



MEMORANDUM

TO: Marijuana Control Board DATE: March 31, 2022
FROM: Jane P. Sawyer, Regulations Specialist RE: Regulations Project – Waste
Management

The board has been wishing, for some time, to address the three-day waiting period currently required on marijuana or marijuana product waste.

The draft amends 3 AAC 306.740(c)(1). It would remove the three-day waiting period, but it would require a sworn declaration under penalty of perjury by the licensee, employee, or agent to be provided within three days of rendering the waste unusable.

Attached is the initial draft for board discussion.

Potential board actions to be discussed at meeting.

Register _____, _____ 20__

COMMERCE, COMMUNITY, AND EC. DEV.

(Words in boldface and underlined indicate language being added; words [CAPITALIZED AND BRACKETED] indicate language being deleted.)

3 AAC 306.740(c)(1) is amended to read:

(c) A marijuana establishment shall

(1) **give the board notice by making a sworn declaration under penalty of perjury on a form the board prescribes that the licensee, employee, or agent has rendered the marijuana or marijuana product waste unusable and disposed of it in accordance with this section and the marijuana establishment’s operating plan approved by the board. The notice described in this paragraph must be given within three days of rendering the waste unusable;**

[GIVE THE BOARD NOTICE, ON A FORM PRESCRIBED BY THE BOARD, NOT LATER THAN THREE DAYS BEFORE MAKING THE WASTE UNUSABLE AND DISPOSING OF IT; HOWEVER, THE DIRECTOR MAY AUTHORIZE IMMEDIATE DISPOSAL ON AN EMERGENCY BASIS;]

(Eff. 2/21/2016, Register 217; am 5/25/2018, Register 226; am 1/19/2022, Register 241; am ___/___/___, Register _____)

Authority: AS 17.38.010 AS 17.38.150 AS 17.38.200
AS 17.38.070 AS 17.38.190 AS 17.38.900
AS 17.38.121

Commented [SJP(1): This is language that enforcement felt was a fair compromise to drop the waiting period if the waste would not be available to be physically inspected during the waiting period. That being said, enforcement does not inspect the waste on a regular basis.