

## Consumer Protection and Government Effectiveness Committee

My name is Randy Tjaden and I own and operate Cascade Funeral Directors, Inc. We are a family owned Oregon business, operating Funeral Service Establishments throughout the Portland metropolitan area as well as the north Willamette Valley. We are the largest provider of death care services in Oregon and we also operate Oregon's largest cremation facility, Cascade Cremation Center in Tualatin, Oregon. I have a vast knowledge of the cremation process, including zoning and legal requirements as well as licensing and compliance with our regulating authorities.

Please let me be clear that HB 3056 would have no impact on our company's current cremation facility. I believe I have a moral and social responsibility to bring these concerns to your attention. There are some important things to evaluate while considering this Bill.

I am in opposition of this Bill as written for the following reasons.

1. I have always felt that, just because a potential crematory site has the appropriate zoning and is a "fit" from a land use perspective, it does not always make good sense from a community or society perspective. While I agree that some areas are simply not suitable for operating a crematory, this Bill is an unnecessary over-reaction to a very isolated, one time incident. Crematory site locations have not previously been a significant concern in Oregon. I would support legislation that fairly and equitably addressed the appropriateness of crematory placement, if such a Bill were presented, but, this is not it.

2. It may appear to someone from the outside that there is little oversight in the operation of a cremation facility, and this is simply not the case. We are assertively regulated by Oregon DEQ. All cremation facilities must acquire and maintain an Air Contaminant Discharge permit and we are required to file extensive reports annually. We also are required to file "incident reports" any time there is a malfunction in the cremation process that produces visible smoke. We are required to report even the slightest changes in our cremation equipment, including refractory repair or replacement and changes in mechanical or technical operations of our cremation units. We are required to have Certified Crematory Operators in charge of the cremation process, and the cremation units, at all times during operation. Certified Crematory Operator training is managed by the crematory manufacturer and approved by DEQ. Our operator certifications must be posted in a conspicuous place at all times. Oregon DEQ employs a staff of highly trained professionals that understand the concerns of crematory operation. They inspect our facility as they see fit and, should someone report a problem to them, I'd fully expect a visit within hours. They have the authority to impose significant fines, or even stop operation, of a facility that is out of compliance. Although not often, when a cremation unit experiences a "disrupt" it is either operator error, or a mechanical malfunction. Neither is acceptable and both are taken very seriously by any facility that wishes to remain in good standing with Oregon DEQ.

Furthermore, from a licensing and records management perspective, we are regulated by the Oregon Mortuary and Cemetery Board (OMCB). The OMCB performs random facility

inspections and is in a position to take disciplinary action to any operation that is out of compliance. As with Oregon DEQ, the OMCB has a staff of experienced professionals that are trained to understand the business operations of any licensed cremation facility.

3. Without question, evaluating the sensibility or appropriateness of a cremation facility location is important. But, it is more of a zoning/land use concern, not a licensing concern. Our industry has an excellent working relationship with the OMCB and I think it is most inappropriate to place this onus of crematory siting on their shoulders. This is not their area of expertise and this Bill could create a nightmare within their well-operating department.

Thank you for considering my comments.

Randy Tjaden, President  
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*A Family Owned Oregon Business*

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