

# Cannabis Waste Questions and Answers

On January 1, 2018 recreational cannabis became legal to cultivate, distribute, manufacture and sell in California. The [Department of Cannabis Control \(DCC\)](#) was created on July 12, 2021 and is responsible for licensing inspections, and regulation of all cannabis activity in California.

## **1. What is the definition of cannabis waste?**

The DCC has defined cannabis waste as any material intended for disposal that contains cannabis but is not otherwise considered a hazardous waste. Cannabis waste consisting solely of plant material shall be considered an organic waste as defined in Public Resources Code section 42649.8(d).

## **2. Who will manage cannabis waste? How will it be managed?**

In July 2021, three different state programs that managed cannabis in California merged into one, the Department of Cannabis Control (DCC). The DCC recently adopted (September 29, 2021) a consolidated rulemaking package to combine the three sets of regulations so that licensing and enforcement regulations are consistent. To view current regulations, pending rulemaking actions and approved rulemaking actions, please see [DCC's Rulemaking webpage](#).

## **3. Do the regulations require cannabis material be rendered “unusable and unrecognizable?”**

The emergency regulations adopted by the DCC on September 29, 2021 identify a more narrow and targeted scope of situations in which it is important for cannabis licensees (as defined in section 15000) to render waste unrecognizable. For cannabis or cannabis products that have failed quality standards, the material must be rendered “unusable” prior to disposal. In addition, the rendering of the cannabis or cannabis products shall be done under video surveillance, unless the rendering is performed by a licensee engaging in cultivation activities on a licensed premises authorized exclusively for cultivation activities or the cultivation area of a licensed microbusiness premises. See [section 17223](#) of the regulations for more information on waste management, and section 15044 for more information on video surveillance requirements.

For cannabis goods that are recalled, the licensee shall render the recalled cannabis goods “unusable” after a minimum 72-hour quarantine and dispose of it in accordance with sections 15044, 17223, and 17226.

Licensed testing laboratories can destroy and denature reserve samples to the point that the material is rendered unrecognizable and unusable after holding the samples for at least 45 business days after analysis. See [section 15728](#) for more information.

#### **4. Are there any reporting requirements for cannabis or cannabis products that are disposed of?**

There are reporting requirements specific to disposal as well as other general reporting requirements for cannabis licensees:

- (A) The type of cannabis or cannabis products.
- (B) The weight, volume, or count of the cannabis or cannabis products.
- (C) The date of activity.
- (D) The UID assigned to the cannabis or cannabis products.
- (E) If cannabis or cannabis products are being destroyed or disposed of, the licensee shall record the following information in the notes section:
  - (i) The name of the employee performing the destruction or disposal;
  - (ii) The reason for destruction or disposal; and
  - (iii) The method of disposal.

These requirements are found in [section 15049](#).

#### **5. I would like some general information on how to dispose of cannabis waste that is not composted onsite.**

For cannabis waste not composted on-site, the cannabis regulations include requirements about who may haul cannabis waste and to what type of solid waste facility they may take it. See [section 17223](#) for more information about the requirements of a cannabis waste management plan.

#### **6. How does a dump or transfer station begin accepting cannabis waste?**

Cannabis waste means any material intended for disposal that contains cannabis but is not otherwise considered a hazardous waste. It is the responsibility of the licensee

to properly evaluate waste to determine if it should be designated and handled as a hazardous waste, as defined in Public Resources Code section 40141. A solid waste facility may handle and manage cannabis waste in accordance with Title 14 and Title 27. If the cannabis waste consists of only plant material, then it is organic waste, which the law considers a type of solid waste.

### **7. Can my local approved hauler of municipal solid waste and green waste pick up cannabis waste?**

Yes, if the cannabis waste is not hazardous waste, haulers can transport and recycle it like other wastes. By the end of 2020, any business that generates two or more cubic yards of solid waste per week must recycle its organic waste. Cannabis cultivators that generate two or more cubic yards of solid waste per week must either compost on-site, self-haul to a manned, fully permitted facility that recycles organic waste, or have it picked up by a hauler that recycles organic waste.

### **8. What kind of license would a business need to handle cannabis waste and how would they obtain the license? How is this different from a processor license?**

A cannabis business is licensed by the DCC. A cannabis business can dispose of cannabis waste by having it collected by a local agency, a waste hauler franchised or contracted by a local agency, a private waste hauler permitted by a local agency in conjunction with a regular organic waste collection route, or by self-hauling to several types of waste facilities identified in 17223(b)(3).

There is no special license or permit is required at the state level to transport cannabis waste. Facilities, operations, or an activity that accept self-haul cannabis waste must be listed in section 17223(b)(3)(A)-(F). There may be some additional requirements at the local level so you should consult your local government. If you would like to operate a solid waste facility, you should contact your [Solid Waste Local Enforcement Agency \(LEA\)](#).

A cannabis processor, on the other hand, is a business who dries, cures, grades, trims, packages and/or labels cannabis and non-manufactured cannabis products. Cannabis processors are also licensed by DCC. If you have questions regarding cannabis cultivation, you should contact the [DCC](#).

### **9. Does section 17223 of the regulations for Department of Cannabis Control allow licensed cultivators to haul cannabis waste in a private vehicle to an approved facility?**

The regulation allows all licensees to self-haul cannabis waste to any of the following listed under subdivision (b)(3) of section 17223:

- (A) A manned, fully permitted solid waste landfill or transformation facility;
- (B) A manned, fully permitted composting facility or manned composting operation;
- (C) A manned, fully permitted in-vessel digestion facility or manned in-vessel digestion operation;
- (D) A manned, fully permitted transfer/processing facility or manned transfer/processing operation; or
- (E) A manned, fully permitted chip and grind operation or facility.
- (F) A recycling center as defined in Title 14, Section 17402.5(d) of the California Code of Regulations and that meets the following:
  - (i) The cannabis waste received shall contain at least ninety (90) percent inorganic material;
  - (ii) The inorganic portion of the cannabis waste is recycled into new, reused, or reconstituted products which meet the quality standards necessary to be used in the marketplace; and
  - (iii) The organic portion of the cannabis waste shall be sent to a facility or operation identified in A-E above. Be sure to follow all waste requirements set forth in section 17223, and track-and-trace reporting requirements in section 15049 of the Department of Cannabis Control regulations.

**10. If a solid waste facility wants to accept cannabis waste, what requirements do they need to meet?**

A solid waste facility may handle and manage cannabis waste in accordance with Title 14 and Title 27. Direct questions regarding solid waste facility requirements to your [Solid Waste Local Enforcement Agency \(LEA\)](#).

**11. What will the state require in the Cannabis Waste Management Plan if a cultivator is composting less than 100 cubic yards and 750 square feet of organic waste and does not qualify as a composting facility?**

The information required for the Waste Management Plan is the same regardless of the size of the compost area. You can find requirements pertaining to on-site composting of cannabis in section 15006 and section 17223 of the [DCC regulations](#). Section 16308 provides additional waste management guidance. A [reference guide for Creating a Cultivation Plan](#), of which the Waste Management Plan is a part, can be found on the [Department of Cannabis Control website](#).

## **12. Which Department should I talk to regarding cannabis cultivation inspections for licensed cultivators?**

Direct your questions regarding inspections of cannabis cultivation operations to the [DCC](#) or call 1 844 612 2322 (1-844-61-CA-DCC).

DCC investigators conduct inspections of cultivation operations throughout the state. Please note that the investigators may contact the cultivator in advance, or they may arrive to conduct an inspection unannounced.

## **13. Are there any current state cannabis regulations that address the on-site composting of non-hazardous cannabis waste at a licensed cultivator?**

There are different types of composting activities defined in [Title 14 CCR, Division 7, Chapter 3.1](#). Some are regulated by the State and some are not. A small-scale on-site composting that is under 750 square feet and 100 cubic yards is not subject to the State composting regulations. If you have any questions, regarding which type of composting activity your operation is subject to, you should contact your [Solid Waste Local Enforcement Agency \(LEA\)](#).

## **14. In section 17223 of the regulations issued by Department of Cannabis Control, it states that we are required to compost our cannabis waste or have it collected or self-hauled. For the compost on-site requirement, a licensee shall compost in compliance with Title 14 of the California Code of Regulations, Division 7, Chapter 3.1 (commencing with section 17850). Is cannabis waste from cultivation an agricultural material or a green material?**

The cannabis waste generated by a cultivator is considered agricultural material. Note that agricultural material, as defined in Section 17852(a)(5) and that meets the definition of “green material” as defined in Section 17852 (a) (21), may be handled as either agricultural material or green material. There are different types of composting activities defined in 14 CCR. If you have any questions regarding which type of

composting activity your operation is subject to, you should contact your [Solid Waste Local Enforcement Agency \(LEA\)](#).

**15. Do LEA staff need to wear personal protective equipment (PPE) when doing inspections of composting, transfer/processing, or landfill facilities receiving cannabis waste?**

You should follow the health and safety protocols established by your department.

**16. Does a business that is required to recycle organic waste also have to recycle cannabis waste?**

Businesses must manage their waste in accordance with all applicable laws. Generally, organic material should be included in the organic collection stream. However, it is a solid waste facility operator's discretion to accept or not accept cannabis waste at their site. Check with your Jurisdiction or hauler to determine if cannabis waste (that is solely organic material) can be placed in the organic waste collection bin. .

**17. As a solid waste facility operator, what license is required to accept and render cannabis material “unusable” at my solid waste facility, or does the Track and Trace system end after it enters one of the five approved types of solid waste facilities?**

It is the responsibility of the cannabis licensee, not the solid waste facility operator, to ensure that the cannabis waste is rendered unusable prior to disposal, pursuant to the regulations.

There is no state license required for a solid waste facility owner or operator to receive cannabis waste. Cannabis waste received at a solid waste facility or operation should be handled as solid waste. In addition, solid waste facility operators have no Track and Trace responsibility. Track and Trace requirements are the responsibility of licensees within the regulated cannabis industry.

**18. Are there requirements under the cannabis licensing regulations to report to federal agencies the receipt of cannabis waste at a permitted solid waste facility?**

There is no requirement in any of the cannabis licensing agencies' regulations requiring a solid waste facility to report the receipt of cannabis waste to a federal agency.

**19. Are we allowed to post signage that prohibits the disposal of any Cannabis waste at our permitted solid waste facilities?**

There are no requirements in Title 14 or Title 27 that a solid waste facility operator accept a particular waste type. It is the operator's discretion to accept or to not accept cannabis waste at their site. Title 14 and Title 27 require that if the site is open to the public, the facility operator must post a list of the general type of materials that will and will not be accepted at the site.

**20. What are the thresholds for determining hazardous waste for cannabis?**

It is the responsibility of the licensee to properly evaluate waste to determine if it should be designated and handled as a hazardous waste, as defined in Public Resources Code section 40141. For questions regarding the specific threshold for this material, please contact the [California Department of Toxic Substance Control](#).

**21. What happens with diseased or otherwise disqualified (composted, sterilized, or held for inspection for a certain time) cannabis product?**

Cannabis or cannabis products that cannot enter the legal marketplace due to failed testing or disease should be handling following the requirements of section 17223 of the DCC regulations:

- (A) All cannabis or cannabis products in the batch shall be rendered unusable prior to disposal;
- (B) The rendering of the cannabis or cannabis products shall be done under video surveillance, unless the rendering is performed by a licensee engaging in cultivation activities on a licensed premises authorized exclusively for cultivation activities or the cultivation area of a licensed microbusiness premises; and
- (C) The reason for disposal and the disposition of the batch shall be noted in the track and trace system

**22. Can a cannabis farmer till the cannabis waste back into the soil?**

If by cannabis farmer you mean a cannabis cultivator, then yes, they reintroduce cannabis waste back into their on-site organic waste recycling methods, including but not limited to tilling directly into agricultural land and no-till farming, per section 17223.

### **23. What is a locally approved hauler?**

A locally approved hauler is one that is either under contract with a city or county, and/or has a permit, license, or some other authorization for the city or county in which it is operating to collect and haul waste within the city or county.

Authorization to haul in one city or county does not allow collection and/or hauling in another city or county.

### **24. How should cannabis cultivators store cannabis waste on-site?**

Licensed cultivators must establish and maintain a cultivation plan that includes a cannabis waste management plan developed in accordance with section 17223. Cannabis waste must be placed in a secure waste receptacle or in a secured area on the licensed premises. A lock can provide additional safety, but the waste area is not required to be locked. Physical access to this area must be restricted to the licensee, employees of the licensee, and the local agency or company providing hauling services, if applicable. Licensees are not prohibited from using a shared waste receptacle or area with other licensees, provided that the shared waste receptacle or area is secured and access is limited as required. Public access to this area shall be strictly prohibited.

### **25. Can a cannabis cultivator self-haul cannabis waste to a dumpster at a local grocery store?**

No, cannabis cultivators can only haul their own cannabis waste to one of the facilities listed in the regulations (see question nine).

### **26. As a cannabis cultivator, what type of documentation do I need from the hauler if I have my cannabis waste picked up?**

Refer to [section 17223](#) for documentation requirements. You will need to obtain and retain the following:

- Name and address of local agency or business providing hauling services,
- Name and phone number of primary contact person,
- A receipt/invoice from the hauler that confirms they are providing hauling services for your cannabis waste.

**27. As a cannabis cultivator, can I feed my cannabis waste to my chickens and pigs?**

No, cannabis waste must be handled in one, or more, of the following ways as described in section 17223:

- (1) On-premises composting of cannabis waste;
- (2) Collection and processing of cannabis waste by a local agency, a waste hauler franchised or contracted by a local agency, or a private waste hauler permitted by a local agency;
- (3) Self-haul cannabis waste to one or more of the following:
  - (A) A manned, fully permitted solid waste landfill or transformation facility;
  - (B) A manned, fully permitted composting facility or manned composting operation;
  - (C) A manned, fully permitted in-vessel digestion facility or manned in-vessel digestion operation;
  - (D) A manned, fully permitted transfer/processing facility or manned transfer/processing operation; or
  - (E) A manned, fully permitted chip and grind operation or facility.
  - (F) A recycling center as defined in Title 14, Section 17402.5(d) of the California Code of Regulations and that meets the following:
    - (i) The cannabis waste received shall contain at least ninety (90) percent inorganic material;
    - (ii) The inorganic portion of the cannabis waste is recycled into new, reused, or reconstituted products which meet the quality standards necessary to be used in the marketplace; and
    - (iii) The organic portion of the cannabis waste shall be sent to a facility or operation identified in subsection (c)(1) through (5).

(4) Reintroduction of cannabis waste back into agricultural operation through on premises organic waste recycling methods, including but not limited to tilling directly into agricultural land and no-till farming.

### **Resources**

- [Compostable Materials Home](#)
- [Index](#)
- [Permitting](#)
- [Enforcement](#)
- [Statutes and Regulations](#)
- [Operational Challenges](#)
- [Responses to Challenges](#)
- [Community Outreach](#)
- [Resources](#)
- [Organic Materials Management](#)
- [LEA Central](#)
- [Solid Waste Facilities Home](#)