

**HB1374\_Letter\_2024.pdf**

Uploaded by: Bradley Lang

Position: FAV



**COUNTY COUNCIL OF BALTIMORE COUNTY**  
COURT HOUSE, TOWSON, MARYLAND 21204

DAVID MARKS  
COUNCILMAN, FIFTH DISTRICT  
COUNCIL5@BALTIMORECOUNTYMD.GOV

COUNCIL OFFICE: 410-887-3384  
FAX: 410-887-5791

March 4, 2024

The Honorable Elizabeth Embry  
Maryland House of Delegates  
State House  
Annapolis, MD 21401-1991

Dear Delegate Embry,

I am writing in strong support of House Bill 1374, which would establish distance requirements for cremation facilities and similar establishments.

Over the past two years, I have become very familiar with controversies regarding the placement of funeral homes and cremation facilities. In particular, a funeral home and crematorium have been proposed for an area along the Philadelphia Road corridor that has numerous residential communities and businesses, including restaurants with outdoor dining. It is clear to me that sufficient statewide standards do not exist for the placement of these facilities.

Numerous states have enacted more rigid standards than Maryland, and given the increasingly popularity of cremation services, I believe it is important for the General Assembly to outline in clear terms specific distance requirements. In 1958, less than four percent of Americans were cremated; the Cremation Association of North America estimates that over 50 percent chose this option by 2018. That number will continue to grow.

Last year, the Baltimore County Council adopted Resolution 25-23, which requests statewide distance standards for these businesses. Thank you for your support of this legislation.

Sincerely:

A handwritten signature in cursive script that reads "David Marks".

David Marks  
Baltimore County Councilman

# **Testimony of Cindy Camp HB1374.pdf**

Uploaded by: cindy camp

Position: FAV

**Testimony of Cindy Camp**  
**IN FAVOR OF HB1374**  
**House Environment and Transportation Committee**  
**February 24, 2024**

My name is Cindy Camp and I live within 200 feet of a proposed human crematorium incinerator at the Vaughn Greene Funeral Home in Baltimore. I am a 56-year-old woman diagnosed with an autoimmune disease. I live with my mom and my brother. My brother is a 60-year-old individual confined to bed. He has bronchitis and several other health issues. My mom is 88 years old, and she also suffers with asthma, and complains of shortness of breath.

My community has some of the highest rates of asthma and COPD in the state. And it is very disappointing that MDE has said they would not consider neighborhood health disparities before approving a crematorium in our neighborhood. We are a densely packed neighborhood. With a crematorium being so close to people's homes this is very scary. We have several schools in the area and a major concern for me is this the increased air pollution that will expose children playing outdoors and attending outdoor events. We often have cookouts and graduation parties.

We heard expert testimony during the hearings about the kind of pollution that crematorium incinerators produce. I believe the testimony provided by our experts left no doubt that the particulates and toxic chemicals released in an area with already high air pollution and health disparities is a danger to everyone who lives in this community.

I don't believe anyone in the State of Maryland should have to live next to an incinerator. So, I support House Bill 1374, for the protection of our neighborhood and the health of the environment.

# **HB1374 Testimony (Councilman Mark Conway \_ Favorab**

Uploaded by: Councilman Mark Conway

Position: FAV



**Councilman Mark Conway**  
Baltimore City Council *Fourth District*

---

100 N. Holliday Street, Suite 550 • Baltimore, Maryland 21202  
(410) 396-4830 • [mark.conway@baltimorecity.gov](mailto:mark.conway@baltimorecity.gov)

**TO:** Chair Marc Korman; Vice Chair Regina T. Boyce; members of the Environment and Transportation Committee  
**FROM:** Mark Conway (District 4, Baltimore City Council; Chair, Public Safety and Government Operations Committee)  
**RE:** HB1374 (Environment - Crematory - Setback Requirements and Permits)  
**POSITION: SUPPORT**

Honorable Chair Korman, Vice Chair Boyce, and members of the committee,

I am writing today in strong support of HB1374 (Environment - Crematory - Setback Requirements and Permits), which would add a 1000-foot setback for crematories from homes, schools, and daycares. This requirement would safeguard the environment and public health of communities across Maryland, including the ones I am honored to represent in north and northeast Baltimore City.

Crematories emit harmful smoke and pollutants into the air that pose a serious risk to communities<sup>1</sup>. These can include PM 2.5 particles, which are so hazardous to human health that the United States Environmental Protection Agency (EPA) recently announced plans to toughen standards. In contrast, the Maryland Department of the Environment has left regulations on crematories the same since 1991, even as science and our understanding of the impact pollution has on the environment and humans has significantly developed.

Combined with the effects of climate change on temperatures, increased pollution can result in more diagnoses of chronic respiratory diseases. The University of Maryland Medical System describes asthma as “reach[ing] epidemic levels” in Baltimore, with almost half of city schools reporting higher prevalence rates than the national average<sup>2</sup>. 20% of Baltimore’s children (compared to 9% nationally) are estimated to have asthma. The Greater Govans community statistical area in my district was in the second-highest category for youth asthma-related emergency room visits in 2016 (the most recent year for which data is available)<sup>3</sup>.

With our knowledge and the increased popularity of cremation, now is the time to impose pragmatic limits to ensure funeral homes have the flexibility to cater to this growing market while not imperiling Marylanders. I urge a favorable report.

Sincerely,

Mark S. Conway, Jr.

---

<sup>1</sup> Caitlyn Hauke, “The Environmental Impact and Potential Human Health Effects of Cremation”, *Green Burial Council*, [https://www.greenburialcouncil.org/environmental\\_impact\\_cremation.html](https://www.greenburialcouncil.org/environmental_impact_cremation.html)

<sup>2</sup> “Asthma FAQs”, *University of Maryland Medical Center*, <https://www.umms.org/childrens/health-services/pediatric-pulmonology-allergy-sleep/breathmobile/asthma-faqs>

<sup>3</sup> Sarah LaFave, “The Unequal Burden of Pediatric Asthma: A Call for an Equity-Driven, Multimodal, Public Health Approach to Asthma in Baltimore”, *Abell Foundation*, [https://abell.org/sites/default/files/files/2020\\_Abell\\_pediatric%20asthma\\_FINAL-web%20\(dr\).pdf](https://abell.org/sites/default/files/files/2020_Abell_pediatric%20asthma_FINAL-web%20(dr).pdf)

**RWIA\_Support\_HB1374\_Mar2024.pdf**

Uploaded by: Daniel Pontious

Position: FAV



## RADNOR-WINSTON IMPROVEMENT ASSOCIATION

406 Woodford Road, Baltimore MD 21212

RadnorWinstonAssociation@gmail.com www.radnorwinston.org

---

March 4, 2024

House Environment and Transportation Committee  
Room 250  
House Office Building  
Annapolis, MD 21401

**Re: SUPPORT SB 1374, Setback Requirements for Crematories**

Dear Chairman Korman, Vice Chair Boyce, and Members of the Committee,

I am writing on behalf of the Radnor-Winston Improvement Association in strong support of House Bill 1374, which establishes a required 1,000-foot setback from homes, schools, and daycare facilities for new human crematories.

Radnor-Winston is a community on the York Road corridor in Baltimore City of more than 300 single-family homes, apartments, and affordable housing units for senior citizens and people with disabilities. More than one-third of those homes, including 87 single-family homes, two apartment buildings, and an affordable home for people with disabilities are located within 1,000 feet of a proposed crematorium incinerator at the Vaughn Greene Funeral Home directly across York Road from our community.

Human crematoria are incinerators, like solid and medical waste incinerators. They are so similar that Vaughn Greene uses emissions from burning medical waste to calculate the emissions its human crematorium is likely to produce. Yet human crematories have no emissions control equipment, and the Maryland Department of Environment does not monitor emissions or require stack tests after issuing a permit.

In our local case, Vaughn Greene is located within 200 feet of homes in a community with elevated rates of asthma and COPD. Hundreds of homes, including more than 100 in our neighborhood, are within 1,000 feet. Given other sources of pollution and nearby vulnerable populations, the State of Maryland should not allow this to occur. We strongly urge you to pass HB 1374 to give communities like those around Vaughn Greene a margin of protection from the rapidly expanding crematorium industry.

Thank you for your consideration. Please feel free to contact me at [dan.pontious@icloud.com](mailto:dan.pontious@icloud.com) if you have any questions.

Sincerely,

Dan Pontious  
President



**HB 1374 Joint letter for sign on.pdf**

Uploaded by: Dru Schmidt-Perkins

Position: FAV

***Bluewater Baltimore \* CASA \* Clean Water Action \*  
Chesapeake Climate Action Network \* Maryland  
Legislative Coalition Climate Justice Wing\* Indivisible  
Howard County \* Maryland Conservation Council  
\*Unitarian Universalist Legislative Ministry of Maryland  
\****

**HB 1374 Crematory – Setback Requirements and Permits**  
Environment and Transportation Committee  
March 6, 2024

Position: Favorable

The above organizations urge your support of legislation to require a 1,000-foot setback for new crematorium incinerators from homes, schools, and daycares. This measure will ensure the availability of cremation services while protecting the health of nearby residents and vulnerable populations.

Crematoriums are incinerators but lack pollution monitors and emission controls and operate under outdated Maryland Department of the Environment (MDE) regulations, last updated in 1991. Crematoriums emit mercury, hydrochloric acid, heavy metals, dioxins, furans and small particulate matter into the air. MDE does not require stack tests or monitor emissions.

Further, because of the increased demand for cremation (it is cheaper than burial), there is an increase in new crematorium incinerators proposed – including in Anne Arundel, Prince George’s, Baltimore, Carroll, Harford and Frederick counties.

Alarmingly, funeral homes seek to add these crematoriums to their neighborhood-based funeral homes meaning a large increase in these small incinerators and the emissions from poorly regulated and monitored pollution located in residential neighborhoods – all over the state.

Because current regulations are inadequate, we urge you to support this simple and reasonable fix to protect our neighborhoods and our health, especially the most vulnerable to additional air pollution.

**LoyolaCCSJ\_LOS\_HB1374March2024.pdf**

Uploaded by: Gia Grier McGinnis

Position: FAV



## LOYOLA UNIVERSITY MARYLAND

— 1852 —

*Center for Community, Service, and Justice*

February 25, 2024

The Honorable Marc Korman  
Chair, Environment and Transportation Committee  
Room 251  
Annapolis, Maryland 21401

Dear Delegate Korman,

The Loyola University Maryland's York Road Initiative, housed within our Center for Community, Service, and Justice, has supported community partners, neighborhood leaders, and local businesses along the York Road commercial corridor in North Baltimore since 2013. I write today to offer our Center's firm favorable support of HB 1374, which offers a balanced solution of allowing crematoriums to operate but at a distance of at least 1,000 feet away from residential properties, daycare centers, schools, and assisted living/nursing facilities.

Our York Road community is a vibrant one, with a diverse coalition of partners working collectively to maintain the health and vitality of the area. The results of these efforts over the past twenty years have been a 39% decrease in vacant homes, two brand new 21st Century Schools, the creation of the York Corridor Business Improvement District Management Authority, and a designation as a Healthy Neighborhood. As we continue our efforts to increase investment in our community and strengthen community health and well-being, we have serious concerns regarding the proposed construction of a human crematory in the 4900 block of York Road.

Our community could suffer with the addition of another point source of air pollution, especially one in close proximity to residential homes, schools, assisted/nursing living and daycare centers. The lack of data on the cumulative health impacts of the crematory, combined with other documented pollution sources, is enough reason to halt this project and those like it. Proceeding without this data would be irresponsible and could contribute to unnecessary adverse health outcomes for the most vulnerable residents—children, the elderly, and those with pre-existing respiratory conditions.

We also view the placement of the proposed crematory, which is set to burn human waste from multiple funeral homes owned by its operator, as an environmental justice issue. Environmental justice is achieved when there is fairness and equity in the distribution of environmental benefits and burdens. According to the most recent Baltimore Regional Neighborhood Indicator Alliance data, the Greater Govans area is 88% African American with approximately 39% of its children living below the poverty line. Placing a high-volume crematory in a community of color with a vulnerable youth population and without complete data is neither just nor equitable.

Housed within Maryland's only Jesuit Catholic University, our Center is guided by our university's core values that include diversity, justice, and *cura personalis*. We urge this committee to support HB 1374 and prioritize the public's health.

Sincerely,

A handwritten signature in black ink, appearing to read 'G. McGinnis', with a long horizontal line extending to the right.

Gia Grier McGinnis, DrPH, MS  
Executive Director, Center for Community, Service, and Justice & York Road Initiative

# **HB1374\_I. Enurah\_FAV**

Uploaded by: Ikenna Enurah

Position: FAV

## THE TESTIMONY in FAVOR of HB 1374

Given March 6, 2024

My name is Ikenna Enurah and I have lived in the White Marsh Honeygo Ridge community for about 20 years. I have a master's degree in environmental science from Towson University. I know for a fact that crematoriums are sources of air pollution including mercury emission. This pollution can cause subtle chronic health effects due to long-term low dose exposure. Mercury pollution is drastically increased in crematories that burn corpses with amalgam dental fillings. In humans' mercury damages the nervous system and can harm childhood development. That is why I am in strong support of Resolution HB 1374.

Thank you,

Ikenna Enurah



11510 ASBURY CT

WHITE MARSH, MD 21162

Cell # 410.227.2226

Ikenna2025@yahoo.com

# **Testimony York Road Partnership KDeCamp House Envi**

Uploaded by: Karen DeCamp

Position: FAV





Testimony of Karen DeCamp, representing the Board of Directors of  
**THE YORK ROAD PARTNERSHIP**

HOUSE ENVIRONMENT AND TRANSPORTATION COMMITTEE  
March 6, 2024

*York Road Partnership is membership network of 30+ neighborhoods and affiliates promoting the vitality of Baltimore City's York Road community as a desirable urban environment in which to live, shop, work and worship.*

**President**  
**Christopher Forrest**  
Winston Govans

**Vice President**  
**Phyllis Gilmore**  
Woodbourne-McCabe

**Treasurer**  
**Carol Rice**  
Guilford

**Recording Secretary**  
**Karen DeCamp**  
Radnor-Winston

**Corresponding Secretary**  
**Christopher Pisano**  
Homeland

**At-Large Members**

**Cindy Camp**  
Richnor Springs

**Steve Davis**  
Wilson Park

**Stephanie Geller**  
Community Wealth Builders

**Leila Kohler-Frueh**  
Habitat for Humanity of the  
Chesapeake

**Committee Chairs**

**Business Engagement**  
Christopher Forrest

**Housing and Neighborhood  
Revitalization**  
Donna Blackwell & Dan Pontious

**Public Safety**  
Christopher Forrest

**Public Space and Greening**  
Helene Perry

401 Woodbourne Ave  
Baltimore MD 21212  
yorkroadpartnership@gmail.com

Honorable Chair and Vice Chair and Members of the Committee,

Thank you for the opportunity to testify. I write as the former President and current Secretary of the Board of the York Road Partnership in Baltimore, which is an all-volunteer coalition of 30 neighborhoods, churches, schools, non-profits and institutions.

**I urge a favorable vote for HB1374, which would require a 1000 foot setback for new crematorium incinerators from homes, schools, and daycares. This common sense measure will ensure the availability of cremation services while protecting the health of nearby residents and vulnerable populations.**

**We don't oppose cremation, but we urge the General Assembly to get ahead of the rapid growth of neighborhood-based crematories and make this simple fix to locate these incinerators a reasonable distance from homes and schools.**

Crematoriums are incinerators but lack pollution monitors and emission controls and operate under outdated Maryland Department of the Environment (MDE) regulations, last updated in 1991. Crematories emit mercury, hydrochloric acid, heavy metals, dioxins, furans and small particulate matter into the air. MDE does not require stack tests or monitor emissions.

Further, because of the increased demand for cremation (it is cheaper than burial, and industry groups estimate cremation now accounts for 60% of death care), we are seeing an increase in new crematorium incinerators proposals – including in the jurisdictions where there are already clusters (Anne Arundel, Prince George's, Baltimore, Carroll, Harford and Frederick).

Most alarming is that because funeral homes seek to add these crematories at their neighborhood-based funeral homes, we could be looking at a large increase in futures years in these small incinerators located in residential neighborhoods – all over the state.

Here in north Baltimore's York Road community, neighbors are united across a stark racial divide to fight a proposed new crematorium incinerator at a funeral home in a densely packed neighborhood with many homes 150 feet from this proposed new pollution source. The blocks directly around the funeral home, majority Black, already have elevated levels of asthma, COPD and other diseases causally related to air pollution. This is perhaps one of the worst places to place a new crematory incinerator.

Please protect Maryland's neighborhoods with this very reasonable bill.



**HB1374\_20240304\_0001.pdf**

Uploaded by: Leila Kohler-Frueh

Position: FAV

**HB 1374**

Environment and Transportation Committee

March 6, 2024

**Position: FAVORABLE**

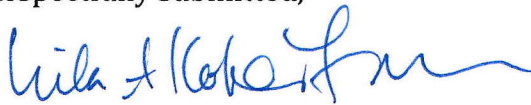
Dear Chair Korman, Vice Chair Boyce and members of the committee,

As a member organization in the York Road Partnership, we understand the long battle that communities near this proposed crematorium have had to attempt to keep an incinerator from their neighborhoods. We support the community and its efforts to protect this residential neighborhood from housing a human crematorium.

The surrounding communities have demonstrated how much is at stake in this issue, from health concerns to property value concerns. The communities include neighborhoods where we have successfully settled dozens of homeowners over the past few decades, and where a new homebuyer is about to be settled, in the Woodbourne-McCabe community, within a matter of weeks. We understand that many homeowners in the immediate community by the crematorium, and neighboring ones, like Woodbourne-McCabe, are deeply invested in not having this incinerator present in their local surroundings.

We urge a favorable vote for HB 1374, which would require a 1000 foot setback for new crematorium incinerators from homes, schools, and daycares.

Respectfully submitted,



Leila Kohler-Frueh, Director of Community Engagement

# **Testimony of Lisa Polyak\_Support HB1374.pdf**

Uploaded by: Lisa Polyak

Position: FAV

**TESTIMONY OF LISA M. POLYAK**  
**SCIENCE ADVISOR TO THE YORK ROAD PARTNERSHIP, BALTIMORE, MD**  
**SUPPORTING HB1374 – HOUSE ENVIRONMENT & TRANSPORTATION COMMITTEE**  
**MARCH 6, 2024**

Delegate Korman, Delegate Boyce, and Members of the Committee,

Thank you for the opportunity to testify. **I urge a favorable vote for HB1374.** I am an environmental engineer and public health scientist. For the last 35 years I have worked for the Army Medical Command and the Defense Health Agency evaluating environmental health exposures for U.S. Servicemembers stationed in the US and around the world. Today, I am appearing in a private capacity as the Science Advisor to the York Road Partnership in Baltimore.

I want to make several points about why this bill is good science and good policy.

1. This bill is good policy because it permits the funeral industry to continue to develop cremation capacity and provides much needed public health protections for neighborhood residents and vulnerable populations. **This is a no cost, low tech solution to a regulatory gap that MDE has not addressed** for this rapidly expanding industry that relies on incinerators.
2. Demand for cremation has risen dramatically in the last 20 years due to necessity and cost. The Maryland State Funeral Directors Association reports that in 2022, 52% of Marylanders needing after-death care chose cremation rather than burial. This demand is reflected in the **116 air permits issued for crematory incinerators by the Maryland Department of the Environment** (MDE). According to MDE records, air permit applications for human crematories have doubled in the last 10 years in Maryland.
3. There are no Federal air quality regulations governing the operation of crematory incinerators; and **MDE regulations on crematories have not been updated in over 30 years** (since 1991). Further, having reviewed a majority of the crematory air permits issued by MDE – I can tell you that there are no permit obligations to perform a stack test or to measure stack emissions to identify what kinds of pollutants are emitted, or to measure whether emissions meet the lone crematory emission standard for particulate matter that appears in COMAR.
4. Unlike regular incinerators, **crematory incinerators have no emission controls, and no monitors that measure how much pollution comes out of the exhaust stack.** The only optional device that some crematories are equipped with is a smoke detector – like the kind you have in your kitchen – that alarms when smoke in the exhaust stack is too dark or too dense.
5. Opponents of this bill state that cremation poses no health risks – that the stack exhaust only contains carbon dioxide and water vapor. We know that this is not true because the American Medical Association estimates that **10% of Americans have a medical device implanted in their body during their lifetime.** Things like pacemakers, defibrillators, drug dispensers, vascular stents, synthetic joints, prosthetic limbs, cosmetic implants and dental fillings which are not removed before cremation. Opposition testimony to this bill cites a report by the Cremation Association of North America (CANA) stating,

*“Additionally there may be pieces of metal in the cremated remains – this metal may come from surgical implants like hip replacements, dental fillings, casket handles, or jewelry that was not removed prior to cremation”.*

**TESTIMONY OF LISA M. POLYAK**  
**SCIENCE ADVISOR TO THE YORK ROAD PARTNERSHIP, BALTIMORE, MD**  
**SUPPORTING HB1374 – HOUSE ENVIRONMENT & TRANSPORTATION COMMITTEE**  
**MARCH 6, 2024**

Crematories are processing much more than just human remains. Crematories are not designed to incinerate these materials – and because of the lack of pollution control – will just emit the partially burned remnants of medical devices in the stack exhaust and out into the neighborhoods surrounding the incinerator.

6. In opposition testimony, the MD State Funeral Directors Association (MSFDA) asserted that the demand for cremation in Maryland outstrips available capacity. However, their analysis is based on a faulty estimate of 50 human crematories throughout the state. MDE records show that air permits have been issued for 80 human crematories in Maryland. **MSFDA underestimated existing crematory capacity by 60%.** Using the MSFDA estimate of annual cremation demand in Maryland (28,898) and 252 working days/year – this works out to about 1 or 2 cremations/day for the 80 units with an MDE air permit. Most crematories can handle at least 3 cremations in a workday, so there appears to be plenty of capacity for both the current and projected demand for cremation in Maryland.

7. This is a December 2023 screen shot of air emissions emanating from the Bayview Crematory incinerator located in south Baltimore. In November 2022, MDE re-issued an air permit to two human crematories at this location - both over 20 years old. It is not clear if MDE is aware that some crematories are operating in a manner that clearly violates Maryland air quality regulations. However, **this is a clear example of why citizen health would benefit from a setback** as an administrative control to limit respiratory exposure to events like the one shown in the photo. The full video can be viewed here: <https://www.facebook.com/1032980720/videos/1125284451963680/>



# **HB1374\_Enurah\_FAV\_p1**

Uploaded by: Nadia Enurah

Position: FAV



**IN FAVOR of HB 1374**

**March, 6,2024**

**NO CREMATORIUM in the RESIDENTIAL AREA!**

My name is Dr. NADIA ENURAH, I am a professor at MORGAN STATE UNIVERSITY, Baltimore.

My family has lived in Honeygo Ridge, White Marsh for about 20 years. (11510 Asbury CT, White Marsh, MD, 21162, [nenurah@hotmail.com](mailto:nenurah@hotmail.com), cell 443.996.8558)

**We all know about scientific evidence that crematories emit toxic pollutants that damage the environment and the people who live near them. THIS is a WELL-KNOWN FACT.**

All my neighbors live here for 20-30 years, and **we CAN NOT move our homes TO OTHER AREAS.**

**However, the crematoriums can easily be built far away from the residential area. Yes, it will be more expensive for them.**

**THIS IS THEIR ARGUMENT WHY THEY NEED TO BUILD a NEW CREMATORIUM in THE EXISTING (FOR DECADES) RESIDENTIAL AREA.**

**THEY DO NOT WANT TO BUY LAND FAR AWAY, IT IS COSTLY FOR THEM, THEY HAVE TO BIULD ALL THE COMMUNICATIONS and INFRASTRUCTURE.**

**IT IS ALL ABOUT THEIR MONEY. It is MUCH CHEAPER to build RIGHT in the middle of a RESIDENTIAL Area.**

## **HB1374\_Enurah\_FAV\_p2**

Uploaded by: Nadia Enurah

Position: FAV

ALL INFRASTRUCTURES are ALREADY HERE. It is cheap and convenient for their business, **BUT IT IS DEADLY FOR US, RESIDENTS** of this area.

Also, they say it will be MORE EXPENSIVE FOR US if they build far away. **It sounds like they care about us and our money. It is a pure LIE.**

**NO AMOUNT OF MONEY CAN BUY LIFE OR HEALTH.**

**LIFE AND GOOD HEALTH ARE PRICELESS.**

WE ARE READY TO PAY MORE FOR our CREMATION IN THE FUTURE, WHEN our TIME COMES Naturally, BUT WE DO NOT WANT TO DIE PREMATURALLY BECAUSE OF POISON FROM the CREMATORIUM in our backyard.

**The Funeral BUSINESSES CARE ONLY about THEIR PROFITS and THEIR MONEY. NO CONSIDERATION FOR THE HEALTH and LIFE of Marylanders.** They just want to get MORE CLIENTS and in a SHORTER TIME.

They get (2) **TWO BENEFITS** if they BUILD a CREMATORIUM in a RESIDENTIAL AREA

1. THEY SPEND MUCH LESS MONEY TO BUILD a Crematorium.
2. THEY get MORE BUSINESS, MORE BODIES to cremate BY POISONING US and SHORTENING OUR LIFE. Research says that the effect of Air Pollution is much worth then the effect of AIDS.

The Maryland Department of Environment states, that their mission is 'to protect and restore the environment for the health and well-being of all Marylanders.'" Their

# **HB1374\_Enurah\_FAV\_p3**

Uploaded by: Nadia Enurah

Position: FAV

**MISSION IS NOT** the BUSINESS PROFITS of FUNERAL HOMES and Crematoriums.

WE MARYLANDERS NEED PROTECTION FROM THE GOVERNMENT of our State.

PLEASE HELP US AND SAVE US and our Children and future Grandchildren.

THANK YOU!

Nadia Enurah

443.996.8558

[nenurah@hotmail.com](mailto:nenurah@hotmail.com)

**Guilford Assoc Support of House Bill 1374\_030424.p**

Uploaded by: Patrick Nolan

Position: FAV



Chairman Marc Korman  
Vice Chair Regina T. Boyce  
House Environment and Transportation Committee  
Maryland General Assembly  
Annapolis, MD 21401

March 4, 2024

Honorable Chair and Vice Chair and Members of the Committee,

I urgently write as the President of the Guilford Association, which includes 800 residences here in north Baltimore City.

**I strongly request a favorable vote for House Bill 1374 that would require a 1,000-foot setback for new crematorium incinerators from homes, schools and daycare facilities.** This prudent measure will ensure the availability of cremation services while protecting the health of nearby residents and vulnerable populations.

Crematoriums are incinerators but lack pollution monitors and emission controls and operate under outdated Maryland Department of the Environment (MDE) regulations, which were last updated more than 30 years ago. Crematories emit mercury, heavy metals, hydrochloric acid, dioxins, furans, volatile organic compounds (VOCs), and small particulate matter into the air. MDE does not require stack tests or monitor emissions.

Because of the increased demand for cremation, which is much cheaper than burial, there is an increase in new crematorium incinerator proposals – including in the jurisdictions where there are already clusters (Anne Arundel, Baltimore, Carroll, Frederick, Harford, and Prince George’s Counties).

Most disconcerting is that because funeral homes seek to add these crematories at their neighborhood-based funeral homes, we could be looking at a large increase in future years of these small incinerators located in residential neighborhoods – all over our state.

Here in north Baltimore’s York Road community, neighbors are united across a stark racial divide to fight a proposed new crematorium incinerator at a funeral home in a densely packed neighborhood with many homes 150 feet from this proposed new pollution source. The blocks directly around the funeral home, majority Black population, already have elevated levels of asthma, COPD and other diseases causally related to air pollution. This location is one of the worst places to place a new crematory incinerator.

Because of inadequate current regulations, we urge you to support this simple and reasonable fix to protect our neighborhoods and our health, especially the most vulnerable, to unnecessary, additional air pollution.

Sincerely,

A handwritten signature in black ink, appearing to read 'Emily Brennan', is written over a faint circular stamp.

Emily Brennan, President  
Guilford Association, Inc.

cc: Members of the Committee

# **Sandi McFadden Testimony\_HB1374.pdf**

Uploaded by: Sandi McFadden

Position: FAV



**TESTIMONY OF SANDI McFADDEN  
COMMUNITY SCHOOL COORDINATOR FOR THE GOVANS ELEMENTARY SCHOOL IN  
BALTIMORE, MD  
SUPPORTING HB 1374  
HOUSE ENVIRONMENT & TRANSPORTATION COMMITTEE  
MARCH 6, 2024**

Delegate Korman, Delegate Boyce, and Members of the Committee,

Thank you for the opportunity to testify. My name is Sandi McFadden and I support HB1374. I am the Community School Coordinator for the Govans Elementary School in Baltimore where I serve as a liaison between the school, the neighborhood, the community, and the City. A foundational principle of Community Schools is that there must be connection and coordination among the community elements that effect a child's welfare.

I am concerned that environmental policy in Maryland has become a stand-alone entity that is disconnected from its mission to protect the environment for the health and well-being of Marylanders.

Our community has worked with city and state authorities to bring investment for revitalization, public safety, greening, and commercial activity into neighborhoods that have suffered from redlining and disinvestment. These efforts have led to a 39% decrease in vacant homes, two new 21st Century Schools, and a Healthy Neighborhood designation.

Current environmental regulations will allow a crematory incinerator to be placed in the heart of our neighborhood – less than 200 feet from our homes - prioritizing the interest of a single business owner over 2 decades of coordinated effort to restore our community. These crematories have none of the emission controls or pollution monitors that MDE requires on larger incinerators. They will create a health burden as well as a disincentive to prospective home owners or businesses. No one wants an incinerator in their backyard.

Creating a 1,000 foot buffer for crematories is a no cost, common sense solution. It permits crematory businesses to exist, protects the health of the community, and preserves the hard-earned revitalization of our neighborhoods.

# **Letter on House Bill 1374.pdf**

Uploaded by: Andrew Van Dusen

Position: UNF

Mr. Andrew Van Dusen  
Maryland State Funeral Directors Association  
Association Administrator  
Millersville, Maryland

Dear Mr. Van Dusen:

I have been asked to give my opinion on the safe operations of crematories. My background in crematory operations goes as far back as 1975 and I have personally cremated and assisted in cremating over ten thousand decedents. Cremation certainly is not a fad since the first crematory was established in 1876 in Washington, Pennsylvania. The National Funeral Directors Association, the world's largest funeral director association with over twenty thousand members in forty-nine countries predicts the national cremation average will be 70.6% by the year 2030. Currently there are four thousand crematories in the United States.

Funeral Directors are now providing more cremation than burial services to the families they serve and at a deeply discounted price. Cremations are not going to become less popular; they are going to increase dramatically.

That brings us to the question that Maryland House Bill 1374 is trying to enact. Basically, are crematories a hazard to the environment I read with bewilderment that this Act "is necessary for the immediate preservation of the public health or safety". As I previously alluded to, I have worked in a crematory since 1975 and have cremated over ten thousand decedents and I have never had any illnesses related to operating a cremator. One would think if the person who is performing the cremations has never become ill from emissions, then why should the public who lives next door to a crematory have any worries.

Particulate emissions (PM) are released into the air in several ways, cars, trucks, and even fireplaces, but do we need to point the finger at crematories who have emission controls to limit the amount of emissions released into the atmosphere. Modern day crematories have now been equipped with computers that control and oversee the cremation. Industry officials have determined that crematories are safe and meet all government air-quality standards.

Another concern regarding emissions being released is Mercury (Hg) that is being attributed to amalgam fillings in the decedent's teeth. The American Dental Association (ADA) that oversees dentists throughout the US has stated that the use of silver amalgam has dropped from 68% to less than 30% eliminating the already minimal amounts of Hg into the atmosphere. The USEPA has determined Hg emissions are not deemed sufficient to be regulated. One can assume with the everyday changes in the dental profession that silver amalgams will be eliminated in the near future.

Research and tests have been conducted in several parts of the world to determine the amount of emissions released into the atmosphere and even scientists have determined that it is not a risk to live next to a crematory. Some have recommended that the funeral home or crematory extract the teeth with fillings prior to the cremation. Anyone onboard with that idea? Decisions on allowing a crematory to operate within one thousand feet should be made on the data collected and intellectually interpreted and not an uproar of a neighborhood, school, or an extended living facility.

The State of Maryland does an excellent job in overseeing the operation of a crematory. Any person who performs a cremation must receive their certification to do so. Receiving a certification requires said person to attend a one day eight-hour program on the proper operating procedures of a cremator, and then pass a fifty-question exam. I would like to add that this course costs \$525.00. Having an operator certified gives them a better idea of how the equipment is designed and how to perform a cremation. Having a certified operator and a well-maintained machine will reduce, if not eliminate emission problems.

Handcuffing funeral homes and crematories by not issuing new permits and not renewing old permits is not the answer and will present a hardship to those entities and the families they serve.

Sincerely,

Michael W. Nicodemus

Vice President Cremation Services

National Funeral Directors Association

**Maryland HB1374.pdf**

Uploaded by: Barry Burczyk

Position: UNF

Air Quality Points	Supporting Evidence	
Well-maintained cremators do not represent a significant source of pollution	<ul style="list-style-type: none"> <li>Recent stack tests showing low levels of pollutants, acceptable in every other state</li> </ul>	
Isolated incidents are sensationalized, but actually quite rare	<ul style="list-style-type: none"> <li>Mpyre reports on more than 1M cremations showing smoke-free operation more than 99% of the time</li> </ul>	
As-written, this will likely increase the incidence of emissions <i>and decrease air quality in the state</i>	<ul style="list-style-type: none"> <li>Newer equipment performs significantly better than older equipment</li> <li>The bill will likely be applied to prohibit upgrades to newer equipment with better environmental performance</li> </ul>	
There are better ways to achieve the air quality goals, without the large impacts on small businesses and vulnerable citizens.	<ul style="list-style-type: none"> <li>A requirement for to include evidence of proper maintenance, including annual inspections and prompt repairs</li> <li>A requirement for monitoring and reporting of emissions</li> <li>A provision to retire any equipment that cannot be maintained to the newer standard</li> </ul>	

1. With Maryland passing **30,000** annual cremations, the cremation providers in Maryland are saving citizens **\$70-\$90** million per year over burials.
2. Driving crematories out of all the populous parts of the state will erase those savings, with the cost concentrated on metro families at the worst time in their lives.
3. We believe there is no relationship between the number of crematories in the state and the number of cremations performed. Consumer preference drives demand.
4. Having less crematories simply means the volume is handled by a smaller number of facilities.
5. Surrounding states (VA, WV, DE, PA) have no setback requirement. They like most every other state leave location to local zoning departments to govern.
6. Matthew's cremation units (and others) **meet all MDE requirements.**

# **HB-1374 Testimony.pdf**

Uploaded by: Charles Evans

Position: UNF



*8800 Harford Road, Parkville, Maryland 21234 - (410) 665-9444*

*3 Newport Drive, Forrest Hill, Maryland 21050 - (410) 893-7575*

*16924 Fork Road, Monkton, Maryland 21111 - (410) 343-3000*

February 23<sup>rd</sup>, 2024

To the Honorable Members of the Maryland House of Delegates,

I am reaching out to express my firm opposition to the proposed bills, HB-1374 – AN ACT concerning Environment – Crematory – Setback Requirements and Permits. I wish to have this letter entered as testimony on my behalf.

As the owner of funeral homes and crematories in Maryland, I am deeply concerned about the potential negative impact of this legislation on our ability to provide dignified death care services to families across the state. The provisions outlined in these bills, particularly the proposed prohibition on locating new crematories within 1,000 feet of certain properties such as assisted living facilities, properties serving children, and residential properties, are unnecessary and could have far-reaching consequences for our industry.

Many funeral homes, like mine, have been family-owned and operated for generations, becoming integral parts of the community's history and culture. Funeral homes play a vital role in the social, cultural, and emotional well-being of the communities they serve, earning them a place of significance and respect. These bills would push future funeral homes further outside of the communities they are trying to serve. A crematory within a funeral home offers several practical, logistical advantages, enhancing the overall service and provides a comforting experience to the families.

While I understand the desire to address concerns about proximity to sensitive properties, I believe these restrictions are based on misconceptions and lack of scientific evidence to warrant such regulations. Implementing such restrictive setback requirements would severely limit communities' ability to establish new crematories, potentially forcing families to travel longer distances, increasing costs, and adding even more emotional strain for families.

Moreover, these setback requirements might be perceived as discriminatory toward the funeral and crematory sector. Cremation stands as a crucial facet of end-of-life care, favored by numerous Maryland residents. If our concern is truly about health and the environment, why not target home furnaces, vehicles, trucks, factories, restaurants, and any other sources emitting exhaust? We operate under full government regulation and scrutiny. We self-test, our manufacturers test, and the state tests our crematories on a regular basis. If there were genuine health concerns, wouldn't inspectors or health professionals have uncovered them by now? Should my employees and other crematory operators be worried? The crux of the matter is this: perhaps some individuals fear death and prefer not to reside or work near funeral homes or crematories. Due to those fears, health impacts are being used as a pretext. Some individuals are uncomfortable with death and the proximity to these establishments doesn't give them the right to control what any owner can do on a properly zoned property.



Furthermore, the scientific basis for mandating these setback distances is questionable at best. There is no conclusive evidence suggesting that crematories pose significant environmental or health risks to nearby properties, considering that we operate under established safety and emissions standards. Enforcing arbitrary setback requirements could create unnecessary barriers for businesses and communities looking to establish new crematories without providing tangible benefits.

In conclusion, I strongly urge you to oppose this bill and consider alternative approaches that strike a balance between community needs and the interests of the death care industry. Rather than imposing overly restrictive measures, I recommend focusing on existing regulations and enforcement mechanisms to ensure that crematories operate safely and responsibly while maintaining accessibility to essential services for all Maryland residents.

Thank you for your attention to this matter, and I trust that you will consider my perspective and the concerns of other stakeholders when deliberating and voting on these two bills. Please contact me directly if you have any questions. If anyone would like to tour our crematory in Forest Hill, please do not hesitate to ask. Education is crucial in making an informed decision.

Sincerely,

A handwritten signature in black ink, appearing to read "Charles F. Evans, Jr.", with a stylized flourish at the end.

Charles F. Evans, Jr.

President

# **Cremation testimony 2024 for House.pdf**

Uploaded by: Holly McComas

Position: UNF

Name: Holly McComas

HOME ADDRESS AND ZIP CODE: 1826 Park Beach Drive, Aberdeen, MD 21001

PHONE NUMBER: (410)688-6746 - Cell Phone

Dear Members of the House of Delegates,

After sitting through this SB 893 I had some observations of those in favor of the bill and wanted to make sure facts were known that pertain to the cremation process of human remains as there were some inaccuracies in what I heard. My colleague and I compiled a bit of factual information for you as follows:

**Operating Temperature:** The lead proponent speaker indicated that cremations were performed at a temperature of 1900 degrees. When we opened our cremation facility in 2012, we were licensed by MDE to begin a cremation at 1800 degrees. Several years ago, **the setting was reduced to 1600 degrees due to improved technology and to conserve on fuel.**

**Gasoline with Lead:** during her presentation, the lead speaker indicated that gasoline is used to perform cremations, which allegedly releases harmful levels of lead into the environment. **This is incorrect as natural gas is the fuel source utilized.**

**Cremation Includes:** during the presentation, it was implied that the cremation process includes a number of items:

- **Metals (non-Biological)** – it is standard practice to **physically remove as much metal from the cremation container as possible.** If a casket is used, metal handles as well as hinges & locks are removed providing the casket can be moved safely without injury to the operator. While screws, staples and nails may be used in the construction of the casket, **these are not destroyed during the cremation process** and are removed during the processing phase of the cremated remains.
- **Metals (Surgical Implants)** – like dental fillings, the removal of implants would be **considered desecration of the body.** Implants, usually made from titanium, may be hip, knee & shoulder joints, rods supporting the spinal column, etc. Like

casket hardware, **these will not be destroyed during the cremation process and are removed at the time the cremated remains are processed.**

- **Jewelry** – as policy, we are required to ensure that all jewelry has been removed by the funeral director. If any jewelry is found, it is removed, bagged, labeled with the name, and returned to the family.
- **Pacemakers** – pacemakers are required to be removed from the deceased prior to cremation, which is a simple task. If left in place, a pacemaker may explode and may cause severe damage to the cremation chamber. **Any implant containing a battery is removed as standard practice.**
- **Dental Fillings** – there has been discussion on this over the years and the industry determined that removing the dental fillings would be considered **desecration of the human remains.**
- **Drugs** – any drugs cremated are those that have been consumed by the deceased and are now present within the soft tissues of the body. It is a routine practice to pat-down the deceased for any forbidden items such as drugs, bullets, fireworks, etc.
- **Batteries** – as with the pacemaker, which is battery driven, **all batteries are removed from the deceased.**
- **Make-up** – if the deceased is having a traditional funeral where there is a viewing and service first, then the deceased does have make-up. However, in our situation, most of our cremations are before any service and almost all the people are not wearing make-up. Death is not pretty and to not have the deceased wearing make-up during a traditional funeral could present psychological problems to those viewing the body during the visitation and service.
- **Prothesis** – while surgical items within the body may be considered as prothesis, in the classic sense, we use the term to refer to artificial arms, legs and other items of this nature. Again, as a routine practice, the funeral director removes these items from the deceased when preparing the body for cremation.
- **Other Items** – other items that we routinely remove from the cremation container are those usually placed there by the family for their loved one to enjoy in the afterlife. These could include, but are not limited to, cans/bottles of beer/soda, toys, letters, cards, etc. If any items are deemed not safe to cremate, they are removed and returned to the family.

**Reporting to MDE:** funeral homes are required to file an *annual* report with the MDE. The report is significant we are required to track the total weight of each cremation as well as the actual cremation time. These numbers are then plugged into formulas with certain criteria provided by MDE, which in total, provides the measure of the emissions produced each year base based on Tons/Year and Pounds/Day. Those gases that have been tracked in recent years include...

- CO – carbon oxide
- HAPS – Hazardous Air Pollutants

- NOx – Nitrogen Oxides
- SOx – Sulfur Oxides
- VOC – Volatile Organic Compounds
- PM – Particulate Matter
- PM10 – Filterable Matter
- Billable Air Pollutants
- Greenhouse Gasses

**Mercury:** the proponent team specifically mentioned that mercury was introduced into the atmosphere by the cremation process. In 1995, an abstract published by Schweiz Monatsschr Zahnment, a German medical journal, reported that, based on a Swiss study, ***“the amount of mercury contamination during cremation as a result of amalgam fillings is so low that no additional preventative measures are required at the crematoria.”*** In another study conducted in the United Kingdom on land surrounding a crematorium, the final results indicated that the level of mercury at ***“.15 mg/kg, almost seven times lower than that allowed for food production and more than 100 times lower than that allowed for children’s playgrounds. The soils were deemed uncontaminated even after 112,000 cremations and 40 years of operation.”***

**Studies:** in another comment by the proponent lead, she indicated that ‘many studies show a negative impact on health’ and then just a short time later makes the statement that people’s health is at risk. Which is it? Is there no negative impact or is there a health risk. It appears as if the speaker is contradicting herself as she stated that there was no “negative impact” first.

**Canadian Wildfires:** one presenter compared the act of cremation to the Canadian wildfires experienced this past summer. **This point is mute as they are not even relatable.** The wildfires are an act of nature, with the “emissions” produced uncontrollable by man. Cremations on the other hand, are completely controlled.

**COVID:** granted, COVID did place a strain on the cremation industry like it did on many industries. However, **the bodies did not stack up.** We routinely refrigerated COVID cases which places the COVID virus into a dormant state. At cremation time, the deceased was taken from the cooler and placed directly into the cremation chamber. While the COVID virus would again become active as the virus warmed up, remember the chamber is already at 1600 degrees when the body enters. The COVID virus effectively killed at around 150 degrees.

**MDE Findings:** it was stated that MDE only inspected 7% of those businesses licensed by MDE. Of those 7% inspected, the presenter stated that there were zero (0) findings of any issues. I would think that if they didn’t find any issues, it would be a good thing.

**Smoke Stack (Chimney):** As the proponent speaker completed her PowerPoint presentation, she showed a photo of a crematory stack spewing thick smoke. **Please be advised that the photo is of a pet crematory.** Human crematory stacks are constructed differently. Several years ago, we totally rebuilt the inside of our cremation unit. During the process, the stack was lifted down from the roof to be inspected. Measuring approximately three feet across, the interior is lined with fire brick. What surprised me is that the brick, after being in service for about ten years, was almost the same shade of tan as the new brick being installed in the cremation chamber. To me, this shows that we have had clean (non-smoky) cremations over the years. If we had spewed smoke as shown in that picture, the color would have been dramatically different.

**Questions to Consider:** based upon all the alleged “issues” that the proponents have against cremation...

- If it were truly bad for your health, why would anyone want to work in the cremation field?
- Again, if all this is true, why recommend an amendment to “grandfather” existing crematory? Why not just attempt to shut down the industry?
- If the buffer zone is implemented, will builders be prevented from building anything within 1000 feet of a crematory? If it is permitted, then any dwellings identified on the list are that are built within the zone, would effectively put the crematory out of business again.
- If a replacement is required to an existing cremation unit- it becomes classified as new therefore several years to the future not crematory can replace equipment as they would fall within the new restriction ultimately eliminating crematories completely in a populated area.

Below is my original message in strong opposition of the bill for your convenience.

Dear Members of House of Delegates,

I am in **strong opposition to Senate Bill 893 (SB 893) and House Bill 1374 (HB 1374)**, which propose to prohibit the siting of new crematories within 1000 feet of day care centers, schools, and residences. Additionally, these bills seek to prevent the Maryland Department of the Environment (MDE) from issuing permits to operate crematories in violation of these restrictions. While I understand the concern for public health and safety, I believe that these bills are deeply flawed and would have severe consequences for both the crematory industry and consumers.

One of the major issues with SB 893 and HB 1374 is the **ambiguity in their language**. While it may be the intention to only apply these restrictions to new crematories, the wording of the bill does not make this clear. Opponents of crematories could potentially exploit this ambiguity to argue that existing crematories within 1000 feet of these structures are also prohibited from renewing their permits. This lack of clarity creates uncertainty and could lead to significant disruptions for existing facilities and their surrounding communities.

Passage of either of these bills would not only impact planned or existing crematories but also place a **heavy burden on consumers**. By raising the cost of cremation or forcing families to seek cremation services out of state, these bills would limit access to a preferred and affordable option for disposition. With cremation rates expected to rise, it is essential to ensure that adequate facilities are available to meet this demand. However, SB 893 and HB 1374 would hinder the development of new facilities, resulting in increased wait times for cremation and additional financial burdens for families.

Furthermore, it is important to recognize that **crematories are already regulated by the MDE through their permitting process**. This process includes rigorous operational limits, emission monitoring requirements and regular inspections to safeguard public health and safety. By imposing arbitrary prohibitions, SB 893 and HB 1374 undermine the effectiveness of the MDE's regulatory framework and disregard the expertise of environmental authorities.

In conclusion, I urge you to oppose SB 893 and HB 1374 and to reconsider alternative approaches that address concerns about crematory citing without unduly burdening the industry and consumers. Collaborative efforts involving stakeholders, experts, and affected communities are needed to develop solutions that balance public health and safety with the needs of all stakeholders.

Thank you for considering my perspective on this important issue.

Sincerely,

**Holly K. McComas**  
**Senior Funeral Director**  
**Seventh Generation**  
**McComas Family Funeral Homes**  
**410-676-4600**

**Three Convenient Locations**

**Abingdon, MD**

**Bel Air, MD**

**Jarrettsville, MD**

**[www.mccomasfuneralhome.com](http://www.mccomasfuneralhome.com)**

***"Like Us On Facebook"***

**McComas**  
Family Funeral Homes



*The content of this email is confidential and intended solely for the use of the addressee(s) named above. If you are not the named addressee, please reply to this message to that effect and follow with its deletion. Please do not share any part of this message with any third party.*

**MSFDA-HB 1374-2024(2).pdf**

Uploaded by: James Doyle

Position: UNF





## Maryland State Funeral Directors Association, Inc.

14030 Connecticut Ave, PO Box 9715, Silver Spring,  
Maryland 20916  
410-553-7706

Email: [msfda@msfda.net](mailto:msfda@msfda.net) Web Site: [www.msfda.net](http://www.msfda.net)

### HB 1374 (2024)

#### Position of the MD State Funeral Directors Association: UNFAVORABLE

- This Bill would prohibit the construction and operation of crematories, is completely arbitrary and w/o any scientific basis, and would seriously harm both small businesses and consumers throughout the state.
- **The bill is completely arbitrary in its restrictions, and would prevent the state's environmental expert, MDE, from applying objective scientific criteria to the crematory permitting process.** That process is very extensive, is based on well-established scientific criteria developed over many years, and takes into account the individual circumstances of each crematory for a permit. The proponents of this legislation, in an apparent effort to stop one specific crematory from being constructed, are willing to discard years of objective, scientific permitting by MDE, and fail to offer any substantial support for their extreme and unfounded position.
- Consumers now choose cremation at a rate of about 52% in MD, and it is continuously increasing. By 2027, MD projections are 58%, and by 2045, 80%, based on projections from CANA, the Cremation Association of North America. **CANA further concludes that MD crematories are already at or near capacity.**
- **In response to increasing consumer demand for cremation , funeral establishments have invested, and continue to invest, substantial investment in new facilities.** These crematories are extensively regulated and permitted by the MD Department of the Environment.
- Consumers choose cremation because of personal choice, or because it is often less expensive than traditional burial.
- **This bill, if passed, will ensure that individuals who prefer cremation will pay substantially higher costs.** With increasing demand, and an inadequate supply of crematories to meet demand, consumers will face higher costs and storage charges as families wait for cremations for much longer periods,
- **At the same time, this bill would substantially harm funeral homes and crematories in MD.** Funeral homes have spent considerable sums to construct crematories, and to seek regulatory approval for new crematories, in response to consumer demand. Costs can easily run hundreds of thousands of dollars, for permitting, zoning approval, and the machinery itself, plus additional building space to house it. This bill will prohibit MDE from issuing renewals to many existing crematories, which will lead to shutdowns, when new, increased capacity is needed. **And persons who have justifiably spent tens of thousands of dollars**

**and are in the process of seeking zoning and permitting would simply lose this money completely if this bill passes and they are prohibited from seeking approvals. Who will these individuals and businesses look to to be compensated for their losses?**

**Bill 1374.pdf**

Uploaded by: Jeffrey Gair, Sr.

Position: UNF

House Bill 1374

Environment – Crematory – Setback Requirements and Permits

Position: Unfavorable

Committee: Environmental and Transportation Committee of the Maryland General Assembly

Date: March 4, 2024

Written Testimony From: Jeffrey L. Gair, Sr., State of Maryland Licensed Funeral Director  
practicing in Baltimore County since 1984

---

Dear Environmental and Transportation Committee,

I am providing written testimony today to oppose House Bill 1374 for the following reasons:

- This proposed bill does not take into consideration or respect funeral homes throughout our state that have already begun the application process for a crematory permit. These small business may have already invested substantial **time, effort and expense, not to mention taken irreversible steps prior to the introduction of this bill that would become untenable if this bill should pass.**
- This **proposed bill places additional cost of purchasing property** on the funeral homes, and **unduly restricts** the parameters under which the normal business operations may be undertaken by these small business, *vis-a-vis* the acquisition of suitably large real estate and building of infrastructure to accommodate the proposed limitations. This will create a **competitive disadvantage** for new crematories.
- The proposed bill would require many existing funeral homes to purchase satellite sites on which to build crematories, **preventing the expansion of business operations on-site, and increases transportation costs.**
- Pursuant to the second and third bullet points, these elevated operating and overhead costs (COGS) will only be passed on to the clients, forcing families to incur **additional expenses** in the care of their loved ones.
- This proposed bill will create a **monopoly** within our industry by preferentially benefiting those who already own and operate a crematory in our state.

Thank you for your consideration. I respectfully urge an **unfavorable** report on this bill.

Jeffrey L. Gair, Sr.

# **Ambrose.pdf**

Uploaded by: Joseph Ambrose

Position: UNF

Good afternoon,

I am Joseph F. Ambrose, Jr. from Ambrose Funeral Home and Cremation Services. We have been in business since 1936 started by my grandfather Joseph T. Ambrose, Jr. in Baltimore County. Thirty years ago, the cremation rate was under 10%, it is now over 50% for us. We like to do everything in house to keep the costs down for us and our families we serve. With the percentage of families choosing cremation, it's now more of a need than a want to have our own crematory. We did every thing the way the law states. It's a very long process with no shortcuts. It's already very difficult to be allowed to open a crematory- it has to be on a main artery, not a secondary road, and must be in a funeral home or an industrial park. We had multiple public meetings with the neighborhood to find out their worries and concerns. There was very little problems, mostly support. Their biggest concern was to cremate on week nights. We had an open court where anyone would be allowed to speak and we were given the okay to move forward with our crematory. We built the addition to house the retort during the most expensive time material wise. We went through all we saved for this and have a loan. We originally thought the savings was enough. Now they want to change the rules to follow. The way this bill is written we won't be able to renew our permit to keep the crematory open. This would hurt everyone, some may lose their business, others will be okay but will have to raise their prices because the few crematories left will be able to decide the costs since there won't be much competition. That means the customers will be paying much more, the exact scenario we are trying to avoid.

I definitely understand the concerns of the residents not wanting a crematory in their neighborhood. The more I looked into it the more I was educated about how clean it is. The EPA and the Department of the Environment keep close tabs on everything. We are a bring your lunch to work neighborhood and we can't afford this bill.

**HB 1374 MDE OPP.pdf**

Uploaded by: Les Knapp

Position: UNF



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

*House Bill 1374*

*Environment – Crematory – Setback Requirements and Permits*

**Position:** Oppose

**Committee:** Environment and Transportation Committee

**Date:** March 06, 2024

**From:** Hadley Anthony

---

The Maryland Department of the Environment (MDE) **OPPOSES** HB 1374.

**Bill Summary**

House Bill 1374 would prohibit human crematories from being located within 1000 feet of a residence, a school, or certain care-related facilities in Maryland.

**Position Rationale**

The limitations under HB 1374 would make it extremely difficult to locate a crematory in Maryland. As written, the bill would prevent MDE from issuing a renewal operating permit for existing crematories in Maryland, 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 current human crematories in Maryland.

Currently, there are 49 human or human/animal crematory facilities in Maryland. All 49 facilities are located within 1000 feet of an assisted living or nursing facility; a child care center; a family child care home; a preschool facility; a public or nonpublic elementary or secondary school; or a residential property. The proposed legislation would prohibit these existing facilities from adding an additional crematory or replacing a crematory at the facility.

As drafted, the bill does not provide a defensible basis for the location limitations. To be enforceable, MDE must follow 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 that need 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 HB 1374.

---

**Contact:** Les Knapp, Government Relations Director  
Cell: 410-453-2611 (cell), Email: [les.knapp@maryland.gov](mailto:les.knapp@maryland.gov)



**HB 1374 Letter 03.04.pdf**

Uploaded by: Samantha Logan

Position: UNF

Samantha Logan  
4112 Old Columbia Pike  
Ellicott City, MD 21043  
[slogan@witzkefamilyfh.com](mailto:slogan@witzkefamilyfh.com)  
(410) 465-2848  
03/04/2024

Subject: Opposition to HB 1374 – Siting of Crematories

To Whom It May Concern,

I am writing today to express my strong opposition to HB 1374 currently under consideration in the Environment and Transportation Committee. As a concerned member of the death care industry, a funeral home owner and the current President of the Maryland State Funeral Directors Association, I believe that this proposed legislation has several significant flaws and potential negative consequences that warrant careful consideration.

After sitting in and testifying at the hearing for SB 893, it has become clear that the main proponents in favor of both bills are almost exclusively concerned with the issue of air quality control and possible air pollution surrounding crematories in addition to the matter of whether or not the Maryland Department of the Environment, MDE, is regulating crematories correctly. Because of this, **I strongly feel this is a matter that should be taken up with the Maryland Department of the Environment as that is where the issues of the proponents primarily lie. The solution to many of their concerns would be to ask the Maryland Department of the Environment for stricter regulations or processes to ensure better air quality control by the standards they propose, not hinder business owners and any potential future employees that these crematories could open up jobs for by complicating the building or operations of crematories.**

As I am sure many crematory operators and owners have already written to the committee and its members detailing the various aspects of how the MDE regulates crematories, **I want to point out that 100% of crematories are regulated every year.** The existing regulations required of the MDE for crematories in the state of Maryland are extensive and thorough. In addition, many of the various ‘pollutants’ those in favor of this bill are claiming get released through cremation into the air are incorrect. Others, such as Holly McComas of McComas Family Funeral Homes, have detailed these inconsistencies in their written testimony.

If passed, this bill could also negatively impact the consumers who choose cremation by reducing the number of affordable options. This bill would significantly lessen the number of crematories that are allowed to open, and possibly hinder those already operating, resulting in the cost to the funeral home and the consumers to grow beyond the point that makes cremation a helpful, cost-effective alternative to traditional burial. Not only will costs have to be raised in order for funeral homes to be able to travel to crematories that are still operational under the new guidelines, safe storage of the remains under MD law Health-General Article, section 5-513(b) will lengthen the time frame and thus the cost overall of the cremation services able to be provided.

My funeral home, Harry H. Witzke’s Family Funeral Home of Ellicott City, MD, **is in Howard County which currently has no operating crematories.** For our families asking for cremation services, we do not have an onsite crematory so we use two others a distance of 15-30 minutes one way from us and do both drop offs and pick ups in an effort to reassure our families that their loved one is staying in our care at all times. Our transfer fee is \$495 to date, the minimum

receptacle required to be used is \$95, our daily refrigeration cost is \$145 (which must be used by law when embalming is refused to keep a decedent with us until it is time for the cremation), and the crematory fee is \$275 (the crematory sets this fee and we do not make anything from it). There is also a \$150 witness fee if the family wishes to be present at the crematory for the start of the cremation (again the price is set by the crematory.)

These costs vary from funeral home to funeral home, crematory to crematory. I know of a corporate funeral home in Howard County that charges \$600 for a transfer fee but they do not have their pricing online so we do not know their further costs for sure.

As I'm sure the Committee is aware, it is difficult to build in Howard County in general but building a crematory would likely be even more so. We have always wanted to have a crematory at our facility as the public interest for an on site crematory is growing and occasionally we lose families to other funeral homes that have their own crematory. In addition, if we were to have to travel any farther for crematory usage, many of our families that wish to witness the cremation of their loved one would be severely inconvenienced if not miss out on that experience entirely due to distance.

Furthermore, the unclear language in this bill could prevent existing crematories within these proposed parameters from either expanding their crematories to meet consumer needs or even replace cremation retorts if that action is needed to continue their operations. The Cremation Association of North America, CANA, has already done research that concluded the crematories of Maryland are at or near capacity. To not only limit the opening of new crematories but also potentially hinder the possible expansion and continued operation of much needed, already established crematories would be detrimental to both the owners of those crematories and the funeral homes in the state trying to meet consumer needs to the best of their abilities. Consumer needs that are only expected to grow in the coming years. **CANA reports that consumer need for cremation could rise as high as 67% of all funeral options chosen in just a little over 10 years.** Our industry trends normally follow a northwest to southeast pattern and some states in the northwest have already risen to over 80% cremation rate so we know the rise in consumer need is inevitable.

I urge this committee to reconsider allowing this bill to move forward in any capacity as it is not in the best interests of our community or the public at large who would be negatively impacted by this legislation. Thank you for your attention to this matter, we trust that you will carefully evaluate the potential ramifications of HB 1374 and make decisions that prioritize the well-being of our community as a whole.

Sincerely,

A handwritten signature in cursive script that reads "Samantha Logan". The signature is written in black ink and is positioned below the word "Sincerely,".

Samantha Logan

**13 - HB 1374 - Morticians and FD Bd - Oppose - Env**

Uploaded by: State of Maryland (MD)

Position: UNF



## DEPARTMENT OF HEALTH

Wes Moore, Governor · Aruna Miller, Lt. Governor · Laura Herrera Scott, M.D., M.P.H., Secretary

Maryland Board of Morticians &  
Funeral Directors  
4201 Patterson Avenue  
Baltimore, MD 21215

---

### 2024 SESSION POSITION PAPER

**BILL NO:** HB 1374  
**COMMITTEE:** Environment and Transportation  
**POSITION:** Oppose

---

#### **TITLE: Environment – Crematory – Setback Requirements and Permits**

**BILL ANALYSIS:** This proposed legislation will prohibit a person from locating a new crematory or a property with a crematory incinerator within 1,000 feet of an assisted living or nursing facility, a property that primarily serves children, or a residential property that is designed primarily for human habitation; and prohibiting the Department of the Environment from issuing a certain permit to a crematory under certain circumstances.

**POSITION AND RATIONALE:** The Maryland Board of Morticians and Funeral Directors (the “Board”) opposes HB 1374.

The Board’s concern is HB 1374 would have a detrimental impact on current existing crematories as well as individuals in the process of completing their expansions already in progress who have made considerable investments to date. Under current regulation, crematory applicants go through a rigorous application, permitting and testing process from both the Board as well as the Maryland Department of the Environment, not limited to air analysis, emissions testing, fuel consumption and stack testing to name a few. To date, there is no documented evidence regarding the health effects experienced by workers or individuals who live/work near crematories. In addition, there are no studies that have been found that show causal links between crematory emissions and adverse health effects.

NIH-National Library of Medicine, CAN J Public Health 2020 Dec.-Mercury from Crematoriums states: Human health risk assessment an estimate of total emissions in British Columbia...”as in the case of long-term exposure, there is no indication that short-term exposure to peak ground-level mercury vapor concentrations associated with crematorium emissions poses a significant risk to human health”.

Of the 41 crematories the Board regulates and inspects, based on the “facilities, centers or properties” noted, this bill has the potential to affect 63% of those crematories. As written,

modifying or changing their existing crematories require a “new” permit by the Maryland Department of the Environment and as a result, would cease their ability to provide this “in demand” service to their clients which would not only have an adverse effect on their business but would directly impact the needs of the families they serve.

As a result of the COVID pandemic, funeral homes and crematories experienced a significant increase in cremation and the demand for cremation continues to increase exponentially year after year due to the economy and what families are able to afford for their deceased loved ones. This demand has caused many funeral homes and crematoriums to invest in the expansion of their businesses and build their own crematories to meet those demands. HB 1374 will restrict funeral homes and crematories from expanding in their current locations to help keep up with the shift in consumer preferences. Most funeral homes and crematories are community based and located in areas populated with businesses and homeowners. They are located in neighborhoods to be close to the families they serve or in areas that are in significant need of the affordability of cremation. They are revered for the services they offer to their communities and diverse religious faiths that cremation is part of their tradition and require participation and witnessing of cremation as part of the process.

As written HB 1374 would:

- limit consumer choice
- create an economic hardship on families
- prohibit replacement of equipment as needed in existing businesses
- prohibit needed expansion in existing businesses
- impact the sale of funeral homes and or crematories
- create a monopolistic environment by restricting the freedom of entry and exit in the industry
- have an economic impact and disrupt businesses who have begun the building process but have not passed all inspections.

HB 1374 as written does not define “Department,” leaves the word “issue” subject to interpretation and does not address “siting requirements” for possible future development of noted “facilities, centers or properties” near existing or future funeral homes and or crematories.

For all of these reasons, the Board of Morticians and Funeral Directors strongly urges an unfavorable report on HB 1374.

For more information, please contact Michele Kutta, CFSP, Board President at 410-263-4422 or at [michele.kutta@maryland.gov](mailto:michele.kutta@maryland.gov).

*The opinion of the Board expressed in this document does not necessarily reflect that of the Department of Health or the Administration.*

# **HB1374 Crematory - Setback Requirements and Permit**

Uploaded by: Victor March Sr

Position: UNF

## **Bill: HB1374 Crematory - Setback Requirements and Permits**

**Position: UNFAVORABLE**

**Name:** Victor March Sr, President/CEO  
March Funeral Homes

March Funeral Homes is family owned and operates 6 Funeral Homes in Maryland including 1 Crematory in Prince Georges, Co. March Funeral Home also operates 1 Funeral Home in DC and 1 in Richmond, VA along with a 155 acre Cemetery in Baltimore, Co.

1. As written, SB893 restricts licensing a New Crematory within 1,000 feet of a Residence, a School, Child Care, Extended or Residential Care facility. This restriction of 1,000 feet appears to be arbitrary with no scientific evidence to support the need for such a restriction.
2. SB893 also removes the authority of the Maryland Department of the Environment (MDE) the governmental authority with the scientific and expertise in environmental matters from determining the appropriate distances in Licensing a Crematory.
3. I currently operate a Crematory in Prince Georges Co. that is less than 1,000 feet from the restricted areas. The retort is 40 years old and I am in the process of replacement. Under MDE requirements, the NEW Retort would require a New Permit! SB893 may prevent MDE from issuing me a New Permit!
- 4. The average city block is between 300-330 feet. A football field is 300'. That means that a new crematory cannot be within 3.33 Football fields in each direction for a Total RADIUS of 6.66 Football fields of a Residence, a School, Child Care, Extended or Residential Care facility. That would eliminate the possibility of a new crematory in most urban areas and competition in Maryland, especially Baltimore City!**
5. There are only 4 African American Crematory operators in the State. This 1,000 foot restriction would prevent funeral homes in urban cities from providing cremations on their premises, thus preventing them the ability to maintain care, custody and control of families loved ones.
6. The 1,000 feet restriction would drastically increase the cost of cremations! With limited possible locations (i.e. Industrial Parks), would require major investments in long-term leases with structural alterations. This cost would have to be passed on to the consumer.
7. In face of a rise in demand for cremations, with projections of 65% in 2035, this would drastically reduce the ability to increase the number of crematories causing delays and the potential for funeral homes to go to surrounding States for cremations.



# **HB1374 Siting Requirements for Crematories.pdf**

Uploaded by: Victor March Sr

Position: UNF

**Bill:** HB1374 Siting Requirements for Crematories

**Position:** UNFAVORABLE

**Name:** Victor March Sr, President/CEO  
March Funeral Homes

March Funeral Homes is family owned and operates 6 Funeral Homes in Maryland including 1 Crematory in Prince Georges, Co. March Funeral Home also operates 1 Funeral Home in DC and 1 in Richmond, VA along with a 155 acre Cemetery in Baltimore, Co.

1. As written, SB893 restricts licensing a New Crematory within 1,000 feet of a Residence, a School, Child Care, Extended or Residential Care facility. This restriction of 1,000 feet appears to be arbitrary with no scientific evidence to support the need for such a restriction.
2. SB893 also removes the authority of the Maryland Department of the Environment (MDE) the governmental authority with the scientific and expertise in environmental matters from determining the appropriate distances in Licensing a Crematory.
3. I currently operate a Crematory in Prince Georges Co. that is less than 1,000 feet from the restricted areas. The retort is 40 years old and I am in the process of replacement. Under MDE requirements, the NEW Retort would require a New Permit! SB893 may prevent MDE from issuing me a New Permit!
- 4. The average city block is between 300-330 feet. A football field is 300'. That means that a new crematory cannot be within 3.33 Football fields in each direction for a Total RADIUS of 6.66 Football fields of a Residence, a School, Child Care, Extended or Residential Care facility. That would eliminate the possibility of a new crematory in most urban areas and competition in Maryland, especially Baltimore City!**
5. There are only 4 African American Crematory operators in the State. This 1,000 foot restriction would prevent funeral homes in urban cities from providing cremations on their premises, thus preventing them the ability to maintain care, custody and control of families loved ones.
6. The 1,000 feet restriction would drastically increase the cost of cremations! With limited possible locations (i.e. Industrial Parks), would require major investments in long-term leases with structural alterations. This cost would have to be passed on to the consumer.
7. In face of a rise in demand for cremations, with projections of 65% in 2035, this would drastically reduce the ability to increase the number of crematories causing delays and the potential for funeral homes to go to surrounding States for cremations.

**HB1374-ET\_MACo\_LOI.pdf**

Uploaded by: Dominic Butchko

Position: INFO



## House Bill 1374

### *Environment - Crematory - Setback Requirements and Permits*

MACo Position:

To: Environment & Transportation Committee

### **LETTER OF INFORMATION**

Date: March 6, 2024

From: Dominic J. Butchko

The Maryland Association of Counties (MACo) submits the following **LETTER OF INFORMATION** regarding HB 1374. This bill establishes a required 1000-foot buffer between certain types of properties and a crematory.

One of the core functions of county governments is the ability to shape the look, smell, and feel of the communities within its jurisdiction. Counties have been granted this authority largely based on the philosophy that they are the closest level of government to the people, and the people who reside in a community should largely be making these decisions. However, there are certain instances where state or federal policy may cross over into the land use sphere, primarily for health and safety reasons. It is the understanding of counties that HB 1374 is intended for just that purpose.

MACo would like to highlight some caution on the potential impact of HB 1374 and suggest clarifying language which would satisfy county leaders' concerns. As drafted, there is a concern that this bill may be interpreted to include existing crematories as well as those developed in the future. In especially rural communities, crematories serve a vital purpose and are greatly limited in number. If state policy were to inadvertently shutter the operations of this critical infrastructure, including current providers, the impact could be unmanageable.

Suggested clarifying language:

On page 2, in line 1, insert before "A", "**AFTER JUNE 1, 2024,**"

On page 2, in line 10, after "ISSUE" insert "**,BUT MAY RENEW,**".

With these amendments, HB 1374 strikes a balance between the current constraints of critical infrastructure and a need to protect public health. MACo and its member counties stand ready to help the Committee with any further clarifying language that may help define its scope.