



November 25, 2020

To Whom It May Concern,

The Washington State Board of Health (Board) adopted a proposed rule regarding the handling of human remains at the November 9, 2020 Board meeting. The adopted rule makes amendments to incorporate two new methods of disposition for human remains – alkaline hydrolysis and natural organic reduction. Additionally, references to recently updated statute were amended to ensure consistent cross-references and the removal of language identified as confusing by industry. The rule creates two new sections, WAC 246-500-053 and WAC 246-500-055, which outline requirements specific to alkaline hydrolysis and natural organic reduction respectively. Alkaline hydrolysis facilities will be required to ensure their equipment meets certain specifications while natural organic reduction facilities will be required to comply with a phased-out testing regiment.

The adopted rule amending WAC 246-500-010, WAC 246-500-020, WAC 246-500-030, WAC 246-500-040, and creating new sections WAC 246-500-053 and WAC 246-500-055, will become effective January 7, 2021. A copy of the adopted rule is attached.

The following table is a summary of comments received and the Board’s response:

Comments on the Proposed Rule	
Summary of Comments	Board of Health Action
The requirements for pathogen and physical contaminant testing for remains reduced through natural organic reduction are reasonable.	Adopt as proposed. Comments are consistent with the proposed rule and the significant analysis prepared by the Board of Health.
The requirement to test for heavy metals in human remains reduced through natural organic reduction are not necessary and could become burdensome to operators. Suggest testing the initial six instances and then move to annual testing.	Adopt as proposed Requirements to test remains reduced through natural organic reduction for heavy metals is consistent with other types of composting and is a reasonable approach to ensuring the health and safety of the public when a new

	<p>process is utilized. The phased-out testing requirement in the rule allows facilities to ensure their processes meet the standards and then, once they do, to reduce long-term costs.</p>
<p>In response to proposed clarification that third-party laboratories must be utilized in testing for contaminant levels in remains reduced through natural organic reduction, for contaminants identified in the rule, stakeholders requested that facilities be allowed to utilize in-house bench testing that has been certified by a third-party.</p>	<p>Adopt with changes for third party testing</p> <p>WAC 246-500-055 was amended to require third party laboratory testing. This will help ensure that testing for contaminants identified in the rule is done by an entity experienced in testing for the identified contaminants, before the testing requirement phases out once a certain number of test results are satisfactory. The Board did not accept in-house bench testing certified by a third-party as meeting that standard.</p>

Any person may petition the adoption or amendment of these rules in accordance with RCW 34.05.330.

Any questions regarding this rule adoption should be directed to Caitlin Lang-Perez, Health Policy Analyst by email at Caitlin.Lang@sboh.wa.gov or phone at (360) 628-7342, or Samantha Pskowski, Policy Advisor, by email at Samantha.pskowski@sboh.wa.gov or by phone at 360-789-2358.

Cordially,

Michelle A. Davis
 Executive Director, Washington State Board of Health