



## MEMORANDUM

TO: Marijuana Control Board                      DATE: June 23, 2022  
FROM: Jane P. Sawyer, Regulations Specialist    RE: Regulations Project – Waste  
Management

At the April 2022 board meeting, the board sent out for public comment a regulation draft to repeal 3 AAC 306.740(c)(1). The repeal of this provision removes the requirement that a marijuana establishment give a three-day notice before making marijuana waste unusable and disposing of it.

The draft was out for about 33 days. It received two comments which are attached.

Potential board actions:

- Consider comments received and adopt regulation as is;
- Amend draft and send back out for public comment;
- Send back to staff for more work;
- Close project.

Regarding changes to operating plans: the board had expressed to not require licensees to submit operating plans immediately, is that still the will of the board?.

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

3 AAC 306.740(c)(1) is repealed:

(1) repealed \_\_\_\_/\_\_\_\_/\_\_\_\_; [GIVE THE BOARD NOTICE, ON A FORM PRESCRIBED BY THE BOARD, NOT LATER THAN THREE DAYS BEFORE MAKING THE WASTE UNUSABLE AND DISPOSING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 10/20/2018, Register 228; 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

**From:** [dollynda Phelps](#)  
**To:** [CED AMCO REGS \(CED sponsored\)](#)  
**Subject:** MJ waste reporting - public comment  
**Date:** Thursday, May 19, 2022 2:17:13 PM

---

**CAUTION:** This email originated from outside the State of Alaska mail system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello, thank you for addressing the 3 day waste reporting requirement. This issue definitely needs a regulatory change. Holding waste in a cultivation facility for 3 days creates not only a space issue, but more importantly it is a very unsanitary practice.

Any time you have moist, decomposing plant matter, it poses a risk for mold and other dangerous micro organisms to grow. Mold spores can germinate in as early as 12 hours in proper conditions. For those trying to keep a clean, safe and sanitary facility this current requirement creates even more of a challenge.

I strongly support a regulatory change that would allow the removal of such waste immediately. This is in everyone's best interest.

Thank you for your time and consideration,

Dollynda Phelps  
907-252-8026

[Sent from Yahoo Mail on Android](#)

**From:** [Dru Malone](#)  
**To:** [CED AMCO REGS \(CED sponsored\)](#)  
**Subject:** waste log  
**Date:** Thursday, May 12, 2022 12:05:55 PM

---

You don't often get email from drumalone@gmail.com. [Learn why this is important](#)

**CAUTION:** This email originated from outside the State of Alaska mail system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Please do away with the reporting requirement for the waste log. In fact, get rid of the waste log altogether.

With all of the other tracking information required it makes no sense to track waste in this manner. How often does enforcement look at waste logs? How often has enforcement checked a waste log? This is just another useless regulation adopted from early states regs.

This proposed change is just another example of the board tinkering around the edges of regulations that should be dropped or greatly modified. Please consider setting up a committee to address a total regulatory cleanup!

--

Dru Malone  
Lightning Strike Organics  
9400 Old Seward Highway  
Anchorage, AK 99515  
907-602-0096