



June 11, 2018

To: Franchise Haulers-Stanislaus County

Re: Cannabis Waste Disposal

The purpose of this letter is to provide information that as of January 1, 2018, the legalization of cannabis for personal consumption and commercialization took effect Statewide and with it brings new challenges for the disposal of cannabis waste.

This stems from the passage of Proposition 64, the Adult Use of Marijuana Act (AUMA) on November 8, 2016. This legalized the use and cultivation of cannabis for personal consumption and legalized the commercialization of cannabis, including medical marijuana beginning January 1, 2018. More recently, on June 27, 2017, the Governor approved Senate Bill 94, the Medicinal and Adult-Use Cannabis Regulation and Safety Act (MAUCRSA). This bill creates one regulatory system for commercial cannabis activity including waste disposal.

In addition, on September 26, 2017, the Stanislaus County Board of Supervisors approved the development of a conservative commercial cannabis allowance strategy for retail, cultivation, and other related cannabis business activities in the unincorporated area of Stanislaus County by adding Chapter 6.78 to Title 6 of the Stanislaus County Code to provide general regulations for commercial cannabis activities.

Regulatory Ordinances

1. Title 16 Division 42. Bureau of Cannabis Control
(License Types Retail/Distribution/Labs/Events)
Section 5055.Cannabis Waste

(a) A licensee may not sell cannabis waste.

(b) Licensees shall comply with all applicable waste management laws including, but not limited to, Division 30 of the Public Resources Code.

(c) A licensee shall dispose of cannabis waste in a secured waste receptacle or in a secured area on the licensed premises. For the purposes of this section, "secure waste receptacle" or "secured area" means that physical access to the receptacle or area is restricted to the licensee and its employees and the local agency, local agency franchiser, or permitted private waste hauler. Public access to the designated receptacle or area is prohibited.

(d) If a licensee is composting cannabis waste on the licensed premises, a licensee shall do so in compliance with Title 14 of the California Code of Regulations at Chapter 3.1 (commencing with Section 17850).

(e) If a local agency, a local agency franchiser, or permitted private waste hauler is being used to collect and process cannabis waste, a licensee shall do all the following:

- 1.) Provide the Bureau with the name of the entity hauling the waste;
- 2.) Obtain documentation from the entity hauling the waste that indicates the date and time of each collection of cannabis waste at the licensed premises; and
- 3.) Obtain a copy of the certified weight ticket, or other documentation prepared by the entity hauling the waste confirming receipt of the cannabis waste at one, or more, of the following solid waste facilities:
 - (A) A manned fully permitted solid waste landfill or transformation facility;
 - (B) A manned fully permitted composting facility or manned composting operation;
 - (C) A manned fully permitted in-vessel digestion facility or manned in-vessel digestion operation;
 - (D) A manned fully permitted transfer/processing facility or manned transfer/processing operation; or
 - (E) A manned fully permitted chip and grind operation.
 - (F) If a licensee is self-hauling cannabis waste to one, or more, of the solid waste facilities in subsection (e)(3) of this section, a licensee shall obtain for each delivery of cannabis waste by the licensee a copy of a certified weight ticket or receipt documenting delivery from the solid waste facility. Only the licensee or its employees may transport self-hauled cannabis waste.

Authority: Section 26013, Business and Professions Code. Reference: Section 26070, Business and Professions Code.

2. California Code of Regulations: Title 3. Food and Agriculture Division 8. Cannabis Cultivation
Chapter 1. Cannabis Cultivation Program
(License Types: Nurseries/Cultivators/Processors)

§ 8108. Cannabis Waste Management Plan.

For the purposes of this section, "cannabis waste" is organic waste, as defined in section 42649.8(c) of the Public Resources Code. An applicant's cannabis waste management plan shall identify one or more of the following methods for managing cannabis waste generated on their licensed premises:

- (a) On-premises composting of cannabis waste;
- (b) Collection and processing of cannabis waste by a local agency, a waste hauler franchised or contracted by a local agency, or a private waste hauler permitted by a local agency;
- (c) Self-haul cannabis waste to one or more of the following;
 - (1) A manned fully permitted solid waste landfill or transformation facility;
 - (2) A manned fully permitted composting facility or manned composting operation;

- (3) A manned fully permitted in-vessel digestion facility or manned in-vessel digestion operation;
- (4) A manned fully permitted transfer/processing facility or manned transfer/processing operation; or
- (5) A manned fully permitted chip and grind operation or facility.

Authority: Sections 26012 and 26013, Business and Professions Code. Reference: Sections 26013 and 26060, Business and Professions Code; and Sections 40141 and 42649.8, Public Resources Code. Et al.

3. California Code of Regulations (CCR); Title 17 Division 1 Chapter 13.
Manufactured Cannabis Safety, Subchapter 1. General Provisions. §40290.
Waste Management, as follows:

- (e) "If a local agency, a local agency franchiser, or permitted private waste hauler is being used to collect and process cannabis waste, a licensee shall do all of the following":
 - (1) Provide the State Department of Public Health with the name of the entity hauling the waste;
 - (2) Obtain documentation from the entity hauling the waste that indicates the date and time of each collection of cannabis waste at the licensed premises; and
 - (3) Obtain a copy of the certified weight ticket, or other documentation prepared by the entity hauling the waste confirming receipt of the cannabis waste at one, or more, of the following solid waste facilities:
 - A) A manned fully permitted solid waste landfill (*) or transformation facility (**);
 - B) A manned fully permitted composting facility or manned composting operation;
 - C) A manned fully permitted in-vessel digestion facility or manned in-vessel digestion operation; or
 - D) A manned fully permitted transfer/processing facility or manned transfer/processing operation.

*Only cannabis plant waste that has NOT been processed with any type of liquids or solvents can be received by the landfill. Any liquid/solvent treated, concentrated, or manufacturing waste related to cannabis must be tested by a certified laboratory to ensure the waste is non-hazardous and supporting documentation of this shall be provided to the landfill.

**The Waste-To-Energy (WTE) Facility is permitted to accept any cannabis waste products. Please contact WTE for additional information and arrangements.

As with any new process, there will be questions and concerns about this. Also understand that as the cannabis program evolves, additional guidance and regulations may be forthcoming. Please feel free to contact me.

Thank you,

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