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. 7th Ave, Suite 1600
Anchorage, Alaska 99501
amco.enforcement@alaska.gov

Issuing Investigator: M. Chiesa Received by:

SIGNATURE: F.R. Hamilton SIGNATURE:

Delivered VIA: Email Date:

updated 2/8/21 Tracking #:

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

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

BALANCE DUE **$3,650.00**

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

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> wrote:

> Please read and respond accordingly.
>
> Joe Hamilton
>
> AMCO Investigator

AMCO received 6/1/2021

Dear AMCO Licensing,

On 3/18/21 I received an NOV Case # 21-0285 for having a noticeable odor of unburnt Marijuana outside of our cultivation facility. I believe that the odor was emitted from the building while a large harvest of marijuana plants was being conducted. I believe the odor was escaping the building through the saturated carbon filters that are placed on each of the exhaust fans leaving the building. After receiving the NOV, I immediately purchased replacement carbon filters for each of the nine duct fans that exhaust air from the building, as well as installed a carbon filer with a fan in our trimming area where the machine trimmer creates the majority of the odor during harvests. Since replacing all of the carbon filters we have not experienced any noticeable odor outside of the cultivation facility. Please let me know if anyone would like any additional information.

Thank you,

Richard C. Ebenezer

Alcohol and Marijuana Control Office
550 W 7th Avenue, Suite 1600
Anchorage, AK 99501
marijuana.licensing@alaska.gov
https://www.commerce.alaska.gov/web/amco
Phone: 907.269.0350

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:	Croy's Enterprises LLC	**License Number:**	10137		
License Type:	Standard Marijuana Cultivation Facility				
Doing Business As:	Pine Street Cannabis Company				
Premises Address:	36130 Pine St.				
City:	Soldotna	**State:**	AK	**ZIP:**	99669

Section 2 – Individual Information

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

Name:	Richard C. Ebenezer
Title:	Owner

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.	RE
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.	RE
I certify that a notice of violation has **not** been issued to this license between July 1, 2020 and June 30, 2021.	

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).	RE

Received by AMCO 5.30.21

Alaska Marijuana Control Board

Form MJ-20: Renewal Application Certifications

Section 4 – Certifications & Waiver

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. [RCE]

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. [RCE]

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

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

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

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. [RCE]

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. [RCE]

I, Richard C. Ebenezer, hereby waive my confidentiality rights under AS 43.05.230(a) and authorize the State of Alaska, Department of Revenue to disclose any and all tax information regarding this marijuana license to the Alcohol and Marijuana Control Office (AMCO) upon formal request as part of any official investigation as long as I hold, solely, or together with other parties, this marijuana license. [RCE]

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

Notary Public in and for the State of Alaska

Richard C. Ebenezer

Printed name of licensee

My commission expires: 1-7-25

Subscribed and sworn to before me this 17 day of MAY, 2021.

MIRASOL G. MACASU-TILLY
Notary Public
State of Alaska
My Commission Expires Jan 7, 2025

Received by AMCO 5.30.21