



Sierra Club

Hawai'i Chapter

PO Box 2577, Honolulu, HI 96803
808.538.6616 hawaii.chapter@sierraclub.org

HOUSE COMMITTEE ON FINANCE

February 27, 2012, 4:00 P.M.

(Testimony is 1 page long)

TESTIMONY IN SUPPORT TO HB 2656 (HD1)

Aloha Chair Oshiro and Members of the Committee:

The Sierra Club of Hawai'i supports House Bill HB 2656 (HD1), which confirm that crematoriums have an obligation to obtain an air permit.

Several community members have complained about crematoriums in their neighborhood that bellow particulates into the air. This bill would ensure that these crematoriums obtain a clean air permit, follow best practices, and be obliged to self-report any violations of permit conditions.

The people of Hawai'i have a right to a clean environment.

Mahalo for the opportunity to testify.

OAHU CEMETERY ASSOCIATION
2162 Nuuanu Avenue
Honolulu, Hawaii 96817
Telephone: (808) 538-1538

Testimony of Oahu Cemetery Association ("Oahu Cemetery")
submitted by Nanette Napoleon, Trustee of Oahu Cemetery
and Hal Lewis, Jr., Superintendent of Oahu Cemetery

Before the House Committee on Finance

February 27, 2012, 4:00 p.m.
State Capitol, Conference Room 308

In Opposition to House Bill 2656, HD1 (AS WRITTEN)

Chair Oshiro, Vice-Chair Lee and Members of the Committee:

This testimony is submitted on behalf of Oahu Cemetery. Oahu Cemetery provides cremation services to families on Oahu during their time of grief as well as cremation services for several local mortuaries that do not have crematories of their own. Oahu Cemetery currently has three retorts in operation, all of which, due to when they were installed, are grandfathered crematories that are exempted from the permitting requirements under Hawaii Revised Statutes Section 342B-22 through 34, which is the subject of HB 2656.

Oahu Cemetery opposes HB 2656, which would require all crematories constructed before March 20, 1972, to submit permit applications by December 31, 2012. This requirement would adversely affect all three crematories operated by Oahu Cemetery and likely result in their closure due to the short time allowed for compliance with this requirement. If these crematories were forced to close, it would have a devastating consequence on the availability of low cost cremation services on Oahu and will also result in mortuaries who rely on Oahu Cemetery to provide cremation services for them to potentially stop offering such services, thereby causing financial harm to the mortuaries and to the families seeking cremation as a less costly alternative to cemetery burial.

The deadline of December 31, 2012, gives Oahu Cemetery less than a year to gather and prepare the extensive information required to submit a completed permit application. The permitting process entails the submission of a permit application to the Director of the Department of Health, public participation and

final approval by the Director. The permit application form requires detailed information about the operational practices and procedures of the facility. Final approval of the permit is conditioned upon the satisfaction of the applicable emission standards. In fact, the construction of the new crematories would have to be completed before the permit application can even be submitted.

Oahu Cemetery is also currently proceeding with its plans to replace all three of its crematory units. However, rebuilding and replacing the crematories will require a significant amount of time to complete. The oldest crematory unit is located in a historic building that also houses a chapel. Replacing this unit, while preserving the historic building, is expected to be difficult and expensive. Consequently, Oahu Cemetery will likely need to construct a new crematory in an adjoining area to replace the old unit. Although Oahu Cemetery is in the process of finalizing the selection of architects and consultants for this project, obtaining the building permit and meeting the other necessary requirements to allow the construction of the new crematory is expected to take several years. Therefore, the December 31, 2012, deadline imposed in HB 2656, HD1, is simply not feasible, even with the exercise of diligent efforts by Oahu Cemetery to replace its existing crematories.

In the meantime, as it proceeds with the plans to eventually replace the crematories, Oahu Cemetery is cooperating with the State Department of Health Clean Air Branch to reduce as much as possible emissions from Oahu Cemetery's crematories. Oahu Cemetery is working with its consultants to implement procedures that are expected to reduce as much as possible emissions during the cremation process.

For these reasons, Oahu Cemetery opposes this measure and respectfully requests an extension of the December 31, 2012 deadline until December 31, 2022, to allow Oahu Cemetery adequate time to replace its existing crematories. Oahu Cemetery is committed to operating a clean and efficient crematory. Thank you very much for the opportunity to submit testimony on this bill.

TO THE HOUSE COMMITTEE ON FINANCE

TWENTY-SIXTH STATE LEGISLATURE
REGULAR SESSION, 2012

HEARING RELATING TO AIR POLLUTION CONTROL
HB 2656

Presentation by Clifford Hosoi
President Hosoi Garden Mortuary, Inc.
Monday, February 27, 2012 4:00 p.m.
Conference Room 308

TESTIMONY AGAINST HB 2656

Rep. Marcus R. Oshiro, Chair
Rep. Marilyn B. Lee, Vice Chair

Dear Chair Oshiro, Vice Chair Lee and Committee Members:

On behalf of Hosoi Garden Mortuary, Inc. we thank you for the opportunity to comment on this bill before the Committee.

I am concerned of the impact and ramifications of HB 2656. While I am in agreement with the intent to require oversight by the Department of Health to insure air quality in all crematory operations, I am opposed to this bill due to the insufficient time to affect the required changes by December 31, 2012. Oahu Crematory, as one of the grandfathered operations would be adversely affected by this timetable.

Oahu Crematory is our long standing primary provider of cremation services for over fifty years and in the event that the Crematory would need to discontinue services to comply, we would be placed in hardship to find another vendor to provide the level of services needed. Cremation, memorial services, and scattering has come to be accepted as a dignified and affordable disposition. For our mortuary, cremation is chosen by over a 1,000 families annually. For some it is considered to be the better ecological choice over traditional body burial.

Oahu Crematory and Cemetery has provided an important choice for families:

1. Centrally located as part of the cemetery grounds, it is conveniently located and can be easily accessible which controls transport costs.
2. When requested, providing peace of mind to families by offering witness cremations where families can gather and participate in the placement of the casket in the cremator.
3. Oahu Cemetery being an historic cemetery has few new plot sales. The crematory operations enhances the successful running of the cemetery for all plot holders

and families who have members interred there keeping the cemetery beautiful and well maintained.

4. Oahu Crematory has been able to keep their services affordable to all families.
5. Oahu Crematory has maintained reasonable turnaround times to accomplish a cremation resulting in family scheduling services or departures fitting their bereavement schedules.
6. Oahu Crematory has three operating cremators and the funeral industry has depended on them for reliability and use when other vendors need to repair their cremators.

Oahu Crematory provides a needed function in the cremation needs of the community and we would be severely diminished if the crematory would be needing to shut down. At current levels we are unsure if the other cremation vendors would have proper capacity to absorb Oahu Crematory's usage which would result in delays and cost increases for the community.

I believe Oahu Crematory is well run and has proper training and record keeping that is modeled by the Cremation Association of North America and have procedures in place to minimize improper emissions. In the past five years they have implemented many restrictions to improve air emissions. They have brought in propane to reduce their reliance on diesel oil. We are no longer able to cremate plastics, electronics, or items that would jeopardize air quality. I believe a proper design, retrofit, and replacement plan can be implemented. To work it must be affordable and given time for the design, decisions, financing, permitting and construction to take place.

I ask that you consider the importance of Oahu Crematory's operations to the funeral industry along with the needs of the residences.

Thank you.

Clifford Hosoi, President
Hosoi Garden Mortuary, Inc.

FINTestimony

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, February 26, 2012 1:18 PM
To: FINTestimony
Cc: leeplace1@yahoo.com
Subject: Testimony for HB2656 on 2/27/2012 4:00:00 PM

Testimony for FIN 2/27/2012 4:00:00 PM HB2656

Conference room: 308
Testifier position: Support
Testifier will be present: Yes
Submitted by: Edmund Lee
Organization: Individual
E-mail: leeplace1@yahoo.com
Submitted on: 2/26/2012

Comments:

I am in support of HB2656 to require pre-1972 non-permitted crematories to acquire an Air Permit.

I have been living in my neighborhood for greater than 56 years and have seen the changes regarding the use of our neighborhood and the impact of a crematorium that does not have an air permit.

I had discussions with neighbors that have lived here and they share the concern regarding the crematorium emissions. This situation started with only 2-3 cremations per month and is now greater than 200 cremations per month. We have endured the grotesque nuisance of partially burnt clothes rain down upon us, to significant incursions of toxic clouds of pollutants overwhelm us. The problem to this date still continues.

The demographic profile of this industry indicates that the demand for cremations will surely increase and result in higher output of emissions and fallout.

Air pollution sources that were in operation prior to March 1972 were exempt from obtaining an air permit (a.k.a. "grandfather clause"). This grandfather clause was a courtesy to alleviate owners from hardship due to an unforeseen ruling. It would allow the business to fairly recover start-up costs, allow the machines to use up its life expectancy, and set aside cash reserves to transition to newer clean technology.

Nearly 40 years has passed, and such an operation has more than recovered their costs and good profits have been made. Reserves should have been set aside. In return for the above the courtesy, such an operation should exercise social responsibility and use the new clean technology that is available. This courtesy of the grandfather clause was not meant for an old and obsolete system to be ramped-up for more good profits.

In an earlier testimony, our State Department of Health stated that they support HB2656. Their research reveals that our state has only 3 crematoriums that do not have an air permit. The first is on Maui, however this business is closing down. The second crematorium is located on Hilo, and the third is on Oahu. Permit processing costs of only two air permits by DOH would be nominal and they each will derive a \$100 permit application fee.

An air permit will ensure that a crematorium's incinerator is used correctly to preserve the local air quality. The permit will have a detailed analysis of all equipment used and

emissions being discharged. It will provide a baseline of information to ensure that this air pollution source will operate within the regulated parameters of air emission laws.

Incineration is a method of decomposing a product into particulate matter and gases, then dispersing these products into the air. Not all products of combustion will continually rise and dissipate itself into the upper atmosphere. All products of combustion that are heavier than air will eventually dissipate back to ground level. The particulate matter, heavy metals, and fumes will be inhaled or ingested, and creates a sanitary/environmental problem. I would like to clarify that sanitary concerns includes the dispersion of human particulate matter when incomplete combustion occurs.

My reasons for permit are listed below.

Reason 1: DOH has no operational data for a source that has no permit

- Other than information gained from investigations after an official complaint, there is no data of value as compared to a stationary source that has an air permit.
- Nothing is available from an unpermitted air pollution source. They are not required to provide any information, and thus may be out of compliance with air regulations.
- 40 years has passed, we need to be start being progressive and not status quo.

Reason 2: Permit establishes an approved baseline for equipment used.

- A permitted air pollution source must disclose equipment specifications, maximum design capacity, fuel type, fuel usage, production capacity, production rates, manufacturer's literature.
- A permitted source must identify and describe in detail all air pollution control equipment and compliance monitoring devices.
- Unpermitted sources are not required to disclose any of the above information. Their equipment may be so outdated that no manufacturer's data is available. This is a loophole that allows the operator to continually modify and make changes to their equipment, which can thereby effect unauthorized changes to emission outputs.

Reason 3: Emission Data and Data Base

- Permit holder provides emission data that identifies their air pollutants and the emission rate of those pollutants. We currently do not know what emissions and emission rates being discharged from an unpermitted source.
- Emission data will help determine if a source is in compliance with current air standards before having approval to operate.
- Emission data provides a data base. For good reason, permit holders cannot modify their equipment or incineration process if a new air pollutant will be created, or there will be an increased quantity of an air pollutant. Since there is no data base from an unpermitted source, this source is fairly free to do modifications or process changes that could result in a greater negative impact.
- Emission data base (inventory of emissions) is extremely important. Equipment and operating systems of an air pollution source can deteriorate from years of usage. This original data can be used to determine if the air pollution source is still in compliance with air standards.
- Air standards set by the EPA or State can change and become more stringent. Emission data base will help determine how these regulatory changes will affect the air pollution source.

Reason 4: Compliance Plan

Permit holder is required to have a plan to show how they will be in compliance to all applicable requirements. Compliance plan will ensure a consistent operation of the source for meeting air standards.

- Periodic reporting requirements on emissions ensure continuous compliance.
- There are no periodic reporting requirements for a source that does not have a permit, and no approved monitoring system to ensure continuous compliance.

Reason 5: Special Conditions can be applied

- Permit allows for special conditions to be added to a permit to ensure that incineration will be in compliance and for public health. An example of a special condition is a rule stating that plastics cannot be burned with a cremation.
- Temperature requirements for the burners can be stated.
- Types of automated monitoring systems to be installed.
- In this section the stricter opacity ruling of 20% opacity can be applied as a requirement. Note that other states are down to 10%
- Require odor restrictions
- Require start-up restrictions to prevent excessively high release of toxic emissions
- Allow only low chlorinated (such as 5%) plastic body bags to be burned to limit emission of dioxins and furans.
- Establish reasonable hours for burning

Reason 6: Permit has Content

Permit may incorporate the following:

- Establish emission limitations and standards
- Permit term of 5 years and renewable
- Requirements for installation of devices for measurement and analysis of emissions
- Requirement for source emission test to determine compliance
- Monitoring and recordkeeping requirements
- Other records such as strip chart recordings, calibration and maintenance records
- Requirement for retention of records
- Provision for annual reporting of hazardous air pollutants

Reason 7: Permit can supplement enforcement for compliance

- Examples of conditions imposed on a permitted source when not in compliance
1. "The Department of Health reserves the right to impose additional operational controls and/or restrictions if a site evaluation indicates that additional controls and/or restrictions are necessary."
 2. "Although not required at this time, the Department of Health may at any time require the permittee to install and operate a continuous emission monitor or to conduct source performance test or ambient air quality monitoring."
- The above examples were obtained from an actual permit issued to Borthwick Mortuary.
 - An unpermitted source will not have such supplemental enforcement conditions. (You will be lucky to even get a verbal promise from them.)

Reason 8: Opacity Restrictions

- Residents and users of an area that are within the range of the exhaust plume are impacted by incinerator emissions. Current allowable opacity for a non-permitted pre March 1972 crematory is up to 40%. All current post March 1972 crematories have an opacity limitation of up to 20%. A reduction to 20% opacity limitations will reduce the amount of particulate matter and fumes being emitted. A reduction of opacity leads to a healthier and cleaner environment.
- A darker opacity means that the incineration process is not fully efficient. The smokes are products of combustion which are not being completely burned by heat and fire.
- Residents in permitted areas are exposed to lower opacity and cleaner air, why should others in un-permitted areas not be given the same right to cleaner air and sanitation.

Reason 9: Trend is for increased demand for cremations

Land is scarce and costs of burials are high. There is a larger population of aging adults as compared to the past. The demographics of an aging population, scarcity of land, burial costs will all subsequently create an increase in demand for cremations.

Increased demand means increased operational time which creates more emissions. How can we allow an unpermitted source, for which we do not have any operational and emission data, to continue with increasing outflow of emissions. An air permit should be required to ensure that a source meets air emission standards.

Thank you,

Edmund Lee

FINTestimony

From: mailinglist@capitol.hawaii.gov
ent: Saturday, February 25, 2012 11:32 PM
To: FINTestimony
Cc: dane.c.lee@gmail.com
Subject: Testimony for HB2656 on 2/27/2012 4:00:00 PM

Testimony for FIN 2/27/2012 4:00:00 PM HB2656

Conference room: 308
Testifier position: Support
Testifier will be present: No
Submitted by: Dane Lee
Organization: Individual
E-mail: dane.c.lee@gmail.com
Submitted on: 2/25/2012

Comments:

To fully understand the problem, please view youtube.com video. Link:
<http://www.youtube.com/watch?v=oQqKmN-CCAU>

10 minutes of environmental pollution, also fire truck responds at about the 7 minute mark.
Adults and children are exposed to fallout.

FINTestimony

From: mailinglist@capitol.hawaii.gov
Sent: Saturday, February 25, 2012 6:57 PM
To: FINTestimony
Cc: leeb@seattleu.edu
Subject: Testimony for HB2656 on 2/27/2012 4:00:00 PM

Testimony for FIN 2/27/2012 4:00:00 PM HB2656

Conference room: 308
Testifier position: Support
Testifier will be present: No
Submitted by: Brittany Lee
Organization: Individual
E-mail: leeb@seattleu.edu
Submitted on: 2/25/2012

Comments:

Passing this bill will not only benefit the health of my neighborhood, but many other neighborhoods with the same issues of clean air. I strongly support this bill.

FINTestimony

From: mailinglist@capitol.hawaii.gov
ent: Sunday, February 26, 2012 2:11 PM
To: FINTestimony
Cc: leeplace1@yahoo.com
Subject: Testimony for HB2656 on 2/27/2012 4:00:00 PM

Testimony for FIN 2/27/2012 4:00:00 PM HB2656

Conference room: 308
Testifier position: Support
Testifier will be present: Yes
Submitted by: Karen Lee
Organization: Individual
E-mail: leeplace1@yahoo.com
Submitted on: 2/26/2012

Comments:

Testimony for HB2656 Pertaining to Crematoriums

I am advocating on behalf of my family, the neighborhood, and especially the children and elderly who may not be able to represent themselves. HB2656 requires all crematoriums operating within the State to be subject to the air pollution control permitting requirements. Currently, crematoriums constructed prior to March 1972 are exempt from the air pollution control permit requirements.

My husband and I have experienced the fallout of pollution from an unpermitted crematorium in our neighborhood for over 20 years although our first complaint to the Department of Health (DOH) was made 14 years ago (1998). We have undergone numerous bouts of strong fumes and odors. We're at the point that my husband is having respiratory problems and difficulty breathing when emissions permeate our home. Calls have been made to the DOH for their assistance in abating the problem, but we have been told on many occasions that they have their "hands tied" or are "unable to do anything" because the crematorium is grandfathered and does not require a permit. Requiring a permit for crematoriums to operate is not a novel idea in the state of Hawaii as all other crematoriums built after 1972 are required to have an air permit. In fact, our neighborhood crematorium is the only crematorium operating without a permit on Oahu. There is only one other crematorium operating without a permit, located on the Big Island. The crematorium in our area is unique in that it is situated in the thick of a densely populated residential mixed-use neighborhood and handles 50 percent of all the cremations on Oahu. I have seen thick smoke engulf Waolani Judd School, where the children, who are more vulnerable to pollutants, are exposed and they have been exposed on a regular basis.

Are crematorium emissions safe? Crematories without filters release harmful emissions such as nitrogen oxides, carbon monoxide, hydrogen chloride, sulphur dioxide, dioxins, furans, formaldehyde, mercury, other heavy metals such as cadmium and lead, as well as tiny portions of dust called particulates. The safe levels of chronic exposure to heavy metals such as lead and mercury do not seem to have been established. The Centers for Disease Control (CDC), which sets the national policy regarding childhood lead levels challenged the long-held notion that there is a threshold below which lead is not toxic. The committee's report asserts that there is no safe lead level for children -- that many of the consequences of early lead exposure are irreversible. The adverse effects extend beyond the neurodevelopmental realm into cardiovascular, immunological, and endocrine effects. In

addition, according to Dr. Lars Friberg, Former Chief Adviser to the World Health Organization on Mercury safety, "There is no safe level of mercury, and no one has actually shown that there is a safe level. No amount of exposure to mercury vapor can be considered harmless." Mercury affects the body in multiple ways, the most significant being the fact that it disrupts the natural processes that the body must complete in order to detoxify - creating a vicious cycle where more and more toxins are trapped in the body. Mercury is particularly difficult to remove from the body and will tend to attach itself to the cells instead of leaving the body. Mercury often attaches to the brain. That is why the symptoms of Mercury poisoning resemble so closely neurological disorders such as Alzheimer's, Dementia, and many auto-immune disorders. Mercury vapors can remain for months or years on furniture, carpet, floors and walls. To put the danger of mercury in perspective, it takes just 1 gram of mercury in a lake of 27 surface acres to trigger elevated toxic levels in fish, according to the U.S. Geological Survey. Mercury emissions from cremations in the US are estimated to be about 3 tons per year. Mercury is particularly dangerous to fetuses and children. Exposure can lead to irreversible neurological damage which results in memory loss, attention deficit and other learning disabilities, according to the EPA. The EPA has also reported that there appears to be no "safe" level for dioxin exposure. Dioxins are formed when products such as plastic are burned. These plastics may be present as prosthetics, body bags, or as part of the container. Dioxins' half-life in the body is estimated to be seven to eleven years. Dioxins may affect the immune system and cause damage to the liver, kidney and digestive tract. Cancer, miscarriage, and birth defects are also possible at higher than average concentrations.

Our neighborhood crematorium established itself in 1906 and has 3 incinerators ranging from 79 to 106 years old. The incinerators do not have any type of filter system to address the problem with its toxic emissions. Nor do their incinerators have monitoring systems as do the more current incinerators. In fact, our crematorium is still using diesel fuel, unlike all the other crematoriums on Oahu, which utilize natural gas only. Diesel exhaust contains more than 40 toxic air contaminants and is a major source of fine-particle pollution. Diesel exhaust includes many known or suspected cancer-causing substances, such as benzene, arsenic, formaldehyde and nickel. It also contains other harmful pollutants, including nitrogen oxides (a component of urban smog). There have been numerous instances when my family could smell the burning fuel. Exposure to diesel exhaust occurs whenever a person breathes air that contains these substances. The toxic gases and small particles of diesel exhaust (particulate matter) are drawn deep into the lungs, where they can contribute to a range of health problems. Diesel exhaust is a major source of fine-particle pollution and the elderly and children are especially susceptible to the effects of these fine particles. Long term exposure to diesel exhaust poses the highest cancer risk of any toxic air contaminant. According to the EPA, immediate effects of exposure can create inflammation in the lungs that may cause chronic respiratory symptoms and increase the frequency or intensity of asthma attacks. Other immediate effects are listed as irritation of eyes, nose, throat, coughing, headaches, light-headedness and nausea. It should be noted that several residents who signed the petition for HB2656 expressed respiratory difficulties and headaches.

The DOH claims that they have conducted some on site inspections of our neighborhood crematorium. However, they reported that it is difficult for them to conduct continuous monitoring of the opacity of emissions themselves. That is, they would have to visually witness a violation of opacity of the emissions since the crematorium does not have a schedule of cremations or opacity monitoring system. With a permit, the DOH may require crematoriums to install a continuous monitoring system.

With the passage of HB2656, The DOH will be able to better monitor the emissions of all crematoriums and set limitations and standards to have adequate control over air pollutants. According to the EPA, the individual States generally require that crematories hold permits, meet specified design requirements to limit emissions, and conform to certain operating requirements. It is up to each State to enforce air permit regulation. In reviewing Borthwick Mortuary's permit of 2004, similar requirements could be made of all crematoriums such as:

- a) Only human remains and the casket or cloth containing the remains are allowed to be processed in the crematory units. Fiberglass or plastic caskets are not allowed. This could significantly reduce or eliminate the smoke and toxins emitted from burning coffins and plastic body bags.
- b) The crematory unit burners shall be fired only on synthetic natural gas.
- c) The permittee is not authorized to burn medical or hazardous wastes. The DOH may at any time require a higher set point temperature for the secondary chamber if an inspection indicates poor or insufficient control.
- d) The DOH may require the permittee to install and operate a continuous emission monitor or to conduct source performance tests or ambient air quality monitoring.
- e) The DOH reserves the right to impose additional operational controls and/or restrictions if a site evaluation indicates that additional controls and/or restrictions are necessary.
- f) The permittee shall follow a regular maintenance schedule to ensure proper operation of the crematory units.
- g) The amount of particulate matter is limited.

Other limitations to be considered in a permit for crematoriums are as follows:

Crematoriums, especially those in residential and heavily populated areas, could be required to utilize equipment with built in filters and alarm monitoring systems. Or crematoriums may opt to use a safe alternative such as incinerators utilizing water and potassium hydroxide.

Crematoriums may be required to have dental fillings removed from bodies prior to cremation or may present that option to families.

The amount of smoke could be limited. In the case of the Borthwick permit, they shall not exhibit visible emissions of 20 percent opacity or greater for any six minute average period. (Currently, a non-permitted crematorium, such as OC, is allowed visible emissions of 40 percent opacity under HAR 11-6-.1-32). A crematorium that is in the thick of a residential district should have more stringent, rather than less stringent standards for opacity. New York City permits emissions of only 10 percent opacity.

With a permit, monitoring and record keeping requirements are also stated. Using Borthwick's 2004 permit, the following are required and serve as an example of how the permit can be utilized:

The opacity alarm monitoring system shall be maintained and kept in operational condition at all times. Also, the permittee shall maintain records for each cremation such as type of casket, weight of remains, material enclosing the remains temperature of the secondary chamber, cremation time, date and time when monitor warning indicator triggered and corrective action taken, etc.

With the requirement of a permit for crematoriums, the DOH will be able to better monitor emissions of and set limitations and standards to have adequate control over air pollutants. This will benefit not only neighborhoods in close proximity to crematoriums, but the state as a whole as pollutants can infiltrate our air, ground, and water. The passing of HB2656, requiring all crematoriums to apply for a permit, is a step in the right direction.

FINTestimony

From: mailinglist@capitol.hawaii.gov
sent: Saturday, February 25, 2012 1:55 PM
To: FINTestimony
Cc: isokanes002@hawaii.rr.com
Subject: Testimony for HB2656 on 2/27/2012 4:00:00 PM

Testimony for FIN 2/27/2012 4:00:00 PM HB2656

Conference room: 308
Testifier position: Support
Testifier will be present: No
Submitted by: gladys isokane
Organization: Individual
E-mail: isokanes002@hawaii.rr.com
Submitted on: 2/25/2012

Comments:

The Oahu crematory has outdated equipment and should be closed. Whenever they start to cremate the smell is so bad that it gives us a terrible headache and nausea feeling. We have to go indoors and close our windows. Of late we came down with vertigo and believe the toxic gas that emits from the Oahu crematory is the cause as we have asked our neighbors and they too have experienced the same thing. This toxic gas will eventually get us all sick with Parkinson disease which affects the nervous system. I truly think you should take this matter seriously and close down this old Oahu crematorium.

FINTestimony

From: mailinglist@capitol.hawaii.gov
Sent: Saturday, February 25, 2012 11:47 AM
To: FINTestimony
Cc: mendezj@hawaii.edu
Subject: Testimony for HB2656 on 2/27/2012 4:00:00 PM

Testimony for FIN 2/27/2012 4:00:00 PM HB2656

Conference room: 308
Testifier position: Support
Testifier will be present: Yes
Submitted by: Javier Mendez-Alvarez
Organization: Individual
E-mail: mendezj@hawaii.edu
Submitted on: 2/25/2012

Comments:

FINTestimony

From: mailinglist@capitol.hawaii.gov
sent: Saturday, February 25, 2012 7:00 PM
To: FINTestimony
Cc: evapang@live.com
Subject: Testimony for HB2656 on 2/27/2012 4:00:00 PM

Testimony for FIN 2/27/2012 4:00:00 PM HB2656

Conference room: 308
Testifier position: Support
Testifier will be present: No
Submitted by: Eva Pang
Organization: Individual
E-mail: evapang@live.com
Submitted on: 2/25/2012

Comments:

FINTestimony

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, February 26, 2012 7:33 AM
To: FINTestimony
Cc: hafakasi07@aol.com
Subject: Testimony for HB2656 on 2/27/2012 4:00:00 PM

Testimony for FIN 2/27/2012 4:00:00 PM HB2656

Conference room: 308
Testifier position: Support
Testifier will be present: No
Submitted by: Blaize Soakai
Organization: Individual
E-mail: hafakasi07@aol.com
Submitted on: 2/26/2012

Comments:

FINTestimony

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, February 26, 2012 1:20 PM
To: FINTestimony
Cc: akio_zane@hotmail.com
Subject: Testimony for HB2656 on 2/27/2012 4:00:00 PM

Testimony for FIN 2/27/2012 4:00:00 PM HB2656

Conference room: 308
Testifier position: Support
Testifier will be present: No
Submitted by: Ryan Zane
Organization: Individual
E-mail: akio_zane@hotmail.com
Submitted on: 2/26/2012

Comments:

FINTestimony

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, February 26, 2012 1:47 PM
To: FINTestimony
Cc: karmimoto@yahoo.com
Subject: Testimony for HB2656 on 2/27/2012 4:00:00 PM

Testimony for FIN 2/27/2012 4:00:00 PM HB2656

Conference room: 308
Testifier position: Support
Testifier will be present: No
Submitted by: Karen Muramoto
Organization: Individual
E-mail: karmimoto@yahoo.com
Submitted on: 2/26/2012

Comments:

FINTestimony

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, February 26, 2012 3:54 PM
To: FINTestimony
Cc: kai_kane808@yahoo.com
Subject: Testimony for HB2656 on 2/27/2012 4:00:00 PM

Testimony for FIN 2/27/2012 4:00:00 PM HB2656

Conference room: 308
Testifier position: Support
Testifier will be present: No
Submitted by: Kila Sumalpong
Organization: Individual
E-mail: kai_kane808@yahoo.com
Submitted on: 2/26/2012

Comments:

FINTestimony

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, February 26, 2012 1:51 PM
To: FINTestimony
Cc: cmlee@hawaii.edu
Subject: Testimony for HB2656 on 2/27/2012 4:00:00 PM

Testimony for FIN 2/27/2012 4:00:00 PM HB2656

Conference room: 308
Testifier position: Support
Testifier will be present: No
Submitted by: Colleen Lee
Organization: Individual
E-mail: cmlee@hawaii.edu
Submitted on: 2/26/2012

Comments:

FINTestimony

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, February 26, 2012 1:24 PM
To: FINTestimony
Cc: cml@hawaii.edu
Subject: Testimony for HB2656 on 2/27/2012 4:00:00 PM

Testimony for FIN 2/27/2012 4:00:00 PM HB2656

Conference room: 308
Testifier position: Support
Testifier will be present: No
Submitted by: Chelsea Lee
Organization: Individual
E-mail: cml@hawaii.edu
Submitted on: 2/26/2012

Comments:

FINTestimony

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, February 26, 2012 1:39 PM
To: FINTestimony
Cc: leed065@hotmail.com
Subject: Testimony for HB2656 on 2/27/2012 4:00:00 PM

Testimony for FIN 2/27/2012 4:00:00 PM HB2656

Conference room: 308
Testifier position: Support
Testifier will be present: Yes
Submitted by: Dennis Lee
Organization: Individual
E-mail: leed065@hotmail.com
Submitted on: 2/26/2012

Comments:

FINTestimony

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, February 26, 2012 3:55 PM
To: FINTestimony
Cc: cmlee@hawaii.edu
Subject: Testimony for HB2656 on 2/27/2012 4:00:00 PM

Testimony for FIN 2/27/2012 4:00:00 PM HB2656

Conference room: 308
Testifier position: Support
Testifier will be present: No
Submitted by: Chandelle Lee
Organization: Individual
E-mail: cmlee@hawaii.edu
Submitted on: 2/26/2012

Comments:

NEIL ABERCROMBIE
GOVERNOR OF HAWAII



LORETTA J. FUDDY, A.C.S.W., M.P.H.
ACTING DIRECTOR OF HEALTH

STATE OF HAWAII
DEPARTMENT OF HEALTH
P.O. Box 3378
HONOLULU, HAWAII 96801-3378

In reply, please refer to:
File:

COMMITTEE ON FINANCE

H.B. 2656, H.D. 1, RELATING TO AIR POLLUTION CONTROL

Testimony of Loretta J. Fuddy, A.C.S.W., M.P.H.
Director of Health

February 27, 2012
4:00 p.m.

- 1 **Department's Position:** The Department of Health supports the intent of this bill to require all
2 crematoriums to have air permits.
- 3 **Fiscal Implications:** The fiscal implications to the Department of Health should be minimal since this
4 bill only affects three crematories. The bill will have a fiscal impact on the three affected crematories by
5 way of permit fees and the implementation of any new permit requirements such as recordkeeping,
6 reporting, and monitoring.
- 7 **Purpose and Justification:** This bill amends Chapter 342B, HRS to require all crematoriums to obtain
8 air permits, including crematoriums built before March 20, 1972, that are currently exempt from the
9 permit process. The permitting of all crematoriums will provide a more equitable regulatory playing
10 field and allow the Department to have better regulatory oversight over the pre-1972 crematoriums.
11 Requiring permits for the pre-1972 crematoriums will help ensure compliance with the air regulations
12 through recordkeeping, monitoring, and reporting. Based on our records, there are three pre-1972
13 crematoriums that would be affected by this bill.

14 Thank you for the opportunity to testify on this bill.

15

Promoting Lifelong Health & Wellness

Leeward Funeral Home
849 Fourth St.
Pearl City, Hawaii 96782
Tel. (808) 455-1041; Fax: (808) 455-1041

HOUSE COMMITTEE ON FINANCE
Testimony in opposition of HB 2656 HD1
February 27, 2012 4:00 p.m.
Testimony of David Morikami
Operations Manager, Leeward Funeral Home

I am testifying in opposition of HB 2656, HD1 in its present form. As the operations manager of Leeward Funeral Home, which utilizes Oahu Crematory (as a third party crematory constructed prior to March 30 1972), we feel that should HB 2556 become law, the stated permit application deadline of December 31, 2012, would not allow sufficient time to complete the permitting process. Attempting to meet such a deadline would probably involve completely shutting down the crematory for an extended period of time, causing an immediate negative impact on our client families and on the other firms and entities which presently utilize the crematory. The following factors and resulting impacts should be taken into consideration so that an achievable permitting deadline can be set.

- 1) Oahu Crematory performs approximately 2,000 cremations a year. If a complete shutdown was imposed, it would be unlikely that the present permitted crematories on Oahu would be able to handle the additional volume of cremations, without creating a severe backlog.
- 2) Should a shutdown be imposed, the resulting number of decedents being held in preparation for cremation, would strain the refrigerated storage capacities of all agencies involved, particularly the hospitals, some of which already have to deal with insufficient refrigerated storage capability.
- 3) The delays associated with shutting down the entire crematory would also impact the family members of the decedents. Memorial Services, urn burials and ultimately, the resulting inability for loved ones to obtain closure after death would also be affected.

We agree with the general intent of HB 2656 and support the compliance requirements being sought by members of the surrounding community, however we feel all factors and impacts should be considered before passage of such a bill. We hope that a more realistic time line to ensure compliance can be achieved without adversely affecting the families that we serve.

Thank you for the opportunity to testify.