

Chapter 308-47 WAC
((RULES OF PROCEDURE FOR)) CREMATION, ALKALINE HYDROLYSIS, AND NATURAL
ORGANIC REDUCTION

AMENDATORY SECTION (Amending WSR 07-03-027, filed 1/5/07, effective 2/5/07)

WAC 308-47-010 Definitions. (1) **"Alkaline hydrolysis"** or **"hydrolysis"** means the reduction of human remains to bone fragments and essential elements in a licensed hydrolysis facility using heat, pressure, water and base chemical agents.

(2) **"Authorizing agent"** means the person(s) legally entitled to control the disposition of the human remains.

~~((2) "Crematory authority or endorsement" the legal entity and their authorized representatives, licensed to perform cremations.~~

~~(3) "Cremation chamber" means the enclosed space in a crematory in which the cremation process takes place.~~

~~(4) "Pulverization" is the reduction of identifiable bone fragments to unidentifiable dimensions by manual or mechanical means following cremation.~~

~~(5) "Processing" is the removal of foreign objects from cremated human remains and may include pulverization.~~

~~(6) "Cremation container" means the container in which the human remains must be enclosed before being placed in the cremation chamber for cremation. A cremation container must:~~

- ~~• Be composed of a combustible material. If the remains are delivered to a crematory in a noncombustible container, the authorizing agent must be informed of the disposition of the container, if the container is not actually used in the cremation process. Any transfer of human remains to combustible containers at the crematory must be in accordance with chapter 18.39 RCW, Title 308 WAC, and applicable public health laws.~~

- ~~• Be rigid enough for placement into the cremation chamber.~~

- ~~• Assure protection to the health and safety of the crematory operators and others.~~

- ~~• Provide a proper covering for the human remains.~~

- ~~• Be resistant to leakage or spillage of body fluids.~~

~~(7) "Sealable container" means any container in which cremated human remains can be placed and closed to prevent leakage or spillage of cremated human remains.~~

~~(8) "Holding facility" means an area designated for the care, storage and holding of human remains prior to disposition. A holding facility must:~~

- ~~• Comply with any applicable public health laws.~~

- ~~• Preserve the dignity of the human remains.~~

- ~~• Recognize the personal integrity, health and safety of employees and others.~~

- ~~• Be secure from access by anyone other than authorized personnel.~~

~~(9) "Cadaver" means human remains or any part thereof, which have been donated to science for medical research purposes.~~

~~(10) "**Body parts**" means limbs and other portions of human anatomy that have been removed from a person or human remains for medical purposes during treatment, surgery, biopsy, autopsy or medical research.~~

~~(11) "**Commingling**" means the mixing of cremated human remains of more than one deceased person.~~

~~(12) "**Residue**" means the cremation products that may unavoidably remain in the cremation chamber after manual sweeping techniques are performed.)~~

(3) "**Body parts**" means limbs and other portions of human anatomy that have been removed from a person or human remains for medical purposes during treatment, surgery, biopsy, autopsy, or medical research.

(4) "**Cadaver**" means human remains or any part thereof, which have been donated to science for medical research purposes.

(5) "**Commingling**" means the mixing of human remains following cremation, alkaline hydrolysis, or natural organic reduction of more than one deceased person.

(6) "**Cremation**" means the reduction of human remains to bone fragments in a crematory by means of incineration.

(7) "**Cremation container**" means a rigid, combustible container which encloses human remains for cremation.

(8) "**Crematory**" means a building or area of a building that houses one or more cremation chambers, to be used for the cremation of human remains.

(9) "**Crematory authority, alkaline hydrolysis authority, or natural organic reduction authority**" means the legal entity and their authorized representatives, licensed to reduce human remains through cremation, alkaline hydrolysis, or natural organic reduction.

(10) "**Effluent**" means the liquid end-product following alkaline hydrolysis.

(11) "**Funeral establishment**" means a place of business licensed in accordance with RCW 18.39.145, that provides for any aspect of the care, shelter, transportation, embalming, preparation, and arrangements for the disposition of human remains and includes all areas of such entity and all equipment, instruments, and supplies used in the care, shelter, transportation, preparation, and embalming of human remains.

(12) "**Holding facility**" means an area designated for the care, storage, and holding of human remains prior to disposition.

(13) "**Human remains**" means the body of a deceased person, including remains following the process of cremation, alkaline hydrolysis, or natural organic reduction.

(14) "**Hydrolysis facility**" means a structure, room, or other space in a building or structure containing one or more hydrolysis vessels, to be used for alkaline hydrolysis.

(15) "**Natural organic reduction**" means the contained, accelerated conversion of human remains to soil.

(16) "**Natural organic reduction facility**" means a structure, room, or other space in a building or real property where natural organic reduction of a human body occurs.

(17) "**Processing**" is the removal of foreign objects from human remains following cremation, alkaline hydrolysis, or natural organic reduction and may include pulverization.

(18) "**Pulverization**" is the reduction of identifiable bone fragments to unidentifiable dimensions by manual or mechanical means during or following cremation, alkaline hydrolysis, or natural organic reduction.

(19) "Reduced human remains" means human remains after the reduction process.

(20) "Reduction" means an accelerated conversion of human remains into bone fragments, essential elements, or soil by cremation, alkaline hydrolysis, or natural organic reduction.

(21) "Reduction chamber" means the enclosed space in a crematory, alkaline hydrolysis vessel, or natural organic reduction facility in which the reduction process takes place.

(22) "Reduction facility" means a crematory, or hydrolysis facility, or natural organic reduction facility that is solely devoted to the reduction of human remains.

(23) "Reduction facility operator" means the person(s) registered with the board who operates a crematory, alkaline hydrolysis equipment, or natural organic reduction facility.

(24) "Residue" means the products that may unavoidably remain in the reduction chamber after manual cleaning techniques are performed.

(25) "Shroud" means a leak resistant covering for human remains prior to alkaline hydrolysis, or natural organic reduction to ensure privacy and respectful handling of human remains.

AMENDATORY SECTION (Amending WSR 07-03-027, filed 1/5/07, effective 2/5/07)

~~WAC 308-47-020 **Receipt and identification of human remains.** ((A crematory must not take custody of unidentified human remains. Before accepting human remains, the crematory must verify that identification is attached to the cremation container. Upon accepting human remains for cremation, the crematory must make a permanent record of the following:~~

- ~~• Name of deceased.~~
- ~~• Date of death.~~
- ~~• Place of death.~~
- ~~• Name and relationship of authorizing agent.~~
- ~~• Name of firm engaging crematory services.~~
- ~~• Description of the cremation container to be consumed with the human remains.~~

~~• An identification number assigned each human remains and inscribed on a metal disc or metal tag. The metal identification disc or tag must identify the crematory and accompany the human remains through each phase of the cremation, processing and packaging. The disc or tag identification number must be recorded on all paperwork regarding a human remains.))~~ (1)(a) A reduction facility must not take custody of unidentified human remains. Before accepting human remains, the reduction facility must verify that identification is attached to the container, shroud, or human remains.

(b) A reduction facility operator may unwrap human remains prior to reduction for the sole purpose of verifying identification. If any action beyond identification is required, that action must be performed by a properly licensed individual.

(2) The reduction facility must assign an identification number for each human remains to be inscribed on a metal disc or metal tag.

(3) The metal identification disc or tag must include the name of the facility and accompany the human remains through each phase of the reduction, processing, and packaging.

WAC 308-47-030 Holding human remains for cremation. (1) A crematory must not accept ~~((and))~~ or hold human remains ~~((for cremation))~~ unless the human remains are contained in a cremation container which meets the following requirements:

(a) Assure protection to the health and safety of the crematory operator;

(b) Provide proper covering for the human remains; and

(c) Be resistant to leakage or spillage of bodily fluids.

~~(2) ((A crematory must not accept human remains in a cremation container having evidence of body fluid leakage.~~

~~(3) Human remains that are not embalmed must be held only within a mechanically or commercially acceptable refrigerated facility of adequate capacity, with a maximum temperature of 48 degrees Fahrenheit, or as determined by chapter 246-500 WAC.))~~ The holding facility must:

(a) Comply with WAC 246-500-020 and all applicable public health laws;

(b) Preserve the dignity of the human remains;

(c) Recognize the health and safety of crematory operators and others; and

(d) Be secure from access by anyone other than authorized personnel.

(3) If human remains are delivered to a crematory in a noncombustible container, the transfer of the remains to a combustible container must be performed by a properly licensed individual and in accordance with WAC 308-48-030.

(4) When a container is delivered and shows evidence of bodily fluid leakage, it must be returned to the contracting funeral establishment or transferred to a new container by a properly licensed individual.

(5) Human remains that are not embalmed must be held only within a mechanically or commercially acceptable refrigerated facility of adequate capacity, with a maximum temperature of 48 degrees Fahrenheit, and otherwise meet the requirements of chapter 246-500 WAC.

(6) If the crematory requires the removal of implanted devices, the devices must be removed by an embalmer or embalmer intern prior to delivery of the human remains to the crematory.

NEW SECTION

WAC 308-47-035 Holding human remains for alkaline hydrolysis or natural organic reduction. (1) A hydrolysis facility or natural organic reduction facility must not accept or hold human remains unless the human remains are in a container or shroud that is resistant to leakage or spillage of bodily fluids.

(2) The holding facility must:

(a) Comply with WAC 246-500-020 and all applicable public health laws;

(b) Preserve the dignity of the human remains;

(c) Recognize the health and safety of the hydrolysis facility or natural organic reduction facility operators and others; and

(d) Be secure from access by anyone other than authorized personnel.

(3) If human remains are delivered to a hydrolysis facility or natural organic reduction facility in a container or shroud that is not suitable for placement in the reduction vessel, the transfer of the remains to the vessel must be performed by a properly licensed individual and in accordance with WAC 308-48-030.

(4) When a container or shroud is delivered and shows evidence of bodily fluid leakage, it must be returned to the contracting funeral establishment or transferred to a new container or shroud by a properly licensed individual.

(5) Human remains that are not embalmed must be held only within a mechanically or commercially acceptable refrigerated facility of adequate capacity, with a maximum temperature of 48 degrees Fahrenheit, and otherwise meet the requirements of chapter 246-500 WAC.

(6) If the hydrolysis facility or natural organic reduction facility requires the removal of implanted devices, the devices must be removed by an embalmer or embalmer intern prior to delivery of the human remains to the facility.

AMENDATORY SECTION (Amending WSR 02-19-019, filed 9/9/02, effective 10/10/02)

WAC 308-47-040 ((Cremation)) Reduction of human remains. (1)

((Cremation)) Reduction must not take place until the burial transit permit and authorization for ((cremation)) the reduction method are obtained.

(2) Immediately prior to being placed within the ((cremation)) reduction chamber, the identification of the human remains must be verified by the ((crematory)) reduction facility operator. Appropriate identification of the human remains will be placed near the ((cremation)) reduction chamber in such a way as to identify the human remains being ((cremated)) reduced. The metal identification disc or metal tag must be placed in the ((cremation)) reduction chamber, with the human remains.

(3) Simultaneous ((cremation)) reduction of more than one human remains within the same ((cremation)) reduction chamber is not permitted, unless written authorization is obtained from the authorizing agent(s) ((of each human remains to be cremated simultaneously)). Such written authorization will exempt the ((crematory)) reduction facility from all liability for commingling the products of the ((cremation)) reduction process.

(4) Simultaneous ((cremation)) reduction of more than one human remains within the same ((cremation)) reduction chamber may be performed without the authorizations required in subsection (3) of this section, if:

((*) (a) Equipment, techniques, and other devices are employed that keep the human remains separate and distinct, before and during the ((cremation)) reduction process((-

*));

(b) Recoverable ((cremated)) human remains following reduction are kept separate and distinct after the ((cremation)) reduction process.

(5) ~~((Crematories))~~ Reduction facilities licensed by the state funeral and cemetery board ~~((or the board of funeral directors and embalmers, will only))~~ will not be used for any other purpose than the ~~((cremation))~~ reduction of human remains, cadavers, or human body parts.

AMENDATORY SECTION (Amending WSR 02-19-019, filed 9/9/02, effective 10/10/02)

WAC 308-47-050 Processing ~~((of cremated))~~ human remains following reduction. (1) Upon completion of the ~~((cremation))~~ reduction process, the end products ~~((of the cremation process))~~ must be removed from the ~~((cremation))~~ reduction chamber, with the exception of residue.

(2) The ~~((cremation))~~ end products must be placed within an individual container or tray in such a way that will ~~((insure against))~~ prevent commingling with other ~~((cremated))~~ human remains following reduction.

(3) Identification must be attached to the container or tray.

(4) All ~~((cremated))~~ human remains following reduction must undergo processing to comply with applicable legal requirements.

(5) Processing ~~((or pulverization of cremated))~~ of human remains following reduction may not be required if ~~((cremated))~~ human remains are ~~((to be))~~ placed in a cemetery, mausoleum, or columbarium, or ~~((building devoted exclusively to religious purposes, or where))~~ if religious or cultural beliefs oppose the practice.

(6) All body prostheses, bridgework, or similar items removed from the ~~((cremated))~~ human remains following reduction during processing will be disposed of by the ~~((crematory))~~ reduction facility, as directed by the authorizing agent.

(7) If the reduction facility recycles metals or implants found during processing, the authorizing agent(s) must be advised in writing prior to reduction.

AMENDATORY SECTION (Amending WSR 02-19-019, filed 9/9/02, effective 10/10/02)

WAC 308-47-060 Packaging and storage of ~~((cremated))~~ human remains following reduction. (1) ~~((The cremated))~~ Human remains following reduction must be ~~((placed))~~ packaged in a sealable container ~~((, or in such))~~ or containers as may have been ordered or supplied by the authorizing agent or the reduction facility.

(2) The packaged ~~((cremated))~~ human remains will be identified. The metal identification disc or metal tag must stay with the ~~((cremated))~~ human remains.

(3) If the ~~((cremated))~~ entire human remains ~~((do))~~ will not ~~((completely fill the))~~ fit within the designated container, the ~~((remaining space may be filled with suitable packing material. The container must then be securely closed.~~

~~((4) If the entire cremated human remains will not fit within the designated container, the remainder of the cremated))~~ remainder of the

human remains must be returned to the authorizing agent in ((a—see—end)) additional containers, clearly identified as being part of, and together with((r)) the designated container. Upon written consent of the authorizing agent, excess ((eremated)) human remains may be disposed of in any legal manner.

NEW SECTION

WAC 308-47-065 Recordkeeping requirements. (1) A crematory, hydrolysis facility, or natural organic reduction facility must keep a permanent record of all reductions performed and the disposition or release of the human remains following cremation, alkaline hydrolysis, or natural organic reduction. The record must include the following information:

- (a) Name of deceased;
- (b) Date of death;
- (c) Place of death;
- (d) Burial transit permit disposition date;
- (e) Date of delivery of human remains to the reduction facility;
- (f) Name(s) of authorizing agent;
- (g) Relationship of authorizing agent(s);
- (h) Name of entity that contracts with the reduction facility;
- (i) Starting date of reduction process;
- (j) Name of reduction facility operator;
- (k) Name of person performing packaging;
- (l) Date of packaging human remains following reduction;
- (m) Date of release of the reduced human remains following reduction and the name of the individual(s) to whom the human remains were released; and/or
- (n) Date and location of disposition of the human remains.

(2) In addition to the recordkeeping requirements listed above, natural organic reduction facilities must also keep a permanent record of:

- (a) The ending date of the reduction process; and
- (b) The daily temperature data for each natural organic reduction process, including records showing that the minimum temperature of 131 degrees Fahrenheit was reached for seventy-two consecutive hours.

AMENDATORY SECTION (Amending WSR 07-03-027, filed 1/5/07, effective 2/5/07)

WAC 308-47-070 Disposition of ((eremated)) unclaimed reduced human remains. (1) ((A crematory must keep a permanent record of all cremations performed and the disposition or release of the cremated human remains. The record must include the following information:

- ~~Date of death.~~
- ~~Date burial transit permit was issued.~~
- ~~Date of delivery of human remains to the crematory.~~
- ~~Date of cremation.~~
- ~~Name of crematory operator performing the cremation.~~
- ~~Name of person performing packaging, and date of packaging.~~

- ~~• Date of release of the cremated human remains and the name of the individual(s) to whom the cremated human remains were released; or~~
- ~~• Date of disposition of the cremated human remains.~~

~~(2) When cremated human remains have been in the possession of a crematory, funeral establishment or cemetery for a period of ninety days or more, the entity holding the cremated human remains may arrange for disposition in any legal manner, provided the entity:~~

- ~~• Attempts to contact the authorizing agent for disposition instructions by registered mail.~~
- ~~• Informs the authorizing agent(s) of the procedures that will be followed if disposition instructions are not received.~~
- ~~• Informs the authorizing agent(s) that disposition will take place if disposition instructions are not received within sixty days of initiation of the contact process.~~
- ~~• Informs the authorizing agent(s) that recovery of the cremated human remains, after the disposition, may or may not be possible.~~
- ~~• Maintains a permanent record of the location of the disposition.~~

~~(3)) When reduced human remains have been in the possession of a reduction facility, funeral establishment or cemetery for a period of ninety days or more, the entity holding the human remains following reduction may arrange for disposition in any legal manner, provided the entity:~~

- ~~(a) Attempts to contact the authorizing agent for disposition instructions by U.S. mail to the last known address;~~
- ~~(b) Informs the authorizing agent(s) of the procedures that will be followed if disposition instructions are not received;~~
- ~~(c) Informs the authorizing agent(s) that disposition will take place if disposition instructions are not received within sixty days of initiation of the contact process;~~
- ~~(d) Informs the authorizing agent(s) that recovery of the human remains following reduction, after the disposition, may or may not be possible; and~~
- ~~(e) Maintains a permanent record of the location of the disposition.~~

~~(2) No entity making disposition of ((cremated)) human remains following reduction under subsection ((+2)) (1) of this section will be liable for the disposition or nonrecoverability of ((cremated)) the human remains.~~

NEW SECTION

WAC 308-47-075 Reduction facility requirements. (1) Crematory facilities must:

- (a) Only use a commercially produced crematory unit(s); and
- (b) Employ a licensed crematory operator or operators.
- (2) Hydrolysis facilities must:
 - (a) Only use a purpose built vessel as a reduction chamber which meets generally accepted standards of the death care profession;
 - (b) Employ a licensed alkaline hydrolysis operator or operators; and
 - (c) Comply with all other applicable local, state, and federal laws and regulations.
- (3) Natural organic reduction facilities must:

- (a) Only use a contained reduction vessel that is designed to promote aerobic reduction and minimizes odors and vectors;
- (b) Employ a licensed natural organic reduction facility operator;
- (c) Comply with all other applicable local, state, and federal laws and regulations; and
- (d) Reach a minimum temperature of 131 degrees Fahrenheit for seventy-two consecutive hours during the reduction process.

NEW SECTION

WAC 308-47-080 Facility licensure requirements for crematories, hydrolysis facilities, and natural organic reduction facilities. (1) A license or endorsement is required in order to operate a crematory, hydrolysis facility, or natural organic reduction facility. Each applicant shall:

- (a) Submit an application on a form approved by the funeral and cemetery board; and
 - (b) Pay a fee as determined by the director per RCW 43.24.086.
- (2) The annual license renewal date for reduction facilities is January 31st.
- (3) The regulatory fees for reduction facilities are collected at the time of renewal.
- (4) All licenses must be posted at the reduction facility.

NEW SECTION

WAC 308-47-090 Operator licensure for those who conduct cremations, alkaline hydrolysis, or natural organic reduction. (1) Licenses are required for operators of each method of reduction. In order to operate a crematory, a hydrolysis facility, or a natural organic reduction facility, applicants must submit:

- (a) An application on a form prescribed by the board;
 - (b) A nonrefundable application fee as defined in WAC 308-48-800; and
 - (c) A certificate of completion of operator training provided by the equipment manufacturer, or other provider generally accepted by the death care profession, or as approved by the board.
- (2) Each operator license will expire annually on the operator's birth date and may be renewed by paying the renewal fee.
- (3) Operators of equipment used to perform cremation, alkaline hydrolysis, or natural organic reduction must provide proof of current operator training every five years at the time of the license renewal.
- (4) All licenses must be posted at the reduction facility.

NEW SECTION

WAC 308-47-100 Reduction facilities—Inspections. (1) Crematories, alkaline hydrolysis facilities, and natural organic reduction facilities regulated under the authority of chapters 18.39 and 68.05 RCW are subject to inspection at least once each year by the inspector of funeral establishments, crematories, alkaline hydrolysis, and natural organic reduction facilities, funeral directors, and embalmers to ensure compliance with Washington state laws and regulations related to health or the handling or disposition of human remains.

(2) Inspections shall cover compliance with applicable statutes and rules. Reduction facilities will be open for inspection during normal business hours. If the facility is not open, the ownership must identify someone to the department that can open the facility for an unannounced inspection, or provide a method of access to the inspector.

NEW SECTION

WAC 308-47-110 Regulatory fees due for change of ownership for reduction facilities. (1) The regulatory fees for crematories, alkaline hydrolysis facilities, and natural organic reduction are calculated per disposition and collected at the time of renewal of the license, permit, or endorsement.

(2) For a change of ownership, the selling entity is required to submit the regulatory fee for all dispositions performed by reduction facilities up to the date of transfer of ownership.

(3) Seller must pay the regulatory fees within thirty days after the date of the transfer of ownership.