would not inappropriately trigger the State regulations.

In any event, contrary to erroneous statements frequently made by unauthorized consultants, the mere value of “ $0.5 \mu\text{g}/100\text{cm}^2$ ” is not the State of Colorado cleanup level, but rather is the value upon which the final cleanup level is based and which is described in the mandatory Appendix A of the State regulations. The Colorado clearance level of “ $0.5 \mu\text{g}/100\text{cm}^2$,” frequently misquoted by members of the general public, applies exclusively as *prima facie* evidence of decontamination at the end of a project⁵ and is that attainment threshold usually needed to issue a “decision statement” (final clearance).

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

*...lead a reasonable person, trained in aspects of methamphetamine laboratories, to conclude the presence of methamphetamine, its precursors as related to processing, or waste products.*⁶

⁴ *Ibid.* Appendix A

⁵ Colorado Department Of Public Health And Environment, State Board Of Health, *Regulations Pertaining to the Cleanup of Methamphetamine Laboratories*, 6 CCR 1014-3.

⁶ *Ibid.*



In an unofficial opinion issued by the State of Colorado Department of Public Health and the Environment,⁷ even when the cursory concentrations are far below state mandated limits:

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

Although our initial testing at the subject property was conducted pursuant to CRS §38-35.7-103, based on our observations, our role and activities jointly and contemporaneously fell under CRS §25-18.5-103, and the drug laboratory was "otherwise" discovered.

ASSESSMENT PROTOCOLS

Sampling Protocol

The actual methamphetamine *concentrations* found in the samples taken at the subject property, are not germane to the cursory evaluation process and are not required by regulation or statute to be reported here. The actual concentrations observed are not within our data quality objectives as specified in our November 16, 2010 proposal letter, and therefore, are not required to be reported here.

Furthermore, another recurring myth amongst unauthorized consultants in illegal drug lab related issues is that sampling, such as that performed at this property, is capable of adequately characterizing the extent of contamination; it is not, and it is for this reason that results are not reported here. The values found in the accompanying laboratory report are not concentrations, rather, they are absolute mass of methamphetamine recovered from each sample. As such, the values are not directly comparable to State statutes.

During this project, FACTs made no attempt to characterize the full extent of contamination at the structure. Rather for our cursory assessment, the hypothesis was made that the subject property was devoid of detectable concentrations of methamphetamine at a specified limit of detection and data would be collected to support the hypothesis. As such, the data quality objectives were not designed to quantify or characterize the *extent* or degree of contamination, but rather to support the statement:

Methamphetamine is not present in the property above specified levels.

Our DQOs were such that we selected a total sampling area that would result in a reportable quantity limit of 0.10 µg/100cm². That is, unless the concentration of the methamphetamine in the sample submittal exceeded 0.09 µg/100cm², the laboratory

⁷ Email transmission from Craig Sanders to FACTs, January 31, 2008, quoting Coleen Bresnahan, CDPHE, regarding a property at 32548 Kinsey Lane Conifer, Colorado.



would report the concentration as “below detection limit.” The value of 0.10 µg/100cm² was selected since, according to the State of Colorado Regulations, the minimum permissible concentration of methamphetamine allowed as determined during compliance sampling for a five parted sample is 0.1 µg/100cm².

Our testing produced results that failed to support the hypothesis, and we therefore accept the null hypothesis; *viz.* the subject property conclusively contains overt methamphetamine contamination. The null hypothesis that we must accept is:

Methamphetamine is present in the property above specified levels.

Our sampling indicates that if the samples were collected as part of a final clearance sampling protocol, the concentrations would have been about five times greater than the regulatory concentration of methamphetamine allowed as determined during compliance sampling.

Sample Collection

Using standard industrial hygiene methods, we collected two 5-part composite samples from the residence. The samples were submitted to Analytical Chemistry, Inc. for quantitative analysis using gas chromatography coupled with mass spectrometry. Analytical Chemistry Inc. is one of the laboratories listed in Colorado’s regulations as being proficient in methamphetamine analysis. A copy of the results is attached to this report.

Wipe Samples

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

Field Blanks

Our data quality objectives did not include a field blank, and none were submitted. The history of the FACTs sampling media has demonstrated a media and solvent contamination level below the analytical detection limit for the method (alcohol lot n=23 and gauze lot n=12) and out of tolerance blanks for n=0. Furthermore, the internal laboratory QA/QC for the analysis suite indicated that the reported methamphetamine was associated with the property and not with errors in the analytical procedure.



Field Duplicates

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

Vacuum Sample

The vacuum samples were collected in accordance with standard industrial hygiene microvacuum sampling procedures.⁸ After an area had been selected and measured, a commercially available 25 mm diameter extended-cowel cassette fitted with mixed cellulose ester (MCE) membrane was attached to a commercially available personal sampling industrial hygiene pump. The pump was adjusted to draw approximately four liters of air per minute with a back pressure of approximately two inches of water column. The cassette was opened to present an “open face,” and the selected area was vacuumed with the cassette. The cassettes were sealed and secured with a strip of duct tape for shipping to the laboratory under chain of custody.

Vacuum samples were submitted to Analytical Chemistry, Inc. in Tukwila, WA for analysis by GCMS. The interpretation of the results of the vacuum samples normally takes into account the surface area sampled, and the mass of material removed from that surface. The laboratory is normally instructed to weigh and report the mass of debris recovered from the cassette, along with the total mass of methamphetamine in that debris. From this information, we calculate and report a “density” of methamphetamine. In this case, FACT inadvertently neglected to request a weight, and the laboratory merely reported total mass recovered.

Sample Results

In the table below, we have presented the result of the sampling in the context of the DQOs. Sample AM112210-1 was the hard surface wipe sample composite and sample AM112210-2 was the vacuum sample composite.

Sample ID	Sample Location	Methamphetamine
AM112210-1A	Top of speaker in kitchen	Present Above Detection Limit
AM112210-1B	Ceiling fan blade in living room	
AM112210-1C	Acrylic pyramid in bedroom	
AM112210-1D	Top speaker in back hallway	
AM112210-1E	Top of book case in bedroom	
AM112210-2A	Arm of couch in living room	Present Above Detection Limit
AM112210-2B	Dining chair seat cushion	
AM112210-2C	Bed clothes in bed room	
AM112210-2D	Shirt in closet	
AM112210-2E	Towel on linen rack	

Table 1
Results of Methamphetamine Samples

⁸ For example, see ASTM Method D 5756-02



If the wipe composite sample had been collected and submitted as part of final verification sampling conducted pursuant to Colorado regulation 6 CCR-1014-3, the result would have indicated that the concentration of methamphetamine was 10 times the statutory clean-up limit permitted by regulation .

At this point forward, the personal items in the structure (whether tested or not), are covered by the rules and regulations specified in CRS 25-18.5-103(1)(b) and State Regulation 6 CCR 1014-3 (5.8). In this case, since Mr. Stevens is the victim of a crime, and the contamination is ostensibly the result of the actions of another person and not within his control, we recommend that Mr. Stevens immediately seek either a court order or a written resolution from the city to suspend the ten day restriction on the removal of his personal belongings and allow for additional time to resolve the issue. Without the suspension of the ten day rule, Mr. Stevens could lose possession of all his belongings in the structure.

CONCLUSIONS

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

If the registered owner of the property decides to sell this residence, according to Colorado revised statutes,⁹ the seller of a property shall disclose in writing to the buyer whether the seller knows that the property was previously used as a methamphetamine laboratory. Therefore, from this point forward, and until such time that an authorized Industrial Hygienist has issued a Decision Statement, the owner of the property must disclose that the property is or has been an illegal drug laboratory.

Prepared by:



Caoimhín P. Connell
Forensic Industrial Hygienist

⁹ CRS 38-35.7-103(3)(a)



APPENDIX A LABORATORY REPORT





ANALYTICAL CHEMISTRY INC.

Established in 1979

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

Website: www.acilabs.com

Phone: 206-622-8353

E-mail: info@acilabs.com

Lab Reference:	10171-02
Date Received:	November 24, 2010
Date Completed:	November 29, 2010

November 29, 2010

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

CLIENT REF: Alamosa

SAMPLES: wipes/2

ANALYSIS: Methamphetamine by Gas Chromatography-Mass Spectrometry.

RESULTS: in total micrograms (ug)

Sample	Methamphetamine, ug	% Surrogate Recovery
AM112210-01	0.167	94
AM112210-02	0.174	93
QA/QC Method Blank	< 0.004	
QC 0.100 ug Standard	0.096	
QA 0.020 ug Matrix Spike	0.018	
QA 0.020 ug Matrix Spike Duplicate	0.018	
Method Detection Limit (MDL)	0.004	
Practical Quantitation Limit (PQL)	0.030	

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

Robert M. Orheim
Director of Laboratories

APPENDIX B CONSULTANT'S SOQ





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

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

FACTs project name:	Ross Ave.	Form # ML15
Date	November 30, 2010	
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 200 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 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 is a Subject Matter Expert for the Department of Homeland Security, IAB Health, Medical, and Responder Safety SubGroup, and he conducted the May 2010 Clandestine Drug Lab Professional Development Course for the AIHA.

He has received over 128 hours of highly specialized law-enforcement sensitive training in meth-labs and clan-labs (including manufacturing and identification of booby-traps commonly found at meth-labs) through the Iowa National Guard/Midwest Counterdrug Training Center and the Florida National Guard/Multijurisdictional Counterdrug Task Force, St. Petersburg College as well as through the U.S. Bureau of Justice Assistance (US Dept. of Justice). Additionally, he received extensive training in the Colorado Revised Statutes, including Title 18, Article 18 "Uniform Controlled Substances Act of 1992."

Mr. Connell is a current law enforcement officer in the State of Colorado, who has conducted clandestine laboratory investigations and performed risk, contamination, hazard and exposure assessments from both the law enforcement (criminal) perspective, and from the civil perspective in residences, apartments, motor vehicles, and condominiums. Mr. Connell has conducted over 200 assessments in illegal drug labs, and collected over 1,900 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.

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APPENDIX C DECISION FLOW CHART



