



**DENVER**  
THE MILE HIGH CITY

# **Odor Provisions Update**

Air Pollution Control Ordinance (Chapter 4) of DRMC

## CDPHE Collaboration Call

FOR CITY SERVICES VISIT | CALL  
**DenverGov.org** | **311**

# Odor Provisions Update

## What is the goal of the updates?



Address concerns about odors and their negative impacts on quality of life in Denver's neighborhoods

# Odor Provisions Update

## Are odors a problem?

### Concerns

- Health effects (headaches, eye and throat irritation, nausea, etc.)
- Discomfort being outside (exercising, gardening, socializing)
- Mental stress
- Unwilling to invite friends over



# Odor Provisions Update

## Are odors a problem?

“such a strong odor today that she had to run from her car to her house”

“can’t take her baby into the front yard the smell is so bad”

“the odor is interfering with the quality of life and enjoyment of her residence”

“can’t bring clients to business, it smells like skunk”

“can’t use swamp cooler in the summer due to overpowering odor”

# Odor Provisions Update

## Are odors a problem?

### Data Sources

- Globeville and Elyria/Swansea Health Impact Assessment (2014)
- Globeville (2014) and Elyria/Swansea (2015) Neighborhood Plans
- Feedback to Marijuana Advisory Council
- Complaint data: 1,322 odor complaints since 2004
- Community meeting (1/8/2014): 100% of Spanish speakers and 82% of English speakers reported feeling stress every day because of being exposed to bad odors
- Odor survey data: 80% reported odors affect their quality of life at home, 90% said life would be better if odor were reduced

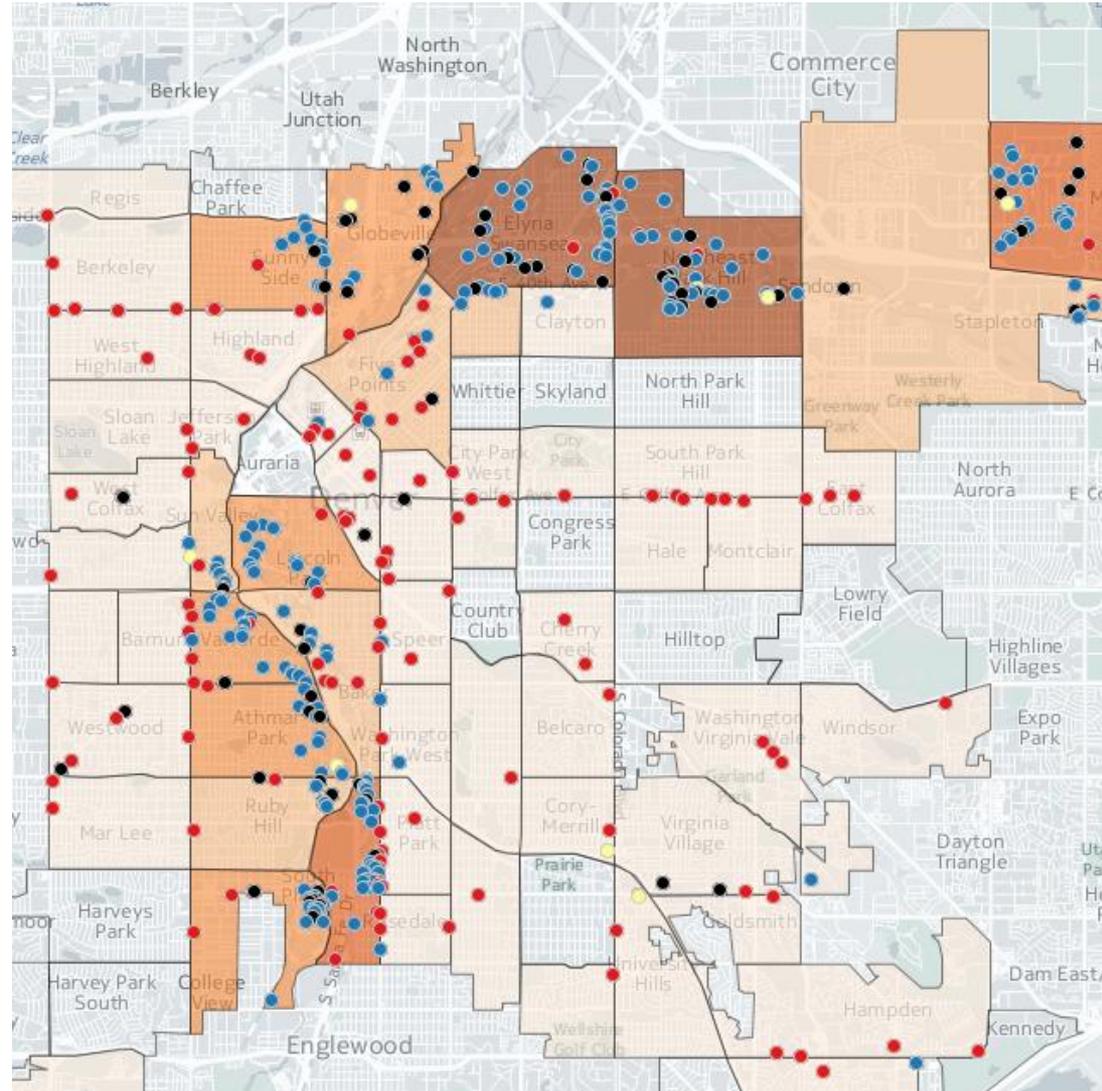
# Odor Provisions Update

## Where are odor sources located?



# Odor Provisions Update

## Where are Marijuana odor sources located?



## Why did the previous provisions need to be updated?

### Complaint threshold

- Inequitable mechanism
- Odors are transient
- Complaint data not representative
- Response to existing problem; not proactive



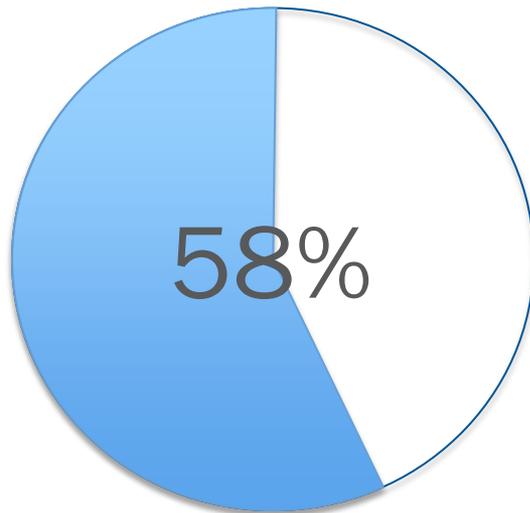
### Dilution threshold

- Very rarely failed even for pungent odors
- Ineffective mechanism for Denver

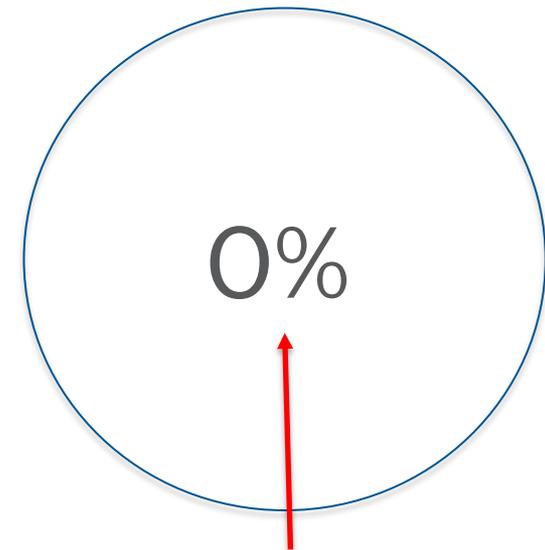
## Why did the previous provisions need to be updated?

### Odor detected at Marijuana grow facilities

Inspector “sniff test”

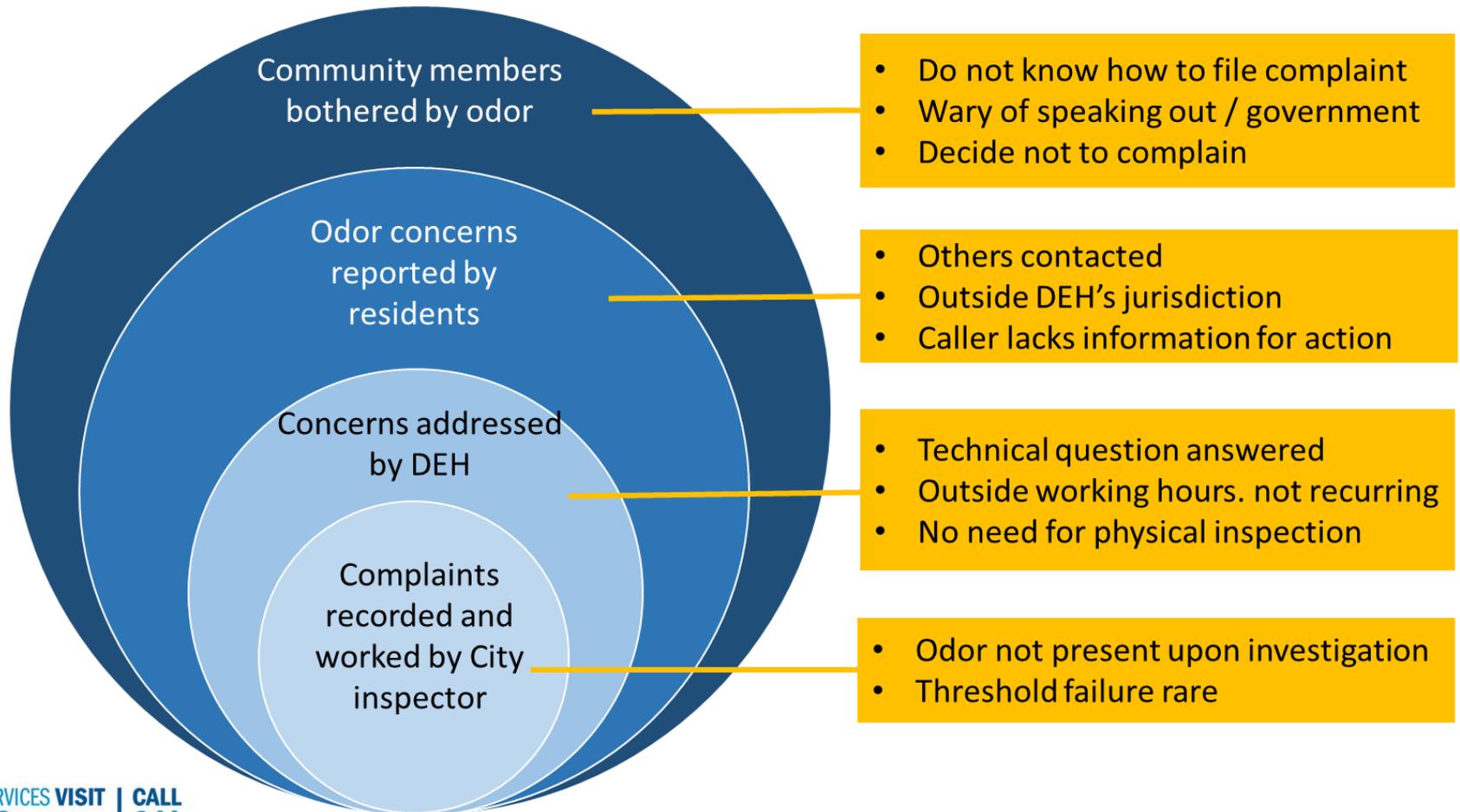


Nasal Ranger\*



\*Even at a **2:1 dilution threshold**, the **most stringent** setting on the device

## What are the issues with the complaint system?



## How were the proposed updates developed?



## How was best practice research conducted?

### Best practice research

Identified other local (9) and state (9) jurisdictions with odor regulations

Summarized all regulations found

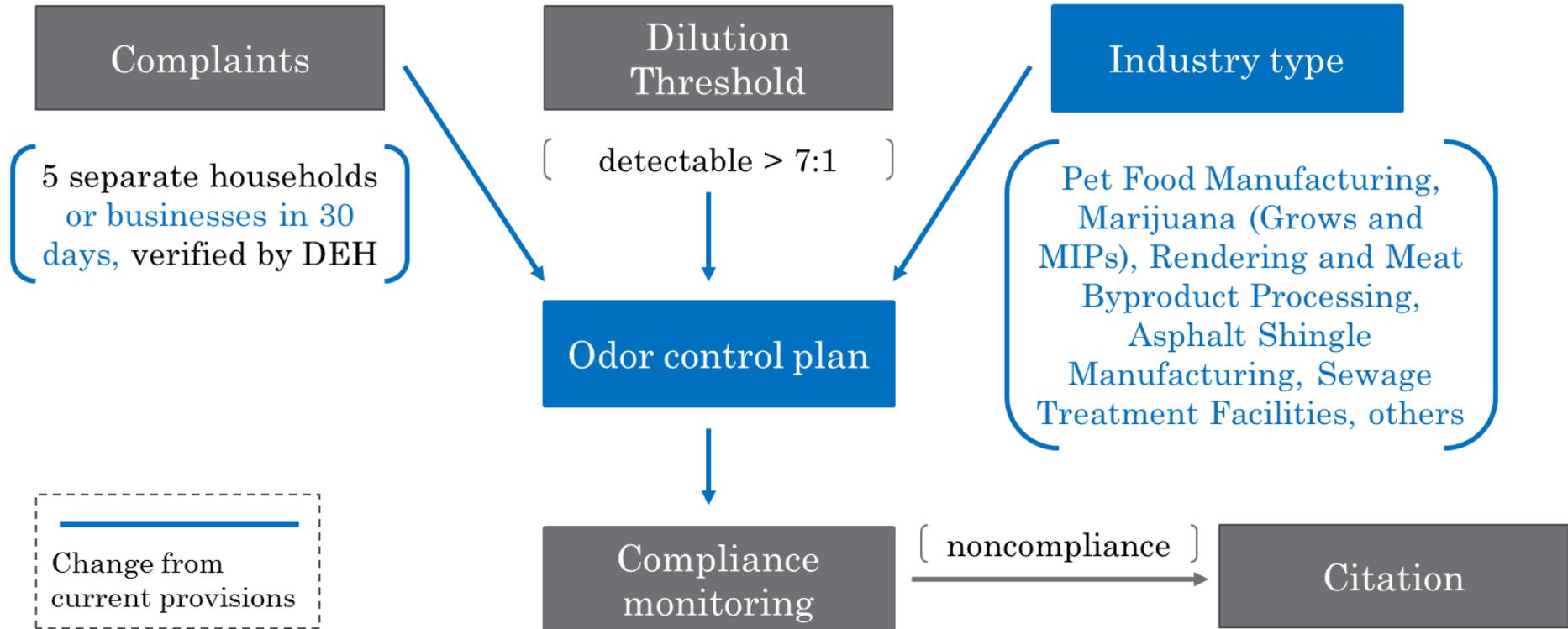
Categorized regulations by regulatory pathway

Interviewed representative from Oregon, who had conducted interviews with multiple others

# Odor Provisions Update

## What are the updates?

### 3 Paths to Enter System



# Odor Provisions Update

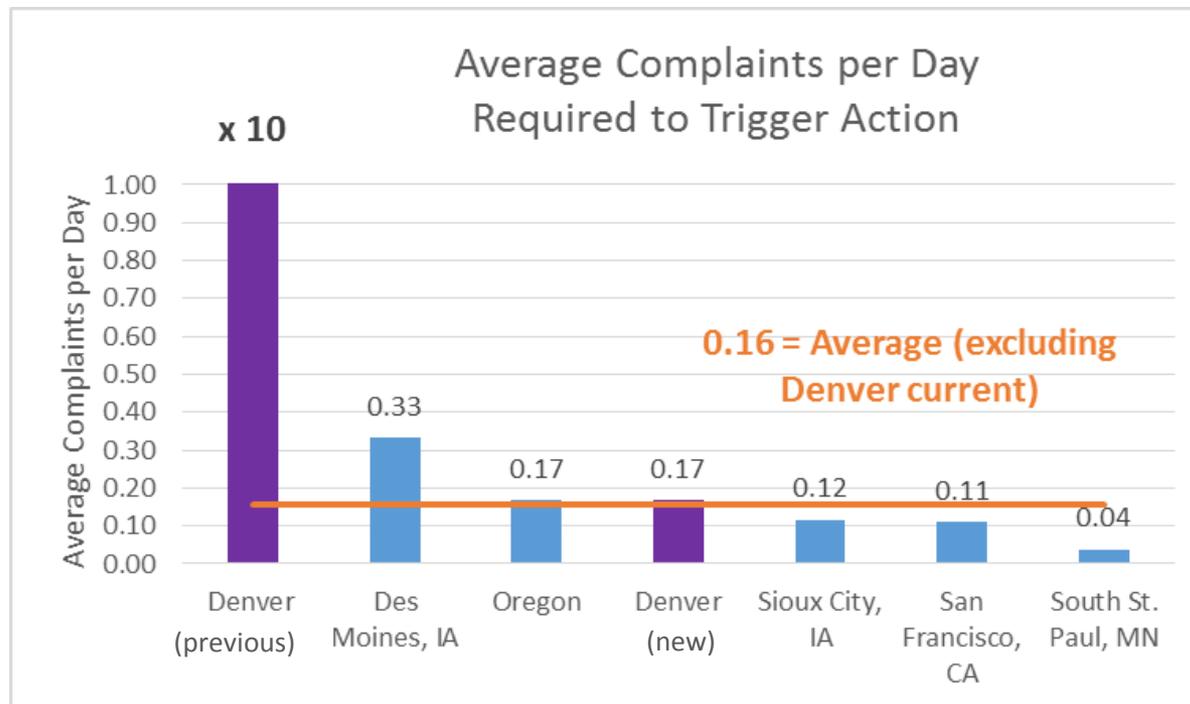
## What are the updates?

### Who can complain

- Add business owners and employees to residents

### Complaint time period (5 complaints)

- Extend to 30 days from 12 hours



# Odor Provisions Update

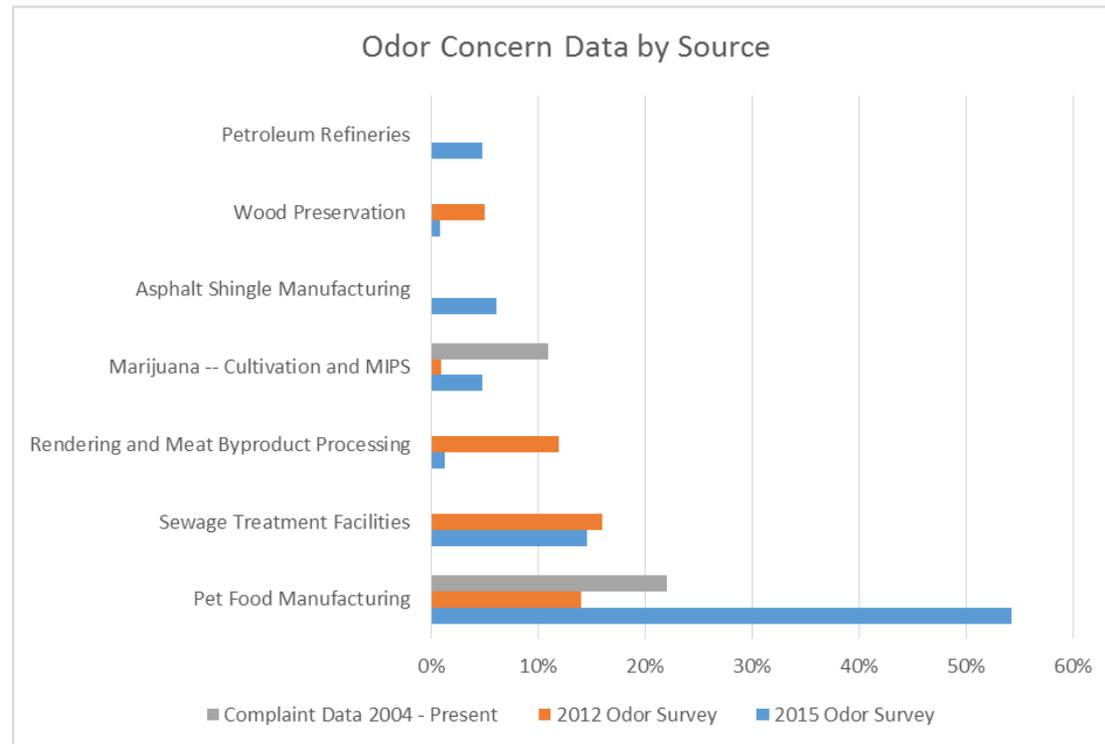
## What are the updates?

### Specific industries

- Add automatic odor control plan requirement

### Odor control plan requirement

- Replaces citation for failure of complaint or dilution thresholds



## What do the updates mean for Marijuana facilities?

- Carbon filtration is effective, widely used
- Already installed in 50+ percent of cultivation facilities
- Effective where operated properly
- Cost-effective
- May change as industry evolves and we learn



## What outreach was conducted?

### Community meetings

- GES Health Impact Assessment Implementation Workgroup
- Comunidades Unidas
- Bruce Randolph parent group
- Globeville Civic Partners
- Highland United Neighbors
- Overland Park Neighborhood Assoc.
- NDCC Town Hall
- Swansea Elementary parents
- Lincoln Park/La Alma Neighborhood Assoc.
- Westwood LiveWell (requested)

### Industry meetings

- Marijuana Industry Check-In
- RiNo BID
- Marijuana Industry Group
- Globeville/Elyria/Swansea Business Association (requested)

### Other meetings

- CDPHE
- Adams County
- Tri-County Health Department

### Communications

- Community groups
- Industry groups
  - Purina
  - Kasel Industries
- Other jurisdictions
- DEH website, social media
- NextDoor
- Marijuana Industry Bulletin
- City Council and NDCC newsletters

### Media

- Seven stories in various local outlets

### Materials

- Fact sheets, FAQs (English and Spanish)
- Binder

### Partnerships

- Nonprofits (Groundwork Denver, LiveWell GES)

# Odor Provisions Update

## What are the next steps?

Odor provisions passed	May 2
Odor Advisory Group meets	May 24 – late July
Finalize, adopt, and publish rule	Fall 2016
Odor Control Plan requirement effective	90 days from rule adoption
Odor Control Plan review	From submittal, ongoing
Odor Control Plan implementation	Per schedule included in approved Plan

## What is the Odor Advisory Group?

### Composition

- Community, industry, and technical representatives

### Role

- Review and provide input on draft rule
  - Establishes what is expected in an odor control plan
  - Identifies industry-specific appropriate odor control technologies
- Develop industry-specific odor control plan templates

### Meetings

- 3-4 meetings over coming summer months

Thank you!  
Questions?



**NORTH DENVER CORNERSTONE  
COLLABORATIVE** AN INITIATIVE OF MAYOR  
MICHAEL B. HANCOCK