

Chairman Rep. Fagan, Vice-Chair Rep. Buehler, Vice-Chair Rep. Rayfield and members of the committee,

My name is Daniel R. Kohler. I am a licensed funeral service practitioner and embalmer. I currently do not work in any funeral home, however I have been involved with the death care industry since 1979.

I would like you to consider another view of HB-3056.

The Environmental Protection Agency and the Department of Environmental Quality have and maintain very strict rules and regulations regarding the use of crematoriums. If a crematorium is malfunctioning or thru operator error is spewing black smoke or if the retort is otherwise malfunctioning the EPA and DEQ, who strictly monitor compliance, would quickly remedy the situation or shut it down. The reams of compliance paperwork required to install and operate a crematorium is mountainous. I find this bill is extremely vague and places unrealistic (and unmeasurable) requirements on a business trying to serve the public.

Crematoriums are classified, in many States as a "de-minimis" source of pollution. That is, less than important or way below allowable discharge levels.

AP-42 6.22 Calculation developed by EPA to measure discharge. PM 10-2.5 is included to support the minimum discharge is included. (see AP-42 attachment)

If we were talking about some oil burning crematorium used prior to the 1980's (I would still want to see specifications on discharge) I might be concerned to have the machine close to a school or any other place where a significant number of people would be exposed, however the modern crematoriums produced today are emitting less than 15-20% of the DEQ / EPA allowable limits.

Mercury according to the EPA is of no concern. The number of people who have mercury fillings, the source of the concern, has diminished greatly and the particulates there "could be" would be distributed many if not hundreds of miles away from a crematorium.

I have not been able to find any good science to support there being a danger to anyone, even children. Mercury according to the EPA is of no concern. The number of people who have mercury fillings, the source of the concern, has diminished greatly and the particulates there "could be" would be distributed many if not hundreds of miles away from a crematorium. There are zero cases of a crematorium operator, who would be at the greatest risk of exposure, being exposed to or being diagnosed with mercury poisoning, which is the argument most people give for limiting the location of a retort.

I have included two other attachments: *PB2000106992 woodlawn*, an emission test evaluation of a crematorium at Woodlawn Cemetery in The Bronx, NY and a summary of the same report *Environmental Journey*, which in easy language explains the findings from 1999 study. This study is included because in my opinion it shows the worst case scenario. Today's machines are much better and produce much less pollutants than found in this study, which is very little. In Arkansas a case was made to limit the location of a retort, but again, no supporting documents showed a danger to anyone. The crematorium owner compromised, the retort was placed 800' from the school rather the original plan of 350'. Georgia, where they tried to limit the number of crematoriums in the state to limit pollution, failed to find scientific data to support the concerns of some people and the proposed restriction was found baseless.

Zoning is a community concern. If a community wants to limit where crematory is located, they can and in some cities do regulate the placement. This would bill would double the regulation and add an additional level of government employees overseeing the placement.

The research I have seen shows a modern crematorium produces less pollutants than a wood burning stove or most restaurants. In my opinion, it is much safer to have a crematorium next to a school than a McDonalds or Burger King.

Dan Kohler

Professional Preneeds, Inc.

503-559-6300 cellular

*** The information contained in these pages may be *CONFIDENTIAL* and is for the intended addressee only. Any unauthorized use, dissemination of the informat