

FORENSIC APPLICATIONS CONSULTING TECHNOLOGIES, INC.

Preliminary Assessment of an Identified Illegal Drug Laboratory at:

3435 West Scott Place Denver, CO 80211

Prepared for:
Dynamite Construction, LLC
AM1101-CO-129780: Asset# 71634216

Prepared by:

FORENSIC APPLICATIONS CONSULTING TECHNOLOGIES, INC.

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April 8, 2011

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EXECUTIVE SUMMARY

On Monday, March, 7, 2011, Forensic Applications Consulting Technologies, Inc. (FACTs) was contracted by a confidential potential buyer to perform standard cursory testing for methamphetamine at 3435 W. Scott Place, Denver, CO (the subject property).

The testing confirmed the presence of methamphetamine contamination at the subject property in excess of Colorado regulatory concentrations. The testing indicated widespread contamination of methamphetamine throughout the residence.

On March 14, 2011, FACTs issued a written report of the cursory testing which met the definition of "discovery" and "notification" and which triggered Colorado State Board of Health Regulation 6 CCR 1014-3.

FACTs was subsequently contracted by Dynamite Construction, LLC to perform a standard State-mandated Preliminary Assessment (PA) of the subject property. From March 28, 2011 to March 29, 2011 personnel from FACTs performed the PA pursuant to Colorado Regulation 6 CCR 1014-43, Part 4.

Samples taken during the cursory testing, as well as during the Preliminary Assessment, conclusively demonstrated the presence of widespread methamphetamine contamination throughout the structure, including the furnace system, the garage and the attic.

Pursuant to Colorado Revised Statutes, CRS §25-18.5-101, the residence, and all remaining personal items therein, meet the definition of an "illegal drug laboratory." Pursuant to CRS §16-13-303, the property meets the definition of a class 1 public nuisance. Based on the totality of the circumstances, FACTs makes the following observations:

- The property exhibits overt noncompliance with Colorado's methamphetamine cleanup standards.
- "Discovery" and "Notification" existed by virtue of the FACTs March 7, 2011 samples as described in our March 14, 2011 report.
- A noncompliant illegal drug lab, as that term is defined in CRS §25-18.5-101, existed at the subject property from at least March 7, 2011 forward, and continues to exist at the time of this Preliminary Assessment.
- A Class 1 Public Nuisance, as defined in CRS §16-13-303(1) existed at the subject property from at least March 7, 2011 forward, and continues to exist at the time of this report.

- The entire interior structure, including the garage, the furnace system and the attic, must be decontaminated in a manner consistent with State regulations.
- Following the decontamination activities, a qualified Industrial Hygienist must perform the post-decontamination process and issue a Decision Statement before reentry or occupancy of the subject property may occur.
- The PA and sampling was performed by Mr. Caoimhín P. Connell, Forensic Industrial Hygienist with FACTs. Mr. Connell was assisted by Ms. Christine Carty, Field Technician ¹

REGULATORY REQUIREMENTS

Federal Requirements

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

State Requirements

Preliminary Assessment

According to Colorado State Regulation 6-CCR 1014-3, following the discovery of an illegal drug lab, as that term is defined in CRS §25-18.5-101, and following "notification," the property must either be demolished or a "Preliminary Assessment" must be conducted at that property to characterize extant contamination (if any), and to direct appropriate decontamination procedures (if any). Pursuant to these regulations, information obtained in the PA, and those findings, enter the public domain and are not subject to confidentiality.²

The PA must be conducted according to specified requirements³ by an authorized Industrial Hygienist as that term is defined in CRS §24-30-1402. This document, and all associated appendices and photographs, is the PA pursuant to those regulations. Included with this discussion is a read-only digital disc. The disc contains mandatory information and photographs required by State regulation for a PA. This PA is not complete without the digital disc and all associated support documents.

Pursuant to CRS §25-18.5-105, the subject property is deemed a "public health nuisance." Pursuant to CRS §16-13-303, the subject property and all of its contents is deemed a Class 1 Public Nuisance. As such, the subject property must be remediated



¹ Ms. Carty received a training certificate in Clandestine Drug Lab Safety through the Colorado Regional Community Policing Institute (CRCPI) sponsored by the US Dept. of Justice High Intensity Drug Trafficking Area fund.

² Section 8.26 of 6 CCR 1014-3

³ Section 4 of 6 CCR 1014-3

according to State Board of Health regulations 6-CCR-1014-3, or demolished (CRS §25-18.5-103).

Preliminary Hypothesis

During the PA, the initial hypothesis is made that the subject area is clean, and data are collected to find support for this hypothesis. Any reliable data that fails to support the hypothesis, including police records, visual clues of illegal production, storage, or use, or documentation of drug paraphernalia being present, is considered conclusive, and requires the Industrial Hygienist to accept the null hypothesis and declare the area non-compliant.⁴ 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 meth laboratories, to conclude the *presence* of methamphetamine, and/or its precursors or waste products as related to processing.

Contrary to common belief, sampling is <u>not</u> required during a PA; however, if sampling is performed, it is conducted in the areas with the highest probability of containing the highest possible concentrations of contaminants. According to the State regulations:⁵

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.

Initial Statement on Hypothesis Testing

Regarding this subject property, objective sampling performed by FACTs on March 7, 2011, confirmed overt methamphetamine contamination. In the totality of circumstances, any one of the samples would have challenged the Primary Hypothesis, and require FACTs to accept the null hypothesis and declare the primary residence and all contents therein as non-compliant.

Pursuant to testing consistent with Section 7, 6 CCR 1014-3, FACTs further challenged the compliance status of the garage, the attic, and the furnace system located in the structure. The samples designed to challenge the compliance status confirmed the presence of overt and widespread contamination in excess of the regulatory thresholds, and these areas are included in the remediation process.

Elements of the Preliminary Assessment

Specific mandatory information must be presented as part of the PA. This discussion, in its totality, contains the mandatory information for a PA as follows:

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⁴ This language and emphasis is verbatim from Appendix A (mandatory) of 6 CCR 1014-3

⁵ Section 4.6 of 6 CCR 1014-3

Mandatory Final Documents 6-CCR 1014-3	DOCUMENTATION			
§4.1	Property description field form	01		
§§4.4, 4.5	Description of manufacturing methods and chemicals	0/		
§4.2	Law Enforcement documentation review discussion	01		
§4.7	Description and Drawing of Storage area(s)	Cal.		
§4.8	Description and Drawing of Waste area(s)	Cal.		
§4.9	Description and Drawing of Cook area(s)	Cal.		
2242 46 440	Field Observations field form	Carl		
§§4.3, 4.6, 4.10	FACTs Functional space inventory field form	Cal.		
\$4.11	Plumbing inspection field form	Cal		
§4.11	FACTs ISDS field form	Cal.		
§4.12	Contamination migration field form or description	Cal.		
§4.13	Identification of common ventilation systems	Cal		
§8.11	Description of the sampling procedures and QA/QC			
§8.12	Analytical Description and Laboratory QA/QC			
§8.13	Location and results of initial sampling with drawings	Cal		
§8.14	FACTs health and safety procedures in accordance with OSHA	Carl		
§8.15 - §8.19	These sections are not applicable to a Preliminary Assessment	ent		
§8.20	FACTs Pre-remediation photographs and log	Carl		
90.20	FACTs Post-remediation photographs and log	NA		
§8.21	FACTs SOQ	Cal		
§8.22	Certification of procedures, results, and variations	Cal		
§8.23	Mandatory Certification Language	Cal		
§8.24	Signature Sheet			
NIA	Analytical Laboratory Reports	Cal		
NA	FACTs Field Sampling Forms	Carl		

Table 1 Inventory of Mandatory Elements and Documentation

Subject Structure

Based on information from the Denver County Assessor's Office, the primary structure consisted of approximately 1,896 square feet of residential floor space built *circa* 1939. For the purposes of regulatory compliance, traditionally non-taxable spaces (such as the garage and the attic) must be included in the assessment. Therefore, for the purposes of this PA, the approximate total square feet of potentially impacted floor space used in the PA is 3,140 square feet (including the attic). Sampling requirements are based on this value.

A general layout of the residential setting is depicted in the aerial photograph below. The subject property is outlined in red.



Figure 1 General Site Layout⁶

Review of Law Enforcement Documentation

As part of the PA, FACTs is required by regulation⁷ to review available law enforcement documents pertinent to a subject property. During this project, FACTs contacted the only law enforcement agency claiming interest in the property: Denver Police Department.

Denver Police Department exhibited the highest standard of professionalism and courtesy, and participated openly with our requests for information.

Based on the best available information, there are no law enforcement documents pertaining to controlled substances for this subject property.

Governing Body

Pursuant to statute and regulations, the documentation in this report must be submitted to the "Governing Body" to avail of the statutory liability immunity. The *de facto* "Governing Body" as defined in CRS 25-18.5-101 for this property is:



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⁶ Courtesy of USDA Farm Service Agency as accessed through Google TM

⁷ 6 CCR 1014-3 (Section 4.2)

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Visual Inspection of the Property

As part of the Preliminary Assessment, on March 29, 2011, Mr. Caoimhín P. Connell, Forensic Industrial Hygienist with FACTs, performed a visual inspection of the subject property. During the assessment, Mr. Connell was assisted by Field Technician, Christine Carty. The property was in an "unoccupied" condition, and was completely devoid of chattels.

FUNCTIONAL SPACE SUMMARY

During a Preliminary Assessment, the Industrial Hygienist is required by regulation 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 areas 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 be different, kitchens and living rooms, may be different, etc. Pursuant to regulations, a building is divided into such areas based solely on subjective professional judgment with foundational guidance in Federal Regulation.⁸

A general overview of each space is provided in the following discussion. Indicators are detailed in FACTs field form ML5, included in the appendix of this report. For evaluation purposes, the following Functional Spaces have been identified and are addressed below:

Functional Space Number	Location of the Functional Space
1	Upstairs Dining Room
2	Upstairs Living Room
3	Upstairs Kitchen
4	Stairwell and back door landing
5	Upstairs Bathroom
6	Upstairs Northwest Bedroom
7	Upstairs Southwest Bedroom
8	Foyer and Closet
9	Downstairs Kitchen

Table 2 Functional Space Inventory

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⁸ Asbestos Containing Materials in Schools; Final Rule and Notice, Title 40 CFR Part 763, Fed. Reg. Vol. 52, No. 210, Fri. Oct. 30, 1987

10	Downstairs Living Room
11	Downstairs Bathroom
12	Downstairs North Bedroom
13	Downstairs Storage Room
14	Downstairs Southwest Bedroom
15	Furnace Room
16	Attic
17	Garage

Table 2 (Continued) Functional Space Inventory

Functional Space 1: Upstairs Dining Room

This area occupies the southeast quadrant of the ground floor. The room is physically separated from the kitchen by a door and from the Living Room by a partially opened wall. There were no notable visual indicators in this area.

Functional Space 2: Upstairs Living Room

This area occupies the southwest quadrant of the ground floor. The room is physically separated from the bedroom to the north by a door and from the Dining Room by a partially opened wall. There were no notable visual indicators in this area. This area was included in the cursory composite sample that indicated a methamphetamine concentration of approximately $9 \mu g/100 cm2$.

Functional Space 3: Upstairs Kitchen

As traditionally defined, this area had some visual indicators including yellow staining on the walls. The basement is access through the kitchen. This area was included in the cursory composite sample that indicated a methamphetamine concentration of approximately $9 \mu g/100 \text{ cm}2$.

Functional Space 4: Stairwell and Backdoor Landing

This is the backdoor entrance to the basement. This area had visual signs of violence and a forced entry through the back door. There were splatter marks consistent with blood splatter marks on the door.

Functional Space 5: Upstairs Bathroom

This space is the small toilet and bathroom on the main floor. This area was included in the cursory composite sample that indicated a methamphetamine concentration of approximately $9 \mu g/100 cm2$.

Functional Space 6: Upstairs Northwest Bedroom

This area occupies the east quadrant of the ground floor and was devoid of notable visual indicators.

Functional Space 7: Upstairs Southwest Bedroom

This bedroom had visual indicators including signs of violence (forced entry) and unusual security devices. The attic is accessed through the closet in this bedroom. Based on the total ity of circumstances, (the security devices, and the elevated attic methamphetamine concentrations), we believe that methamphetamine was produced in this room and the process was vented into the attic through the closet.

Functional Space 8: Foyer and Closet

The foyer at the front of the house and associated closet had visual indicators including signs of violence (forced entry) and this area was included in the cursory composite sample that indicated a methamphetamine concentration of approximately 9 µg/100 cm².

Functional Space 9: Downstairs Kitchen

This room is an ad hoc re-do to the structure, and is a small kitchenette. There were no notable indicators in this room.

Functional Space 10: Downstairs Living Room

The downstairs living room occupies the entire southern half of the basement. This area was included in the cursory composite sample that indicated a methamphetamine concentration of approximately 25 $\mu g/100$ cm². The area had numerous areas of inconclusive staining.

Functional Space 11: Downstairs Bathroom

The downstairs bathroom is a small toilet area with a shower stall. There were no visual indicators in this area. This area was included in the cursory composite sample that indicated a methamphetamine concentration of approximately $25 \, \mu g/100 \, cm2$.

Functional Space 12: Downstairs North Bedroom

The downstairs north bedroom probably does not meet the proper criteria to be termed a bedroom, and is referred to here as such out of convenience. This is the small room that is immediately to the west of the downstairs bathroom. There were no notable indicators in this room.

Functional Space 13: Downstairs Storage Room

The downstairs storage area occupies the northwest quadrant of the basement. There were no notable indicators in this room.

Functional Space 14: Downstairs Southwest Bedroom

This downstairs bedroom probably does not meet the proper criteria to be termed a bedroom, and is referred to here as such out of convenience. The area had numerous areas of inconclusive staining on the floor/carpet. This area was included in the cursory composite sample that indicated a methamphetamine concentration of approximately 25 $\mu g/100$ cm2.

Functional Space 15: Furnace Room

Situated centrally in the basement, this small utility room houses the furnace and the hot water heater. This area was included in the cursory composite sample that indicated a methamphetamine concentration of approximately 25 μ g/100 cm2.

Functional Space 16: Attic

The attic is accessed from the closet in Functional Space 7. To the extent that the attic is easily accessible, and suitable for storage and other use, it is an occupiable space. In an effort to challenge the compliance status of the attic, FACTs collected a sample from the black iron sewer relief stack in the attic. The results indicated that the methamphetamine contamination in the attic is approximately 9 $\mu g/100$ cm2 and, therefore, must be included in the remediation process.

Functional Space 17: Garage

The garage is a standalone structure situated to the northwest of the residence. The garage contained multiple indicators of contamination including tubing and ad hoc funnels. In an effort to challenge the compliance status of the garage, FACTs collected a sample from the top of the light fixture in the garage. The results indicated that the methamphetamine contamination in the garage is approximately 0.6 μ g/100 cm2 and, therefore, must be included in the remediation process.

Furnace System

The furnace system is a standard residential forced air system. FACTs collected a sample from the interior of the furnace to determine if the furnace system could be excluded from the decontamination process.

The sample collected from the interior of the furnace system indicated noncompliant concentrations of methamphetamine approximating 1.8 $\mu g/100$ cm2; as such this furnace system cannot be excluded from the decontamination process.

It is well established knowledge in the Industrial Hygiene and medical professions that the use of methamphetamine in a home results in elevated exposures to the occupants via airborne migration. When methamphetamine is smoked, between 80% and half of the substance is released from the user's pipe. Of that material which is inhaled, between

¹⁰ Cook CE, Jeffcoat AR, Hill JM, et al. *Pharmacokenetics of Methamphetamine Self-Administered to Human Subjects by Smoking S-(+)-Methamphetamine Hydrochloride*. Drug Metabolism and Deposition Vol. 21 No 4, 1993 as referenced by Martyny JW, Arbuckle SL, McCammon CS, Erb N, Methamphetamine Contamination on Environmental Surfaces Caused by Simulated Smoking of Methamphetamine (The publication of this study is currently pending. Copies of the study are available from the Colorado Alliance for Drug Endangered Children.)



⁹ Cook CE, *Pyrolytic Characteristics, Pharmacokinetics, and Bioavailability of Smoked Heroin, Cocaine, Phencyclidine, and Methamphetamine* (From: Methamphetamine Abuse: Epidemiologic Issues and Implications Research Monograph 115, 1991, U.S. Department Of Health And Human Services Public Health Service Alcohol, Drug Abuse, and Mental Health Administration National Institute on Drug Abuse

33%¹¹ and 10%¹² of the nominal dose is not absorbed into the body, but rather exhaled back into the ambient air.

Recent work conducted by Industrial Hygienists at the National Jewish Hospital¹³ in Denver, CO indicate that a single use of methamphetamine, by smoking, could result in an average residential area ambient airborne concentration of methamphetamine ranging from 35 micrograms per cubic meter ($\mu g/m3$) to over 130 $\mu g/m3$. These authors found that smoking methamphetamine just once in the residence can result in surfaces being contaminated with methamphetamine. The authors concluded:

"If methamphetamine has been smoked in a residence, it is likely that children present in that structure will be exposed to airborne methamphetamine during the "smoke" and to surface methamphetamine after the 'smoke.'

Since it is the purpose of the forced air ventilation system to move air throughout the structure, and the furnaces, as evidenced by the samples collected from the furnace interiors, conclusively contained elevated concentrations of methamphetamine, we conclude the furnaces were effective mechanisms of dissemination of methamphetamine and may be a continued source of contamination until appropriately addressed.

The results of the furnace sample alone would lead a reasonable person, trained in aspects of methamphetamine laboratories, to conclude the *presence* of widespread elevated methamphetamine contamination throughout the entire occupied space, <u>all other sample results notwithstanding</u>, and in the absence of any sample result for any specific location.

Therefore, it is for this reason that FACTs confidently concludes that, based on just this sample alone, there was high probability of elevated concentrations of methamphetamine throughout the residence including all remaining areas that have not been confirmed as contaminated by sampling. Having said this, the remaining samples have nevertheless objectively confirmed the existence of widespread contamination.

¹⁴ Martyny JW, Arbuckle SL, McCammon CS, Erb N, *Methamphetamine Contamination on Environmental Surfaces Caused by Simulated Smoking of Methamphetamine* (The publication of this study is currently pending. Copies of the study are available from the Colorado Alliance for Drug Endangered Children.)



¹¹ Harris DS, Boxenbaum H, Everhart ET, Sequeira G, et al, *The bioavailability of intranasal and smoked methamphetamine*, Pharmacokinetics and Drug Disposition, 2003;74:475-486.)

¹² Cook CE, Jeffcoat AR, Hill JM, Pugh DE, et al *Pharmacokinetics of methamphetamine self-administered to human subjects by smoking S-(+)-methamphetamine hydrochloride* Drug Metabolism and Disposition, Vol 21, No. 4, pp. 717-723, 07/01/1993

¹³ Martyny JW, Arbuckle SL, McCammon CS, Erb N, *Methamphetamine Contamination on Environmental Surfaces Caused by Simulated Smoking of Methamphetamine* (The publication of this study is currently pending. Copies of the study are available from the Colorado Alliance for Drug Endangered Children.)

EXTERIOR GROUNDS

Although not truly a functional space *per se*, the exterior grounds were assessed independently. We observed visual indicators consistent with methamphetamine production including an area where cat litter had been dumped, an *ad hoc* funnel, and unusual tubing. The cat litter was found dumped in the southeast corner of the backyard, by the back door.

On the day of our visit, the vegetation was in a winter state, which may have hindered our observations. Arial photography from the summer months (June 16, 2010) revealed a small patch of stressed vegetation in the area of the cat litter and in the front yard.

The stressed vegetation in the front yard was not consistent with the patterns associated with illegal dumping or contamination migration. The stressed vegetation in the area of the cat litter also coincided with the high traffic area of the back door.

SEWERAGE SYSTEM

The sewer system is "city sewer." Although we presume that some waste materials may have been introduced into the sewer system, we did not observe any indicators that the integrity of the sewer system was compromised. The plumbing had been "winterized" by a property management company which may have disturbed our observations. However, based on real-time qualitative VOC monitoring, and a visual inspection, we did not identify any indicators to suggest the integrity of the sewer system was compromised.

SAMPLE COLLECTION

Wipe Samples

The samples collected during the cursory visit were composite samples. The samples collected during the Preliminary Assessment comprised of "discreet" samples. The composite samples were described in our written report dated March 14, 2011.

Discreet samples are a single wipe, collected from a single area, and submitted for analysis as a unique location.

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

The wipe sample medium was individually wrapped commercially available Johnson and JohnsonTM brand gauze pads. Each gauze material was assigned a lot number $(G1\emptyset\emptyset6)$ 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 $(A1\emptyset\emptyset1)$ for QA/QC purposes and recorded on a log of results. Each proposed sample area was delineated with a measured outline. The ruler

used to measure the surface area was decontaminated with a single-use disposable alcohol wipe between samples.

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. In some cases, it is impossible to adequately remove all the surface debris within the sample area; this is known as "undersampling." When this occurs, we visually estimate the per cent of material remaining, and correct the final sample result accordingly. Each sample was returned to its centrifuge tube and capped with a screw-cap. The wipe samples were submitted for analysis to Analytical Chemistry Inc. in Tukwila, Washington.

Quality Assurance/Quality Control (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 along with the discreet sample suite. The field blank was randomly selected from the sampling sequence and included with the samples. To ensure the integrity of the blank, FACTs personnel were unaware, until the actual time of sampling, which specific sample would be submitted as a blank. Similarly, to ensure the integrity of the blank, laboratory personnel were unaware of the presence of a blank in the sample suite.

In this case, the laboratory reported an absolute mass of $0.114~\mu g$ in the blank. FACTs has collected a total of 138 blanks, and this blank is only the second field blank that has indicated a detectable mass of methamphetamine. The first instance, wherein the laboratory reported finding $0.06~\mu g$, involved an alcohol and gauze lot different from that used on this project; the laboratory identified the GCMS peak as "suspicious" and reported that the peak probably was not methamphetamine.

In this, the laboratory had analyzed the same gauze and alcohol lot combination on 15 occasions, wherein the laboratory reported non-detectable mass of methamphetamine. For this sample suite, if the field blank mass was subtracted out of the reportable value, the compliance status of each area would remain unaffected. That is, if the field blank mass is assumed to be real, and one assumes the sampling media was contaminated, the contamination levels would be too low to affect the reported values in the samples.

This data set also had two other unusual aspects: 1) The laboratory control sample (LCS) is typically 0.1 μ g; but in this case, the laboratory selected 4.0 μ g. 2) Surrogate spike recoveries are typically between 90% and 110%, however, in this analysis set, one of the surrogate recoveries was 120% and all samples, except the blank were greater than 100%; the blank was only 93%. Taken as a whole, the unusual QA/QC aspects of the data set call into question the presence of methamphetamine in the blank. At the time of the preparation of this report, the laboratory is investigating the QA/QC and the blank.

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. Prior to entry into the property, the FACTs Industrial Hygienist and field technician each donned a disposable Tyvek suit. The ladder used during our assessment had been decontaminated at a car wash prior to being brought on site. The ruler used in the measurement of surface areas was wiped clean with a disposable alcohol wipe between samples.

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 cm2), the samples necessarily indicate that the area is not contaminated and no action is required. However, the regulatory threshold values are <u>exclusively</u> to be used as *prima fascia* evidence only when used pursuant to sampling protocols needed to determine issue a Decision Statement in the absence of all other information. Although State regulation does <u>not</u> require samples to be collected during a Preliminary Assessment, as part of this Preliminary Assessment, samples were collected pursuant to the protocols found in regulation necessary to declare that area compliant.

For this project, FACTs had sufficient information from the cursory sampling results and those collected during the PA to conclude that the contamination in the subject property was widespread, and, based on the totality of the circumstances, in accordance with 6 CCR 1014-3, we concluded that those areas not sampled were similarly contaminated.

However, to objectively test the *a priori* assumption for the garage, the attic and the furnace system, (which could significantly increase remediation costs), FACTs selected a sample from each of those functional spaces which would best represent the worst case

scenario in those spaces, as required by regulation. Based on those samples, we were unable to exclude any area from the required remediation.

Sample Results

The results of the methamphetamine samples are summarized in the table below. The shaded samples are those that were collected during the cursory evaluation and are not subject to the sampling requirements of State regulation.

Sample ID	Location	Result	Criterion	Status
SM030711-01A	Upstairs foyer, door bell cover			
SM030711-01B	Kitchen, top of refrigerator			
SM030711-01C	NW Bedroom, NW corner of N wall	9.2	0.10	FAIL
SM030711-01D	Upstairs bathroom, top of medicine cabinet			
SM030711-01E	Living room, furnace return			
SM030711-02A	Downstairs furnace intake manifold			
SM030711-02B	Downstairs living room furnace supply duct			
SM030711-02C	Downstairs living room, top of door bell housing	25.3	0.10	FAIL
SM030711-02D	Downstairs central west bedroom, top of shelf			
SM030711-02E	M030711-02E Downstairs bathroom exhaust fan			
SM0329-01	Garage, top of light fixture	0.6	0.50	FAIL
SM0329-02	Field Blank	0.1	0.03	FAIL
SM0329-03	Furnace interior	1.8	0.50	FAIL
SM0329-04	Attic sewer pipe	8.7	0.50	FAIL

Result and Criterion are expressed as µg/100cm2; Field blank result is reported as absolute mass in µg.

Table 3 Results of Methamphetamine Wipe Samples

Wipe Sample Results

The samples confirm widespread noncompliant concentrations of methamphetamine throughout the structure to within a strong degree of confidence.

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.

PA Data Set

MDL was 0.004 μ g; LOQ was 0.03 μ g; MBX <MDL; LCS 4. μ g (RPD 6%, recovery =94%); Matrix spike 0.020 μ g (RPD 5%; recovery 95%); Matrix spike Dup 0.020 μ g; (RPD <1%; recovery 100%); Surrogate recovery: High 120% (Sample 4), Low 93% (Sample 2); FACTs reagents: MeOH lot #A1ØØ1 <MDL for n=30, >MDL for n=1; Gauze lot G1ØØ6 <MDL for n=8, >MDL for n=1. The QA/QC indicate a slight net positive bias and the actual surface methamphetamine concentrations reported for the data set may be slightly lower than reported here.

Sample Locations

Consistent with State Regulations and good sampling theory, the locations of the samples were based on professional judgment. In this case, it was FACTs' Industrial Hygienist's professional judgment that 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.

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 is shaded and has an alpha code, the sample was collected during the cursory evaluation.

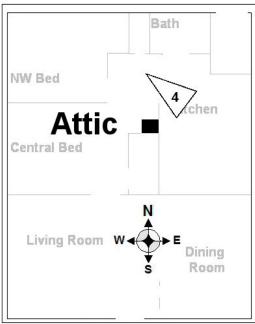


Figure 2
Attic Sample Location

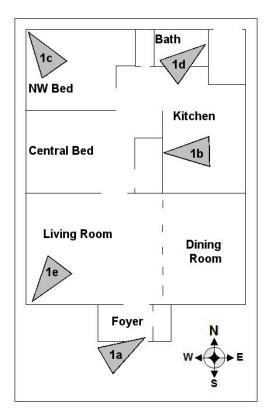


Figure 3
Ground Level Sample Locations

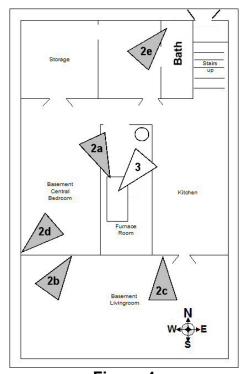


Figure 4
Basement Level Sample Locations



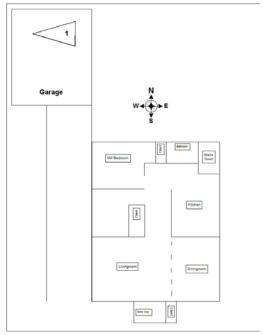


Figure 5
Garage Sample Location

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, based on the best information available and based on visual indicators, we were not able to confidently identify *if* manufacturing took place at all, nevermind *where* it may have taken place (if at all). Our best assessment at this point is that, consistent with the unusually elevated methamphetamine concentrations in the attic, methamphetamine was produced in Functional Space 7 and the widespread contamination is the result of methamphetamine being smoked at the property. Although it is possible to determine if manufacturing occurred without additional sampling and investigation, the question of whether or not methamphetamine was actually manufactured is not of regulatory significance. Methamphetamine is currently being stored at the property on virtually all surfaces in the structure.

Identification of Contamination Migration

Based on the best information readily available, FACTs was not able to find any indicators that would suggest contamination migration.



CONCLUSIONS

Based on the totality of the circumstances, including our subjective observations and objective data from sampling, we find that there is insufficient evidence to support the preliminary hypothesis and we accept the null hypothesis and conclude that widespread methamphetamine contamination exists throughout the entire residential structure, and the garage, of the subject property.

Based on our observations, the entire structure, including all surfaces in the occupiable space, in the garage, in the furnace system including associated ductwork, and in the attic, must be cleaned pursuant to 6 CCR 1014-3.

RECOMMENDATION

Based on our observations and laboratory results, we recommend standard industry practices for decontamination to be followed. The remediation contractor should be given full responsibility for their own standard operating procedures. The following are provided as guidance and reflect standard practices for the remediation of similar properties. The Governing Body has statutory authority to require a greater degree of decontamination of the subject property.

Universal Site Requirements

- 1. An on-site storage container should be established on the grounds (such as a poly lined and covered roll on-roll off container (ro-ro) or temporary trailer).
- 2. The on-site container shall be secured with a padlock at all times when not immediately manned by remediation personnel.
- 3. A licensed contractor, who is trained and experienced in methlab decontamination, as required by State regulations, should be contracted for the decontamination work. All work performed at the residence should be conducted by an experienced contractor whose employees are documented to have been properly trained in accordance with 29 CFR §1910.120 and Colorado Revised Statute §25-18.5-104; *Entry into illegal drug laboratories*.
- 4. We recommend the decontamination process be conducted in Level C PPE ensembles with a minimum of half-face APRs or PAPRs.
- 5. We recommend that a decontamination corridor with showers be established initially at the back door.
- 6. All remediation work performed at the residence should be conducted under written contract with a reputable remediation company qualified to perform the work.

- 7. All work performed at the residence should be conducted with open communication and cooperation with the Denver Police Department and the Governing Body.
- 8. Discovery of any controlled substances shall be immediately reported to the Denver Police Department.
- 9. Discovery of any contraband shall be immediately reported to the Denver Police Department.
- 10. All remediation work should be presumed to be pursuant to Title 29 of the Code of Federal Regulations, §1910.120 until otherwise indicated.
- 11. The contractor *shall* be contractually obligated to perform personnel air monitoring for methamphetamine for at least one full shift employee per day to allow for support of proper PPE selection.
- 12. The contractor *should* be contractually obligated to include the personnel air monitoring data in their final documentation.
- 13. Any contractors (and their subcontractors) should be contractually obligated, through a written contract, to decontaminate the subject property to below the statutory limits. Any recleaning required by a contractor (or their subcontractor) pursuant to a failed final assessment, conducted by a qualified Industrial Hygienist, should be contractually obligated to be performed at the expense of the contractor.
- 14. Contractors should be contractually obligated to cover industrial hygiene costs of return visits and sample expenses as a result of a failed final clearance(s).
- 15. State regulations prohibit painting or otherwise encapsulating surfaces prior to final clearance sampling by the Industrial Hygienist.
- 16. Following the decontamination process, and prior to the final clearance sampling by the Industrial Hygienist, the remediation contractor/subcontractor shall be contractually obligated to collect a minimum of three QA/QC wipe samples from the subject property, as part of their own QA program, and submit those samples for methamphetamine analysis. The contractor shall be contractually obligated to provide their wipe sampling data (including location of sample, area of sample, and analysis results), to the consulting Industrial Hygienist for review prior to final clearance sampling.
- 17. If the contractor's three QA/QC samples suggest that contamination in the subject property remains at a concentration in excess of $0.25 \,\mu\text{g}/100 \,\text{cm}^2$, the contractor shall be contractually obligated to continue to clean, and sample, until the elevated concentrations are not observed.

18. Once the contractor's samples indicate the contamination has been sufficiently reduced, the Industrial Hygienist shall perform final clearance sampling according to 6-CCR 1014-3.

Decontamination of the Residence

In general, decontamination of a forced air furnace system can be difficult, and often impossible. The contractor may propose removal of the furnace and associated ductwork, in toto, or may propose cleaning and decontamination of the ventilation system. If the furnace system is left in place, final clearance sampling will include at least two locations of the furnace duct interiors and may involve composite sampling.

The following decontamination process should take place in this order:

- 1. Establish negative pressure pursuant to State regulations.
- 2. Exhaust from the negative enclosure may take place at any exterior location.
- 3. No work, except as needed to establish critical barriers shall begin until negative pressure is established.
- 4. The contractor should establish a standard, two-chambered decon and/or bagout/load-out at the back door.
- 5. Window coverings (window blinds) should be discarded.
- 6. All large household appliances, in both the upstairs and downstairs kitchens, (stove, refrigerator, etc) shall be wiped down and salvaged.
- 7. All bathroom exhaust fans and the kitchen exhaust fans shall be removed from their housing, and thoroughly cleaned.
- 8. The entire contents of the attic, including all insulation shall be removed and discarded. All surfaces in the attic shall be vacuumed and wiped down in a normal fashion
- 9. Carpeting and associated padding should be removed and discarded however, the contractor may propose salvaging the carpet. If any textiles or fabrics remain, they shall be subject to final clearance sampling in accordance with standard industrial hygiene microvacuum sampling procedures.¹⁵
 - a. The interpretation of the results of the vacuum samples takes into account the surface area sampled, and the mass of material removed from that

¹⁵ For example, see ASTM Method D 5756-02



surface. The laboratory is 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. The "Density" used here is expressed in units of micrograms of methamphetamine recovered in a unit milligram of removable material per unit area of surface ($\mu g^*(mg/cm2)$) and is designated with the Greek letter rho (ρ). There are no regulatory guidelines by which we may compare densities; the interpretation of the data is exclusively within the realm of professional judgment of the Industrial Hygienist.

In our opinion, based on our database of samples from previous methamphetamine contaminated properties, FACTs has set a qualified density "threshold of concern" of 0.5 ρ . That is, where densities exceed 0.5 ρ , FACTs makes the qualified statement that in the absence of conflicting information, the material requires decontamination. The value of "0.5" in this case, has no association with the State mandated decision threshold of 0.5 μ g/100cm2 – the resemblance of the two values is purely coincidental.

10. <u>All</u> remaining surfaces in the entire interior space (including the attic and garage), including all ceilings, all hanging fixtures, all cabinets (interior and exterior surfaces), all shelving, all floors, doors, hinges, bathtubs, sinks, appliances (interior and exterior surfaces), and every other interior surface whether specifically mentioned or not, shall be thoroughly wiped down to remove residual contamination.

-*END*-





FORENSIC APPLICATIONS CONSULTING TECHNOLOGIES, INC.

APPENDIX A:

SUPPORTING FIELD DOCUMENTS



FORENSIC APPLICATIONS CONSULTING TECHNOLOGIES, INC. CLANDESTINE METHAMPHETAMINE LABORATORY ASSESSMENT FIELD FORMS[©]

FACTs project name: Scott		Form # ML1
Date: March 29, 2011		
Reporting IH:	Caoimhín P. Connell, Forensic IH	

PROPERTY DESCRIPTION:

PROPERTY DESCRIPTION:					
Physical address	3435 West Scott Place,				
i flysical address	Denver, CO 80211				
Legal description	GRAND VIEW B2 S 120FT	OF E			
or VIN	47.482FT OF L3; Parcel: 0220210007000				
	DEUTSCHE BANK NATIONAL TRUST				
Registered Property Owner	1661 WORTHINGTON RD	100			
WEST PALM BEACH, FL 33409-6493					
Number of structures	Two				
	1: Main Residence	1,896	Square feet		
Type of Structures	2: Garage	270	Square feet		
	Total:	2,166	Square feet		
	North: Suburban Residential				
Adjacent and/	South: Suburban Street F	ront	_		
or surrounding properties	East: Suburban Residential				
	West: Suburban Residential				
General Property Observations	Fair to poor condition				
Presumed Production Method	Pseudoephedrine reduction or smoking				

PLUMBING INSPECTION AND INVENTORY

FACTs project name: Scott		Form # ML2
Date: March 29, 2011		
Reporting IH:	Caoimhín P. Connell, Forensic IH	

Functional Space	Room	Fixture	Indicia?	Comments
5	Bathroom # 1	Shower/Bath	No	
5	Bathroom # 1	Sink 1	No	
5	Bathroom # 1	Toilet	No	
11	Bathroom # 2	Shower	No	
11	Bathroom # 2	Sink 1	No	
11	Bathroom # 2	Toilet	No	
3	Upstairs Kitchen	Dishwasher	None	None
3	Upstairs Kitchen	Sink #1	No	None
3	Upstairs Kitchen	Dishwasher	None	
3	Downstairs Kitchen	Sink #1	No	
9	Downstairs Kitchen	Dishwasher	None	
9	Downstairs Kitchen	Sink #1	No	
9	Laundry Room	Slop sink None		
9	Laundry Room	Washing machine	None	

This area is blank

VENTILATION INSPECTION AND INVENTORY

Item	Y/N	Indicia ?	Sampled ?	Comments
Isolated AHU?	Υ			
Forced air system?	Υ	Yes	Yes	1.8 μg/100 cm2
Residential ventilation?	Υ			
Common air intake?	N			
Common bathroom exhausts?	N			
Steam heat?	N			
Common ducts to other properties?	N			
Passive plena to other properties?	N	NA	NA	NA
Active returns to other properties?	N			
Passive wall grilles to other properties?	N			
Industrial ventilation?	N			
Pressurized structure?	N			

FUNCTIONAL SPACE INVENTORY

FACTs project name: Scott		Form # ML3
Date: March 29, 2011		
Reporting IH:	Caoimhín P. Connell, Forensic IH	

Structure Number	Functional Space Number	Indicia (Y/N)	Describe the functional space (See drawings for delineating structural features)
	1	Y	Upstairs Dining Room
	2	Y	Upstairs Living Room
	3	Y	Upstairs Kitchen
	4	Y	Stairwell and back door landing
	5	Y	Upstairs Bathroom
	6	Υ	Upstairs Northwest Bedroom
	7	Υ	Upstairs Southwest Bedroom
	8	Υ	Foyer and Closet
	9	Υ	Downstairs Kitchen
	10	Υ	Downstairs Living Room
	11	Y	Downstairs Bathroom
	12	Y	Downstairs North Bedroom
	13	Y	Downstairs Storage Room
	14	Υ	Downstairs Southwest Bedroom
	15	Υ	Furnace Room
	16	Υ	Attic
	17	Υ	Garage

This space is blank



LAW ENFORCEMENT DOCUMENTATION

FACTs project name: Sco	ott	Form # ML4			
Date: March 29, 2011					
Reporting IH:	IH: Caoimhín P. Connell, Forensic IH				

Inventory of Reviewed Documents	1: Invoice 7807 Premises History
Described method(s) of production	Not discussed by LE
Chemicals identified by the LEA as being present	None
Cooking areas identified	None
Chemical storage areas identified	None
LE Observation on areas of contamination or waste disposal	None

Denver Police Department

Civil Liability Bureau 1331 Cherokee Street Room 504 Denver, CO 80204

Invoice

Date	Invoice #
3/28/2011	7807

Bill To
Forensic Applications Consulting 185 Bounty Hunter's Lane Bailey, Colorado 80421

Ship To				

Case #	Terms	Rep	Ship	Via	Location
	Due on receipt	DSM	3/28/2011	Fax	3435 W Scott

Quantity	Item Code	Description	Price Each	Amount
1	Premise History Search Fee Rush	Premise History Documents Search Fee Rush Service Fee	0.25 15.00 15.00	0.50 15.00 15.00
		·		

Please remit to above address.		
	Total	\$30.50

13035680489 From: Caoimhin □. Connell

To: Page 2 of 3



FORENSIC APPLICATIONS CONSULTING TECHNOLOGIES, INC.

March 28, 2011

Detective Bowser
Denver Police Civil Liability Bureau
1331 Cherokee Street,
Room 504
Denver CO 80204

Via Fax: 720-913-7035

Dear Det. Bowser:

Forensic Applications, Inc. has been contracted to perform a "Preliminary Assessment" an illegal clandestine drug lab pursuant to Colorado Board Of Health Regulations 6-CCR-1014-3, and CRS §25-18.5-101 et seq. The property is located in the City of Denver at:

3435 West Scott Place, Denver, CO

As you are aware, as part of that assessment, the Industrial Hygienist is required by regulation 6-CCR-1014-3 (§4.2) to review available Law Enforcement documents associated with the property. Generally, we initially do not require copies of any documents; and, if preferable, we can visit the records offices and review available information there.

We would like to review any narratives regarding controlled substances or hazardous materials responses, or speak with any Law Enforcement personnel who may be familiar with the property. We are only interested in issues involving controlled substances or hazardous materials responses in the last five years. If no such records are available please let us know and we will merely make that notation in our report to the City and County of Denver Department of Health.

We will be performing the on-site assessment on about April 1, 2011 and would like to review any available documents before then. We apologize for the short notice, however, we generally do not have any control over the timeframes involved.

Forensic Applications takes extreme caution to protect all Law Enforcement Sensitive information. When requested by the Law Enforcement Agency, we do NOT reveal names, document identities, or include <u>any</u> information considered sensitive by an investigating agency. We have developed a close working relationship with Denver Police Department, and we value and respect that open line of communication. I have included my SOQ. Please feel free to call me directly with any comments or questions.

Pursuant to CRS §24-72-305.5, I affirm that upon receipt of requested records of official actions and/or criminal justice records from the Denver Police Department, such records shall not be used for the direct solicitation of business for pecuniary gain.

Sincerely,

Caoimhín P. Connell

Forensic Industrial Hygienist

Premise_History

Address	3435 W Scott Pl	ott Pl	B	Bldg		Apt		Dis	Dist 1- Sector 1
Resp. Date	Incident #	Problem	Priority	<u>ity</u>	Received	Received Dispatch Arrived	Arrived	Closed	Closed Cancel Reason
01/13/10 17:26	DPD-10-0020537	Welfare Check	7	P2 Urgent	17:27:10	17:48:27	17:55:19	18:54:50	18:54:50 D Dispatcher Cancellation
02/26/10 7:56	DPD-10-0093277	Suspicious Occurrence	က	P3 Public Need	7:56:29	7:56:29	7:56:29	8:12:13	
04/04/10 10:31	DPD-10-0157282	Suspicious Occurrence	ო	P3 Public Need	10:31:38	10:31:45	10:46:33	10:58:23	10:58:23 D Dispatcher Cancellation
11/16/10 20:37	DPD-10-0570635	E 23 Overdose / Poisoning	8	P2 Urgent	20:40:47	20:40:56	20:49:01	21:27:07	21:27:07 D Dispatcher Cancellation

Monday, March 28, 2011

Prem	ise	Respon	rse Summa	rv							Criteria:	Agency(ies): Police	Address: *3435 W Scott*
Date		Problem	Address	Apt	Rec'd	Ist Disn	Ist Arv'd	Closed	Units	Disno	Remarks	Start Date; 1/1/2010	End Date: 3/28/2011 10:17:27 AM
						<u>F</u>				vop c			
01/13/2010	2	Welfare Check	3435 W Scott PI		17:23:58	17:48:27	17:55:19	18:54:50	164C	Quit	112 911HU WI	TH NO BACKGROUND CALLING BACK	
									161C	-	112 - RECENT F	PSYCH/SUI CALLS HERE ALSO EMS &	A DOMV
									1010			BACK, FEM INSISTS NO ONE CALLED ~ SHE SAID NO BUT NOT SURE ALL OK HE	SAYS ONLY ANOTHER FEM DOWNSTAIRS, RE, SO PLS CKWEL
											112 Call Taking	g Complete	
									ı	RO THRU GREE	C5 DENVER FTA/TRAFFIC 150 BND LEY RST PARTY IS JEREMIAH PROCT		
											Clearance Inform		
											161C - NOT IN C	ONT WIFEMALE - WILL NOT ANSWER D	OOR
02/26/2010	3	Suspicious Occurrence	3435 W SCOTT PL		7:56:29	7:56:29	7:56:29	8:12:13	111B	Party	111B "VEH C4 /	AND OWNER ADVISED	
04/04/2010	3	Suspicious Occurrence	3435 W Scott PI	•••	10:29:51	10:31:45	10:46:33	10:58:23	112B	War		OC - YELLOW MITSUBISHI HAS FAKE PLA BEEN PKD THERE FOR OVER 1MTH	ITES ON VEH - ALSO THE RED CAR HAS NO
											115 Call Taking	Complete	
											OWNERS WAR	NED ON ZONING VIOLATIONS	
11/16/2010	2	E 23 Overdose /	3435 W Scott PI		20:37:02	20:40:56	20:49:01	21:27:07	162C	Party	107 RP'S 2YO	DAUGHTER DRANK BLEACH	
		Poisoning							161C		Multi-Agency EM	S Incident #: 201011-078727	
										1010	symptoms) (Acci		Conscious, Breathing. POISONING (without priority DAUGTHER DRANK BLEACH . 1.This was
											pletely alert (resp		rmally. 5.She has taken something unlisted in -Comments: BŁEACH- [Shared]
											override due to p	tage [Shared]	
											Cover EMS respo	onding Code 10 (Emergency) od [Shared]	
											[Page] 107	EMD Completed [Shared]	
											107 Call Taking	Complete [Shared]	
											[Fire] has closed	their incident []	
											[EMS] has closed	I their incident [201011-078727]	
												•	

FIELD OBSERVATIONS

FACTs project name: Sc	ott	Form # ML5			
Date: March 29, 2011					
Reporting IH:	Caoimhín P. Connell, Forensi	c IH			

Indicator	Functional Space	Indicator	Functional Space
Acids	No Comment	Match components	Exterior
Aerosol cans	No Comment	Mercury	No Comment
Alcohols (MeOH, EtOH)	No Comment	Methamphetamine	No Comment
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	Exterior	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	Exterior @	Prescription drugs	No Comment
Chemical storage	Exterior	Presence of cats	No Comment
Colored wastes	Exterior	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	10,14,15
Drug paraphernalia	No Comment	Reserved	NA
Empty OTC Containers	Exterior	Salters	No Comment
Ephedrine	No Comment	Security devices	7
Feces	No Comment	Signs of violence	4①,7,8,10
Filters	No Comment	Smoke detectors disabled	10,12
Forced entry marks	2,4,7,8	Solvents - (organic)	Exterior
Funnels	Exterior @	Squalor	Exterior, 3
Gang markings	No Comment	Staining on floors	10,14,15
Gas cylinders	No Comment	Staining on walls or ceiling	4,5,6
Gerry cans	No Comment	Stash holes	No Comment
Glassware	No Comment	Taping on surfaces	No Comment
Graffiti	No Comment	Tubing	Exterior @
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
lodine	No Comment	Wall damage	No Comment
Lead	No Comment	Weapons	No Comment
Lithium	Exterior	Window block material	8
Marijuana	No Comment	Yellow staining	3,5,14

① Blood



② Relative to toluene

③ Present in normal household expectations

Modified in manner consistent with clanlab use

CONTAMINANT MIGRATION OBSERVATIONS	
FACTs project name: Scott	Form # ML6
Deta: Merch 20, 2044	

Date: March 29, 2011

Reporting IH: Caoimhín P. Connell, Forensic IH

Describe/identify adjacent areas where contaminants may have migrated.

		See Body of Report																	
		-																	
		-																	
Ea	Each grid equals approximately (Approximate lay-out; Not to scale)																		
De	Describe the area:									_									

A . A

INDIVIDITAL	SEVALA CE	DICDOCAL	CVCTELL	FIELD FORM
INDIVIDUAL	JEWAGE	DISPUSAL	SISIEMI	FIELD FURM

FACTs project name: Sco	ott	Form # ML7
Date: March 29, 2011		
Reporting IH:	Caoimhín P. Connell, Forension	: IH

	Yes	No	N/C
Does the property have an ISDS		Х	
Is there unusual staining around internal drains		Х	
Are solvent odors present from the internal drains		Х	
Is there evidence of wastes being disposed down internal drains		Х	
Are solvent odors present from the external sewer drain stacks			Х
Was the septic tank lid(s) accessible			
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		NA	
Are biphasic (aqueous-organic) layers present in the septic tank			
Was pH measured in the septic tank (pH =7 to 8)			
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			

^{*}NC = Not checked

Qualitative Organic Vapor Monitoring Instrumentation

Hydrocarbon detector model	EnMet Target Series, MOS detector

Location	MOS*	PID*	FID*
All internal drains	<1 ppm		

^{*}Units of measurement are in parts per million equivalents compared to the toluene calibration vapor.

Notes	
Slightly elevated ambient VOCs in residence (2 ppm)	
No drains greater than ambient	



PRE-REMEDIATION PHOTOGRAPH LOG SHEET

FACTs project name: Sco	Form # ML8				
Date: March 29, 2011					
Reporting IH:	Caoimhín P. Connell, Forensi	c IH			

Name	Date modified	Name	Date modified
Attic	3/29/2011 14:57 PM	Bsmt back bdrm	3/29/2011 14:24 PM
Attic (2)	3/29/2011 14:57 PM	Bsmt back bdrm (2)	3/29/2011 14:24 PM
Attic (3)	3/29/2011 14:57 PM	Bsmt back bdrm (3)	3/29/2011 14:24 PM
Attic (4)	3/29/2011 14:58 PM	Bsmt back bdrm (4)	3/29/2011 14:24 PM
Attic (5)	3/29/2011 14:58 PM	Bsmt back bdrm (5)	3/29/2011 14:24 PM
Attic (6)	3/29/2011 14:58 PM	Bsmt back bdrm (6)	3/29/2011 14:25 PM
Attic (7)	3/29/2011 14:58 PM	Bsmt back bdrm (7)	3/29/2011 14:25 PM
Attic (8)	3/29/2011 14:58 PM	Bsmt bath	3/29/2011 14:25 PM
Back door	3/29/2011 14:35 PM	Bsmt bath (2)	3/29/2011 14:25 PM
Back door (2)	3/29/2011 14:35 PM	Bsmt bath (3)	3/29/2011 14:25 PM
Back door (3)	3/29/2011 14:36 PM	Bsmt bath (4)	3/29/2011 14:25 PM
Back door (4)	3/29/2011 14:36 PM	Bsmt bath (5)	3/29/2011 14:25 PM
Back door (5)	3/29/2011 14:36 PM	Bsmt bath (6)	3/29/2011 14:25 PM
Back door (6)	3/29/2011 14:36 PM	Bsmt bath (7)	3/29/2011 14:25 PM
Back hall	3/29/2011 14:16 PM	Bsmt central bdrm	3/29/2011 14:25 PM
Back hall (2)	3/29/2011 14:16 PM	Bsmt central bdrm (2)	3/29/2011 14:25 PM
Back hall (3)	3/29/2011 14:16 PM	Bsmt central bdrm (3)	3/29/2011 14:29 PM
Back hall (4)	3/29/2011 14:18 PM	Bsmt central bdrm (4)	3/29/2011 14:29 PM
Back hall (5)	3/29/2011 14:18 PM	Bsmt central bdrm (5)	3/29/2011 14:29 PM
Back hall (6)	3/29/2011 14:18 PM	Bsmt central bdrm (6)	3/29/2011 14:29 PM
Back hall (7)	3/29/2011 14:19 PM	Bsmt central bdrm (7)	3/29/2011 14:29 PM
■ Backhall	3/29/2011 14:18 PM	Bsmt central bdrm (8)	3/29/2011 14:29 PM

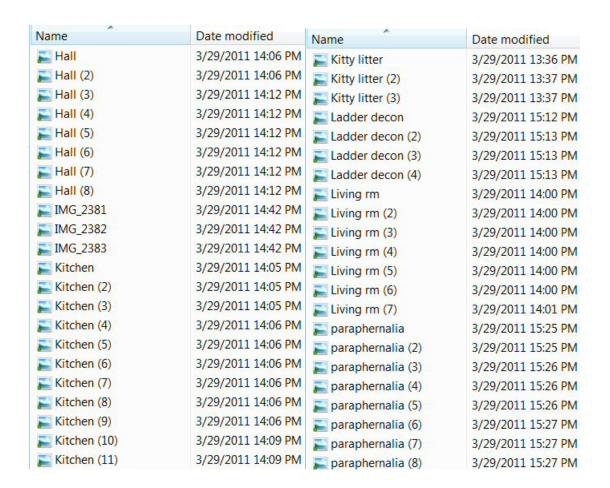
FACTs project name: Sco	Form # ML8					
Date: March 29, 2011						
Reporting IH:	Caoimhín P. Connell, Forensi	c IH				

Name	Date modified	Name	Date modified
Bsmt central bdrm (9)	3/29/2011 14:29 PM	Bsmt LR (7)	3/29/2011 14:33 PM
Bsmt central bdrm (10)	3/29/2011 14:29 PM	Bsmt LR (8)	3/29/2011 14:33 PM
Bsmt central bdrm (11)	3/29/2011 14:29 PM	Bsmt LR (9)	3/29/2011 14:34 PM
Bsmt kitchen	3/29/2011 14:19 PM	Bsmt LR (10)	3/29/2011 14:34 PM
Bsmt kitchen (2)	3/29/2011 14:19 PM	Bsmt LR (11)	3/29/2011 14:34 PM
Bsmt kitchen (3)	3/29/2011 14:19 PM	Bsmt LR (12)	3/29/2011 14:34 PM
Bsmt kitchen (4)	3/29/2011 14:19 PM	Bsmt LR (13)	3/29/2011 14:34 PM
Bsmt kitchen (5)	3/29/2011 14:19 PM	Bsmt stairs	3/29/2011 14:18 PM
Bsmt kitchen (6)	3/29/2011 14:19 PM	Bsmt stairs (2)	3/29/2011 14:19 PM
Bsmt kitchen (7)	3/29/2011 14:19 PM	Central Bdrm	3/29/2011 14:07 PM
Bsmt kitchen (8)	3/29/2011 14:19 PM	Central Bdrm (2)	3/29/2011 14:08 PM
Bsmt kitchen (9)	3/29/2011 14:20 PM	Central Bdrm (3)	3/29/2011 14:08 PM
Bsmt kitchen (10)	3/29/2011 14:20 PM	Central Bdrm (4)	3/29/2011 14:08 PM
Bsmt kitchen (11)	3/29/2011 14:20 PM	Central Bdrm (5)	3/29/2011 14:08 PM
Bsmt kitchen (12)	3/29/2011 14:20 PM	Central Bdrm (6)	3/29/2011 14:08 PM
Bsmt kitchen (13)	3/29/2011 14:32 PM	Central Bdrm (7)	3/29/2011 14:08 PM
Bsmt LR	3/29/2011 14:32 PM	Central bdrm (8)	3/29/2011 14:49 PM
Smt LR (2)	3/29/2011 14:32 PM	Central bdrm (9)	3/29/2011 14:50 PM
Semt LR (3)	3/29/2011 14:32 PM	Central bdrm Attic entr	3/29/2011 14:51 PM
Smt LR (4)	3/29/2011 14:32 PM	Cone by garage	3/29/2011 13:35 PM
Bsmt LR (5)	3/29/2011 14:32 PM	Dining rm	3/29/2011 14:01 PM
Bsmt LR (6)	3/29/2011 14:32 PM	Dining rm (2)	3/29/2011 14:01 PM

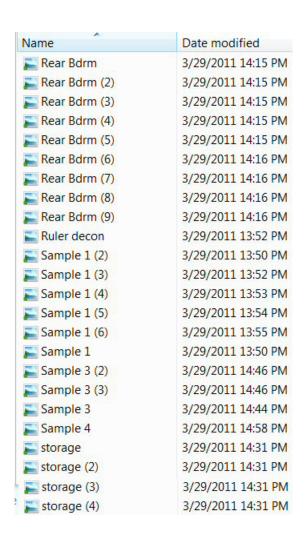
FACTs project name: Sco	ott	Form # ML8
Date: March 29, 2011		
Reporting IH:	Caoimhín P. Connell, Forensi	c IH

porting in.	Odominini i . Od	dominini i . Gomicii, i oronolo iri								
Name	Date modified	Name	Date modified							
Dining rm (3)	3/29/2011 14:01 PM	Exterior (19)	3/29/2011 13:37 PM							
Dining rm (4)	3/29/2011 14:01 PM	Exterior (20)	3/29/2011 13:37 PM							
Dining rm (5)	3/29/2011 14:01 PM	Front hall closet	3/29/2011 14:00 PM							
Dining rm (6)	3/29/2011 14:01 PM	Front hall closet (2)	3/29/2011 14:00 PM							
Exterior	3/29/2011 13:18 PM	Front hall	3/29/2011 14:00 PM							
Exterior (2)	3/29/2011 13:18 PM	Front hall (2)	3/29/2011 14:00 PM							
Exterior (3)	3/29/2011 13:18 PM	Furnace rm	3/29/2011 14:43 PM							
Exterior (4)	3/29/2011 13:18 PM	Furnace rm (2)	3/29/2011 14:43 PM							
Exterior (5)	3/29/2011 13:18 PM	Garage	3/29/2011 13:19 PM							
Exterior (6)	3/29/2011 13:19 PM	Sarage (2)	3/29/2011 13:20 PM							
Exterior (7)	3/29/2011 13:19 PM	Garage (3)	3/29/2011 13:31 PM							
Exterior (8)	3/29/2011 13:19 PM	Sarage (4)	3/29/2011 13:31 PM							
Exterior (9)	3/29/2011 13:19 PM	Sarage (5)	3/29/2011 13:31 PM							
Exterior (10)	3/29/2011 13:19 PM	Sarage (6)	3/29/2011 13:31 PM							
Exterior (11)	3/29/2011 13:19 PM	Sarage (7)	3/29/2011 13:31 PM							
Exterior (12)	3/29/2011 13:20 PM	Carage (8)	3/29/2011 13:32 PM							
Exterior (13)	3/29/2011 13:20 PM	Garage (9)	3/29/2011 13:32 PM							
Exterior (14)	3/29/2011 13:20 PM	Sarage (10)	3/29/2011 13:32 PM							
Exterior (15)	3/29/2011 13:20 PM	Garage (11)	3/29/2011 13:32 PM							
Exterior (16)	3/29/2011 13:20 PM	Sarage (12)	3/29/2011 13:34 PM							
Exterior (17)	3/29/2011 13:21 PM	Garage (13)	3/29/2011 13:35 PM							
Exterior (18)	3/29/2011 13:21 PM	Sarage (14)	3/29/2011 13:53 PM							

FACTs project name: Sco	Form # ML8			
Date: March 29, 2011				
Reporting IH: Caoimhín P. Connell, Forensic IH				



FACTs project name: Sco	Form # ML8					
Date: March 29, 2011						
Reporting IH:	Caoimhín P. Connell, Forensi	c IH				



DRAWING OF COOK AREA(S) Form # ML10 **FACTs project name: Scott** Date: March 29, 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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CERTIFICATION, VARIATIONS AND SIGNATURE SHEET

FACTs project name: Sco	Form # ML14				
Date: April 7, 2011					
Reporting IH:	Caoimhín P. Connell, Forensic IH				

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.	Called
I do hereby certify that the property has been decontaminated in accordance with the procedures set forth in 6 CCR 1014-3, § 5. 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.	xxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxx
I do hereby certify that the analytical results reported here are faithfully reproduced.	Calland

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

Pursuant to the language required in 6 CCR 1014-3, § 8:

2/16/11

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: April 7, 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)

(1)	3	,
FACTs project name:	Scott	Form # ML15
Date March 3, 2011		
Reporting IH:	Caoimhín P. Connell, Forensic I	Н

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 is the Industrial Hygiene 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 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 lowa 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."

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 condominia. Mr. Connell has conducted over 220 assessments in illegal drug labs in Colorado, Nebraska and Oklahoma, 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.



FORENSIC APPLICATIONS CONSULTING TECHNOLOGIES, INC.

APPENDIX B

ANALYTICAL REPORTS FOR FACTS SAMPLES

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:	11119-01						
Date Received:	March 9, 2011						
Date Completed:	March 11, 2011						

March 11, 2011

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

CLIENT REF: Scott

SAMPLES: wipes/2

ANALYSIS: Methamphetamine by Gas Chromatography-Mass Spectrometry.

RESULTS: in total micrograms (ug)

Sample	Methamphetamine, ug	% Surrogate Recovery		
SPM030711-01	1.03	100		
SPM030711-02	2.85	99		
QA/QC Method Blank	< 0.004			
QC 0.100 ug Standard	0.095			
QA 0.020 ug Matrix Spike	0.018	1		
QA 0.020 ug Matrix Spike Duplicate	0.018	1		
Method Detection Limit (MDL)	0.004	1		
Practical Quantitation Limit (PQL)	0.030			

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

Robert M. Orheim

Director of Laboratories

ANALYTICAL CHEMISTRY INC.

CDL SAMPLING & CUSTODY FORM

Page

of

Phone: 206-622-8353

PROJECT Name/No: SAMPLING DATE: SAMPLER NAME: Caoimhín P. Connell Number Caoimhín P. Connell LAB MIA SAZON PRINT NAME eMail: CHAIN OF CUSTODY RECORD 4611 S 134th Pl, Ste 200 Tukwila WA 98168-3240 Website: www.acilabs.com SPM \$36711-01 Fiosrach@aol.com 5007 Sample Number 2010 Signature W FACTs, Inc. COMPANY X Wipe X REPORT TO: Caoimhín P. Connell COMPANY: ADDRESS: Wipes Results in: PHONE SAMPLE MATRIX Vacuum 3 17 12010 FAX: 206-622-4623 3/9/11 DATE 303-903-7494 185 Bounty Hunters Lane, Bailey, CO 80421 Forensic Applications, Inc. Other □ µg/100cm² 0441 1500 TIME ANALYSIS REQUESTS 2 Please do not write X Bedtine **Turnaround Time** w 2 Days (1.75X) 3 Days (1.5X) 24 Hours (2X) 4 X Total µg 5 6 Custody Seals: Temperature: COMMENTS Inspected By: Container: in shaded areas Lab File No. SAMPLER S 4 ω N Total Number of Containers (verified by laboratory) ANALYSIS REQUESTED RUSH Normal Turn-around time Use entire contents Methamphetamine Not Submitted COMMENTS Ambient MIA SAZON Intact Yes Cooled Broken No

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:	11126-01	
Date Received:	March 30, 2011	
Date Completed:	April 1, 2011	

April 1, 2011

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

CLIENT REF: W. Scott

SAMPLES: wipes/4

ANALYSIS: Methamphetamine by Gas Chromatography-Mass Spectrometry.

RESULTS: in total micrograms (ug)

Sample	Methamphetamine, ug	% Surrogate Recovery	
SM032911-01	3.10	103	
SM032911-02	0.114	93	
SM032911-03	6.59	104	
SM032911-04	20.9	120	
QA/QC Method Blank	< 0.004		
QC 4.00 ug Standard	3.76		
QA 0.020 ug Matrix Spike	0.019		
QA 0.020 ug Matrix Spike Duplicate	0.020		
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.

CDL SAMPLING & CUSTODY FORM

4611 S 134th Pl, Ste 200 Tukwila WA 98168-3240 Website: www.acilabs.com

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

Please do not write in shaded areas

Page / of /

SM03 PROJECT Name/No: W. Scott LAB Number SAMPLING DATE: 3/29/2011 SM04 SMOI SM02 SAMPLER NAME: | Caoimhín P. Connel MIA SAZON Caoimhín P. Connell PRINT NAME eMail: CHAIN OF CUSTODY RECORD 5M032911-03 SM032911-04 5M032911-02 SM032911-01 Fiosrach@aol.com Sample Number Signature FACTs, Inc. COMPANY Wipe × × × X REPORT TO: COMPANY: ADDRESS: Wipes Results in: PHONE SAMPLE MATRIX Vacuum 3/29/2011 3/30/11 Caoimhín P. Connel 303-903-7494 185 Bounty Hunters Lane, Bailey, CO 80421 Forensic Applications, Inc. DATE Other □ µg/100cm² Jas.4 TIME 7 X × ANALYSIS REQUESTS 0 × × X 区 ☐ 3 Days (1.5X) w **Turnaround Time** × 2 Days (1.75X) 24 Hours (2X) Routine X Total µg 5 6 SAMPLER COMMENTS Custody Seals: Temperature: Inspected By: Container: 5 5 ω Total Number of Containers (verified by laboratory) ANALYSIS REQUESTED Not Submitted Weigh and report in mg Normal Turn-around time Use entire contents Methamphetamine Ambient LAB COMMENTS Intact Yes MIASAZON 11260 Cooled Broken No 4

SAMPLING FIELD FORM

The state of the s	Date: March 29, 2011	FACTs project name: Scott
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Preliminary " X Intermedia	A1ØØ1	
ediateFinal X	Gauze Lot#: G1006	

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= 7.140 Under Samples



FORENSIC APPLICATIONS CONSULTING TECHNOLOGIES, INC.

APPENDIX C

COMPACT DIGITAL DISK
(PHOTOGRAPHS AND ADDITIONAL DOCUMENTATION)