

# Notice of Violation

(3AAC 306.805)

This form, all information provided and responses are public documents per Alaska Public Records ACT AS 40.25

Date: 3/18/21

License #/Type: 10137 Standard Marijuana Cultivation Facilities

Licensee: Richard C. Ebenezer

Address: 36130 Pine Street, Soldotna, AK

DBA: Pine Street Cannabis Company

AMCO Case #: 21-0285

This is a notice to you as licensee that an alleged violation has occurred. If the Marijuana Control Board decides to act against your license, under the provisions of AS 44.62.330 - AS 44.62.630 (Administrative Procedures Act) you will receive an Accusation and Notice of your right to an Administrative Hearing.

Note: This is not an accusation or a criminal complaint.

On 3-17-21, at about 1158 hours, I was traveling Westbound on Pine Street directly across from Pine Street Cannabis Company. There was a slight breeze coming from the direction of Pine Street Cannabis Company toward the road (Pine Street). I could detect a noticeable odor of unburnt marijuana.

Your attention is directed to 3 AAC 306.430(c)(2): Restricted access area which reads, "(c) A marijuana cultivation facility shall ensure that any marijuana at the marijuana cultivation facility (2) does not emit an odor that is detectable by the public from outside the cultivation facility except as specifically allowed by a local government approval.

**3 AAC 306.805 provides that upon receipt of a Notice of Violation, a licensee may request to appear before the board and be heard regarding the Notice of Violation. The request must be made within ten days after receipt of the Notice of Violation. A licensee may respond, either orally or in writing to the Notice. 3 AAC 306.810 (2)(A)(B)(C) failed, within a reasonable time after receiving a notice of violation, to correct any defect that is the subject of the notice of violation of AS 17.8 or this chapter.**

**IT IS RECOMMENDED THAT YOU RESPOND IN WRITING TO DOCUMENT YOUR RESPONSE FOR THE MARIJUANA CONTROL BOARD.**

**\*Please send your response to the address below and include your marijuana license number in your response.**

Alcohol & Marijuana Control Office  
ATTN: Enforcement  
550 W. 7<sup>th</sup> Ave, Suite 1600  
Anchorage, Alaska 99501  
[amco.enforcement@alaska.gov](mailto:amco.enforcement@alaska.gov)

Issuing Investigator: M. Chiesa

Received by:

SIGNATURE:



SIGNATURE:

Delivered VIA: Email

Date:

**From:** [Pine Street Cannabis](#)  
**To:** [Hamilton, Joe \(CED\)](#)  
**Cc:** [Hoelscher, James C \(CED\)](#); [Davies, Jason M \(CED\)](#); [Marijuana Licensing \(CED sponsored\)](#)  
**Subject:** Re: Pine Street, Lic 10137, NOV.pdf  
**Date:** Monday, March 22, 2021 4:03:36 PM  
**Attachments:** [Invoice\\_1005 from Panama Reds.pdf](#)

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Hello All,

I am writing to acknowledge receipt of this NOV. We will be replacing all of the carbon filters in the building as well as adding a carbon filter to our machine trimmer blower vent to help prevent any odor from escaping the building as soon as possible. The carbon filters in service are coming up on their 2 year useful life span and may have lost their effectiveness. There is normally not a detectable odor outside of our cultivation facility, but it is possible that during times while harvesting large quantities and running our machine trimmer for long periods of time some of the odor from the freshly cut marijuana plants may be escaping past the filters, due to them no longer working properly. We will do whatever it takes to make sure that we are in compliance with the regulations and that there aren't any odors being emitted by us. Please see the attached invoice containing a full set of replacement filters, as well as some future spares, which are now on order and should be installed prior to the next harvest day.

Let me know if you have any further questions or concerns.

Thank you,  
Chad Ebenezer-Owner  
Pine Street Cannabis Company  
(907)301-0683

On Thu, Mar 18, 2021 at 1:31 PM Hamilton, Joe (CED) <[joe.hamilton@alaska.gov](mailto:joe.hamilton@alaska.gov)> wrote:

Please read and respond accordingly.

Joe Hamilton

AMCO Investigator

Panama Reds  
38792 Kalifornsky Beach Road  
Kenai, AK 99611  
panamaredsgardening@gmail.com



# INVOICE

**BILL TO**  
Pine Street Cannabis Company

**INVOICE #** 1005  
**DATE** 03/22/2021  
**DUE DATE** 04/21/2021  
**TERMS** Net 30

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DATE	ACTIVITY	DESCRIPTION	QTY	RATE	AMOUNT
	Products	Phat Filter 12" x 39"	6	360.00	2,160.00
	Products	Phresh 6" Inline Filter	3	265.00	795.00
	Products	Phresh 8" Inline Filter	2	340.00	680.00
	Products	Sales Tax	1	15.00	15.00

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BALANCE DUE **\$3,650.00**

# Notice of Violation

(3AAC 306.805)

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Date: 4/22/21

License #/Type: 16915 Marijuana Retail Stores

Licensee: Heather Allen

Address: 233 Airport Road, Dillingham, AK

DBA: Bristol Bay Bud Company

AMCO Case #: 21-0388

This is a notice to you as licensee that an alleged violation has occurred. If the Marijuana Control Board decides to act against your license, under the provisions of AS 44.62.330 - AS 44.62.630 (Administrative Procedures Act) you will receive an Accusation and Notice of your right to an Administrative Hearing.

Note: This is not an accusation or a criminal complaint.

On 4-20-21, an inspection was conducted at the Bristol Bay Bud Co. Ten items were selected randomly to check against METRC. Following are the results:

Tag #	Name	On Hand	Green Bits	METRC	Difference
3037	Mikado	26.9g	33.9g	31.9g	Short 5g
358	Slurricane	75.1g	99.1g	99.1g	Short 24g
407	Lucky Slipper	31.9g	26.54g	26.54g	Over 5.36g
3110	Indian Moonshine Bubblegum	80.4	89.1	86.9g	Short 6.5g
463	Fire OG	386.3g	397.6g	264.8g	Over 121.5g
743	Pineapple Express	48 1g Joints	54 1g Joints	16 1g Joints	Over 32 1g Joints
48	Ice Break Dabs	29 1g each	29 1g each	29 1g each	0
8739	Hells Fire OG	17 1g each	17 1g each	15 1g each	Over 2 1g each
359	Donny Burger	100.2g	121.3g	121.3g	Short 21.1g
429	Raspberry Cough	142.8g	147.6g	109.6g	Over 33.2g

Your attention is directed to 3 AAC 306.330(c)(d): Marijuana inventory tracking system which reads in part (c) A retail marijuana store shall reconcile each transaction from the retail marijuana store's point-of-sale system and current inventory to its marijuana inventory tracking system at the close of business each day. (d) A retail marijuana store shall account for any variance in the quantity of marijuana or marijuana product the retail marijuana store received and the quantity it sold, transferred, or disposed of.

**3 AAC 306.805 provides that upon receipt of a Notice of Violation, a licensee may request to appear before the board and be heard regarding the Notice of Violation. The request must be made within ten days after receipt of the Notice of Violation. A licensee may respond, either orally or in writing to the Notice. 3 AAC 306.810 (2)(A)(B)(C) failed, within a reasonable time after receiving a notice of violation, to correct any defect that is the subject of the notice of violation of AS 17.8 or this chapter.**

**IT IS RECOMMENDED THAT YOU RESPOND IN WRITING TO DOCUMENT YOUR RESPONSE FOR THE MARIJUANA CONTROL BOARD.**

**\*Please send your response to the address below and include your marijuana license number in your response.**

Alcohol & Marijuana Control Office  
ATTN: Enforcement  
550 W. 7<sup>th</sup> Ave, Suite 1600  
Anchorage, Alaska 99501  
[amco.enforcement@alaska.gov](mailto:amco.enforcement@alaska.gov)

Issuing Investigator: M. Chiesa

Received by:

SIGNATURE: *J.R. Hamilton*

SIGNATURE:

Delivered VIA: Email

Date:

# *Bristol Bay Bud Company*

Bristol Bay Bud Company  
233 Airport Rd  
PO Box 1437  
Dillingham, AK 99576  
AMCO #3A-16915

May 2, 2021

Alcohol & Marijuana Control Office

Attn: Enforcement

550 W. 7<sup>th</sup> Ave, Suite 1600

Anchorage, AK 99501

Re: Response to AMCO Case#: 21-0388

Notice of Violation received April 22, 2021

Dear AMCO Board Members:

On April 22, 2021, Bristol Bay Bud Company's Dillingham Retail store received a Notice of Violation after the first inspection since opening the store in June 2019. Inspector Joe Hamilton arrived in Dillingham and conducted an audit on April 20, 2021, of 10 random items in the store. Of the products audited, we weighed seven strains of bulk flower that we sell deli style, two strains of concentrate units, and one strain of prerolls.

We had been relying on Green Bits point of sale to maintain compliance for the day-to-day sales, and then adjusting METRIC when the product/strain was physically sold out. I now realize that this practice was inadequate to comply with 3AAC 306.330(c)(d).

Heather Allen  
907-843-2518  
[heather@bristolbaybudcompany.com](mailto:heather@bristolbaybudcompany.com)

Richard Allen  
907-843-2519  
[richard@bristolbaybudcompany.com](mailto:richard@bristolbaybudcompany.com)

Susan Isaacs  
907-843-0473  
[susan@bristolbaybudcompany.com](mailto:susan@bristolbaybudcompany.com)

Gorden Isaacs  
907-843-0474  
[gorden@bristolbaybudcompany.com](mailto:gorden@bristolbaybudcompany.com)

# *Bristol Bay Bud Company*

Bristol Bay Bud Company  
233 Airport Rd  
PO Box 1437  
Dillingham, AK 99576  
AMCO #3A-16915

Since Inspector Hamilton's visit, I have inventoried ALL current products and adjusted to the actual quantities on hand. I have implemented a new inventory protocol that increases the frequency of auditing and adjusting of all products, with special focus on the bulk flower. The adjustments of audited products are now occurring at the end of business each day.

In response to this AMCO audit, I have hired a dedicated inventory control person. This employee is charged with controlling the inventory and keeping our products in compliance. The tasks for this position include organizing the inventory, controlling multiple batches, organizing and assigning audits, spot checking audits, labeling compliance, assigning products for labeling for the sales floor, and communicating with the working manager to correct any inventory issues that may arise.

Through this investigation, I additionally discovered that on February 17, 2021 and March 11, 2021 there were reporting issues between Green Bits and METRC. I now compare my Green Bits, in-store audits, and METRC, and follow up with any discrepancies. In the future, any notifications from my POS system regarding a reporting issue will result in a comparison between in-store quantity, Green Bits, and METRC. Any discrepancies will be investigated and any sales that were not reported, or does not appear to be reported to METRC will be noted and adjusted.

Heather Allen  
907-843-2518  
[heather@bristolbaybudcompany.com](mailto:heather@bristolbaybudcompany.com)

Richard Allen  
907-843-2519  
[richard@bristolbaybudcompany.com](mailto:richard@bristolbaybudcompany.com)

Susan Isaacs  
907-843-0473  
[susan@bristolbaybudcompany.com](mailto:susan@bristolbaybudcompany.com)

Gorden Isaacs  
907-843-0474  
[gorden@bristolbaybudcompany.com](mailto:gorden@bristolbaybudcompany.com)

# *Bristol Bay Bud Company*

Bristol Bay Bud Company  
233 Airport Rd  
PO Box 1437  
Dillingham, AK 99576  
AMCO #3A-16915

I will welcome your opinion whether these new procedures seem adequate to maintain compliance, and any further suggestions the board may suggest.

I fully accept my responsibility in not correctly keeping the inventory in compliance. I have a fresh understanding of my responsibilities. I have implemented new inventory policies, staff positions, and audit/adjustment protocols. Thank you again for this opportunity to get Bristol Bay Bud Company Retail Store in compliance with 3 AAC 306.330(c)(d).

Respectfully,

*Heather Allen.*

Heather Allen

Managing Partner of HRGS Enterprises

Retail Store Manager, Bristol Bay Bud Company

P.S. I have attached a response to six of the audited products that were sold between the time Inspector Hamilton audited, and when he returned from Dillingham and checked METRC.

Heather Allen  
907-843-2518  
[heather@bristolbaybudcompany.com](mailto:heather@bristolbaybudcompany.com)

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Susan Isaacs  
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[susan@bristolbaybudcompany.com](mailto:susan@bristolbaybudcompany.com)

Gorden Isaacs  
907-843-0474  
[gorden@bristolbaybudcompany.com](mailto:gorden@bristolbaybudcompany.com)

# Bristol Bay Bud Company

Bristol Bay Bud Company  
233 Airport Rd  
PO Box 1437  
Dillingham, AK 99576  
AMCO #3A-16915

AMCO Case# 21-0388

There was a lag between the in-store audit and when METRC was consulted due to the travel required on Inspector Hamilton. The following six item incurred sales during that lag time:

3037	Mikado	2g Sold	Bulk Flower
3110	Indian Moonshine Bubblegum	2.2g Sold	Bulk Flower
0463	Fire OG	68.5g Sold	Bulk Flower
0743	Pineapple Express (1.0g)	18 (1.0g) units Sold	Prerolls
8739	Hell's Fire (1.0g) Shatter	2 (1.0g) units Sold	Concentrate
0429	Raspberry Cough	31.4g Sold	Bulk Flower

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Address: 233 Airport Road, Dillingham, AK

DBA: Bristol Bay Bud Company

AMCO Case #: 21-0388

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[amco.enforcement@alaska.gov](mailto:amco.enforcement@alaska.gov)

Issuing Investigator: M. Chiesa

Received by:

SIGNATURE:

*J.R. Hamilton*

SIGNATURE:

*Heather Allen*

Delivered VIA: Email

Date:

*4/22/21 via email*