

## Lauren Davidson

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**From:** Angela Hubbard  
**Sent:** Thursday, April 14, 2016 3:30 PM  
**To:** Lauren Davidson  
**Subject:** FW: Sent on Behalf of the Puget Sound Clean Air Agency - Marijuana Air Quality and Odor Control Requirements  
**Attachments:** Marijuana Factsheet2016.pdf

Angie Hubbard  
Natural Resource Planner II  
Okanogan County Office of Planning and Development  
123 5th Ave N Ste 130  
(509) 422-7090  
[ahubbard@co.okanogan.wa.us](mailto:ahubbard@co.okanogan.wa.us)

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**From:** Perry Huston  
**Sent:** Wednesday, April 13, 2016 4:44 PM  
**To:** Angela Hubbard; Lauren Davidson  
**Subject:** FW: Sent on Behalf of the Puget Sound Clean Air Agency - Marijuana Air Quality and Odor Control Requirements

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**From:** Andi Ervin [<mailto:occcandi@yahoo.com>]  
**Sent:** Wednesday, April 13, 2016 1:58 PM  
**To:** Perry Huston  
**Cc:** Sheilah Kennedy; Jim DeTro; Ray L. Campbell  
**Subject:** Fwd: Sent on Behalf of the Puget Sound Clean Air Agency - Marijuana Air Quality and Odor Control Requirements

See below a message from Puget Sound Clean Air Agency that was forwarded to us by one of our Board members. We thought you might find this interesting. It sounds like more than just Okanogan and Chelan county residents are bothered by the smells.

Andi Ervin  
Executive Director  
Okanogan County Community Coalition  
[occcandi@yahoo.com](mailto:occcandi@yahoo.com)  
(509) 322-8436

Begin forwarded message:

**From:** Lesa Eiffert <[leiffert@omaksd.org](mailto:leiffert@omaksd.org)>  
**Subject:** FW: Sent on Behalf of the Puget Sound Clean Air Agency - Marijuana Air Quality and Odor Control Requirements

**Date:** April 13, 2016 at 12:07:14 PM PDT

**To:** Andi Ervin <[occcandi@yahoo.com](mailto:occcandi@yahoo.com)>, "Stacey Okland <[occcstacey@yahoo.com](mailto:occcstacey@yahoo.com)> (<[occcstacey@yahoo.com](mailto:occcstacey@yahoo.com)>)" <[occcstacey@yahoo.com](mailto:occcstacey@yahoo.com)>

Did you see this? Maybe this is something we can forward to the County Commissioners and the Planning Department? I did not know there was a Washington Clean Air Act (RCW 70.94.030).

Lesia

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**From:** No Reply (LCB) [<mailto:NoReply@LCB.WA.GOV>]

**Sent:** Wednesday, April 13, 2016 11:57 AM

**To:** [LCB-MARIJUANA@LISTSERV.WA.GOV](mailto:LCB-MARIJUANA@LISTSERV.WA.GOV)

**Subject:** Sent on Behalf of the Puget Sound Clean Air Agency - Marijuana Air Quality and Odor Control Requirements



### **PSCAA Air Quality and Odor Controls Requirements for Marijuana Producers and Processors**

#### **Puget Sound Clean Air Agency (Serving King, Kitsap, Snohomish and Pierce County)**

The PSCAA is pleased to provide you with the attached fact sheet which contains important information regarding air quality issues and marijuana. If you are producing or processing marijuana in King, Kitsap, Snohomish or Pierce County, you must - if you have not already - submit a Notice of Construction (NOC) application to obtain an Order of Approval from PSCAA.

Marijuana odors and compounds can degrade air quality and create a nuisance to others. Producers and processors of marijuana are sources of both odors and volatile organic compounds which are defined as air contaminants under the Washington Clean Air Act (RCW 70.94.030). Facilities that emit such air contaminants are required to obtain an **Order of Approval** (often referred to as a permit) from the Puget Sound Clean Air Agency (PSCAA).

Marijuana requirements and application forms can be found on the [PSCAA website](http://pscleanair.org). Failure to comply with the local and state odor rules may result in enforcement actions. Please contact Caroline (Ying) Sun at 206-689-4028 or [Carolines@pscleanair.org](mailto:Carolines@pscleanair.org), if you have any questions. Note: burning marijuana and the waste associated with the plant is never allowed.

#### **Department of Ecology and Other Air Quality Agencies in State of Washington:**

Please contact the appropriate air quality agencies listed below for more information.

#### **Regional Clean Air Agencies and Ecology:**

- Puget Sound Clean Air Agency - King, Kitsap, Pierce and Snohomish counties [www.pscleanair.org/marijuana/index.aspx](http://www.pscleanair.org/marijuana/index.aspx)  
Phone # 206-343-8800 (main) or 800-552-3565 (toll free);  
Email: [communications@pscleanair.org](mailto:communications@pscleanair.org)
- Benton Clean Air Agency - Benton County <http://bentoncleanair.org/>
- Northwest Clean Air Agency - Island, Skagit, and Whatcom counties [www.nwcleanair.org/](http://www.nwcleanair.org/)

- Olympic Region Clean Air Agency – Clallam, Grays Harbor, Jefferson, Mason, Pacific, and Thurston counties [www.orcaa.org/](http://www.orcaa.org/)
  - Southwest Clean Air Agency -, Clark, Cowlitz, Lewis, Skamania and Wahkiakum counties [www.swcleanair.org/](http://www.swcleanair.org/)
  - Spokane Regional Clean Air Agency - Spokane County <https://www.spokanecleanair.org/>
  - Yakima Regional Clean Air Agency - Yakima County [www.yakimacleanair.org/](http://www.yakimacleanair.org/)
  - All other counties - contact Ecology [www.ecy.wa.gov/programs/air/airhome.html](http://www.ecy.wa.gov/programs/air/airhome.html)
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To unsubscribe from the LCB-MARIJUANA list, click the following link:  
<http://listserv.wa.gov/cgi-bin/wa?SUBED1=LCB-MARIJUANA&A=1>

# Marijuana Production and Processing Operations



## Regulatory Guidance & Information

### Overview

Marijuana production and processing can cause odors and volatile organic compounds (VOCs). These can impact air quality and cause offsite nuisance, making them subject to air quality requirements. Nuisance odors are defined as air contaminants under the Washington Clean Air Act (RCW 70.94.030). In King, Kitsap, Snohomish, and Pierce Counties, air quality regulations are administered and enforced by Puget Sound Clean Air Agency (PSCAA).

### Odor

Because of the potential to emit nuisance odors, marijuana production and processing facilities are required to work with the Puget Sound Clean Air Agency prior to starting construction and operation to:

- Submit a Notice of Construction (NOC) application and
- Obtain an Order of Approval (often referred to as a permit)

Failure to comply may result in enforcement actions.

### Notice of Construction (NOC)

PSCAA requires all marijuana producers and processors<sup>1</sup> to apply for a Notice of Construction (NOC) application prior to the construction, installation, establishment, replacement or modification of air contaminant sources, emission units or control equipment (Reg I Sec. 6.03). The application review process relies on case-by-case decisions which reflect the specifics of the application and the emission control technology options.

The NOC application needs to include:

- NOC Application Form
- Environmental Checklist (SEPA)
- Filing fee of \$1,150

Once approved, an Order of Approval (permit) will be issued. This permit will contain site-specific conditions needed to comply with air quality regulations.

Additional permit fees based on the specifics of your facility and equipment, are due after the initial review of the NOC. Detailed requirements and NOC application forms can be found at [www.pscleanair.org/marijuana](http://www.pscleanair.org/marijuana).

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<sup>1</sup> Marijuana processing facilities that only make edibles with marijuana oil/paste purchased from other processors are not required to submit the NOC application. The only requirements are to put marijuana oil/paste in enclosed containers and not bring any marijuana plant materials of any kind onsite.

# Marijuana Production and Processing Operations

## SEPA

If you have submitted a State Environmental Policy Act (SEPA) Environmental checklist for your facility with another governmental agency, it may satisfy the SEPA requirements for our NOC review process. If so, please submit the SEPA determination from that agency along with the NOC application to PSCAA.

## Registration Program

The PSCAA registration program includes: onsite inspections, compliance evaluations, and annual fees. All marijuana production and processing facilities using activated carbon control devices with a rated capacity  $\geq 200$  cfm, must register with PSCAA (Reg I Sec. 5.03 (5)), in order to comply with the regulation.

PSCAA onsite inspections will confirm your facility's compliance with specific permit conditions and general Agency regulations. It is important to maintain a continuously active registration status to keep the permit in effect.

## Compliance & Enforcement

Operating a marijuana production and or processing facility without an Order of Approval from PSCAA can result in enforcement actions, including but not limited to monetary penalties and/or an order to cease operations.

If your facility is found out of compliance with the air quality permit conditions, or in violation of any air quality regulations, may result in a Written Warning (WW) or Notice of Violations (NOV). These violations may result in formal enforcement action, including civil penalties.

It is your responsibility to be aware of clean air regulations. Not knowing about or understanding the clean air requirements are not a defense. The best way to avoid costly violations is to obtain the Order of Approval and comply with the permit conditions in your daily operation.

## Masking Agents

Washington State prohibits the use of masking agents to control odors (WAC 173-400-040(8)).

## Waste Disposal

Burning marijuana and the waste associated with the plant is not allowed. Contact your county health department for waste disposal options.

## Contact Information

If you have any questions or need more information, please contact :

### **Puget Sound Clean Air Agency**

206-689-4028 1904 3rd Ave, Suite 105

[pscleanair.org](http://pscleanair.org) Seattle, WA 98101