

Medical Marijuana

Meeting of June 23, 2016

1:30 pm

Conference Call

MINUTES

1. Ron called the meeting to order and introductions were made. In attendance were the following individuals:

Ron Lynn, Clark County, NV	Matt Rozzell, City of Portland, OR
Sam Palmer, Clark County, NV	Steve Anderson, City of Fairbanks, AK
Girard Page, Clark County, NV	Bill Browning, Nye County, NV
Adolf Zubia, Clark County, NV	Mike Maenner, State of Virginia
Fulton Cochran, Clark County, NV	Brian Lucas, City of Denver, CO
Kevin McOsker, Clark County, NV	Jill Jennings, City of Denver, CO
Ted Droessler, Clark County, NV	Cindy Davis, State of Virginia
Stephen DiGiovanni, Clark County, NV Solutions	Mary Russo, Verisk Insurance
Robert Williams, Clark County, NV Council	Fred Grable, International Code
Carol Carter, Clark County, NV	Roger Vermillion, City of Tempe, AZ
Randy Westacott, City of Goodyear, AZ	Rush Porter, Ivey Engineering
Michael Abegg, City of Phoenix, AZ	Alexi Miller, New Buildings Institute
Steve Thomas, Colorado Code Consulting, LLC	Jim Kennedy, City of Boston, MA

2. Ron outlined today's discussion. A couple of years ago, he requested the International Code Council Board of Directors to establish a work group to develop guidelines on the marijuana cultivation, extraction and product. The goal of this teleconference is preparatory to establishing a guideline. This will also help us to identify problems that the attendees have experienced and if possible, develop best practices to be placed upon the Major Jurisdiction Committee website.

3. Some jurisdictions proposed a U occupancy for cultivation and processing of marijuana. A majority supported using an F occupancy classification to include cultivation, harvesting and non-chemical drying. Laboratories were classed as a B occupancy and marijuana sales as an M occupancy. Note drying rooms are considered processing.

4. Electrical issues: Cultivation facilities require a great deal of electrical lighting, thus putting a tremendous load on existing systems. Upgraded systems are often necessary. Some points of discussion included:

- Waiving lighting requirements from the Energy Code if it is part of the cultivation process
- Wet location and damp locations described in the NEC
- Discussion of the use of LED's: This is currently relatively rare. However, as more sophisticated cultivators see the advantage in both decreased energy costs, controllable heat rise, enhanced production and decreased risk, this may become more prevalent. The City of Seattle is developing energy efficiency criteria. The contact is Duane Jonlin who worked with the Washington Energy Code.

Jurisdictions are looking at measuring photons and establishing metrics versus the more traditional lumens method. Moisture sprayed versus drip may contribute to identifying wet versus damp locations. Entire environment may be considered wet if sprays are used on horizontally rotating beds.

5. Water issues were discussed including disposal of waste, fertilization, and sand oil or grease interceptors. Nye County advised septic tank with inline fertilization system can't go directly into sanitation system and needs to hold for disposal processing. During product production, certain oils may be produced which would mandate an interceptor to maintain the integrity of the sanitary sewer system. It is not uncommon for a wash down system after harvesting, creating the need to control runoff.

6. Air quality issues were discussed including that odor released is not considered toxic or intoxicating. Some odor control processes include oxidation systems, carbon filtration systems, and thermal systems. The City of Phoenix recommended an amendment to the mechanical code that there be no odors on the property line. There are zoning requirements, and they are developing or using carbon scrubbers to minimize odor. In Denver, new regulations were passed in municipal code requiring odor control plans. They are working on the development of rules & regulations that will be live in September 2016. Also discussed requiring a thermal oxidizer or using carbon filters, ventilation requirements which includes using CO₂, fumigating after ventilation, and issues of burning elemental sulfur. There was further consideration for operational issues for ventilation. There are new sections in the 2015 Fire Code concerning CO₂ Operations. There are several code changes proposed involving CO₂ insertion, which includes marijuana processing and extraction.

7. Fire Issues were discussed. Risks include the use of butane systems for cycling butane liquid over plant material. In many cases, the equipment has no UL listing nor a design guide. Denver is requiring an engineer report on the equipment. Ventilation issues were discussed when butane or other methods are used for either cultivation or processing. Any flammable liquid that can be distilled can be used in the process. Denver recorded a couple of fires, one for failure of equipment caused by operator error and the other involved alcohol being put on a hot plate. It was recommended there be language concerning home extractions on what building & fire departments may allow in residences. Butane has been used in residences by using a supply tank hooked to machinery and transferring to a smaller tank. This operation needs to be conducted

outside. Colorado representatives will provide reference for their new state law concerning hash oil fires and paraphernalia. Denver is also having issues with illegal growing in residential facilities. They drafted a local amendment in the residential code to refine the definition of dwelling unit and the conditions for which residents may receive secondary electric services to detached garages to grow marijuana.

8. Future agenda includes:

- Further discussion on the addressed topics
- No discussion has yet taken place for the making of edibles
- Post oil processing and hazardous materials used to refine oil

Alexi Miller of New Building Institute requested if anyone wants to collaborate with him on best practices and performance requirements for lighting, you can e mail him at Alexi@newbuildings.org.

At the conclusion of the meeting, it was agreed the discussion was very valuable and that further teleconferences would be in order. One result is to encourage the Board of Directors of the International Code Council to proceed with establishing a formal committee for the development of guidelines or recommended practices.

Respectfully Submitted,

Ronald L. Lynn
Chairman