



**The Maryland Department of the Environment
Secretary Serena McIlwain**

Senate Bill 893

***Environment – Siting Requirements for Crematories and Crematory
Incinerators – Areas III and IV***

Position: Oppose

Committee: Education, Energy, and the Environment Committee

Date: February 27, 2024

From: Hadley Anthony

The Maryland Department of the Environment (MDE) **OPPOSES** SB 893.

Bill Summary

Senate Bill 893 would prohibit human crematories from being located within 1000 feet of a residence, a school, or certain care-related facilities in the Baltimore and District of Columbia metropolitan areas (Areas III and IV). Areas III and IV include the following geographic regions: Baltimore City and Anne Arundel, Baltimore, Carroll, Harford, Howard, Montgomery and Prince George's counties. Currently, there are approximately 32 human or human/animal crematory facilities in Areas III and IV. All 32 facilities are located within 1000 feet of a comprehensive care facility; an extended care facility; a child care center; a family child care center; a public or nonpublic primary, elementary, or secondary school building; or a residential property. The proposed legislation would prohibit these existing facilities from adding an additional crematory or replacing a crematory at the facility.

The limitations SB 893 would place on where a crematory can be located would make it extremely difficult to locate a crematory in the named areas. As written, the bill would prevent MDE from issuing a renewal operating permit for existing crematories in the affected areas, as all existing human crematories violate the bill's locational requirements. Not being able to issue renewal operating permits would mean the eventual elimination of all of those crematories in the affected areas.

Position Rationale

The bill does not provide a defensible basis for the location limitations. MDE follows a science-based review process when evaluating crematory permits. The evaluation determines air quality and public health impacts using tools that consider conservative emission estimates, the distance between those emissions and the property line, the actual equipment to be used to conduct cremations, the geometry of the building, and the associated emission stack. MDE uses these same tools for the hundreds of projects seeking approval for an Air Quality Permit to Construct received each year. This bill would remove the science-based review without providing a justification for the 1000 foot buffer. Accordingly, MDE asks for an **UNFAVORABLE** report for SB 893.

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