

Regulation	Deficiency	Deficiency Correction Plan	Corrective Actions Taken	Timetable for Correction	Date Compliance will be Achieved	On-Going Compliance Plan and Accountable Person
935 CMR 500.105(12)(a); 501.105(12)(a)	Waste composed of or containing finished marijuana and marijuana products, shall be stored, secured, and managed in accordance with applicable state and local statutes, ordinances, and regulations.  TO WIT: On January 14 and January 15, 2019, the Commission Investigations staff observed waste containing marijuana and marijuana products on the property of the establishment that was not managed in accordance with state and local statutes, and sections of 935 CMR 500.	1. Take immediate corrective actions to achieve compliance. 2. Revise SOP. 3. Train or re-train staff.	1. All hazardous and marijuana related waste shall be secured within MCR Labs; all waste shall be processed in accordance with applicable state and local statutes, ordinances and regulations; implemented expanded Waste Disposal SOP; expanded Waste Removal logs; contracted third party waste and security consultant. 2. Updated SOP attached as Exhibit A 3. All Staff re-trained on new SOP, see attached training record as Exhibit B 4. Updated Waste Removal Log as Exhibit F 5. Exhibit H RCRA Hazardous Waste Management Compliance Review.	SOP has been updated and attached as Exhibit A; all pertinent staff have been trained on the SOP as of 2/8/2019.	2/8/2019	Training on waste disposal will be provided upon hire and included in the onboarding process; ongoing training will be conducted as any changes to the current policies and procedures take place. The compliance officer will take over responsibility for the initial training of new hires, ongoing training of existing employees, and all associated recordkeeping. The compliance officer will be responsible for monitoring the activity of all lab staff and registered agents performing waste disposal.
935 CMR 500.105(12)(b); 501.105(12)(a)	Liquid waste containing marijuana or by-products of marijuana processing shall be disposed of in compliance with all applicable state and federal requirements.  TO WIT: On January 14 and January 15, 2019, liquid methanol, a hazardous substance, mixed with marijuana waste was disposed in dumpster for solid waste controlled by the establishment in violation of state and federal laws.	1. Take immediate corrective actions to achieve compliance. 2. Revise SOP. 3. Train or re-train staff.	1. Per revised SOP, all hazardous liquid waste and by-products of marijuana processing shall be disposed of in full compliance with applicable local, state and federal requirements. All liquid waste shall be stored in a secure location within MCR Labs and removed by a licensed waste disposal company with all relevant records kept as required. 2. Updated SOP attached as Exhibit A 3. All Staff re-trained on new SOP, see attached training record as Exhibit B	SOP has been updated and attached as Exhibit A; all pertinent staff have been trained on the SOP as of 2/8/2019	2/8/2019	The compliance officer will be responsible for ongoing compliance, and periodic auditing of the process to ensure there are no deviations.
935 CMR 500.105(12)(c)(3); 501.105(12)(b)	Solid waste containing cannabis waste generated at a marijuana establishment may be ground up and mixed with solid wastes such that the resulting mixture renders the cannabis unusable for its original purposes. Once such cannabis waste has been rendered unusable, it may be brought to a solid waste transfer facility or a solid waste disposal facility (e.g., landfill or incinerator) that holds a valid permit issued by the Department of Environmental Protection or by the appropriate state agency in the state in which the facility is located.  TO WIT: On January 14 and January 15, 2019, Commission Investigations staff found marijuana that was not made unusable in a solid waste dumpster controlled by the establishment.	1. Take immediate corrective actions to achieve compliance. 2. Implement long-term corrective actions, specifically the purchase of an industrial waste grinder/mixer to more thoroughly render the mixture unusable. 3. Revise SOP. 4. Train or re-train staff.	1. All solid cannabis waste shall be ground, to the greatest extent feasible, and rendered unusable. The resulting mixture shall be stored securely within MCR Labs until removal by a licensed waste disposal company. 2. Updated SOP attached as Exhibit A 3. All Staff re-trained on new SOP, see attached training record as Exhibit B	SOP has been updated and attached as Exhibit A; all pertinent staff have been trained on the SOP as of 2/8/2019 Industrial grinder purchased on January 18, 2019, to be installed upon delivery. Receipt and invoice attached as Exhibit G. SOP will be revised at this time with re-training to follow.	2/8/2019	The compliance officer will be responsible for ongoing compliance, and periodic auditing of the process to ensure there are no deviations.
935 CMR 500.105 (12)(c)(2)b.; 501.105(12)(b)(3)b.	Any remaining marijuana waste shall be ground and mixed with other organic material as defined in 310 CMR 16.02: Definitions such that the resulting mixture renders the marijuana unusable for its original purpose. 310 CMR 16.02: Organic Material means any of the following source-separated materials: vegetative material; food material; agricultural material; biodegradable products; biodegradable paper; clean wood; or yard waste. It does not include sanitary wastewater treatment facility residuals.  TO WIT: On January 14 and January 15, 2019, Commission Investigations staff found marijuana that was made unusable with liquid methanol, a hazardous substance, in a solid waste dumpster controlled by the establishment.	1. Take immediate corrective actions to achieve compliance. 2. Revise SOP. 3. Train or re-train staff.	1. Any remaining marijuana waste shall be ground, to the greatest extent feasible, and rendered unusable. The resulting mixture shall be stored securely within MCR Labs until removal by a licensed waste disposal company. 2. Updated SOP attached as Exhibit A 3. All Staff re-trained on new SOP, see attached training record as Exhibit B	SOP has been updated and attached as Exhibit A; all pertinent staff have been trained on the SOP as of 2/8/2019; MCR implemented the use of cat litter on February 8, 2019.	2/8/2019	The compliance officer will be responsible for ongoing compliance, and periodic auditing of the process to ensure there are no deviations.
935 CMR 500.105(12)(d); 501.105(12)(b)(5)	No fewer than two Marijuana Establishment Agents must witness and document how the marijuana waste is disposed or otherwise handled (recycled, composted, etc.) in accordance with 935 CMR 500.105(12). When marijuana products or waste is disposed or handled, the Marijuana Establishment must create and maintain a written or electronic record of the date, the type and quantity disposed or handled, the manner of disposal or other handling, the location of disposal or other handling, and the names of the two Marijuana Establishment Agents present during the disposal or other handling, with their signatures. Marijuana Establishments shall keep these records for at least three years. This period shall automatically be extended for the duration of any enforcement action and may be extended by an order of the Commission. 935 CMR 500.105(12)(d).  TO WIT: On January 15, 2019, and through subsequent investigation, Commission Investigations staff determined that the Independent Testing Laboratory did not adequately document the disposal of cannabis waste. The ITL's records lack detail of type of cannabis disposed or handled, the manner and location of disposal or handling, and signature of at least two Agents witnessed and documented the disposal of waste.	1. Take immediate corrective actions to bring process into compliance. 2. Revise SOP 3. Revise Sample Destruction form 4. Implement Waste Disposal form 5. Train or re-train staff	1. The sample disposal form has been updated to include spaces for all required information. See exhibit C 2. The Waste Disposal form has been generated and made effective (date). See exhibit D 3. Updated SOP attached as Exhibit A 4. All pertinent staff re-trained on new SOP, see attached training record as Exhibit B 5. All pertinent staff trained to the new sample disposal form. See Exhibit E 6. All pertinent staff trained to the new waste removal log form. See Exhibit F	SOP has been updated and attached as Exhibit A; all pertinent staff have been trained on the SOP as of 2/8/2019. The Sample Destruction form was finalized on 2/8/2019. The Waste Disposal form was finalized on 2/8/2019.	2/8/2019	The compliance officer will be responsible for ongoing compliance, and periodic auditing of the process to ensure there are no deviations. The Sample Manager will be responsible for ensuring samples are properly disposed of in a timely manner, and accurate records are kept. The Sample Manager and the Security and Compliance officer will jointly be responsible for carrying out audits of the Sample Management system, with discrepancies investigated and resolved in a timely manner.
935 CMR 500.160(8); 501.105(3)(b)(11)	All excess marijuana must be disposed in compliance with 935 CMR 500.105(12), either by the Independent Testing Laboratory returning excess marijuana to the source Marijuana Establishment for disposal or by the Independent Testing Laboratory disposing of it directly.  TO WIT: On January 14 and January 15, 2019, the establishment, an Independent Testing Laboratory, did not dispose of excess marijuana in compliance with 935 CMR 500.105(12).	1. Take immediate corrective actions to bring process into compliance. 2. Revise SOP 3. Train or re-train staff	1. Updated SOP attached as Exhibit A 2. All Staff re-trained on new SOP, see attached training record as Exhibit B	SOP has been updated and attached as Exhibit A; all pertinent staff have been trained on the SOP as of 2/8/2019.	2/8/2019	The compliance officer will be responsible for ongoing compliance, and periodic auditing of the process to ensure there are no deviations. The Sample Manager will be responsible for ensuring samples are properly disposed of in a timely manner, and accurate records are kept. The Sample Manager and the compliance officer will jointly be responsible for carrying out audits of the Sample Management system, with discrepancies investigated and resolved in a timely manner.

935 CMR 500.110(1)(g); 501.110(1)(f)	<p>Keeping all safes, vaults, and any other equipment or areas used for the production, cultivation, harvesting, processing or storage of marijuana products securely locked and protected from entry, except for the actual time required to remove or replace marijuana.</p> <p>TO WIT: On January 14, 2019, solid waste dumpsters containing marijuana controlled by the establishment were not secured with locks.</p>	<p>The dumpster observed on January 14, 2019 is not being used for marijuana waste disposal.</p> <ol style="list-style-type: none"> <li>1. Updated SOP Attached</li> <li>2. Train Staff</li> </ol>	<p>The dumpster observed on January 14, 2019 shall not be used for marijuana waste disposal. Marijuana related and hazardous waste is now secured within MCR Labs. As a precaution and to avoid temptation a tamper proof dumpster was installed on January 31, 2019 and is secured with locks.</p> <ol style="list-style-type: none"> <li>1. Updated SOP Attached</li> <li>2. Train Staff</li> </ol>	<p>SOP has been updated and attached as Exhibit A; all pertinent staff have been trained on the SOP as of 2/8/2019.</p>	1/16/2019	
935 CMR 500.170(1); 501.600(1).	<p>Marijuana Establishments and marijuana establishment agents shall comply with all local rules, regulations, ordinances, and bylaws.</p> <p>TO WIT: On January 14 and January 15, 2019, the establishment violated the following ordinance: City of Framingham By-Laws, Article VIII, Section 9.9: Secure Disposal of Refuse Containing Marijuana or Tetrahydrocannabinol. A Marijuana Establishment shall ensure that refuse containing marijuana or tetrahydrocannabinol, or cannabinoids is disposed of securely and maintained under license's control at all times.</p>	<p>The dumpster observed on January 14, 2019 is not being used for marijuana waste disposal.</p> <ol style="list-style-type: none"> <li>1. Update SOP</li> <li>2. Train staff</li> <li>3. Provide updated SOP to Framingham officials</li> </ol>	<p>The dumpster observed on January 14, 2019 shall not be used for marijuana waste disposal. Marijuana related and hazardous waste is now secured within MCR Labs. As a precaution and to avoid temptation a tamper proof dumpster was installed on January 31, 2019 and is secured with locks.</p> <ol style="list-style-type: none"> <li>1. Updated SOP Attached</li> <li>2. Train Staff</li> <li>3. Provide updated SOP to Framingham officials</li> </ol>	<p>Updated SOP to be provided to Framingham officials by end of day 2/11/2019.</p>	1/16/2019	