



Marijuana Production & Processing in Spokane County

Background: In January 2018, the Spokane Regional Clean Air Agency (SRCAA) adopted regulations to minimize odors and other air contaminants from marijuana production and processing operations. The new regulations shift the agency from a reactive, complaint-based approach to a proactive approach to protect air quality.

Like other businesses regulated by SRCAA, annual registration is required, which includes submitting an annual registration form and annual fees, and being subject to routine on-site inspections. Operational requirements must be met per Regulation I, Article VI, Section 6.18, summarized in this Info Sheet.

Important Dates:

- ▶ The rule effective date is March 1, 2018.
- ▶ **Existing producers and processors in operation prior to the effective date** that are not meeting the operational requirements have up to one year from the effective date to demonstrate compliance.
- ▶ **New and expanded producers and processors in operation after the effective date** must meet operational requirements before they begin operations.
- ▶ **All producers and processors** must continue to meet Spokane Clean Air's existing odor regulation, Article VI, Section 6.04. Spokane Clean Air will continue to receive and respond to odor complaints.
- ▶ **Existing "Other producers" must apply for an exemption by November 5, 2018, to continue operating as an "Other producer."**

Initial Registration, Fees: This spring an initial registration packet will be sent to all LCB-licensed marijuana producers and processors. The packet includes an initial registration form and initial registration fee invoice. Initial Registration Fees are as follows:

- ▶ Producer with processor license, per LCB tier size:
 - Tier 1: \$750; Tier 2: \$1000; Tier 3: \$1250
- ▶ Producer only: \$525
- ▶ Processor only: \$525

Help is available to those needing assistance completing their initial registration form. SRCAA staff are available by phone and for in-person assistance. Details are in the initial registration packet.

Annual Registration, Fees: After the initial registration process, facilities will register annually with SRCAA, submit an annual registration form, and pay an annual registration fee. Annual registration fees for marijuana producers and processors have been suspended by the Board for further discussion and Board direction.

Site Visits and Routine Compliance

Inspections: During this first year of the marijuana registration program, SRCAA inspectors may need to make a site visit to some facilities in order to verify initial registration information and/or exemption application information.

Inspectors will continue to respond to citizen complaints about odors which may result in on-site visits.

Inspectors routinely perform compliance inspections of registered facilities in Spokane County to verify compliance with air quality requirements. Routine compliance inspections of marijuana production and processing facilities will begin after the one year compliance deadline (March 1, 2019).

Definitions:

Producer — an operation that propagates, grows, harvests, and trims marijuana to be processed. There are three distinct categories of producers: indoor, outdoor, and other, defined below.

Indoor Producer — an operation in a fully enclosed building that is permanently affixed to the ground, has permanent rigid walls, a non-retractable roof, and doors. The building is equipped to maintain control of environmental conditions.

continued on back



Hoop houses, temporary structures, or other structures are not considered indoor production, they are considered “Other Producer.”

Indoor Producers are required to:

- Register with SRCAA annually, pay an initial registration fee in 2018, an annual registration fee thereafter, and be subject to periodic inspections.
- Use air pollution control equipment, facility design, or both to reduce air contaminants.
- Meet existing SRCAA odor regulation - Regulation I, Article VI, Section 6.04.
- Keep doors and windows closed, except for active ingress and egress.
- Follow an Operations & Maintenance plan for air pollution control equipment and keep maintenance records.
- Notify SRCAA of any changes in operations.

Outdoor Producer — an operation that occurs on an expanse of open or cleared ground (no structures of any kind) and operates during Spokane County’s customary outdoor growing season without control of environmental



conditions (watering and short term covering of plants for a portion of each day as needed for frost protection are not considered control of environmental conditions.)

Outdoor producers are required to:

- Register with SRCAA annually, pay an initial registration fee in 2018, an annual registration fee thereafter, and be subject to periodic inspections.
- If propagation occurs indoors, use air pollution control equipment, facility design, or both to reduce air contaminants.
- Meet SRCAA’s existing odor regulation - Regulation I, Article VI, Section 6.04.
- Provide a harvest schedule to SRCAA.
- Notify SRCAA of any changes in operations.

“Other Producer”— an existing operation that doesn’t meet the indoor or outdoor definitions. This includes hoop houses, temporary structures or other similar structures.



Existing “other producers” in operation prior to the regulation effective date who wish to continue operating as an “other producer” **must apply for a production exemption by November 5, 2018.** “Other producers” must:

- Register with SRCAA annually, pay an initial registration fee in 2018, an annual registration fee thereafter, and be subject to periodic inspections.
- Provide a harvest schedule to SRCAA.
- Notify SRCAA of any changes in operations.
- Comply with specific conditions of their production exemption, including at a minimum meeting an odor standard of no odors at level 2 (odor is distinct and definite, any unpleasant characteristics are recognizable) or higher at or beyond the operation property line.

New and/or expanding producers in operation after the effective date cannot operate as an “other producer,” they must meet either the indoor or the outdoor producer requirements in order to operate.



Processor — an operation that dries, cures, extracts, compounds, converts, packages, and labels usable marijuana and marijuana concentrates. All processing must occur indoors.

Processors are required to:

- Register with SRCAA annually, pay an initial registration fee in 2018, an annual registration fee thereafter, and be subject to periodic inspections.
- Use air pollution control equipment, facility design, or both.
- Meet existing SRCAA odor regulation - Regulation I, Article VI, Section 6.04.
- Keep doors and windows closed except for active ingress or egress.
- Follow an Operations & Maintenance plan for air pollution control equipment and keep maintenance records.
- Notify SRCAA of any changes in operations.

A **processing exemption** is available for processors that only purchase marijuana concentrate (e.g. oil) to manufacture infused products. There is no fee to apply. Processors granted an exemption are not required to register or comply with operating standards (Article VI, Section 6.18.) Processors must still meet SRCAA's existing odor regulation - Regulation I, Article VI, Section 6.04.

Possible Measures to Minimize Odors and Volatile Organic Compounds (VOCs)

Indoor Producers and Processors:

The controls and practices described below have been employed singly or in-combination at marijuana production and processing operations. Any control technologies must be properly-sized for the airflow being treated. An Operations & Maintenance Plan should be in place for control measures being used.

Carbon adsorption filtration

- Vent all air exhausted from the operation through a properly-sized carbon adsorption canister or carbon filter. The canister or filter should be sized for the exhaust air flow.
- Vent room air through floor mounted carbon adsorption canisters which then exhaust back into the room.

Vertical stack

A vertical stack to exhaust indoor air to the outside with an unobstructed upward air flow. The top of the stack should be above the point of roof penetration or above the adjacent roof line.

Building configuration

Structure design can eliminate the need to exhaust the air directly to outside, such as a “room-within-a-room” design. This consists of completely separate production and processing rooms within a larger building. Air is recirculated within the room instead of exhausting directly to the outside air.

Other possible control technologies include ozone treatment or negative ion generation.

Continued on back

Possible Measures to Minimize Odors and VOCs...continued

Outdoor Producers:

Potential strategies include but are not limited to:

- Locate operation as far away as possible from the property line. This may improve air contaminant dispersion and decrease odor concentrations at and beyond the property line. This may be the most successful path to compliance with the existing odor regulation - Regulation I, Article VI, Section 6.04.
- Move indoors when performing trimming, pruning or harvesting of plants grown in moveable containers.
- Think small, as in increments or staging. For example, trim, prune or harvest small groups of plants at a time.
- Perform trimming, pruning or harvesting when they are least likely to have off-site impacts, such as:
 - When weather conditions help disperse odors more readily. Avoid evenings and early mornings when temperature inversions are more likely to occur. Inversions inhibit air pollutants from dispersing.
 - When nearby properties are least likely to be occupied. For example, in a business zone it may be weekends and evenings. In a residential area it may be week days versus evenings or weekends.
- Keep plant height below fence height.
- Vegetative environmental buffers (VEBs), when used in conjunction with other odor management techniques, have demonstrated some effect in reducing downwind odors from poultry and livestock operations.

Many variables influence the effectiveness of a VEB including weather, topography, wind, type and size of plants in the VEB, and the operation's Tier size.

Site-specific planning and design by a professional that has knowledge and experience with VEBs are critical for VEB effectiveness.

Since it can take years for VEBs to reach maturity for effectiveness, interim control measures may be needed until VEB reaches an effective growth stage.

“Other Producers:”

Depending on operations at the facility, “Other producers” with an Agency-granted production exemption, could use a combination of what is listed in Indoor and Outdoor.

For additional assistance please contact Spokane Clean Air, (509) 477-4727.

About Us

Background - Founded in 1969, the Spokane Regional Clean Air Agency (Spokane Clean Air) works to achieve and maintain clean air in Spokane County, Washington by administering local, state and federal air quality laws and regulations.

We carry out our functions of air monitoring, permitting, enforcement and education and outreach with the support of our member entities, which includes Spokane County and its incorporated cities and towns of Spokane, Spokane Valley, Airway Heights, Cheney, Deer Park, Liberty Lake, Medical Lake, Latah, Millwood, Rockford, Spangle and Waverly.

History - The 1967 Washington Clean Air Act (Chapter 70.94 RCW) authorized counties to activate local air agencies. There are seven local air agencies in the state. Counties that do not have a local air agency fall under the jurisdiction of the Washington State Department of Ecology.

For more information, call (509) 477-4727 or visit www.SpokaneCleanAir.org.



Rev. April 2018