

Dispensing Procedures

Tempest, Inc. will conduct ongoing review of all dispensing processes and procedures to ensure full compliance with any and all regulations as outlined by the Cannabis Control Commission (“the Commission”) in 935 CMR 500 as well as in any supplemental guidance documents.

All marijuana and marijuana products dispensed by Tempest, Inc. to retail customers will be labeled in accordance with all labeling requirements as outlined in 935 CMR 500.105(5) for marijuana and marijuana products intended or retail sale.

Products for sale will be kept in closed, locked countertop display cases accessible only from the employee-occupied side of the counter. Customers will be allowed to view product display prior to making a purchase. Menus with updated pricing will be clearly displayed throughout the retail areas as well as presented to each customer upon entering the sales floor, and made available at the sales counter.

Customers will be required to present an acceptable form of identification that demonstrates they are a minimum of 21 years of age prior to entering the retail store. A subsequent identification check to confirm the customer meets the minimum age requirement of 21 will be made prior to granting entrance to the sales floor. A third and final identification check will be made when they arrive at the sales counter, prior to selecting and purchasing their desired products.

Customers will be waited on at a sales counter where, after they have undergone age-verification via an acceptable form of photo identification, they will be able to review the product menu with a sales associate (“Retail Host”) and be able to select the products they wish to purchase.

All products in their respective quantities will be entered into the 3rd Party POS system (“the POS”), brought to the sales counter, and verified to meet all packaging and labeling requirements as outlined in 935 CMR 500.105(5) for marijuana and marijuana products. Once verified at the sales counter to be labeled and packaged appropriately, the customer will provide payment in full to the Retail Host.

After receiving payment and verifying the amount paid was the correct balance, the Retail Host will then place all marijuana and/or marijuana products into an ASTM-certified child-resistant exit bag approved by the Commission. The transaction will be completed in the POS and the products will then be given over to the customer. After completion of the transaction, a digital sales record will be maintained by Tempest for accounting, security, and regulatory compliance purposes.

Tempest will ensure that all sales records are stored securely both on-site and in a cloud-based backup file, to be kept for a minimum of (3) years unless otherwise requested by the Commission to maintain sales records for a longer duration.

Policy for Restricting Access to Individuals Age 21 and Older

Tempest Retail Facility Access Restriction – Employees, Vendors, and Visitors

Tempest will restrict access to its facilities to individuals who are age 21 and older and are either employees or approved visitors. All employees and prospective employees of Tempest will have provided adequate proof of meeting the age 21 and older requirement prior to being submitted for the required registration with the Cannabis Control Commission as Marijuana Establishment Agents.

To ensure that access to Tempest is restricted to individuals age 21 and older, mandatory positive identification of all individuals seeking access to the premises of Tempest is required to gain entry to the premises. Individuals who are not able to provide Massachusetts State-Issued Identification, or two forms of identification if their State-Issued Identification is that of a state other than Massachusetts, will not be allowed access to the premises of Tempest as a visitor.

Tempest Retail Facility Access Restriction – Retail Customers

Access to Tempest will require any and all individuals looking to gain access to the retail areas of the facility to provide proof that they are 21 years of age or older prior to entering any area of the Tempest facility, prior to entering the retail sales area, and a third time at the sales counter. At each check, an ID scanning device will be utilized as part of the age confirmation process to ensure that individuals with expired or false identification are unable to enter the retail areas of the facility.

This triple-check method ensures that access to the premises of Tempest and its retail areas will only be possible to individuals 21 years of age or older.

Inventory Procedures - Tempest

Tempest will maintain a real-time inventory of all marijuana as specified by the Cannabis Control Commission and in 935 CMR 500.105(8)(c) and (d), including, at a minimum, an inventory of marijuana plants; marijuana plant-seeds and clones in any phase of development such as propagation, vegetation, and flowering; marijuana ready for dispensing; all marijuana products; and all damaged, defective, expired, or contaminated marijuana and marijuana products awaiting disposal.

All marijuana seeds, clones, plants, and marijuana products at Tempest will be tagged and tracked in a seed-to-sale methodology via METRC and its required RFID tags. This encompasses all marijuana product intended for sale, including rooted cuttings (“Clones”) so long as they have passed all applicable testing as required by 935 CMR 500.160(5).

Tempest will maintain inventory controls and procedures for conducting monthly inventory reviews of marijuana products in the process of cultivation, and finished, stored marijuana as well as a comprehensive annual inventory at least once each year within 12 months of the previous comprehensive inventory. If an oral recording device is utilized, the individuals who conducted the inventory will promptly transcribe all oral recordings in addition to saving the original recordings for a minimum of 3 years.

Each inventory record will include, at a minimum:

- The date of the inventory
- A summary of the inventory findings
- The names, signatures, and titles of the individuals who conducted the inventory

Tempest will not sell or otherwise market for adult use any marijuana product, including marijuana, that is not capable of being tested by Independent Testing Laboratories, except as allowed under 935 CMR 500.000.

All records at Tempest, including personnel records, transportation manifests, seed-to-sale tracking data, destruction logs, security logs, security recordings, financial records, and any and any other necessary records, will be stored and maintained for a minimum of a 3-year period unless otherwise specified in 935 CMR 500.105.

Procedures for Quality Control and Testing of Product for Contaminants

All marijuana and marijuana product sold by Tempest, Inc. will have undergone a strict quality control process in accordance with all quality control requirements detailed in 935 CMR 500, including:

- Mandatory testing of marijuana products that is performed by an Independent Testing Laboratory that has been appropriately certified and licensed by the Cannabis Control Commission (“the Commission”) in compliance with the *Protocol for Sampling and Analysis of Finished Medical Marijuana Products and Marijuana-infused Products*, as amended in November, 2016, published by the Department of Public Health
- Mandatory requirement for all vendors of marijuana and/or marijuana product to provide all necessary testing documentation certified by an Independent Testing Laboratory that has been appropriately certified and licensed by the Commission demonstrating that each batch of marijuana and/or marijuana product intended for sale at Tempest has passed all required analyses for contaminant levels established in the DPH protocols identified in 935 CMR 500.160(1).
- Maintenance of results of all testing for all batches of marijuana and/or marijuana products sold for a minimum of one year, in accordance with 935 CMR 500.160(3)
- A hold process under which all marijuana product is held until such time that it has been tested by an Independent Testing Laboratory and deemed to comply with the standards required under 935 CMR 500.160 and is determined to be acceptable to be sold or otherwise marketed for adult use.

No marijuana or marijuana products at Tempest will be sold or otherwise marketed for adult use that has not first been tested by an Independent Testing Laboratory and deemed to comply with the standards required under 935 CMR 500.160.

Policy for Storage of Marijuana in Compliance with 935 CMR 500.105(11)

Overview

Tempest will provide adequate lighting, ventilation, temperature, humidity, space, and equipment in accordance with applicable provisions of 935 CMR 500.105 and 500.110 for all areas designated for storage of marijuana.

All storage areas at Tempest will be maintained in a clean and orderly condition and will be free from infestation by insects, rodents, birds, and pests of any kind. This will include the performance and sign-off of daily cleanliness checks of all storage areas by the manager (or their appointed designee) responsible for each particular area.

All storage areas at Tempest will be maintained in accordance with the security requirements outlined in 935 CMR 500.110. This will include limited access via keyscan and 24/7 camera monitoring of all areas containing marijuana plants and/or marijuana product at the facility.

Tempest will maintain two areas specifically dedicated to the storage of marijuana and marijuana product:

Bulk Product Vault

The Bulk Product Vault will house all marijuana, marijuana products, and non-marijuana products after delivery from vendors prior to being put onto the Sales Floor. Access to the Bulk Product Vault will be limited to only the Retail Manager and Retail Supervisor(s) – any other employees interacting with the Bulk Product Vault must be under supervision of one of these individuals at all times that the Bulk Product Vault is open and being loaded with product from various vendors or having product brought out to be moved to the Sales Floor.

The Bulk Product Vault will be constructed with a vapor barrier and climate control systems necessary to prevent spoilage of marijuana during storage. Additionally, a locked refrigerator and freezer will be present to house any marijuana products requiring refrigeration for storage.

Marijuana Product Disposal Bin

Inside the Bulk Product Vault, there will also be a designated Marijuana Product Disposal Bin. This locked bin will have a chain of custody log for all items placed inside. This bin will be used for short-term storage of any marijuana or marijuana products that have been deemed spoiled, contaminated, or otherwise defective/damaged and must be returned to the originating vendor.

At a minimum of once per month, shipment of its contents back to each item's originating vendor will be scheduled and recorded as per all applicable regulations.

Sales Floor

The Sales Floor is the retail sales area of the Tempest Retail Marijuana Establishment. This area consists of a countertop with lockable display cases that are only accessible from the employee-only side of the service counter. Inventory product is brought out from the Bulk Product Vault every morning prior to opening for the day, as well as over the course of the day when any specific items on the Sales Floor must be replenished. At the end of the day, all inventory on the Sales Floor is reconciled with the inventory counts in METRC as well as the third-party POS system used by Tempest prior to being brought back into the vault.

All marijuana or marijuana product that is not on the employee-only side of the service counter must be locked inside a fixed, immobile display case that has been approved for the use by the Cannabis Control Commission.

Any movement of marijuana or marijuana products to or from the Sales Floor must be performed under the supervision of the Retail Manager or Retail Supervisor so as to prevent potential instances of diversion by employees.

Security Procedure Summary – Tempest – Retail - Phillipston

Tempest will implement sufficient safety measures to deter and prevent both unauthorized entrance into areas containing marijuana and any theft of marijuana.

Access to Tempest will require any and all individuals looking to gain access to the retail areas of the facility to provide proof that they are 21 years of age or older prior to entering any area of the Tempest facility, prior to entering the retail sales area, and a third time at the sales counter. At each check, an ID scanning device will be utilized as part of the age confirmation process to ensure that individuals with expired or false identification are unable to enter the retail areas of the facility.

This triple-check method ensures that access to the premises of Tempest and its retail areas will only be possible to individuals 21 years of age or older.

Security Measures for the Protection of Premises, Employees, Consumers, and the General Public

The security measures at Tempest to protect the premises, employees, consumers and general public will include:

- Mandatory positive identification of all individuals seeking access to the premises of Tempest or to whom marijuana products are being transported pursuant to 935 CMR 500.105(14) in order to limit access solely to individuals 21 years of age or older;
- Procedures for the prevention of loitering and to ensure that only individuals engaging in activity expressly or by necessary implication permitted by these regulations and its enabling statute are allowed to remain on the premises;
- Disposal of marijuana in accordance with 935 CMR 500.105(12) in excess of the quantity required for normal, efficient operation as established within 935 CMR 500.105;
- Securing of all entrances to Tempest to prevent unauthorized access to the facility;
- Establishment of limited access areas pursuant to 935 CMR 500.110(4), which will be accessible only to the specifically authorized personnel limited to include only the minimum number of employees essential for efficient operation (e.g. only the Cultivation and Manufacturing Staff will have access to marijuana Cultivation/Manufacturing Areas);
- Storage of all finished marijuana products in a secure, locked safe or vault in such a manner as to prevent diversion, theft and loss;
- Keeping all safes, vaults, and any other equipment or areas used for the production, cultivation, manufacturing, harvesting, processing or storage of marijuana products securely locked and protected from entry, with the exception of the actual time required to remove or replace marijuana;
- Maintaining all locks and security equipment in good working order;
- Prohibiting any keys from being left in the locks or stored/placed in a location accessible to persons other than specifically authorized personnel;

- Ensuring that accessibility of security measures to persons other than specifically authorized personnel is prohibited, including security measures such as combination numbers, passwords, or electronic or biometric security systems;
- Ensuring that the outside perimeter of the Tempest facility is sufficiently lit to facilitate surveillance, where applicable;
- Ensuring that all marijuana products are kept out of plain sight and are not visible from a public place without the use of binoculars, optical aids or aircraft;
- Emergency policies and procedures for securing all product following any instance of diversion, theft, or loss of marijuana, and conducting an assessment to determine whether additional safeguards are necessary based on the instance of diversion, theft, or loss of marijuana;
- Any other sufficient additional safeguards as required by the MA Cannabis Control Commission (“the Commission”) for Marijuana Establishments that present special security concerns; and
- Providing the details of the Tempest security plan and procedures with both local law enforcement authorities and fire services, as well as regularly updating law enforcement and fire services if these plans or procedures are modified in a material way.

Compliance with Buffer Zone/Distance Requirement(s) of 935 CMR 500.110(3)

The property where Tempest is proposed to be located at the time of this license application is in compliance with all Town of Phillipston zoning ordinances/by-laws governing the location of Marijuana Establishments, including distance from public or private school(s) providing education in kindergarten or any of grades 1 through 12.

Limited Access Areas

All limited access areas at Tempest will be identified by a posted sign that shall be a minimum of 12” x 12” and states: “Do Not Enter—Limited Access Area—Access Limited to Authorized Personnel Only” in lettering of at least one inch in height.

Tempest will file a diagram of the registered premises, in the form and manner determined by the Commission, reflecting all entrances and exits, walls, partitions, storage, disposal and retail sales areas.

Access to limited access areas will be restricted to employees, agents or volunteers specifically permitted by the Tempest, agents of the Commission, state and local law enforcement and emergency personnel.

At all times while on the premises of the facility or transporting marijuana, Tempest employees will be required to visibly display a company-issued Employee Identification Badge as well as the Identification Badge issued by the Commission.

Outside Vendor Policy

All outside vendors, contractors and visitors shall obtain a visitor identification badge prior to entering a limited access area and will be escorted at all times by a registered agent of Tempest

authorized to enter the limited access area. The visitor identification badge will be visibly displayed at all times while the visitor is in any limited access area.

All visitors will be logged in and out. These visitor log records will be available for inspection by the Commission at all times. Upon exit, all Tempest visitor identification will be returned prior to the visitor departing.

Security and Alarm Systems for all Enclosed Area

Tempest will be engaging Netwatch USA in an agreement to maintain a security system to prevent and detect diversion, theft or loss of marijuana or unauthorized intrusion. The system will utilize commercial grade equipment that will, at a minimum, include:

- A perimeter alarm on all building entry and exit points and perimeter windows;
- A failure notification system that provides an audible, text or visual notification of any failure in the surveillance system and will provide an alert to designated employees of Tempest within five minutes after the failure, either by telephone, email or text message;
- A duress, panic, or hold-up alarm connected to local public safety or law enforcement authorities;
- Video cameras in all areas that may contain marijuana, at all points of entry and exit to the facility, and in the parking lot. The video cameras in each area will be appropriate for the normal lighting conditions of the area under surveillance;
 - Where applicable, cameras shall be directed at all safes, vaults, and areas where marijuana stored or handled.
 - Cameras shall be angled so as to allow for the capture of clear and certain identification of any person entering or exiting the Tempest facility or the specific area under surveillance;
 - 24-hour recordings from all video cameras will be retained for at least 90 calendar days and will be available for immediate viewing by the Commission upon request. These recordings will not be destroyed or altered, and will be retained as long as necessary if Tempest is aware of a pending criminal, civil or administrative investigation or legal proceeding for which the recording may contain relevant information;
 - These video cameras will meet the following standards:
 - The ability to immediately produce a clear, color still photo whether live or recorded;
 - A date and time stamp will be embedded in all recordings, which shall be synchronized and set correctly at all times and shall not significantly obscure the picture;
 - The ability to remain operational during a power outage; and
 - Provide a video recording that allows for the exporting of still images in an industry standard image format, including .jpg, .bmp and .gif. Exported video will have the ability to be archived in a proprietary format that ensures authentication of the video and guarantees that no alternation of the recorded image has taken place. Exported video will also have the ability to be saved in an industry standard file format that may be played

on a standard computer operating system. All recordings will be erased or destroyed prior to disposal.

- All security system equipment and recordings will be maintained in a secure Security Equipment Room so as to prevent the occurrence of any theft, loss, destruction and/or alterations.
- In addition to the requirements listed in 935 CMR 500.110(5)(a) and (b), Tempest will have a back-up alarm system, with all the capabilities of the primary system, provided by a company supplying commercial grade equipment, which shall not be the same company supplying the primary security system or shall demonstrate to the Commission's satisfaction alternate safeguards to ensure continuous operation of a security system.
- Access to surveillance areas will be limited to persons that are essential to surveillance operations, law enforcement authorities, security system service personnel and the Commission. A current list of authorized employees and service personnel that have access to the surveillance room will be available to the Commission upon request.
- The Security Equipment Room and all other rooms used for surveillance will remain locked and will not be used for any other function.
- All security equipment will be in good working order and will be inspected and tested at regular intervals, not to exceed 30 calendar days from the previous inspection and test.
- Trees, bushes and other foliage outside Tempest will be maintained so as to prevent a person or persons from concealing themselves from sight.

Security Plans and Procedures - Cooperation with Law Enforcement

All relevant Tempest security plans and procedures will be shared with law enforcement authorities pursuant to 935 CMR 500.110(1)(o) and will include:

- A description of the location and operation of the security system, including the location of the central control on the premises;
- A schematic of security zones;
- The name of the security alarm company and monitoring company
- Both a floor plan/layout of the facility in a manner and scope as required by the Town of Phillipston.

Incident Reporting

Tempest will notify appropriate law enforcement authorities and the Commission of any breach of security immediately and, in no instance, more than 24 hours following discovery of the breach.

Notification will occur, but not be limited to, during the following occasions:

- Discovery of discrepancies identified during inventory;
- Diversion, theft or loss of any marijuana product;
- Any criminal action involving or occurring on or in the premises of Tempest;
- Any suspicious act involving the sale, cultivation, manufacturing, distribution, processing or production of marijuana by any person;
- Unauthorized destruction of marijuana;

- Any loss or unauthorized alteration of records related to marijuana;
- An alarm activation or other event that requires response by public safety personnel or security personnel privately engaged by Tempest;
- The failure of any security alarm system due to a loss of electrical power or mechanical malfunction that is expected to last more than eight hours; or
- Any other breach of security.

Tempest will, within ten calendar days, provide notice to the Commission of any incident described in 935 CMR 500.110(7)(a) by submitting an incident report in the form and manner determined by the Commission which details the circumstances of the event, any corrective action taken, and confirmation that the appropriate law enforcement authorities were notified.

Tempest will maintain all documentation related to an incident that is reportable pursuant to 935 CMR 500.110(7)(a) for a minimum of one year, or the duration of an open investigation, whichever is longer. This documentation will be made available to the Commission and law enforcement authorities upon request.

Security Audits

Tempest will, on an annual basis, obtain at its own expense, a security system audit by a vendor approved by the Commission. A report of this audit will be submitted, in a form and manner determined by the Commission, no later than 30 calendar days after the audit is conducted. If the audit identifies concerns related to Tempest security system, Tempest will submit a plan to mitigate those concerns within ten business days of submitting the audit.

Policies and Procedures for Transportation of Marijuana - Tempest

General Transportation Policies

Tempest will only transport marijuana products from another licensed Marijuana Establishment (ME). Transport of marijuana products from another licensed ME will only be performed by registered marijuana establishment agents of Tempest.

Storage and transportation of finished products will be under conditions that will protect them against physical, chemical, and microbial contamination as well as against deterioration of finished products or their containers.

All vehicles and transportation equipment used by Tempest in the transportation of marijuana products requiring temperature control for safety will be designed, maintained, and equipped as necessary to provide adequate temperature control to prevent the marijuana products from becoming unsafe during transportation, consistent with applicable requirements pursuant to 21 CFR 1.908(c).

Transportation Procedure Requirements – Tracking and Weight Verification

Tempest will ensure that all transported marijuana products are linked to METRC, the seed-to-sale tracking program. For the purposes of tracking, seeds and clones will be properly tracked and labeled in METRC and in any other form and manner determined by the Cannabis Control Commission (the Commission).

Any marijuana product being delivered to Tempest from another ME that is determined to be undeliverable or is refused by Tempest will be transported back to the originating ME.

All Tempest vehicles transporting marijuana products will be staffed with a minimum of two registered marijuana establishment agents. At least one agent must remain with the vehicle at all times that the vehicle contains marijuana or marijuana products.

Prior to leaving the originating ME for the purpose of transporting marijuana products, designated employees must weigh, inventory, and account for, on video, all marijuana products to be transported.

Within eight hours after arrival at Tempest, employees must re-weigh, re-inventory, and account for, on video, all marijuana products transported and provide confirmation to both the originating ME and designated staff at Tempest that there were no discrepancies present.

When videotaping the weighing, inventorying, and accounting of marijuana products before transportation or after receipt, this video must show each product being weighed, the weight, and the manifest.

All marijuana products will be packaged in sealed, labeled, and tamper or child-resistant packaging prior to and during transportation.

Transportation Procedure Requirements - Emergency Stops

In the case of an emergency stop during the transportation of marijuana products, a log will be maintained describing the reason for the stop, the duration, the location, and any activities of personnel exiting the vehicle.

Transportation Procedure Requirements – Transport Routes and Schedules

All transportation times and routes used by Tempest will be randomized in a manner consistent with the requirements of the Commission. All transport routes will remain within the Commonwealth.

Transportation Procedure Requirements - Reporting

Tempest registered agents transporting marijuana or marijuana products will be required to document and will report any unusual discrepancy in weight or inventory to the Commission and law enforcement authorities not more than 24 hours of the discovery of such a discrepancy.

Tempest will report to the Commission and law enforcement authorities any vehicle accidents, diversions, losses, or other reportable incidents that occur during transport, within 24 hours of such accidents, diversions, losses, or other reportable incidents.

Transportation Procedure Requirements - Vehicles

Vehicles used by Tempest for the transport of marijuana and marijuana products will be:

- Owned or leased by Tempest;
- Properly registered, inspected, and insured in the Commonwealth (documentation of such status will be maintained as records of Tempest and will be made available to the Commission upon request);
- Equipped with an alarm system approved by the Commission; and
- Equipped with functioning heating and air conditioning systems appropriate for maintaining correct temperatures for storage of marijuana products.

Marijuana products will not be visible from outside the vehicle.

Vehicles used by Tempest to transport marijuana or marijuana products will not bear any markings indicating that the vehicle is being used to transport marijuana products and will not indicate the name of Tempest.

When transporting marijuana products, no other products will be transported or stored in the same vehicle.

No firearms may be located within the vehicle or on a marijuana establishment agent.

Transportation Procedure Requirements - Storage

Marijuana products will be transported in a secure, locked storage compartment that is a part of the vehicle transporting the marijuana products.

The storage compartment will be sufficiently secure that it cannot be easily removed from the vehicle.

If the Tempest vehicle is transporting marijuana products originating from more than one Marijuana Establishment at a time, the marijuana products from each Marijuana Establishment will be kept in a separate locked storage compartment during transportation and separate manifests will be maintained for each originating Marijuana Establishment.

Transportation Procedure Requirements - Communications

Tempest's transportation vehicle will contain a global positioning system (GPS) monitoring device that is:

- Not a mobile device that is easily removable;
- Attached to the vehicle at all times that the vehicle contains marijuana products;
- Monitored by Tempest during transport of marijuana products; and
- Inspected by the Commission prior to initial transportation of marijuana products, and after any alteration to the locked storage compartment.

Each Tempest agent transporting marijuana products will have access to a secure form of communication with personnel at the originating location at all times that the vehicle contains marijuana and marijuana products. Secure types of communication include, but are not limited to:

- two-way digital or analog radio (UHF or VHF);
- cellular phone; or
- satellite phone.

When choosing a type of secure communications, the following shall be taken into consideration:

- Cellular signal coverage;
- Transportation area;
- Base capabilities;
- Antenna coverage; and

- Frequency of transportation.

Prior to, and immediately after leaving the originating location, Tempest agents will use the secure form of communication to contact the originating location to test communications and GPS operability.

If communications or the GPS system fail while on route, Tempest agents transporting marijuana products will return to the originating location until the communication system or GPS system is operational.

Tempest agents transporting marijuana products will contact the originating location when stopping at and leaving any scheduled location, and regularly throughout the trip, at a minimum of once every 30 minutes.

Tempest will have an agent assigned to monitoring the GPS unit and secure form of communication during any transportation event. This agent will log all official communications with Tempest agents transporting marijuana products.

Transportation Procedure Requirements - Manifests

Manifests will be filled out in triplicate, with the original manifest remaining with Tempest a second copy provided to the destination Marijuana Establishment upon arrival, and a copy to be kept with the Tempest agents during transportation and returned to Tempest upon completion of the transportation.

Prior to transport, the manifest shall be securely transmitted from the originating Marijuana Establishment by facsimile or email to the destined Tempest location.

Upon arrival at Tempest, a registered agent of the Tempest location will compare the manifest produced by the Tempest agents who transported the marijuana products to the copy transmitted by facsimile or email from the originating location. This manifest must, at a minimum, include;

- The Tempest name, address, and registration number;
- The names and registration numbers of the agents who transported the marijuana products;
- The name and registration number of the marijuana establishment agent who prepared the manifest;
- The originating Marijuana Establishment name, address, and registration number;
- A description of the marijuana products being transported, including the weight and form or type of product;
- The mileage of the transporting vehicle at departure to the originating Marijuana Establishment, the mileage of the transporting vehicle at departure from the originating Marijuana Establishment, and mileage upon arrival at Tempest.

- The date and time of departure from the originating Marijuana Establishment arrival at Tempest for each transportation;
- A signature line for the marijuana establishment agent who receives the marijuana products;
- The weight and inventory before departure and upon receipt;
- The date and time that the transported products were re-weighed and re-inventoried;
- The name of the registered Tempest agent at the destined Tempest location who re-weighed and re-inventoried products; and
- The vehicle make, model, and license plate number.

The manifest shall be maintained within the vehicle during the entire transportation process, until the delivery is completed.

Tempest will retain all transportation manifests for no less than one year and make them available to the Commission upon request.

Transportation Procedure Requirements - Requirements for Agents

Each employee or agent transporting or otherwise handling marijuana products for Tempest must be registered as a marijuana establishment agent and have a driver's license in good standing issued by the Massachusetts Registry of Motor Vehicles for all classes of vehicle the marijuana establishment agent will operate prior to transporting or otherwise handling marijuana products.

Tempest agents will carry their registration card at all times when transporting marijuana products, and shall produce their registration card to the Commission or law enforcement officials upon request.

Transportation Procedure Requirements - Access to the Commission, Emergency Responders and Law Enforcement

The following individuals shall have access to the Tempest transportation vehicle:

- Representatives of the Commission in the course of responsibilities authorized by St. 2016, c. 334, as amended by St. 2017, c. 55 or 935 CMR 500.000;
- Representatives of other state agencies of the Commonwealth; and
- Emergency responders in the course of responding to an emergency.

Plan for Obtaining Liability Insurance - Tempest

Tempest Inc plans to obtain a liability insurance policy or otherwise meet the requirements of 935 CMR 500.105(10). Tempest will contract with an insurance provider to maintain general liability insurance coverage for no less than \$1,000,000 per occurrence and \$2,000,000 in aggregate annually and product liability coverage for no less than \$1,000,000 per occurrence and \$2,000,000 in aggregate annually. The deductible for this policy will be no higher than \$5,000 per occurrence. Tempest is currently engaged with Cannasure Insurance Services to get a quote.

If Tempest is unable to obtain minimum liability insurance coverage as required by 935 CMR 500.105(10)(a), Tempest will place in escrow \$250,000 or such other amount approved by the Commission, to be expended for coverage of liabilities. The escrow account required pursuant to 935 CMR 500.105(10)(b) will be replenished within ten business days of any expenditure.

Tempest will carry automobile coverage, as well as property and casualty coverage. Coverage to include business interruption protection. Replacement cost will be used to value all property ensuring a full recovery in event of total loss. Business interruption coverage will allow Tempest to continue paying employees, vendors, taxes & fees during reconstruction, if necessary. Tempest will keep reports documenting compliance with 935 CMR 500.000.

Policy for Prevention of Diversion - Tempest

Facility Access Restriction

Tempest will restrict access to its facilities to individuals who are age 21 and older and are either employees or approved visitors. All employees and prospective employees of Tempest will have provided adequate proof of meeting the age 21 and older requirement prior to being submitted for the required registration with the Cannabis Control Commission as Marijuana Establishment Agents. All customers of Tempest will have provided adequate proof of meeting the age 21 and older requirement prior to entering the main retail area.

Secure and Tracked Storage

All marijuana storage areas at Tempest will be Limited Access Areas, access to which shall be restricted to the minimum number of Tempest employees necessary to perform business operations. No individuals other than approved Tempest employees are allowed inside the Tempest facility or any of its areas containing marijuana plants or product unless they are:

- Age 21 or older
- Have been signed in accordance with Tempest procedure as approved by the Cannabis Control Commission
- Escorted by a Tempest employee who is approved to access the area

Anti-Diversion Packaging Methodology

Tempest will only utilize certified child-resistant and tamper-evident packaging for its marijuana products to provide an additional preventative measure against diversion of marijuana product to individuals younger than 21 years old.

Zero-Tolerance Policy for Diversion

All employees of Tempest will be registered marijuana establishment agents and have signed an attestation that they will not engage in the diversion of marijuana products as required by 935 CMR 500.030(2)(d). Failure to comply will result in immediate dismissal of the employee as well and immediate reporting of the occurrence to the Cannabis Control Commission and local law enforcement.

Retail Customer Verification

All customers will be required to provide valid government-issued identification as proof of being 21 or more years of age prior to being allowed past security and into the main retail areas of any Tempest location.

Additionally, after initial security check-in, all customers will be required to present their valid government-issued identification to a Tempest employee upon reaching the sales counter prior to beginning their transaction.

Tempest reserves the right to request multiple forms of identification from a customer prior to allowing them into the main retail area if there is a concern that false or forged identification is being presented. In the case that identification presented is determined to be false or forged, the local police are to be immediately notified by the Tempest shift supervisor.

Ongoing Process Review

Tempest will conduct a review of its policies and packaging on an ongoing basis to ensure no diversion of product occurs to individuals younger than 21 years old.

Record Keeping Procedures - Tempest

Tempest will maintain ongoing records over the course of normal operations as a licensed marijuana retailer. These will include records of the following:

- Personnel records (including background checks and agent registration documents)
- Transportation manifests
- Seed-to-sale tracking data
- Destruction logs
- Security logs
- Security recordings
- Financial records
- Inventory Records
- Any other ongoing records as required by 935 CMR 500.105

All records at Tempest, including personnel records, transportation manifests, seed-to-sale tracking data, destruction logs, security logs, security recordings, financial records, and any and any other necessary records, will be stored and maintained for a minimum of a 3-year period unless otherwise specified in 935 CMR 500.105.

Tempest will maintain inventory controls and procedures for conducting monthly inventory reviews of marijuana products as well as a comprehensive annual inventory at least once each year within 12 months of the previous comprehensive inventory. If an oral recording device is utilized, the individuals who conducted the inventory will promptly transcribe all oral recordings in addition to saving the original recordings for a minimum of 3 years.

Plan for Obtaining Marijuana or Marijuana Products - Tempest

Tempest will obtain Marijuana and Marijuana products only from Marijuana Establishments that are fully licensed by the Cannabis Control Commission.

Marijuana and marijuana products will be purchased from licensed Cultivators and Product Manufacturers and transported in accordance with all transportation requirements as outlined in 935 CMR 500.105 Section 13.

All marijuana and marijuana products obtained by Tempest for retail sale will be packaged and labeled in full accordance with 935 CMR 500.105 Section 5, *Labeling of Marijuana and Marijuana Products*.

Plan to Remain Compliant with Local Zoning - Phillipston

Tempest plans to remain compliant with the Local Zoning laws of the Town of Phillipston and will:

- a) adhere to the provisions in Section 21 of the Zoning Bylaw of the Town of Phillipston and all other provisions for recreational marijuana;
- b) comply with all local rules/codes, regulations, ordinances, and bylaws;
- c) adhere to the provisions of Massachusetts General Law Chapter 94G;
- d) contain all marijuana establishments within a building or structure;
- e) conduct hours of operation that are within the limits set by the special permit granting authority of the Town of Phillipston (8am-8pm);
- f) keep boundaries of the marijuana establishment to more than 500 feet from the property boundary line of any lot in use as a public or private pre-school, primary or secondary school, licensed day-care center, church, library, park, playground or other marijuana establishments. Distance shall be measured in a straight line from property boundary line to property boundary line;
- g) not be located inside a building containing residential units, including transient housing such as motels and dormitories, or inside a movable or mobile structure such as a van or truck;
- h) be located within a permanent building and will not be located in a trailer, cargo container, motor vehicle or other similar nonpermanent enclosures.
- i) have no outside storage of marijuana, related supplies or promotional materials;
- j) ventilate the marijuana establishment in such a manner that no: pesticides, insecticides, or other chemicals or products used in cultivation or processing are dispersed into the outside atmosphere. Also, no odor from marijuana will be detected by a person with a normal sense of smell at the exterior of the marijuana establishment or at any adjoining use or property;
- k) apply for and receive commercial site plan review from the Planning Board in accordance with MGL Ch. 40A, Sec 9 and Section 21 of the Zoning Bylaw of the Town of Phillipston;
- l) meet all dimensional, parking, landscaping, and signage requirements of the Zoning Bylaw of the Town of Phillipston;
- m) provide the town with the names, address, phone number, and email addresses of all management, staff, and key holders of the marijuana establishment, including a minimum of two (2) operators or managers which the facility identifies as contact persons to whom one can provide notice of operating problems associated with the marijuana establishment;
- n) provide to the Town of Phillipston a copy of its Articles of Incorporation or equivalent documents, a current Certificate of Legal Existence from the Secretary of the Commonwealth, and the most recent annual report;
- o) provide to the Town of Phillipston copies of all required licenses and permits issued to Tempest by the Commonwealth of Massachusetts and any of its agencies for the marijuana establishment, including the Cannabis Control Commission;

- p) provide to the Town of Phillipston evidence of Tempest's right to use the site for the establishment, such as a purchase and sale agreement, deed, owner's authorization, or lease;
- q) provide to the Town of Phillipston details showing all proposed security measures for the marijuana establishment, including lighting, fencing, gates and alarms, etc., to ensure the safety of persons and to protect the premises from criminal activity. A letter from the Town of Phillipston Police Chief, or designee, acknowledging review and approval of the marijuana establishment security plan will be attained;
- r) provide to the Town of Phillipston the resumes of the applicant and all members of the marijuana establishment management, including company history, references, and relevant experience;
- s) provide to the Town of Phillipston a description of activities: A narrative providing information about the type and scale of all activities that will take place on the proposed site. Tempest will provide a context map that depicts all properties and land uses within a minimum of five hundred (500) foot radius of the proposed site.
- t) design the establishment to minimize any adverse impacts on abutters and other parties in interest, as defined in MGL Ch. 40A, Sec 11;
- u) meet all the permitting requirements of all applicable agencies within the Commonwealth of Massachusetts and will comply with all applicable state laws and regulations;
- v) file an annual report to, and appear before, the Planning Board no later than January 31st of each calendar year providing a copy of all current applicable state licenses for the facility and/or its owners and demonstrate continued compliance with the conditions of the Special Permit/site plan;
- w) only transfer the special permit/site plan approval with the approval of the special permit/site plan granting authority in the form of an amendment to the special permit with all application information required in accordance with Phillipston Bylaws and after a posted public hearing;
- x) remove all material, plants, equipment and other paraphernalia prior to ceasing operations.

**Access to this
facility is limited
to individuals 21
years or older.**

Signage on entrance door

"Text is 2 inches in height"



The sign is to be constructed out of wood, steel, plastic, and also will be using interior and exterior lighting. There will be no unshielded sign illumination which results in high intensity light shining onto any sign or adjoining property. Lights will not be on more than 30 minutes before sundown, and will go off at closing. The sign will be located outside the State Right-Of-Way, this will allow for proper site distance and safe navigation of the facility. The sign will conform to all Phillipston zoning By-Laws.

The above sign is a general representation of what the street sign will display (store name, hours, url, logo etc) Due to Cannabis Control Commission (CCC) regulations, we will need to obtain permission from the CCC before our final sign is ready for submission to Phillipston.

The CCC will approve our logo/marketing material upon license approval which comes after the Town of Phillipston responds to the CCC that the retail store is within the bylaws of the Town of Phillipston which comes after the Planning Board approves the site plan. With that chain of events it is impossible to give a final design to the Town of Phillipston at the time of submission.

Tempest Inc. may use the name 420 State as a DBA retail store name.

420 State Road Phillipston layout

- ▲ Exterior Lighting
- Keyscan Access
- Security Camera

