Alcohol and Marijuana Control Office
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Anchorage, AK 99501
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Phone: 907.269.0350

Alaska Marijuana Control Board

Form MJ-01: Marijuana Establishment Operating Plan

Why is this form needed?

An operating plan is required for all marijuana establishment license applications. Applicants should review **Title 17.38** of **Alaska Statutes** and **Chapter 306** of the **Alaska Administrative Code.** This form will be used to document how an applicant intends to meet the requirements of those statutes and regulations. If your business has a formal operating plan, you may include a copy of that operating plan with your application, but all fields of this form must still be completed per 3 AAC 306.020(c).

What must be covered in an operating plan?

Applicants must identify how the proposed premises will comply with applicable statutes and regulations regarding the following:

- Control plan for persons under the age of 21
- Security
- Business records
- Inventory tracking of all marijuana and marijuana product on the premises
- Employee qualification and training
- Health and safety standards
- Transportation and delivery of marijuana and marijuana products
- Signage and advertising

Applicants must also complete the corresponding operating plan supplemental forms (**Form MJ-03, Form MJ-04, Form MJ-05,** or **Form MJ-06)** to meet the additional operating plan requirements for each license type.

Section 1 – Establishment & Contact Information

Enter information for the business seeking to be licensed, as identified on the license application.

Licensee:	Top Hat Concentrates, Inc.	**MJ License #:**	10271		
License Type:	Marijuana Concentrate Manufacturing Facility				
Doing Business As:	Top Hat Concentrates				
Premises Address:	2315 Industrial Blvd, Suite B				
City:	Juneau	**State:**	Alaska	**ZIP:**	99801

Mailing Address:	PO BOX 20842				
City:	Juneau	**State:**	Alaska	**ZIP:**	99801

Designated Licensee:	Benjamin Wilcox		
Main Phone:	907-419-0961	**Cell Phone:**	
Email:	lacy@thcalaska.com		

Doc ID: c52388c3229d4d6ae0c055c809af6a731f4fae17

Section 2 – Control Plan for Persons Under the Age of 21

2.1. Describe how the marijuana establishment will prevent persons under the age of 21 from gaining access to any portion of the licensed premises and marijuana items:

Top Hat Concentrate's (hereinafter referred to as "Top Hat") entire facility will be designated as a restricted access area and not open to the public. Top Hat will train all employees on procedures and policies to prevent persons under the age of twenty-one (21) from accessing the premises. Top Hat has signs posted at all entries stating, "No one under 21 years of age allowed" and "Restricted Access Area", "Visitors Must Be Escorted". The signs are at least twelve inches long and twelve inches wide (12"x12"). The letters are at least 1/2 inch (0.5") in height and contrasts with the signs background. Video surveillance cameras operate 24/7 and capture all activity in the interior and exterior of the premises. Doors are equipped with audible alarms to prevent illegal or unauthorized access to the facility. Signs are posted informing the public that they are under video surveillance. Visitors must show valid, government-issued photo identification proving they are over 21 years of age before being allowed into the licensed premises. Except for law enforcement, AMCO enforcement, or other authorized individuals, visitors must schedule appointments to be admitted into the building. If underage individuals are discovered on the premises, they will be instructed to vacate the premises immediately. If necessary, law enforcement will be contacted to enforce this policy.

Section 3 – Security

Restricted Access Areas (3 AAC 306.710):

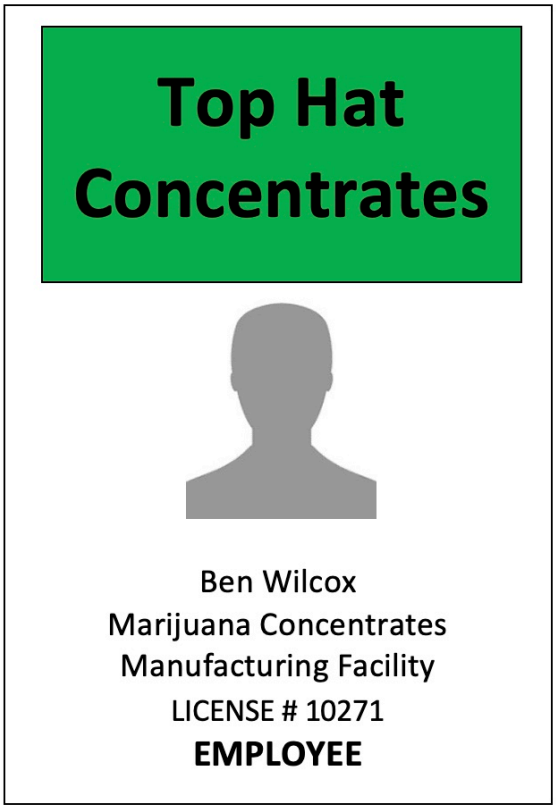
3.1. Describe how you will prevent unescorted members of the public from entering restricted access areas:

Top Hat has a sign posted at all entries stating "No one under 21 years of age allowed" and "Restricted Access Area", "Visitors Must Be Escorted". All doors have commercial-grade locks and remain locked at all times. All employees have their ID badges clearly displayed in a readily accessible location on the licensed premises, and any visitors are required to wear visitor badges. All visitors must be escorted by a licensee, employee, or an agent of the licensee throughout their visit. Surveillance cameras continuously monitor all activities in the restricted access areas, as well as, the exterior of the premises. Any unauthorized individuals discovered on the premises will be requested to vacate the premises immediately, or law enforcement will be contacted for assistance.

3.2. Describe your recordkeeping and processes for admitting visitors into and escorting them through restricted access areas:

All visitors must be pre-approved and pre-scheduled to enter the facility except for regulatory agents, AMCO enforcement, or law enforcement. Visitors must show valid, government-issued photo identification showing they are 21 or older. Valid forms of identification are an unexpired, unaltered passport, driver's license, or instruction permit, ID card of any U.S. State or territory, the District of Columbia, or Canadian province; ID cards issued by a state or federal agency authorized to issue driver's licenses or ID cards and tribal ID as outlined in the regulations. All visitors will be given a visitor badge, which they must always display on their person. All employees will have their employee ID badge clearly displayed in a readily accessible location on the licensed premises. Visitors will sign into a Visitor log, which will show the date, time in and out, and the purpose of their visit (if necessary). All visitors will be escorted by a licensee or an employee at all times, with no more than five (5) visitors per licensee/employee. Immediately after the visit, visitors must return their badges and leave the premises. Visitor logs will be stored as official business records and will be readily available for review by AMCO enforcement and law enforcement.

3.3. Provide samples of licensee-produced identification badges that will be displayed by each licensee, employee, or agent while on the premises, and of visitor identification badges that will be worn by all visitors while in restricted access areas:



Security Alarm Systems and Lock Standards (3 AAC 306.715):

3.4. Exterior lighting is required to facilitate surveillance. Describe how the exterior lighting will meet this requirement:

Top Hat has exterior lighting fixtures that keep the premises well-lit and assist with security surveillance for twenty feet (20') from all the building's outer perimeters, paying particular attention to all entry points to the building.
The lighting is installed with protective coverings and at an inaccessible height to discourage vandalism and to prevent common obstructions.
A licensee, facility manager, or a designated employee frequently checks the exterior lighting to ensure all lights remain fully operational and undamaged.

3.5. An alarm system is required for all license types that must be activated on all exterior doors and windows when the licensed premises is closed for business. Describe the security alarm system for the proposed premises, explain how it will meet all regulatory requirements, and outline your policies and procedures regarding the actions to be taken by a licensee, employee, or agent when the alarm system alerts of an unauthorized breach:

Top Hat has video security and intrusion detection sensors, to include motion sensors that are utilized to ensure no unauthorized access to the facility, eliminate break-ins, secure equipment and inventory 24 hours a day. The security system will automatically notify licensees and/or management if an alarm is triggered to their smart phones or tablets. In the event of an unauthorized breach, the licensees, an employee or manager will immediately notify first responders to be dispatched to the property, and will meet first responders and assist as necessarily required. Immediately following such incident, the owner/company representative on-site is required to fill-out and save an "Incident Report" in the company's records. Incident reports will include information such as; (1) Date and time the surveillance system was activated, (2) what type of activation occurred such as unauthorized access/motion sensor, fire/smoke, carbon monoxide, etc; and (3) actions taken to 're-secure' the facility prior to departing the property.
If any property damage or theft occurs, all necessary documentation will be promptly submitted to law enforcement officials and AMCO enforcement. Per AMCO regulations, any event on the licensed premises involving law enforcement will be reported to AMCO enforcement electronically as soon as reasonably practical - within 24 hours of discovery that there has been a theft, diversion, or unexplained disappearance of any marijuana, product, or money.

3.6. Describe your policies and procedures for preventing diversion of marijuana or marijuana product, including by employees:

Video surveillance cameras will continuously monitor all activities inside and outside the licensed premises. Weekly inventory counts must be completed by the licensee, facility manager, or designated employee to ensure all business records match Metrc generated reports. Weekly counts are documented and maintained as business records and will be available to AMCO enforcement or law enforcement. If theft, inversion, or diversion has been suspected to have occurred, employees will notify the licensees immediately. Employees will be trained in spotting theft, diversion, and inversion of marijuana. If an employee has been determined to be stealing marijuana or marijuana product, Top Hat will contact local law enforcement and AMCO immediately. Theft will be recorded in Metrc and kept as an official business record.

3.7. Describe your policies and procedures for preventing loitering:

Top Hat will abide by a strict no-loitering policy and promote business practices that discourage loitering. A licensee, facility manager,or a designated employee will perform frequent, but random perimeter checks to ensure no loiterers are on the premises. All loiterers will be asked to leave and escorted off the premises. If loiterers do not comply, law enforcement will be contacted. The exterior of the building will be extremely well-lit and equipped with 24/7 video surveillance and signs which read "No Loitering". Signs will be posted that brings notice to the video surveillance. Employees of Top Hat will view security footage to identify anyone within 20' of any entrance as well as loiterers and potential vandals. Visitors must leave the premises immediately upon the completion of their visit.

You must be able to certify the statement below. Read the following and then sign your initials in the box to the right: Initials

3.8. I certify that if any additional security devices are used, such as a motion detector, pressure switch, and duress, panic, or hold-up alarm, to enhance security of the licensed premises, I will have written policies and procedures describing their use.

Video Surveillance (3 AAC 306.720):

You must be able to certify each statement below. Read the following and then sign your initials in the corresponding box: Initials

3.9. The video surveillance and camera recording system for the licensed premises covers each restricted access area, and both the interior and exterior of each entrance to the facility.

3.10. Each video surveillance recording: is preserved for a minimum of 40 days, in a format that can be easily accessed for viewing (consistent with the Alcohol & Marijuana Control Office's approved format list); clearly and accurately displays the time and date; and is archived in a format that does not permit alteration of the recorded image.

3.11. The surveillance room or area is clearly defined on the Form MJ-02: Premises Diagram that is submitted with this application.

3.12. Surveillance recording equipment and video surveillance records are housed in a designated, locked, and secure area or in a lock box, cabinet, closet or other secure area where access is limited to the licensee(s), an authorized employee, and law enforcement personnel (including an agent of the Marijuana Control Board).

3.13. Describe how the video cameras will be placed to produce a clear view adequate to identify any individual inside the licensed premises, or within 20 feet of each entrance to the licensed premises:

Outdoor lighting is positioned along the building to assist with the video surveillance to capture a twenty foot (20') radius around the exterior of the licensed premises. Cameras are checked regularly for obstructions and to ensure that the twenty-foot (20') line of sight for all entry points to the building remains unhindered. Continuous-recording video surveillance cameras are placed strategically to record all restricted access areas of the facility, including all areas where marijuana and marijuana products are received, processes, packaged, stored, wasted, received, and shipped.

3.14. Describe the locked and secure area where video surveillance recording equipment and original copies of surveillance records will be housed and stored, and how you will ensure the area is accessible only to authorized personnel, law enforcement, or an agent of the Marijuana Control Board. If you will be using an offsite monitoring service and offsite storage of video surveillance records, your response must include how the offsite facility will meet these security requirements:

Surveillance equipment is kept in the facility office, accessible only to the licensees. No less than forty (40) days of video recordings are available at all times. The surveillance system is managed to ensure its readiness for prompt availability to law enforcement or agents of the Marijuana Control Board upon request. In cases necessitating longer retention for criminal, civil, or administrative investigations, all surveillance footage will be easily accessible, date-stamped, time-stamped, and archived in a format that effectively safeguards against any potential tampering.

Section 4 – Business Records

Review the requirements under 3 AAC 306.755. All licensed marijuana establishments must maintain, in a format that is readily understood by a reasonably prudent business person, certain business records.

4.1. I certify that the following business records will be maintained and kept on the licensed premises: Initials

a. **all books and records necessary to fully account for each business transaction conducted under my license for the current year and three preceding calendar years** *(records for the last six months must be maintained on the licensed premises; older records may be archived on or off-premises)***;**

b. **a current employee list setting out the full name and marijuana handler permit number of each licensee, employee, and agent who works at the marijuana establishment;**

c. **the business contact information for vendors that maintain video surveillance systems and security alarm systems for the licensed premises;**

d. **records related to advertising and marketing;**

e. **a current diagram of the licensed premises, including each restricted access area;**

f. **a log recording the name, and date and time of entry of each visitor permitted into a restricted access area;**

g. **all records normally retained for tax purposes;**

h. **accurate and comprehensive inventory tracking records that account for all marijuana inventory activity from seed or immature plant stage until the retail marijuana or retail marijuana product is sold to a consumer, to another marijuana establishment, or destroyed;**

i. **transportation records for marijuana and marijuana product, as required by 3 AAC 306.750(f); and**

j. **registration and inspection reports of scales registered under the Weights and Measures Act, as required by 3 AAC 306.745.**

4.2. A marijuana establishment is required to exercise due diligence in preserving and maintaining all required records. Describe how you will prevent records and data, including electronically maintained records, from being lost or destroyed:

All required business records are stored in the facility for a minimum of six (6) months, paper records are kept in a locked filing cabinet and digital business records are kept on a hard drive in the facility office. Paper business records that are older than six (6) months may be moved and stored off-site. The business records are only accessible to the licensees. Recordings are managed to follow standard retention policies to ensure that they are stored consistently and are searchable. These stored records include but are not limited to, inventory and employment logs, manifests, financial books, diagrams, surveillance records, operational and regulatory documents, and communication materials.

Section 5 – Inventory Tracking of All Marijuana and Marijuana Product

Review the requirements under 3 AAC 306.730. All licensed marijuana establishments must use a marijuana inventory tracking system capable of sharing information with Metrc to ensure all marijuana cultivated and sold in the state, and each marijuana product processed and sold in the state, is identified and tracked from the time the marijuana is propagated from seed or cutting, through transfer to another licensed marijuana establishment, or use in manufacturing a marijuana product, to a completed sale of marijuana or marijuana product, or disposal of the harvest batch of marijuana or production lot of marijuana product.

You must be able to certify each statement below. Read the following and then sign your initials in the corresponding box: Initials

5.1. My marijuana establishment will be using Metrc, and if any other tracking software is used, it will be capable of sharing information with Metrc.

5.2. All marijuana delivered to a marijuana establishment will be weighed on a scale registered in compliance with 3 AAC 306.745.

5.3. My marijuana establishment will use registered scales in compliance with AS 45.75.080 (Weights and Measures Act), as required by 3 AAC 306.745.

Section 6 – Employee Qualification and Training

Review the requirements under 3 AAC 306.700. All licensees, and every employee or agent of the marijuana establishment who sells, cultivates, manufactures, tests, or transports marijuana or a marijuana product, or who checks the identification of a consumer or visitor, must obtain a marijuana handler permit from the board before being licensed or beginning employment at a marijuana establishment.

You must be able to certify each statement below. Read the following and then sign your initials in the corresponding box: Initials

6.1. All licensees, and each employee or agent of the marijuana establishment who sells, cultivates, manufactures, tests, or transports marijuana or marijuana product, or who checks the identification of a consumer or visitor, shall obtain a marijuana handler permit from the board before being licensed or beginning employment at the marijuana establishment.

6.2. Each licensee, employee, or agent who is required to have a marijuana handler permit shall keep that person's marijuana handler permit card in that person's immediate possession (or a valid copy on file on the licensed premises) when on the licensed premises.

6.3. Each licensee, employee, or agent who is required to have a marijuana handler permit shall ensure that that person's marijuana handler permit card is valid and has not expired.

6.4. Describe any in-house training that will be provided to employees and agents (apart from a marijuana handler course):

Top Hat's employees, managers and licensees must have a current/valid marijuana handler card before starting employment which must be kept current. A licensee/and/or manager will periodically verify that all employee handler cards are current and updated in the business records when renewed. Top Hat's training will include, but is not limited to, internal policies and procedures, employee safety measures, diversion, theft and inversion prevention, manufacturing SOP's, sanitation, using Metrc software, state statutes and regulations. Training will commence upon employment and will be refreshed as needed. In addition, all employees will receive "quarterly performance evaluations" on not only their work performance, but their individual knowledge on current state laws, requirements and statutes as well.

Section 7 – Health and Safety Standards

Review the requirements under 3 AAC 306.735.

You must be able to certify each statement below. Read the following and then sign your initials in the corresponding box: Initials

7.1. I understand that a marijuana establishment is subject to inspection by the local fire department, building inspector, or code enforcement officer to confirm that health or safety concerns are not present.

7.2. I have policies regarding health and safety standards (including: ensuring a person with an illness or infection does not come into contact with marijuana or marijuana product; good hygienic practices; cleaning and maintenance of equipment and the premises; pest deterrence; chemical storage; sanitation principles; and proper handling of marijuana and marijuana product) and will take all reasonable measures and precautions to ensure that they are met or exceeded.

7.3. I have policies to ensure that any marijuana or marijuana product that has been stored beyond its usable life, or was stored improperly, is not salvaged and returned to the marketplace.

7.4. I have policies to ensure that in the event information about the age or storage conditions of marijuana or marijuana product is unreliable, the marijuana or marijuana product will be handled in accordance with 3 AAC 306.735(d).

Answer "Yes" or "No" to each of the following questions:	Yes	No
7.5. Adequate and readily accessible toilet facilities that are maintained and in good repair and sanitary condition are clearly indicated on my Form MJ-02: Premises Diagram.	✔	
7.6. Convenient handwashing facilities with running water at a suitable temperature are clearly indicated on my Form MJ-02: Premises Diagram.	✔	

7.7. If you answered "No" to either 7.5 or 7.6 above, describe how toilet and/or handwashing facilities are made accessible, as required by 3 AAC 306.735(b)(2):

Section 8 – Transportation and Delivery of Marijuana and Marijuana Products

Review the requirements under 3 AAC 306.750.

8.1. Describe how marijuana or marijuana product will be prepared, packaged, and secured for shipment. Include a description of the type of locked, safe, and secure storage compartments to be used in vehicles transporting marijuana or marijuana product:

All packaging materials to be sold to retail marijuana establishments for sale to consumers will be child-resistant and unappealing to children. All packaging done at the facility will be performed in a specific 24-hour surveillance monitored area and then packaged in a uniform fashion with secured, clearly displayed labels. Marijuana and marijuana products will be individually packaged immediately after manufacturing and subsequent to positive third-party testing, further packaged with approved exterior packaging, health, and safety labeling methods. Marijuana concentrates are stored in a locked cabinet in the facility with 24 hour video surveillance. For all transports of marijuana products, Top Hat will create a Metrc generated trip manifest. All trip manifests will be sent with the products, and an additional copy will be stored and filed on the premises as an official business recored. The manifest documents will clearly have the strain name, type of product, batch number, weight, transporter's name and handler's ID, time of departure and expected delivery, and the make, model and license plate of the transporting vehicle. All marijuana products will be in a sealed package or container not exceeding ten (10) pounds and then stored in a locked storage compartment within the transport vehicle. The vehicle will travel directly between destinations without making unnecessary stops and at no time during transit will marijuana product be visible. All marijuana product packaging will have a label stating that a licensed testing facility has tested each batch in the shipment. Top Hat understands that the transportation policies of marijuana and/or marijuana products applies to the co-owned and co-located cultivation facility.

You must be able to certify each statement below. Read the following and then sign your initials in the corresponding box: Initials

8.2. The marijuana establishment from which a shipment of marijuana or marijuana product originates will ensure that any individual transporting marijuana shall have a marijuana handler permit required under 3 AAC 306.700.

8.3. The marijuana establishment that originates the transport of any marijuana or marijuana product will use the marijuana inventory tracking system to record the type, amount, and weight of marijuana or marijuana product being transported, the name of the transporter, the time of departure and expected delivery, and the make, model, and license plate number of the transporting vehicle.

8.4. The marijuana establishment that originates the transport of any marijuana or marijuana product will ensure that a complete printed transport manifest on a form prescribed by the board must be kept with the marijuana or marijuana product at all times during transport.

8.5. During transport, any marijuana or marijuana product will be in a sealed package or container in a locked, safe, and secure storage compartment in the vehicle transporting the marijuana or marijuana product, and the sealed package will not be opened during transport.

8.6. Any vehicle transporting marijuana or marijuana product will travel directly from the shipping marijuana establishment to the receiving marijuana establishment, and will not make any unnecessary stops in between except to deliver or pick up marijuana or marijuana product at any other licensed marijuana establishment.

8.7. When the marijuana establishment receives marijuana or marijuana product from another licensed marijuana establishment, the recipient of the shipment will use the marijuana inventory tracking system to report the type, amount, and weight of marijuana or marijuana product received.

8.8. The marijuana establishment will refuse to accept any shipment of marijuana or marijuana product that is not accompanied by the transport manifest.

Section 9 – Signage and Advertising

Review the requirements under 3 AAC 306.770.

9.1. Describe any signs that you intend to post on your establishment, including quantity, dimensions, graphics, and location on your establishment (photos or drawings may be attached):

Top Hat does not have nor intends to have any signage on the building with the business name and/or logo.

9.2. Describe any advertising you intend to distribute for your establishment. Include medium types and business logos (photos or drawings may be attached):

Top Hat may utilize the following medium types when distributing advertisements;

- Newspaper Ads
- Radio Ads
- Social Media (to feature specific products)
- Magazine Ads
- Sponsorships & Findraisers
- Website
- Online Platforms (such as; LeafLinks, WeedMaps, etc.)

All advertisements will contain all AMCO required warning statements verbatim as they are listed in the regulations.

I hereby certify that I am the person herein named and subscribing to this application and that I have read the complete application, and I know the full content thereof. I declare that all of the information contained herein, and evidence or other documents submitted are true and correct. I understand that any falsification or misrepresentation of any item or response in this application, or any attachment, or documents to support this application, is sufficient grounds for denying or revoking a license/permit. I further understand that it is a Class A misdemeanor under Alaska Statute 11.56.210 to falsify an application and commit the crime of unsworn falsification.

Benjamin Wilcox
Printed name of licensee

Signature of licensee

(Additional Space as Needed):

Dropbox Sign

Audit trail

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File name	MJ-01%2021071%20C...AP%20V.3%20BM.pdf
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