

South Coast Air Quality Management District

Executive Order 21-01x4

WHEREAS, the Governor of the State of California proclaimed a State of Emergency throughout the State resulting from the spread of respiratory illness due to a novel coronavirus (known as COVID-19) on March 4, 2020; and

WHEREAS, the Los Angeles County Department of Medical Examiner-Coroner (“Los Angeles County Coroner”), the Orange County Health Care Agency, and the Riverside County Sheriff-Coroner have confirmed that there exists an urgent need for additional human crematory services to deal with the increased demand for such services resulting from deaths due to COVID-19, and other causes; and

WHEREAS, the Los Angeles County Coroner has indicated that the COVID-19 pandemic has substantially increased the number of deaths in Los Angeles County compared to pre-pandemic years, and as of January 25, 2021 anticipates that another surge is approaching as a result of the New Year’s holiday, since deaths tend to occur 4-6 weeks after gatherings, and the capacity of the decedent management system, including hospitals, funeral homes, crematoria and the Coroner’s office is being exceeded; and as of February 3, 2021, 1200 decedents are currently being stored for hospitals and the Los Angeles County Coroner’s office; and the 28 crematories in Los Angeles County have the resources and capability to perform more cremations that they cannot perform due to regulatory limits; and as of February 12, 2021, the Coroner’s office is continuing to see increases in the number of decedents and requests for storage from hospitals, such that they are now holding 846 coroner cases and 334 cases for hospitals; and as of February 19, 2021 is still holding similar numbers of decedents, while hospitals are holding over 2400; and there is still a need for relief from crematory permit conditions to serve the need in the county; and

WHEREAS, the Orange County Health Care Agency has determined that there has been an increased number of deaths due to the COVID-19 pandemic, and that they anticipate the number of deaths to occur at a high rate due to the recent surge in hospitalized cases following the Christmas and New Year’s holidays, which is causing facilities to rapidly approach their permit limits; and as of February 3, 2021, the conditions of facilities approaching or exceeding capacity still exist; and as of February 12, 2021, in spite of decreasing numbers of infections, deaths have not gone down significantly, and they continue to need relief from permit conditions; and as of February 20, 2021, that although case and positivity rates have decreased, the death rates remain high, such that there is still a need for relief from crematory permit limits to serve the need in the county; and

WHEREAS, the Riverside County Sheriff-Coroner has determined that increased deaths have resulted in a backlog of decedents such that the mortuaries and crematoria are unable to keep up with the need, resulting in approximately 500 decedents in storage with 150 from hospitals that are unable to keep up with the need; and as of February 12, 2021, they continue to have a backlog of hundreds of decedents such that the crematoria are unable to keep up with the need; and as of February 19, 2021, although the number of deaths is decreasing, the area mortuaries,

hospitals, crematoria and the Coroner's office are holding hundreds of decedents such that there is continued need for relief from permit limits to serve the county's needs, and

WHEREAS, the Los Angeles County Department of Public Health, the Orange County Health Care Agency, and the Riverside County Public Health Officer have confirmed that the growing backlog of cremation cases within each county constitutes a threat to public health; and

WHEREAS, many of the permits issued by South Coast AQMD and currently in effect for human crematoria contain limits on the number of cremations or amount of human remains that may be cremated each month; and

WHEREAS, the Los Angeles County Coroner, the Orange County Health Care Agency, and the Riverside County Sheriff-Coroner and Riverside County Public Health Officer have requested that South Coast AQMD suspend such limiting conditions in order to protect public health and respond to the emergency; and

WHEREAS, under the provisions of Rule 118(d)(1), I hereby determine that strict compliance with the limits on numbers of cremations or amount of human remains cremated at qualifying crematory facilities, and with any rules underlying such conditions, would delay critical actions necessary to protect public health and safety and to respond to the urgent need created by the emergency.

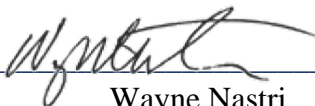
NOW THEREFORE, pursuant to the authority vested in me under Rule 118(d)(1), I hereby suspend permit conditions limiting the number of cremations or amount of human remains cremated for qualifying human crematoria that are located in Los Angeles County, Orange County or Riverside County, or have an agreement with the Los Angeles County Coroner and meet the following conditions:

1. The facility provides written notice to South Coast AQMD – via electronic mail to the Emergency Relief Mailbox (EmergencyRelief@aqmd.gov) – of its intent to exceed permit limits;
2. The facility is within 15% of reaching or exceeding one or more applicable limits;
3. The facility is operating during cremations with a secondary chamber operating at not less than 1500 degrees Fahrenheit, if the facility has a temperature gauge to confirm its operating temperature; and
4. The facility keeps and maintains records of all operations exceeding its permit limits, which shall be provided to South Coast AQMD upon request.

All other terms and conditions of the permit and other air quality rule requirements will remain in full force and effect.

This order shall expire at the end of the tenth calendar day after issuance – that is, at 11:59 p.m. on March 4, 2021 – unless extended pursuant to Rule 118(d)(2) by a further order before that time.

Dated: February 22, 2021



Wayne Natri
Executive Officer