Environmental Services works with Portland residents and businesses to protect water quality, public health, and the environment through wastewater collection and treatment, sewer construction and maintenance, stormwater management, and stream and watershed restoration.

Environmental Services Regulatory Requirements

Cannabis Industry

The federal Clean Water Act requires cities to regulate industries that discharge wastewater or stormwater to the city’s sewer systems. As the city’s sewer and stormwater services provider, Environmental Services sets the pollutant limits and regulates industries in order to protect the city’s system and our watersheds. The cultivation and processing of cannabis is subject to environmental regulatory requirements.

Inside this fact sheet are some preliminary guidelines regarding Environmental Services regulatory requirements for business owners and individuals interested in the cannabis industry. This document is an overview, and these guidelines are subject to change. For the latest information, please visit Environmental Services website at www.portlandoregon.gov/bes/Cannabis or contact the Environmental Services Water Pollution Control Laboratory at 503-823-5600.
Environmental Services Regulatory Requirements for the Cannabis Industry

Cultivation and Plant Growing Operations

Businesses growing cannabis plants for processing into consumer products.

POLLUTANTS OF CONCERN
This includes nitrates, phosphorus, pesticides, and fungicides.

POLLUTANT MITIGATION STRATEGIES:
• Control chemical use and optimize nutrients and biocides application or dosing to minimize chemical waste.
• Eliminate sewer entry points. Do not install drains or sumps in cultivation rooms. (This may not be possible for hydroponic facilities due to high water usage.)
• All chemicals must be stored in areas without access to sanitary or storm sewer systems or in secondary containment.

ENVIRONMENTAL SERVICES REQUIREMENTS:
• Prohibitions—Biocides may interfere with the operations of the wastewater treatment plant. Substances that may cause interference are prohibited from being discharged to the sanitary sewer system per City rule ENB 4.03.
• Monitoring Access Structure—Grow facilities that discharge water from grow operations to the City’s sewer system will be required to install a monitoring access structure per City rule ENB 4.35.
• Vegetation Removal—Permits are required in riparian areas or environmental zones (more information at right).

Cannabinoid Extraction

Businesses involved in the extraction of active ingredients from plant material.

POLLUTANTS OF CONCERN
This includes various solvents used to extract oils from cannabis plants.
• Gaseous solvents like carbon dioxide, propane, or butane cannot be introduced into wastewater, so they are not regulated by Environmental Services.
• Liquid solvents like hexane and alcohols are regulated. Hexane partitions in wastewater, is highly flammable, and presents a hazard. Alcohols, while flammable, dissolve in water and are biodegradable at the wastewater treatment facility. In small quantities, alcohols do not present a hazard.

POLLUTANT MITIGATION STRATEGIES
• Employ closed loop systems. These extraction systems minimize the amount of product and chemicals that can be discharged in wastewater.
• Store all chemicals in areas without access to sanitary or storm sewer systems or in secondary containment per Portland City Code 17.34.

ENVIRONMENTAL SERVICES REQUIREMENTS:
• Prohibitions—Hexane is prohibited from being discharged to the sewer system.
• Monitoring Access Structure—Required only for extraction processes utilizing hexane or similar liquid solvent per City rule ENB 4.35.

This fact sheet details requirements for cannabis industries as currently understood by the City. The City may impose additional requirements for businesses as more information becomes available regarding these or other pollutants of concern.
Cannabis Dispensaries
Similar to other retail establishments, these businesses may have stormwater management requirements.

POLLUTANTS OF CONCERN
Currently, there are no known pollutants of concern specific to this aspect of the industry.

Rules and Regulations—All Businesses
- **Solid waste and recycling** must meet requirements of Environmental Services Source Control Manual (www.portlandoregon.gov/bes/SCM).
- Businesses may need to meet [on-site stormwater management requirements](www.portlandoregon.gov/bes/SWMM). Environmental Services Maintenance Inspection Program oversees stormwater facility maintenance.
- **PERMITS**—
  - **Building Permits**—All businesses going through development or re-development will require a permit.
  - **Environmental Permits**—
    - **Wastewater and Stormwater Discharges**: Currently, no environmental permits are required to discharge wastewater or stormwater from cultivation or extraction facilities. However, businesses discharging pollutants that may be detrimental to City sewer systems will be required to obtain a discharge permit.
    - **Riparian Areas and Environmental Zones**: Factory and retail sites located in environmental zones will have other restrictions about removing plants. Permits are required to remove even non-native trees. For more information, go to [www.portlandoregon.gov/citycode/70093](http://www.portlandoregon.gov/citycode/70093), Chapter 33.430.

City of Portland Administrative Rules: All city code and administrative rules referenced here can be found at [www.portlandoregon.gov/citycode/28148](http://www.portlandoregon.gov/citycode/28148) and [www.portlandoregon.gov/citycode/28044](http://www.portlandoregon.gov/citycode/28044).
Frequently Asked Questions

Why does the City of Portland regulate cannabis businesses?
Many cannabis businesses use substances that could adversely impact the environment if discharged to the city sanitary or stormwater sewer systems.

Do I need an environmental permit to discharge process wastewater to the City's sewer system?
Currently, no environmental permits are required. However, certain pollutants are prohibited from being discharged into the sewer system. See city rule ENB 4.03 for a list of prohibited discharges.

Why do I pay higher sewer rates for discharges from my cannabis bakery?
Sewer rates are set to recover the costs of removing pollutants from the wastewater. Certain businesses, like bakeries, discharge higher concentrations of pollutants, which costs more for the city to treat. Learn more about extra strength charges or other Environmental Services regulations for food service establishments at www.portlandoregon.gov/bes/ExtraStrength and www.portlandoregon.gov/bes/cutFOG

Why is my cannabis growing business required to install a monitoring access structure?
The monitoring access structure, or MAS, provides a secure sampling location that allows city staff safe access to conduct wastewater sampling to ensure pollutants are not being introduced at concentrations that could negatively impact the city sewer system and environment.

For other specific complaints about cannabis businesses, contact the Office of Neighborhood Involvement Marijuana Program at 503-823-WEED.