



INFO

Air Quality Requirements, Registration for Marijuana Producers & Processors

In January 2018, Spokane Regional Clean Air Agency (SRCAA) adopted Regulation I, Article VI, Section 6.18 —Standards for Marijuana Production and Marijuana Processing, to minimize odors and other air contaminants from these operations in Spokane County. Requirements are summarized in this Info Sheet. Full regulations are online at spokanecleanair.org.

Annual Registration

Prior to operating, a business must register with SRCAA. After initial registration, SRCAA will mail annual registration packets each March or April. The packet will include a form to complete and submit and an invoice for the annual fee to pay.

Per SRCAA regulation, registered facilities are required to pay the entire annual registration fee even if the facility only operated for a portion of the year. Registration fees are in SRCAA's Consolidated Fee Schedule, available at www.spokanecleanair.org.

Site Visits, Compliance Inspections

SRCAA inspectors routinely perform inspections of registered facilities to verify registration information and compliance with air quality requirements. Inspectors also respond to citizen complaints about dust, smoke, odors and other air quality concerns.

Concerns about cross contamination during inspections

It's common practice for businesses to have an entrance protocol to address cross contamination. It's standard practice for inspectors to follow facility protocols. It is standard practice for businesses to provide the necessary equipment or facilities for inspectors to meet the protocols. Examples include anti-static booties at electronic manufacturers; sterile garments for surgical suites; proper clothing and changing facilities for clean rooms. Because the same equipment and facilities are also necessary for employees and other visitors, issues seldom arise.

Agricultural Exemption Applicability

Operations that meet all of the conditions of RCW 70.94.640 for an agricultural operation are not exempt from all SRCAA regulations. Registration (registration form, registration fee, on-site inspections) is still required. If an odor or fugitive dust violation is documented at an operation, the applicability of the agricultural exemption is determined at that time.

Other Requirements - All

Notification of any changes - all facilities, regardless of type, must notify SRCAA of any changes in operations. This also includes business closure, change of ownership, and name change. Additionally, before considering an expansion and/or relocation, contact SRCAA to determine what requirements apply to your type facility.

Equipment - prior to installing and/or modifying equipment (e.g. generator, boiler, extraction equipment, etc.) a Notice of Construction permit may be required. Call a SRCAA engineer for more information, (509) 477-4727.

Odor Regulation - all facilities, regardless of type, must meet SRCAA's odor rule, found in Regulation I, Article VI, Section 6.04.

Operational Requirements - Based on type

Regulation I, Article VI, Section 6.18 states the operational requirements specific to each type of operation. Following are definitions and operational requirements.

Producers are operations that propagate, grow, harvest, and trim marijuana to be processed. There are three distinct categories of producers: indoor, outdoor, and other.

Indoor Producers are operations in fully-enclosed buildings that are permanently affixed to the ground, with permanent rigid walls, non-retractable roofs, and doors. The buildings are equipped to maintain control of environmental conditions.

Indoor Producers are required to:

- Use air pollution control equipment, facility design, or both to reduce air contaminants.
- Keep doors and windows closed, except for active ingress and egress.
- Follow an Operations & Maintenance plan for air pollution control equipment; keep maintenance records.

Outdoor Producers are operations on an expanse of open or cleared ground (no structures of any kind) and operate during Spokane County's customary outdoor growing season, without controlling environmental conditions. Watering and short term covering of plants for a portion of each day as needed for frost protection are not considered controlling environmental conditions.

Outdoor producers may temporarily cover marijuana plants to protect plants from frost. Frost protection is only allowed when there is a threat of frost, the temporary cover may be placed at sunset or within two (2) hours of the expected frost occurrence. When the threat of frost has passed, the temporary cover must be removed.

Outdoor producers are required to:

- For indoor propagation, use air pollution control equipment, facility design, or both to reduce air contaminants.
- Complete and submit SRCAA's Harvest Schedule Notification form, no later than 30 days prior to the start of harvest. While it is impossible to know the exact harvest date(s) 30 days in advance, the expectation is to provide a window of likely "harvest date(s)" rather than a specific date(s).

Determining harvest schedule 30 days in advance -

Producers should know: 1) growth cycle of their plants, 2) stage at which to harvest to achieve desired product characteristics, 3) timing for the harvest workforce, and 4) product availability dates to meet customer needs. As

a result of these operational business needs, determining and reporting a "harvest date window" at least 30 days in advance is reasonable.

Other Producers are operations that do not meet the indoor producer or outdoor producer definition. These include hoop houses, temporary structures, or other similar structures. Other producers are required to:

- Have a written exemption from SRCAA. Applications for an exemption were due November 5, 2018. New or expansion of existing operations are not allowed.
- Comply with specific conditions of their production exemption.

Processors are operations that dry, cure, extract compounds, convert, package, and/or label usable marijuana and marijuana concentrates. All processing must occur indoors.

Processors are required to:

- Use air pollution control equipment, facility design, or both.
- 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.

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 and those granted an exemption are not required to register or comply with Article VI, Section 6.18, but must still meet SRCAA's odor regulation.

Potential Odor and Emissions Control Measures

Indoor Producers and Processors

Following are descriptions of controls and practices that have been employed alone or in combination at some marijuana production and processing operations.

Control equipment must be properly-sized for the amount of airflow being treated. An Operations & Maintenance Plan must 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 properly for the amount of exhaust air flow.
- Vent room air through floor mounted carbon adsorption canisters which then exhaust back into the room.

Vertical stack

A vertical stack exhausts 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 has been used to eliminate the need to exhaust contaminated air directly outside. An example is a “room-within-a-room” design. This consists of completely separate production and processing rooms within a large 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.

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.
- Move indoors when performing trimming, pruning or harvesting of plants grown in moveable containers.
- Think in small 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.

Contact Us

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

About Us

Spokane Regional Clean Air Agency works to achieve and maintain clean air in Spokane County by administering local, state and federal air quality laws and regulations.