



THE STATE  
*of* **ALASKA**  
GOVERNOR MIKE DUNLEAVY

**Department of Commerce, Community,  
and Economic Development**

ALCOHOL & MARIJUANA CONTROL OFFICE

550 West 7<sup>th</sup> Avenue, Suite 1600

Anchorage, AK 99501

Main: 907.269.0350

**MEMORANDUM**

TO: Chair and Members of the Board      DATE: October 6, 2020  
FROM: Glen Klinkhart, Interim Director      RE: Peak Analytical LLC #15590  
Marijuana Control Board

This is a renewal application for a Marijuana Testing Facility in the City of Ketchikan, by Peak Analytical LLC DBA Peak Analytical LLC.

Local Government Protest: No protest from either local government  
LG Protest Period Ends: N/A  
Objection(s) Received/Date: No  
Notice of Violation(s): Yes  
MJ-17a Temp Ownership Change Report: No  
Staff questions for Board: None

# Alcohol & Marijuana Control Office

Initiating License Application

5/19/2020 5:06:29 PM

**License Number:** 15590**License Status:** Active-Operating**License Type:** Marijuana Testing Facility**Doing Business As:** PEAK ANALYTICAL LLC**Business License Number:** 1061786**Designated Licensee:** kara jurczak**Email Address:** sales@peakanalyticalak.com**Local Government:** Ketchikan (City of)**Local Government 2:****Community Council:****Latitude, Longitude:** 55.342000, -131.646000**Physical Address:** 2208 Tongass Ave  
ketchikan, AK 99901  
UNITED STATES**Licensee #1****Type:** Entity**Alaska Entity Number:** 10070380**Alaska Entity Name:** PEAK ANALYTICAL LLC**Phone Number:** 907-254-9808**Email Address:** sales@peakanalyticalak.com**Mailing Address:** 2208 Tongass Ave  
ketchikan, AK 99901  
UNITED STATES**Entity Official #1****Type:** Individual**Name:** kara jurczak  
[REDACTED]  
[REDACTED]**Phone Number:** 907-254-9808**Email Address:** sales@peakanalyticalak.com**Mailing Address:** 242 seawatch drive  
ketchikan, AK 99901  
UNITED STATES**Entity Official #2****Type:** Individual**Name:** timothy jurczak  
[REDACTED]  
[REDACTED]**Phone Number:** 907-617-1316**Email Address:** tim@ketchikanmechanical.com**Mailing Address:** 242 seawatch drive  
ketchikan, AK 99901  
UNITED STATES**Note:** No affiliates entered for this license.

# 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: 7/11/19

Licensee: Kara Jurczak

DBA: Peak Analytical LLC

License #/Type: 15590 Marijuana Testing Facilities

Address: 2208 Tongass Ave Ketchikan, AK

AMCO Case #: AM199128

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 7/3/19 Peak Analytical received a sample of cherry vanilla gummy squares (Metric ID 0596) from Stoney Moose Kitchens for testing. The sample failed potency testing for being over 20% from the intended target. Peak Analytical informed Stoney Moose Kitchens of the failure. Stoney Moose Kitchens then informed Peak Analytical that they believed the sample they provided was not in fact random and homogeneous as it was poured from the last of the batch material, nor had it "set" properly prior to submission. Stoney Moose Kitchens then elected to have Peak Analytical retest a second sample from the same batch that they believed to be homogeneous and properly set. Stoney Moose Kitchens did not seek AMCO's approval prior to the retest.

This is a violation of 3 AAC 306.660 Failed Materials; Retests and 3 AAC 306.670 Reporting; Verification

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: J. Bankowski

SIGNATURE:

Delivered VIA: Email

Received by:

SIGNATURE:

Date: 7/11/19



AMCO

JUN 23 2020



2208 Tongass Ave · (907) 220-9336

Sales@peakanalyticalak.com · MTF License # 15590

Alcohol & Marijuana Control Office  
ATTN: Enforcement  
550 W. 7th Ave, Suite 1600  
Anchorage, Alaska 99501

July 16, 2019

Dear investigator Bankowski,

I am writing in response to the alleged license violation we received on 7/11/19. It is Peak Analytical's position that no such violations occurred. Evidence supporting our position follows.

In regards to violating 3 AAC 306.660 Failed Materials; this section does not state anywhere that a marijuana testing facility must take any specific action for failed materials. The section only prescribes actions to be taken by the marijuana establishment that provided the sample.

As the regulation is currently written, it is incumbent on the cultivator or manufacturer to obtain authorization from AMCO for a retest. The regulations do not explain how a marijuana testing facility shall receive notice from the AMCO board, staff or the director when a retest has been approved. Without guidance being specified in the regulations or anywhere on the AMCO website, we were obligated to perform tests as requested by our client, as it is not our jurisdiction to decide whether or not our client is meeting their regulatory requirements.

In regards to violating 3 AAC 306.670 Reporting; sample batch 0596 was accepted late afternoon on 07/03/19, the day before a federal holiday. Due to the holiday weekend, testing and data analysis was completed on 07/08/19. The failed test batch was reported to METRC on 07/09/18, within 24 hours of final analysis; therefore this action was done in compliance with 3 AAC 306.670(a). Furthermore, Director McConnell was notified of the failed test batch via email on 07/09/19, which satisfies our obligation of notifying the director within 72 hours; therefore this action was also completed in compliance with 3 AAC 306.670(a)(2).

We greatly appreciate the guidance your office has provided during the course of these events; however, we respectfully request that this Notice of Violation be withdrawn given the above stated timeline of events.

Sincerely,

A handwritten signature in blue ink, appearing to read "Kara Jurczak", is written over a horizontal line.

Kara Jurczak  
Licensee/Scientific Director  
Peak Analytical LLC

AMCO

JUN 23 2020





Alaska Marijuana Control Board

# Form MJ-20: Renewal Application Certifications

## What is this form?

This renewal application certifications form is required for all marijuana establishment license renewal applications. Each person signing an application for a marijuana establishment license must declare that he/she has read and is familiar with AS 17.38 and 3 AAC 306. A person other than a licensee may not have direct or indirect financial interest (as defined in 3 AAC 306.015(e)(1)) in the business for which a marijuana establishment license is issued, per 3 AAC 306.015(a).

**This form must be completed and submitted to AMCO's main office by each licensee (as defined in 3 AAC 306.020(b)(2)) before any license renewal application will be considered complete.**

## Section 1 – Establishment Information

Enter information for the licensed establishment, as identified on the license application.

Licensee:	Peak Analytical LLC	License Number:	15590		
License Type:	Marijuana Testing Facility				
Doing Business As:	Peak Analytical LLC				
Premises Address:	2208 Tongass Ave				
City:	Ketchikan	State:	AK	ZIP:	99901

## Section 2 – Individual Information

Enter information for the individual licensee who is completing this form.

Name:	Timothy M Jurczak
Title:	Vice President

## Section 3 – Violations & Charges

Read each line below, and then sign your initials in the box to the right of any applicable statements:

I certify that I have **not** been convicted of any criminal charge in the previous two calendar years.

Initials

I certify that I have **not** committed any civil violation of AS 04, AS 17.38, or 3 AAC 306 in the previous two calendar years.

I certify that a notice of violation has **not** been issued for this license.

**Sign your initials to the following statement only if you are unable to certify one or more of the above statements:**

Initials

**I have attached a written explanation** for why I cannot certify one or more of the above statements, which includes the type of violation or offense, as required under 3 AAC 306.035(b).



# Form MJ-20: Renewal Application Certifications

## Section 4 – Certifications

Read each line below, and then sign your initials in the box to the right of each statement:

Initials

I certify that no person other than a licensee listed on my marijuana establishment license renewal application has a direct or indirect financial interest, as defined in 3 AAC 306.015(e)(1), in the business for which the marijuana establishment license has been issued.

*[Signature]*

I certify that I meet the residency requirement under AS 43.23 or I have submitted a residency exception affidavit (MJ-20a) along with this application.

*[Signature]*

I certify that this establishment complies with any applicable health, fire, safety, or tax statute, ordinance, regulation, or other law in the state.

*[Signature]*

I certify that the license is operated in accordance with the operating plan currently approved by the Marijuana Control Board.

*[Signature]*

I certify that I am operating in compliance with the Alaska Department of Labor and Workforce Development's laws and requirements pertaining to employees.

*[Signature]*

I certify that I have not violated any restrictions pertaining to this particular license type, and that this license has not been operated in violation of a condition or restriction imposed by the Marijuana Control Board.

*[Signature]*

I certify that I understand that providing a false statement on this form, the online application, or any other form provided by or to AMCO is grounds for rejection or denial of this application or revocation of any license issued.

*[Signature]*

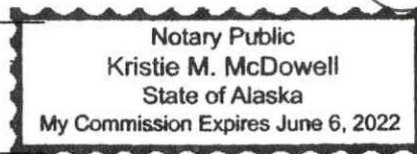
As an applicant for a marijuana establishment license renewal, I declare under penalty of unsworn falsification that I have read and am familiar with AS 17.38 and 3 AAC 306, and that this application, including all accompanying schedules and statements, is true, correct, and complete. I agree to provide all information required by the Marijuana Control Board in support of this application and understand that failure to do so by any deadline given to me by AMCO staff may result in additional fees or expiration of this license.

*[Signature]*

Signature of licensee

Timothy Jurczak

Printed name of licensee



*[Signature]*

Notary Public in and for the State of Alaska

My commission expires: 6/22/2020

Subscribed and sworn to before me this 18 day of May, 2020.





Alaska Marijuana Control Board

## Form MJ-20: Renewal Application Certifications

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This form must be completed and submitted to AMCO's main office by each licensee (as defined in 3 AAC 306.020(b)(2)) before any license renewal application will be considered complete.

### Section 1 – Establishment Information

Enter information for the licensed establishment, as identified on the license application.

Licensee:	Peak Analytical LLC	License Number:	15590		
License Type:	Marijuana Testing Facility				
Doing Business As:	Peak Analytical LLC				
Premises Address:	2208 Tongass Ave				
City:	Ketchikan	State:	AK	ZIP:	99901

### Section 2 – Individual Information

Enter information for the individual licensee who is completing this form.

Name:	Kara R Jurczak
Title:	Scientific Director/President

### Section 3 – Violations & Charges

Read each line below, and then sign your initials in the box to the right of any applicable statements:

Initials

I certify that I have **not** been convicted of any criminal charge in the previous two calendar years.

KJ
----

I certify that I have **not** committed any civil violation of AS 04, AS 17.38, or 3 AAC 306 in the previous two calendar years.

KJ
----

I certify that a notice of violation has **not** been issued for this license.

--

Sign your initials to the following statement only if you are unable to certify one or more of the above statements:

Initials

I have attached a written explanation for why I cannot certify one or more of the above statements, which includes the type of violation or offense, as required under 3 AAC 306.035(b).

KJ
----

**Form MJ-20: Renewal Application Certifications****Section 4 – Certifications**

Read each line below, and then sign your initials in the box to the right of each statement:

Initials

I certify that no person other than a licensee listed on my marijuana establishment license renewal application has a direct or indirect financial interest, as defined in 3 AAC 306.015(e)(1), in the business for which the marijuana establishment license has been issued.

KJ

I certify that I meet the residency requirement under AS 43.23 or I have submitted a residency exception affidavit (MJ-20a) along with this application.

KJ

I certify that this establishment complies with any applicable health, fire, safety, or tax statute, ordinance, regulation, or other law in the state.

KJ

I certify that the license is operated in accordance with the operating plan currently approved by the Marijuana Control Board.

KJ

I certify that I am operating in compliance with the Alaska Department of Labor and Workforce Development's laws and requirements pertaining to employees.

KJ

I certify that I have not violated any restrictions pertaining to this particular license type, and that this license has not been operated in violation of a condition or restriction imposed by the Marijuana Control Board.

KJ

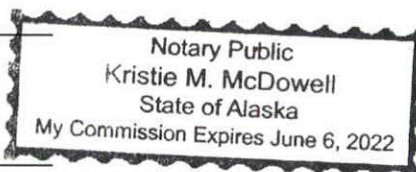
I certify that I understand that providing a false statement on this form, the online application, or any other form provided by or to AMCO is grounds for rejection or denial of this application or revocation of any license issued.

KJ

As an applicant for a marijuana establishment license renewal, I declare under penalty of unsworn falsification that I have read and am familiar with AS 17.38 and 3 AAC 306, and that this application, including all accompanying schedules and statements, is true, correct, and complete. I agree to provide all information required by the Marijuana Control Board in support of this application and understand that failure to do so by any deadline given to me by AMCO staff may result in additional fees or expiration of this license.

  
Signature of licensee

Kara Jurczak  
Printed name of licensee



  
Notary Public in and for the State of Alaska

My commission expires: 6/22/2022

Subscribed and sworn to before me this 18 day of May, 2020.

AMCO