



Handling of Human Remains Through Natural Organic Reduction – Rules Hearing

WAC 246-500-055

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Overview

- Rulemaking Background
- Timeline
- Proposed Rule
- Comments
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- Rules Hearing

Rulemaking Background

- In 2019, the Legislature passed Engrossed Substitute Senate Bill (ESSB) 5001, Concerning Human Remains
- Bill authorized two new disposition methods for human remains, alkaline hydrolysis and natural organic reduction (NOR)
- Legislation did not include explicit Board authority, but there was recognition of health and sanitation issues related to new disposition methods
- Law went into effect May 1, 2020
- The Department of Licensing (DOL) conducted rulemaking to incorporate new disposition methods, which went into effect in June 2020

Rulemaking Background

- Board conducted Rulemaking in 2020 to update chapter 246-500 WAC to add NOR and alkaline hydrolysis and include two new sections
 - WAC 246-500-053; Human remains reduced through alkaline hydrolysis
 - WAC 246-500-055; Human remains reduced through natural organic reduction
- Rule went into effect in January 2021
- After implementation, staff conducted a survey of all NOR facility operators to determine if rulemaking was successful
- Additional rulemaking identified for WAC 246-500-055
- Rulemaking narrowly scoped for exception rulemaking to correct typographical errors and clarify rule language

Rulemaking Timeline



NOR Rule in Effect	Follow-Up with Facilities	CR-102	Public Comment Period	Rules Hearing and Possible Adoption	File CR-103	Rule Effective
January 2021	Spring - Summer 2022	January 2023	January – February 2023	March 2023	(Tentative) April 2023	(Tentative) May 2023

Proposed Rule

WAC 246-500-055 - Human remains reduced through natural organic reduction

- Corrects a typographical error in subsection (2)(b) concerning the weight of contaminants in reduced remains
 - Changes dental “filings” to dental “fillings”
- Adds an introductory sentence to Table 500-A in subsection (2)(f)
 - Includes an “and” in Table 500-A in the fourth row (after salmonella)
 - Purpose is to clarify that a NOR facility operator must test all samples for arsenic, cadmium, lead, mercury, and selenium, and either fecal coliform or salmonella

Proposed Rule

Table 500-A

Testing Parameters

Metals and other testing parameters	Limit (mg/kg dry weight), unless otherwise specified
Fecal coliform	< 1,000 Most probable number per gram of total solids (dry weight)
or	
Salmonella	< 3 Most probable number per 4 grams of total solids (dry weight)
and	
Arsenic	≤ 20 ppm
Cadmium	≤ 10 ppm
Lead	≤ 150 ppm
Mercury	≤ 8 ppm
Selenium	≤ 18 ppm

Public Comments

- No written comments received during public comment period

Next Steps

- A public rules hearing will be held after this presentation
- If the Board elects to adopt the proposed rule, staff will file a CR-103 with the code reviser
- Staff will continue to provide technical support and guidance to the Department of Licensing and NOR facility operators, as needed





Rules Hearing

Washington State Board of Health

| THANK YOU