



air pollution control district
SANTA BARBARA COUNTY

ADVISORY

Air Quality and Cannabis Operations

DATE: July 10, 2023

The purpose of this Advisory is to provide guidance regarding the air quality aspects of this industry that may be restricted by or regulated by the Santa Barbara County Air Pollution Control District (District). This Advisory describes the rules and regulations that apply to cannabis operations¹, clarifies the District's regulatory authority over cannabis agricultural operations², and makes recommendations for addressing air quality impacts from cannabis operations for planning and code enforcement processes. Additional information can be found at www.ourair.org/land-use.

The District has primary responsibility for control of air pollution from all stationary sources. The District is an independent local agency, separate from the County of Santa Barbara, and the District's regulatory authority is not bound by the County or City requirements or their permitting process. The District coordinates with the County, and local cities, related to their land use permitting processes, as certain projects undergoing lead agency permitting also require District permits and/or potentially have air quality impacts. **This advisory provides general information, but cannabis operators/applicants should contact the District to discuss potential permit and regulatory requirements as early as possible.**

The following important air quality issues related to cannabis operations are covered in this advisory:

1) Odors and Air Quality Nuisance, 2) Recommended Odor Abatement, 3) Use of Prime Electrical Generators, and 4) Operations that Require District Permits.

¹ Throughout this advisory, any reference to and guidance for cannabis operations also includes hemp operations.

² As defined in District Rule 102 Definitions (www.ourair.org/wp-content/uploads/Rule102.pdf), "Agricultural Operations" means the growing and harvesting of crops or raising of fowl or animals for the primary purpose of making a profit, providing a livelihood, or conducting agricultural research or instruction by an educational institution. Agricultural operations do not include the processing or distribution of crops or fowl.

1. Odors and Air Quality Nuisance

Growing and harvesting of cannabis is considered an agricultural operation². Under Section 41705 of the California Health and Safety Code, District Rule 303 (Nuisance)³ — which generally prohibits the discharge of air contaminants (including odors) that cause a public nuisance — does not apply to **odors** emanating from agricultural operations². However, as discussed below, District Rule 303 (Nuisance)³ still applies to all other post-harvest cannabis operations, including processing, storage, distribution, manufacturing, and retail operations (e.g., storefronts, smoking lounges, etc.) that may emit odors. While the District lacks authority to take enforcement action to abate **odors** emanating from agricultural operations², we do provide guidance on methodologies to reduce odor impacts from cannabis agricultural operations² (see Odor Abatement section below). Of note, although District Rule 303 (Nuisance)³ does not apply to odors emanating from agricultural operations², it does apply to other air contaminants emanating from agricultural operations², such as dust.

The strong odors associated with post-harvest cannabis operations could negatively affect the surrounding community and cause a public nuisance. District Rule 303 (Nuisance)³ states *“a person shall not discharge from any source whatsoever such quantities of air contaminants or other material in violation of Section 41700 of the Health and Safety Code which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public or which endanger the comfort, repose, health or safety of any such persons or the public or which cause or have a natural tendency to cause injury or damage to business or property.”* The District has authority to take enforcement action to abate odors and other air contaminants discharged from post-harvest cannabis operations in violation of District Rule 303 (Nuisance)³.

2. Odor Abatement

The District provides the following recommendations of strategies that may assist in abating odors emanating from cannabis operations:

Indoor and mixed-light cultivation (e.g., greenhouses) may be able to abate cannabis odors using containment, ventilation, filters, control systems, and/or deodorizing systems. Outdoor cultivation and growing operations can create strong cannabis odors, and to reduce impacts to persons, the District recommends that such operations not be located near residences, commercial buildings, or other sensitive receptors such as schools, day care centers, and hospitals. Odor abatement technologies are also available for outdoor applications. The District encourages the use of buffer

³ District Rule 303 Nuisance: www.ourair.org/wp-content/uploads/rule303.pdf

zones to allow for maximum odor dispersion, as well as other odor-abatement strategies, to avoid odor impacts on the surrounding community.

With respect to odors from post-harvest cannabis operations that may be subject to District Rule 303 (Nuisance)³ (e.g., processing, manufacturing, storage, distribution, retail operations including storefronts, smoking lounges, etc.), the District recommends the use of odor-abatement systems (e.g., activated carbon filtration systems, deodorizing systems). For smoking lounges, high-efficiency particulate air (HEPA) filters are recommended. The District recommends against the use of ozone-generating air purifier devices⁴ or photocatalytic oxidation air cleaners (also known as PCO air cleaners or hydroxyl generators) for odor mitigation.⁵

It is important that any chemical used for deodorizing systems not cause adverse impacts to the community. Low-VOC (volatile organic compound) or no-VOC formulas are recommended, as well as formulas that do not contain chemical substances that may pose a chronic or acute health threat when present in the air, as determined by the state of California. The comprehensive list of these chemicals can be found in California Air Resources Board (CARB)'s AB 2588 Emission Inventory Criteria and Guideline (EICG) Appendix A List of Substances⁶. If odor-control systems use formulas that contain chemical substances that may pose a chronic or acute health threat, the local jurisdiction in which the odor-control system is proposed should assess the potential for health risk by performing a refined Health Risk Assessment (HRA).

The District recommends the use of odor-abatement measures that are designed by a professional engineer or certified industrial hygienist and are laid out in a comprehensive odor-abatement plan. Odor-abatement plans should be designed to ensure that cannabis odors are not detected by nearby receptors.

⁴ California Air Resources Board Hazardous Ozone-Generating Air Purifiers: ww2.arb.ca.gov/our-work/programs/air-cleaners-ozone-products/hazardous-ozone-generating-air-purifiers

⁵ Environmental Protection Agency Residential Air Cleaners technical summary: www.epa.gov/sites/production/files/2018-07/documents/residential_air_cleaners_-_a_technical_summary_3rd_edition.pdf

⁶ California Air Resources Board AB 2588 Emission Inventory Criteria and Guideline Appendix A List of Substances: ww2.arb.ca.gov/sites/default/files/barcu/regact/2020/hotspots2020/eicgappafro.pdf

3. Use of Prime Electrical Generators

The District strongly discourages the use of prime electrical generators for powering equipment related to any cannabis operation. In addition, the County of Santa Barbara's *Cannabis Land Use Ordinance*⁷ prohibits the use of prime electrical generators in the unincorporated areas of the County. Cities within the County may also prohibit or regulate the use of prime electrical generators. We encourage cannabis operators within cities to check with their local jurisdiction for specific requirements.

Transport refrigeration units (TRUs) powered by diesel engines and used to transport cannabis products are regulated by the California Air Resources Board (CARB)⁸ and are exempt from District permitting requirements. However, diesel-powered TRUs used for storage of cannabis that remain onsite for extended durations are considered stationary equipment and are subject to District permitting requirements.

Prime electrical generators at cannabis facilities are required to comply with the State's Distributed Generation (DG) regulation⁹, or comply with the following requirements:

- Obtain a District permit prior to installation and operation. Before a permit can be issued for agricultural operations², the District Board of Directors must make specific findings pursuant to SB 700.
- Comply with the State Airborne Toxic Control Measure for Stationary Compression Ignition Engines for diesel electrical generators¹⁰
- Comply with District Rule 333 for reciprocating internal combustion engines¹¹
- Implement Best Available Control Technology¹²
- Perform and pass a Health Risk Assessment (HRA)¹³

⁷ For more information about the land use regulations that govern the growing and harvesting of cannabis in unincorporated areas of Santa Barbara County, please refer to the County of Santa Barbara's Land Use and Development Code Section 35.42.075.

⁸ California Air Resources Board Transport Refrigeration Units: ww2.arb.ca.gov/our-work/programs/transport-refrigeration-unit

⁹ California Air Resources Board Distributed Generation Certification Program: ww2.arb.ca.gov/our-work/programs/dgcert

¹⁰ State Airborne Toxic Control Measure for Stationary Compression Ignition Engines Regulation: www.ourair.org/wp-content/uploads/finalreg2011.pdf

¹¹ District Rule 333 Control of Emissions from Reciprocating Internal Combustion Engines: www.ourair.org/wp-content/uploads/rule333.pdf

¹² District Best Available Control Technology Information: www.ourair.org/bact/

¹³ District Air Toxics Information for Businesses: www.ourair.org/air-toxics-for-business/

4. Operations that Require District Permits

Many post-harvest cannabis operations and equipment require District permits pursuant to District Rule 201 (Permits Required)¹⁴ due to the potential for issuance of air contaminants. The following post-harvest cannabis operations and equipment require a District permit prior to installation and operation:

- Processing (drying, trimming, curing, flash freezing, packaging, etc.)
- Storage (including cold storage)
- Distribution
- Manufacturing (volatile extraction, non-volatile extraction, post extraction refinement, etc.)
- Prime electrical generators that do not comply with the State’s Distributed Generation regulation⁹
- Emergency/standby electrical generators
- Transport Refrigeration Units (TRUs) used as stationary onsite storage for extended periods of time
- Boilers and hot water heaters rated greater than 2.00 MMBtu/hr (individual or combined¹⁵)
- Odor-control equipment
- Emission-control equipment

More detailed information on permitting requirements for post-harvest cannabis operations is available on the District’s website: www.ourair.org/cannabis/. Applicants for cannabis operations should contact the District’s Engineering Division to discuss specific permit requirements.

CONTACTS: Planning Division: CEQA@sbcapcd.org
Engineering Division: ENGR@sbcapcd.org
District Complaint Form (English): www.ourair.org/complaint-form/
District Complaint Form (Spanish): www.ourair.org/forma-de-reclamo/?lang=es
Complaint Phone Number (English & Spanish): (805) 979-8266

¹⁴ District Rule 201 Permits Required: www.ourair.org/wp-content/uploads/rule201.pdf

¹⁵ In accordance with District Rule 202.D.15 (www.ourair.org/wp-content/uploads/Rule202.pdf), the ratings of all combustion equipment used in the same process shall be accumulated to determine whether permit exemptions apply.