

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: 10/4/22

License #/Type: 27854 Standard Marijuana Cultivation Facility

Licensee: Mark Ha

Address: 101 E. International Airport Road, Anchorage, AK

DBA: Ganja Guys of Alaska

AMCO Case #: 22-1769

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 10-3-22, AMCO received a complaint about a marijuana odor coming from your establishment. They added they had been smelling it for the past few days. Inv. Hamilton was notified and responded to the area at about 1335 hours. Inv. Hamilton was traveling East on Int'l Airport Road (IAR). near C St. Hamilton then entered the parking lot of Fasteners & Fire Equipment which is East of your establishment. Immediately upon entering the parking lot, an odor of unburnt marijuana was detected. Inv. Hamilton then departed the parking lot back onto IAR West bound. After passing about half of the establishments property, Inv. Hamilton did not detect a marijuana odor. Inv. Hamilton then turned North onto A St. and then East on a back street on the North side of your establishment; then back into the parking lot of Fasteners & Fire Equipment. Inv. Hamilton began smelling the marijuana odor again as he traveled south in the parking lot. The winds were about 4mph coming from the North.

Your attention is directed to 3 AAC 306.430(c)(2): Restricted access area which reads in part(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: J. Hamilton



Received by:

SIGNATURE:

J.R. Hamilton

SIGNATURE:

Delivered VIA: Email

Date:

▼ Mon, Oct 3rd 2022

High: 55.4°F @2:45 PM **Low:** 42.8°F @4:10 AM **Approx. Precipitation / Rain Total:** 0.011 in.

Time (ADT)	Temp. (°f)	Humidity (%)	Dew Point (°f)	Barometer (inHG)	Wind Speed (mph)	Wind Direction	Wind Gust (mph)	1hr. Precip / Rain Total (in.)	Snow Depth
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3:30 PM	53.6	66.71	42.8	29.94	5	w			
3:15 PM	53.6	71.47	44.6	29.93	6	wnw			
3:10 PM	55.4	62.48	42.8	29.94	7	wnw			
3:05 PM	53.6	66.71	42.8	29.94	6	wnw			
3:00 PM	53.6	66.71	42.8	29.93	4	nw			
2:55 PM	51.8	71.27	42.8	29.94	5	nw			
2:53 PM	53.06	66.19	42.08	29.94	5	nnw			
2:50 PM	53.6	66.71	42.8	29.93	6	nw			
2:45 PM	55.4	66.93	44.6	29.93	5	w			
2:40 PM	53.6	66.71	42.8	29.93	4	wnw			
2:35 PM	53.6	66.71	42.8	29.94	3	nnw			
2:30 PM	53.6	66.71	42.8	29.94	5	w			
2:15 PM	55.4	62.48	42.8	29.93	6	nnw			
2:10 PM	53.6	66.71	42.8	29.93	4	n			
2:05 PM	53.6	66.71	42.8	29.93	6	n			
2:00 PM	53.6	66.71	42.8	29.93	6	n			
1:55 PM	53.6	66.71	42.8	29.93	7	n			
1:53 PM	53.06	66.19	42.08	29.93	5	n			
1:50 PM	53.6	66.71	42.8	29.93	6	n			
1:45 PM	53.6	66.71	42.8	29.93	5	nne			
1:40 PM	53.6	66.71	42.8	29.93	3	nne			

Davies, Jason M (CED)

From: Mark Ha <ha.mark@gmail.com>
Sent: Saturday, October 8, 2022 8:37 AM
To: CED AMCO Enforcement (CED sponsored)
Subject: Ganja Guys of Alaska Lic 27854

AMCO Enforcement

Dear Sir/Madam,

Immediately after receiving the NOV regarding the presence of smell, we verified the odor and replaced all pre-filters and primary odor filters in our system. Upon installation, we have been testing and logging the perimeter smells twice each day and have not detected any smells since then. We have dated the installation of these filters and will be diligent in replacement to prevent any future smell issues.

I apologize for any inconvenience and the resource it required of your group to respond to this issue and will increase our effort to prevent any future problems as we dial in this new operation.

Sincerely,

Mark Ha
Owner

--
Mark Ha
907-632-7366
At Your Service

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: 9/16/22

License #/Type: 12770 Standard Marijuana Cultivation Facilities

Licensee: James M.P. Thornton

Address: 726 E. 15th Ave, Anchorage, AK

DBA: Secret Garden Cannabis

AMCO Case #: 22-1673

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 9-15-22, Investigator J. Hoelscher reported that he detected the odor of marijuana as he drove by your establishment. He further reported that he had smelled it on 9-13-22, again as he passed by your establishment. Investigator J. Hamilton responded to the area at about 1300 hours and confirmed the smell while stopped on Hyder Street at 15th Ave. The wind was blowing about 10 mph predominately from south to north. Hamilton made contact with Secret Garden Cannabis employee Justin Edwards and advised him of the odor. Edwards then relayed the message to licensee James Thornton. In a later telephone conversation with licensee Thornton, he stated he investigated the odor and found the ozone generator had been turned off and that he was currently in the process of making standard operating procedures so it would not happen again.

Your attention is directed to 3 AAC 306.430(c)(2): Restricted access area which readsdoes 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:

Davies, Jason M (CED)

From: Hamilton, Joe (CED)
Sent: Tuesday, September 20, 2022 5:52 AM
To: James Thornton
Cc: Hoelscher, James C (CED); Davies, Jason M (CED); CED AMCO Enforcement (CED sponsored)
Subject: Re: Secret Garden Cannabis, Lic 12770, NOV.pdf

Categories:

Greeting AMCO team,

After being notified about the reports of odor from September 13th and 15th, 2022, I personally began an investigation into the cause of the odor leakage. As Investigator Hamilton mentioned in the report, our cultivation team immediately relayed that the ozone generator (odor neutralizer) in our active harvest room had been switched off since the room had been cleaned out and reset. I relayed these findings to Inspector Hamilton. Furthermore, I installed additional carbon filters on the exhaust end of the ducting of the suspect room, and others, to ensure that as many measures possible were taken to mitigate any future equipment failures or human error. In addition, we have created a highly visible physical checklist in each harvest and storage room equipped with an exhaust assembly, as well as an equipment standard operating procedure to be included in cultivator training moving forward to ensure that this equipment is on when odor causing material is present. As per our operating plan, we will continue our standard practice of regular carbon filter replacements, and regular and documented odor smell checks around the perimeter of the licensed premises.

Please let me know if you have any other questions.

Sincerely,
James Thornton

On Sep 16, 2022, at 9:52 AM, Hamilton, Joe (CED) <joe.hamilton@alaska.gov> wrote:

Jason,

Don't worry about receiving a response from Mr. Thornton, he provided it to me verbally which I included in the notice.

Joe

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: 9/19/22

License #/Type: 21725 Standard Marijuana Cultivation Facilities

Licensee: James Millhouse

Address: 407 E. Northern Lights Blvd, Anchorage, AK

DBA: The Red Light District

AMCO Case #: 22-1687

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.

Inv. J. Hoelscher called in an marijuana odor complaint coming from The Red Light District. Inv. J. Hamilton responded to the establishment at about 1100 hours and confirmed the odor of unburnt marijuana coming from your establishment. As I traveled west on Northern Lights Blvd (NLB) approaching Eagle Street, I began to smell the odor. I continued to smell it while on NLB. Once I passed the establishment I turned North onto Denali Street. I continued to smell the odor for about another 150 feet. I continued North on Denali Street, then turned East onto Fireweed Blvd and then South onto Eagle Street. As I approached the Northeast corner of the establishment I began smelling the odor again. There was a slight breeze coming from predomenantly the North to South. I made contact with Licensee James Millhouse who had already identified the problem and was in the process of picking up a new ozone filter. He further stated the problem will be solved by the afternoon.

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SIGNATURE:

J.R. Hamilton

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Date: