

Environment Committee

JOINT FAVORABLE REPORT

Bill No: HB-5331 / [Bill Status](#) / [Public Hearing Testimony](#)

Title: AN ACT CONCERNING THE AIR PERMITS OF CERTAIN CREMATORIES.

Vote Date: 3/13/2026

Vote Action: Joint Favorable

PH Date: 3/4/2026

File No.:

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SPONSORS OF BILL:

Environment Committee

REASONS FOR BILL:

This bill proposes to authorize the continued operation of certain crematories while the air permit renewal application is under review by the Department of Energy and Environmental Protection, or while an application for an expansion of the crematory is pending.

RESPONSE FROM ADMINISTRATION/AGENCY:

Katie S. Dykes, Commissioner, Connecticut Department of Energy & Environmental Protection (DEEP)

Commissioner Dykes explains that the current HB-5331 proposal is inconsistent with current state regulations. She cites that under current law, proposed expansion of a crematory is already subject to applicable regulatory requirements. If the expansion triggers additional New Source Review permitting under R.C.S.A § 22a-174-3a, the applicant must obtain the requisite permit from the Department prior to beginning actual construction. She offers that between 2009-2017 the Connecticut Department of Energy & Environmental Protection (DEEP) had several high-profile resident complaints concerning crematory operations, which had prompted additional investigation in the potential environmental and public health impacts. They found that crematory operations have significant Mercury and CO2 particle emissions. Commissioner Dykes also notes that current law already allows a crematory approved by DEEP to continue operating while an expansion permit is pending. Accordingly, the proposed language is unnecessary to authorize continued operation of an existing facility. She also offers that that the New Source Review permits generally do not expire. Because of these reasons, the provision of the bill that would allow the continued operation of a crematory during the New Source Review permit renewal process would have no practical effect, as such permits are not subject to routine renewals.

NATURE AND SOURCES OF SUPPORT:

Dirk Bearden, Senior Managing Director, Personal Care Centers (PCC) and Crematory Operations for Service Corporation International Shared Resources LLC

Senior Managing Director Bearden shares that in 2024, they had found two 31-year-old cremation units in their Connecticut facilities that were in critical need of new infrastructure. They emphasized that under current permitting regulations, modernizing their equipment would risk a substantial reduction in permitted cremation volume. The "legacy penalty" effectively forces operators to choose between maintaining outdated equipment or sacrificing operational capacity. He further offers that newer advanced cremation systems have reduced natural gas consumption by 70% per cremation. Furthermore, he offers that newer single modern units have significantly declined in CO2 production compared to older 30-year-old legacy models. He believes that if the re-permitting process is to protect the environment and communities, the current system is achieving the opposite result by penalizing the installation of new equipment which invertedly encourages the continued use of inefficient technology.

Jonathan L. Green, President & Legislative Chair of Connecticut Funeral Directors Association

Mr. Green expresses that existing crematories cannot meet regulatory standards and have physical setback requirements that were adopted after facilities were constructed and licensed to operate. He further explains that these restrictions are applied to applications for modification or replacement of outdated equipment, which forces these facilities to continue operating older and inefficient cremation chambers. He cites current regulations from the Connecticut Department of Public Health (DPH) which imposed a minimum distance of 500 feet for any new crematory to the nearest residence and requirements from the Connecticut Department of Energy and Environmental Protection, which (DEEP) require crematories seeking to construct or modify equipment to maintain a minimum distance of 150 feet to the nearest property line. He urges that fourteen crematories would not be able to meet current boundary regulations if required to replace existing equipment. He offers that since 2020, more than 22,000 cremations have taken place annually in Connecticut, with projections indication it will plateau approximately around 27,000 per year by 2034. In 2024, approximately 64% of deaths in Connecticut resulted in cremation, that figure is projected to reach 80% by 2034 according to the Cremation Association of North America. Mr. Green requests a revised HB 5331 that would exempt existing crematories, licensed and operating prior to January 1, 2020, from DEEP and DPH boundary and air simulation requirements adopted after initial licensure and commencement of operations, solely for the purpose of replacing retorts within the footprint of existing crematory facilities; and adding one or more additional retorts within the footprint of existing crematory facilities to maintain operational continuity and meet public need.

Elizabeth Mutch, Owner, Connecticut Valley Crematory LLC

Ms. Mutch shares that with increased demand for cremation services since the Covid-19 Pandemic, they learned that the State air permit for their third unit was only valid for six months. She further shares that she was being held to regulatory standards that were well passed after licensure and have been told that she was not able to replace her aging equipment with more fuel efficient machines. While she expresses strong support for the bill, she believes it can be amended by defining "existing crematory" to be a facility licensed prior to January 1, 2020. Second, allow the replacement of existing retorts within the existing building footprint without recurring compliance with regulations adopted after original

licensure. Third, allow installation of one additional retort within the existing building, provided there is no site expansion, and require continued compliance with all laws and regulations in effect at the same time of original licensure.

The following people and organizations also expressed support for the bill.

William MacDonnell, Chair of Cedar Hill Cemetery

Robert Fournier, Director of Park Crematory LLC

Lisa Lovetere, President of Munson-Lovetere Funeral Homes

Eric Peterson, Owner of Brookside Crematory

9 Citizens express general support for House Bill 5331

NATURE AND SOURCES OF OPPOSITION:

2 Citizens oppose House Bill 5331

Reported by: Laura Sansur
Reviewed by Luna Romani

Date:03/17/2026