



air pollution control district
SANTA BARBARA COUNTY

September 19, 2019

Gwen Beyeler
Santa Barbara County
Planning and Development
624 W. Foster Road
Santa Maria, CA 93455

**Re: Air Pollution Control District Suggested Conditions for Herbal Angels Cannabis Operation
18CUP-00000-00032, 18DVP-00000-00009**

Dear Gwen Beyeler:

The Air Pollution Control District (District) has reviewed the referenced project, which consists of cannabis cultivation, storage, manufacturing (volatile and non-volatile), packaging, and distribution. Cannabis cultivation includes approximately 15-acres of outdoor cultivation with use of hoop houses, 1.75 acres of mixed-light cultivation in greenhouses, and one acre of mixed-light nursery cultivation in greenhouses. Additionally, this project includes erecting two accessory buildings and four agricultural employee dwellings (one triplex and one single residential unit). Accessory Building A would consist of 12,000 square feet of packaging, distribution, and manufacturing (volatile and non-volatile). Accessory Building B would consist of 40,000 square feet for processing, storing, drying, and freezing cannabis, as well as for storage of agricultural equipment. Cannabis cultivated offsite will be brought in for processing and/or manufacturing with a minimum of 10% of manufactured cannabis product sourced from onsite cannabis. An existing agricultural storage shed would be demolished.

The project includes the use of three diesel emergency generators, rated at 282 horsepower each and certified as EPA Tier 4 Final, to provide power in the case of outages or emergencies. Volatile manufacturing processes include the use of ethanol and butane, with a maximum ROC emissions amount of 24 pounds per day. The two buildings will use a combination of HVAC systems, HEPA filters, and charcoal or carbon filters for odor mitigation. Outdoor cultivation flowering times will be synchronized to limit the time-frame of intense odors. If odor issues are occurring after project implementation, vapor phase odor mitigation systems utilizing Ecosorb® CNB 100 by OMI Industries may be installed. The number of onsite employees at full-scale operation is estimated to be 60 people including 40 seasonal employees. During a typical day the project would generate 44 daily trips which would increase to 132 daily trips during the peak season. This project requires 21 acres of grading work including 70,000 cubic yards of cut and 70,000 cubic yards of fill. No new water wells are proposed. The subject property, a 102.1-acre parcel zoned AG-II and identified in the Assessor Parcel Map Book as APN 099-090-006, is located at 2761 Cebada Canyon Road in the unincorporated Lompoc area.

The proposed project includes volatile and non-volatile manufacturing processes and three diesel emergency generators, which are subject to District permit requirements and/or prohibitory rules. Therefore, the District will be a responsible agency under the California Environmental Quality Act (CEQA), and will rely on the County's CEQA determination when evaluating any District permits for proposed equipment. The CEQA document should include the air pollutant emissions for all proposed equipment and operations as well as the results from a health risk assessment consistent with District

Aeron Arlin Genet, Air Pollution Control Officer

requirements, in order to avoid additional CEQA documentation needs related to District permit issuance.

The District has prepared an *Advisory on Air Quality and Cannabis Operations* (available at www.ourair.org/land-use) that provides local agencies and cannabis operators guidance regarding the air quality aspects of this industry. The advisory discusses the District's regulatory limitations on odors from agricultural operations, recommendations for odor abatement, and cannabis-related operations that may require a District permit. This advisory should be carefully reviewed by the County and the cannabis operator.

Air Pollution Control District staff have the following specific **advisories and recommendations** related to the proposed project:

1. Indoor and mixed-light cultivation (e.g., greenhouses) located near residential, commercial and other sensitive receptors should abate cannabis odors through the use of containment, ventilation, filters, control and/or deodorizing systems. Outdoor cultivation and growing operations also create strong cannabis odors, and the District recommends that such operations not be located near public locations such as residences, commercial buildings, or other sensitive receptors. The District encourages the use of buffer zones to allow for maximum odor dispersion, as well as other odor abatement strategies, to avoid nuisance odors.
2. The District recommends the use of odor abatement measures, as laid out in a comprehensive odor abatement plan, for all cannabis projects. Odor abatement measures and proper design of odor abatement systems should be approved by a professional engineer and/or certified industrial hygienist. The odor abatement system should be designed to ensure that cannabis odors are not detected by nearby residential areas or sensitive receptors. The current project description indicates that cultivation flowering times will be synchronized to limit the time-frame of intense odors. The proposed project is adjacent to residential parcels in an Existing Developed Rural Neighborhood. The odor abatement plan should more clearly state how the project will manage odors so that they will not impact nearby residences.
3. The project proposes the use of Ecosorb® CNB 100 by OMI Industries for vapor phase odor mitigation if odor issues are occurring after project implementation. Any chemical used for deodorizing systems should not cause adverse impacts to the community. Low-VOC (volatile organic compound) or no-VOC compounds are recommended, as well as compounds that do not contain toxic air contaminants (TACs) as identified by the State of California. The District has confirmed that Ecosorb® CNB 100 does not contain TACs. The comprehensive list of TACs can be found at www.arb.ca.gov/toxics/healthval/contable.pdf. If odor control systems use chemicals that contain TACs, the County should assess the potential for health risk by performing a refined Health Risk Assessment.
4. During completeness review of the District permit application, the District will evaluate the emissions from the proposed project to determine which New Source Review requirements will apply. Based on the estimated amount of maximum solvent loss for the proposed manufacturing processes provided in the *"Response to APCD Incompleteness Items for Herbal Angels Cannabis Operation, 18CUP-00000-00032, 18DVP-00000-00009"* dated August 29, 2019, it appears that the proposed project will not trigger the District's threshold for requiring implementation of Best Available Control Technology (BACT) for ROC emissions. If the project

proposal changes so that ROC emissions exceed the BACT threshold of 25 pounds per day then the applicant should propose emission controls that represent BACT for their processes. The applicant can refer to District Rule 802 at www.ourair.org/wp-content/uploads/rule802.pdf for more information on New Source Review and BACT requirements.

Air Pollution Control District staff offers the following suggested **conditions**:

1. Post-harvest cannabis operations are required to obtain District permits pursuant to Rule 201 (*Permits Required*) due to the issuance of air contaminants. The project as currently proposed requires District permits for the following equipment and operations:
 - The use of three diesel emergency generators, rated at 282 horsepower each and certified as EPA Tier 4 Final, to provide power in the case of outages or emergencies,
 - Volatile manufacturing, non-volatile manufacturing, and post-extraction refinement operations, and
 - Emission control devices associated with the manufacturing, packaging, storage, and distribution activities.

The applicant is currently in the process of applying for the required District permits. Please refer to www.ourair.org/cannabis/ or contact the District Engineering Division Supervisor, David Harris, at (805) 961-8824 or HarrisD@sbcapcd.org if more information is needed about District permitting requirements.

2. The project is required to prepare a **Health Risk Assessment** for the three diesel-fired emergency generators as part of District permit issuance to determine the potential level of risk associated with their operations. The applicant is currently working with the District Engineering Division to complete the Health Risk Assessment.
3. Odor abatement strategies should be implemented as laid out in a comprehensive odor abatement plan to ensure that cannabis odors are not detected by nearby residential areas or sensitive receptors. All odor abatement technology should be operated according to the manufacturers specifications and/or as recommended by a professional engineer or certified industrial hygienist. Any changes to the odor abatement strategy, including the use of any vapor phase chemical other than Ecosorb® CNB 100, should be reviewed and approved by the County.
4. Post-harvest cannabis operations have the potential to generate strong odors that could negatively affect the surrounding community and cause a public nuisance. District Rule 303 (*Nuisance*), which generally prohibits the discharge of air contaminants (including odors) that cause a public nuisance, applies to all cannabis operations unrelated to the growing and harvesting of cannabis, including cannabis manufacturing (including but not limited to volatile extraction, non-volatile extraction, and cold-process extraction). Manufacturing operations should be managed to reduce odor impacts and avoid a violation of District Rule 303.
5. Standard dust mitigations (**Attachment A**) are recommended for all construction and/or grading activities. The name and telephone number of an on-site contact person must be provided to the District prior to grading/building permit issuance.
6. District Rule 345, *Control of Fugitive Dust from Construction and Demolition Activities* establishes limits on the generation of visible fugitive dust emissions at demolition and construction

sites. The rule includes measures for minimizing fugitive dust from on-site activities and from trucks moving on- and off-site. Please see www.ourair.org/wp-content/uploads/rule345.pdf.

7. The State of California considers particulate matter emitted by diesel engines carcinogenic. Therefore, during project grading, construction, and hauling, construction contracts must specify that contractors shall adhere to the required measures listed in **Attachment B** to reduce emissions of particulate matter (as well as of ozone precursors) from diesel equipment. Recommended measures should be implemented to the maximum extent feasible.
8. The applicant is required to complete and submit an **Asbestos Demolition/Renovation Notification or an EXEMPTION** from Notification for Renovation and Demolition (District Form ENF-28 or APCD Form ENF-28e), which can be downloaded at www.ourair.org/compliance-forms/ for each regulated structure to be demolished or renovated. Demolition notifications are required regardless of whether asbestos is present or not. The completed exemption or notification should be presented, mailed, or emailed to the Santa Barbara County Air Pollution Control District with a minimum of 10 working days advance notice prior to disturbing asbestos in a renovation or starting work on a demolition. The applicant should visit www.ourair.org/asbestos/ to determine whether the project triggers asbestos notification requirements or whether the project qualifies for an exemption.
9. Natural gas-fired fan-type central furnaces with a rated heat input capacity of less than 175,000 Btu/hr and water heaters rated below 75,000 Btu/hr must comply with the emission limits and certification requirements of District Rule 352. Please see www.ourair.org/wp-content/uploads/rule352.pdf for more information.
10. Boilers, water heaters, and process heaters (rated between 75,000 and 2.0 million Btu/hr) must comply with the emission limits and certification requirements of District Rule 360. Note: Units fired on fuel(s) other than natural gas still need to be certified under Rule 360. Please see www.ourair.org/wp-content/uploads/rule360.pdf for more information.
11. At all times, idling of heavy-duty diesel trucks should be minimized; auxiliary power units should be used whenever possible. State law requires that:
 - Drivers of diesel-fueled commercial vehicles shall not idle the vehicle's primary diesel engine for greater than 5 minutes at any location.
 - Drivers of diesel-fueled commercial vehicles shall not idle a diesel-fueled auxiliary power system (APS) for more than 5 minutes to power a heater, air conditioner, or any ancillary equipment on the vehicle. Trucks with 2007 or newer model year engines must meet additional requirements (verified clean APS label required).
 - See www.arb.ca.gov/noidle for more information.
12. At a minimum, prior to occupancy, any feasible greenhouse gas reduction measures from the following sector-based list should be applied to the project:
 - Energy use (energy efficiency, renewable energy)
 - Water conservation (improved practices and equipment, landscaping)
 - Waste reduction (material re-use/recycling, composting, waste diversion/minimization)
 - Architectural features (green building practices, cool roofs)
 - Transportation (reduce vehicle miles traveled, participation in Transportation Demand Management Plan)

13. The application of architectural coatings, such as paints, primers, and sealers that are applied to buildings or stationary structures, shall comply with District Rule 323.1, *Architectural Coatings* that places limits on the VOC-content of coating products.
14. Asphalt paving activities shall comply with District Rule 329, *Cutback and Emulsified Asphalt Paving Materials*.

If you or the project applicant have any questions regarding these comments, please feel free to contact me at (805) 961-8878 or via email at WaddingtonE@sbcapcd.org.

Sincerely,



Emily Waddington
Air Quality Specialist
Planning Division

Attachments: Fugitive Dust Control Measures
Diesel Particulate and NO_x Emission Measures

cc: Zoe Carlson, Dudek
David Harris, Supervisor, District Engineering Division [email only]
Michael Goldman, Manager, District Engineering Division [email only]
Planning Chron File



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ATTACHMENT A
FUGITIVE DUST CONTROL MEASURES

These measures are required for all projects involving earthmoving activities regardless of the project size or duration. Projects are expected to manage fugitive dust emissions such that emissions do not exceed APCD's visible emissions limit (APCD Rule 302), create a public nuisance (APCD Rule 303), and are in compliance with the APCD's requirements and standards for visible dust (APCD Rule 345).

- During construction, use water trucks or sprinkler systems to keep all areas of vehicle movement damp enough to prevent dust from leaving the site and from exceeding the APCD's limit of 20% opacity for greater than 3 minutes in any 60 minute period. At a minimum, this should include wetting down such areas in the late morning and after work is completed for the day. Increased watering frequency should be required when sustained wind speed exceeds 15 mph. Reclaimed water should be used whenever possible. However, reclaimed water should not be used in or around crops for human consumption.
- Onsite vehicle speeds shall be no greater than 15 miles per hour when traveling on unpaved surfaces.
- Install and operate a track-out prevention device where vehicles enter and exit unpaved roads onto paved streets. The track-out prevention device can include any device or combination of devices that are effective at preventing track out of dirt such as gravel pads, pipe-grid track-out control devices, rumble strips, or wheel-washing systems.
- If importation, exportation, and stockpiling of fill material is involved, soil stockpiled for more than one day shall be covered, kept moist, or treated with soil binders to prevent dust generation. Trucks transporting fill material to and from the site shall be tarped from the point of origin.
- Minimize the amount of disturbed area. After clearing, grading, earthmoving, or excavation is completed, treat the disturbed area by watering, OR using roll-compaction, OR revegetating, OR by spreading soil binders until the area is paved or otherwise developed so that dust generation will not occur. All roadways, driveways, sidewalks etc. to be paved should be completed as soon as possible.
- Schedule clearing, grading, earthmoving, and excavation activities during periods of low wind speed to the extent feasible. During periods of high winds (>25 mph) clearing, grading, earthmoving, and excavation operations shall be minimized to prevent fugitive dust created by onsite operations from becoming a nuisance or hazard.
- The contractor or builder shall designate a person or persons to monitor and document the dust control program requirements to ensure any fugitive dust emissions do not result in a nuisance and to enhance the implementation of the mitigation measures as necessary to prevent transport of dust offsite. Their duties shall include holiday and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the Air Pollution Control District prior to grading/building permit issuance and/or map clearance.

PLAN REQUIREMENTS: All requirements shall be shown on grading and building plans and/or as a separate information sheet listing the conditions of approval to be recorded with the map. **Timing:** Requirements shall be shown on plans prior to grading/building permit issuance and/or recorded with the map during map recordation. Conditions shall be adhered to throughout all grading and construction periods.

MONITORING: The Lead Agency shall ensure measures are on project plans and/or recorded with maps. The Lead Agency staff shall ensure compliance onsite. APCD inspectors will respond to nuisance complaints.



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ATTACHMENT B

DIESEL PARTICULATE AND NO_x EMISSION REDUCTION MEASURES

Particulate emissions from diesel exhaust are classified as carcinogenic by the state of California. The following is a list of regulatory requirements and control strategies that should be implemented to the maximum extent feasible.

The following measures are required by state law:

- All portable diesel-powered construction equipment greater than 50 brake horsepower (bhp) shall be registered with the state's portable equipment registration program OR shall obtain an APCD permit.
- Fleet owners of diesel-powered mobile construction equipment greater than 25 hp are subject to the California Air Resource Board (CARB) In-Use Off-Road Diesel-Fueled Fleets Regulation (Title 13, California Code of Regulations (CCR), §2449), the purpose of which is to reduce oxides of nitrogen (NO_x), diesel particulate matter (DPM), and other criteria pollutant emissions from in-use off-road diesel-fueled vehicles. Off-road heavy-duty trucks shall comply with the State Off-Road Regulation. For more information, see www.arb.ca.gov/msprog/ordiesel/ordiesel.htm.
- Fleet owners of diesel-fueled heavy-duty trucks and buses are subject to CARB's On-Road Heavy-Duty Diesel Vehicles (In-Use) Regulation (Title 13, CCR, §2025), the purpose of which is to reduce DPM, NO_x and other criteria pollutants from in-use (on-road) diesel-fueled vehicles. For more information, see www.arb.ca.gov/msprog/onrdiesel/onrdiesel.htm.
- All commercial off-road and on-road diesel vehicles are subject, respectively, to Title 13, CCR, §2449(d)(3) and §2485, limiting engine idling time. Off-road vehicles subject to the State Off-Road Regulation are limited to idling no more than five minutes. Idling of heavy-duty diesel trucks during loading and unloading shall be limited to five minutes, unless the truck engine meets the optional low-NO_x idling emission standard, the truck is labeled with a clean-idle sticker, and it is not operating within 100 feet of a restricted area.

The following measures are recommended:

- Diesel equipment meeting the CARB Tier 3 or higher emission standards for off-road heavy-duty diesel engines should be used to the maximum extent feasible.
- On-road heavy-duty equipment with model year 2010 engines or newer should be used to the maximum extent feasible.
- Diesel powered equipment should be replaced by electric equipment whenever feasible. Electric auxiliary power units should be used to the maximum extent feasible.
- Equipment/vehicles using alternative fuels, such as compressed natural gas (CNG), liquefied natural gas (LNG), propane or biodiesel, should be used on-site where feasible.
- Catalytic converters shall be installed on gasoline-powered equipment, if feasible.
- All construction equipment shall be maintained in tune per the manufacturer's specifications.
- The engine size of construction equipment shall be the minimum practical size.
- The number of construction equipment operating simultaneously shall be minimized through efficient management practices to ensure that the smallest practical number is operating at any one time.
- Construction worker trips should be minimized by requiring carpooling and by providing for lunch onsite.
- Construction truck trips should be scheduled during non-peak hours to reduce peak hour emissions whenever feasible.
- Proposed truck routes should minimize to the extent feasible impacts to residential communities and sensitive receptors.
- Construction staging areas should be located away from sensitive receptors such that exhaust and other construction emissions do not enter the fresh air intakes to buildings, air conditioners, and windows.

PLAN REQUIREMENTS AND TIMING: Prior to grading/building permit issuance and/or map recordation, all requirements shall be shown as conditions of approval on grading/building plans, and/or on a separate sheet to be recorded with the map. Conditions shall be adhered to throughout all grading and construction periods. The contractor shall retain the Certificate of Compliance for CARB's In-Use Regulation for Off-Road Diesel Vehicles onsite and have it available for inspection.

MONITORING: The Lead Agency shall ensure measures are on project plans and/or recorded with maps. The Lead Agency staff shall ensure compliance onsite. APCD inspectors will respond to nuisance complaints.