

21 NCAC 34C .0105 is ~~repealed~~ amended as published in 35:06 NCR 670-675 as follows:

**21 NCAC 34C .0105      CREMATORY OR HYDROLYSIS INSPECTION FORM**

~~The findings of all crematory [or hydrolysis facility] inspections shall be recorded and filed on report forms provided by the Board. The crematory licensee shall furnish the name and address of the crematory, names of the owner and manager, acknowledgement of the findings of the inspector, the date for compliance, verification by the crematory licensee that any violations have been corrected, the date of the verification, and other information the Board deems necessary as required by law. Verifications by the crematory licensee that any violations have been corrected must be received by the Board no later than seven days after the date for compliance.~~

*History Note:      Authority G.S. 90-210.123; 90-210.134(a); 90-210.136(d),(h);*

*Eff. July 1, 1991;*

*Amended Eff. August 1, 2004;*

*Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 19, 2017;*

*Temporary Amendment Eff. May 24, 2019;*

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*~~[Amended]~~ Repealed Eff. January 1, 2021.*

21 NCAC 34C .0106 is adopted as published in 35:06 NCR 670-675 as follows:

### **21 NCAC 34C .0106      DEFINITIONS**

The following definitions shall apply for purposes of complying with the provisions of Article 13F, Chapter 90, of the North Carolina General Statutes and any rule in Chapter 34, Title 21 of the North Carolina Administrative Code:

- (1) “Hydrolysis operator” shall have the same meaning as the term “hydrolysis licensee” as defined by G.S. 90-210.136(a)(3).
- (2) “Aquamation” ~~and “resomation”~~ shall have the same meaning as “alkaline hydrolysis” as defined by G.S. 90-210.136(a)(1).
- (3) “Certificate of hydrolysis” means a certificate provided by the hydrolysis manager who performed the hydrolysis that meets the same minimum requirements for a “certificate of cremation” as set forth in G.S. 90-210.121(5).
- (4) “Cremation center” shall have the same meaning as “crematory” or “crematorium” as defined by G.S. 90-210.121(11).
- (5) “Final disposition” of human remains that have been hydrolyzed means the hydrolysis and the ultimate interment, entombment, inurnment, or scattering of the hydrolyzed remains or the return of the hydrolyzed remains by the hydrolysis licensee to the authorizing agent or such agent’s designee as provided by Article 13F, Chapter 90, of the North Carolina General Statutes. Upon the written direction of the authorizing agent, hydrolyzed remains may take various forms.
- (6) “Hydrolysis container,” as defined by G.S. 90-210.136(a)(2), shall be ~~is one~~ made of biodegradable material and also shall comply with the provisions of G.S. 90-210.121(9)f.
- (7) “Hydrolysis chamber,” “hydrolysis unit,” or “hydrolysis vessel” means the enclosed space within which the hydrolysis process occurs. Hydrolysis chambers regulated by Article 13F, Chapter 90, of the North Carolina General Statutes shall be used exclusively for the hydrolysis of human remains.
- (8) “Hydrolyzed remains” means all human remains recovered after the completion of the hydrolysis process, including pulverization, that leaves only bone fragments reduced to unidentifiable dimensions.
- (9) “Hydrolysis facility” or “hydrolysis center” means the building or buildings, or portion of a building or buildings, on a contiguous piece of property that houses the hydrolysis equipment, the holding and processing facilities, the business offices, and any other components of the hydrolysis business.
- (10) “Hydrolysis interment container” means a rigid outer container composed of concrete, steel, fiberglass, or some similar material in which an urn is placed prior to being interred in the ground and which is designed to withstand prolonged exposure to the elements and to support the earth above the urn.
- (11) “Hydrolysis manager” means the person who is responsible for the management and operation of the hydrolysis facility. A hydrolysis manager shall meet the same minimum requirements for a “crematory manager” as set forth in G.S. 90-210.121(13).

1       (12)   “Hydrolysis society” means any person, firm, corporation, or organization that is affiliated with a  
2       hydrolysis licensee licensed under Article 13F, Chapter 90, of the North Carolina General Statutes  
3       and provides hydrolysis information to consumers.

4       (13)   “Hydrolysis technician” means any employee of a hydrolysis licensee who has a certificate  
5       confirming that the hydrolysis technician has attended a training course approved by the Board.

6       (14)   “Resomation” shall have the same meaning as “alkaline hydrolysis” as defined by G.S. 90-  
7       210.136(a)(1).

8  
9    *History Note:*    *Authority G.S. 90-210.136;*  
10                    *Temporary Adoption Eff. May 24, 2019;*  
11                    *Temporary Adoption Expired Eff. March 13, 2020. 2020;*  
12                    *Readopted Eff. January 1, 2021.*

21 NCAC 34C .0201 is amended as published in 35:06 NCR 670-675 as follows:

## SECTION .0200 - EQUIPMENT AND PROCESSING

### 21 NCAC 34C .0201      HOLDING FACILITY; CREMATION OR HYDROLYSIS UNIT; PROCESSOR PROCESSORS

(a) Every crematory licensee shall have the following:

- (1) ~~A a~~ holding facility of suitable size to accommodate all human remains which are retained and awaiting ~~cremation-~~ cremation;
- (2) ~~A a~~ commercially-manufactured cremation unit, within the ~~crematory,~~ crematory facility, made specifically for the cremation of human remains, meeting the following minimum standards:
  - ~~(a)(A)~~ An an ash collection pan that is designed for the purpose of removing cremated remains from the cremation unit and to minimize the commingling of cremated remains of one human remains with another- another;
  - ~~(b)(B)~~ A a hearth or floor that has been maintained in accordance with recommended maintenance requirements specified by the machine's manufacturer or other [qualified] maintenance service representative; without depressions so as to minimize commingling of cremated remains of one human remains with another-
  - ~~(c)(C)~~ A a door safety switch to stop the burner operation when the front charging door is ~~opened-~~ opened;
  - ~~(d)(D)~~ A a pollution monitoring system to monitor and detect smoke when the density exceeds applicable federal and state standards, whereupon the system will automatically stop the burner operation on a time setting of not less than three ~~minutes-~~ minutes; and
  - ~~(e)(E)~~ Approval approval by a testing agency such as Underwriters Laboratory or a comparable testing agency- Laboratory.
- (3) ~~A a~~ commercially-manufactured processor, within the ~~crematory,~~ crematory facility, made specifically for the pulverization of cremated or hydrolyzed remains, meeting the following minimum standards:
  - ~~(a)(A)~~ Capable- capable of consistently processing cremated ~~[and/or]~~ or hydrolyzed remains to unidentifiable ~~dimensions-~~ dimensions;
  - ~~(b)(B)~~ A a dust-resistant processing ~~chamber-~~ chamber; and
  - ~~(c)(C)~~ An an exterior surface made of non-porous easily cleaned, non-corrosive material.

(b) Every hydrolysis licensee shall have the following:

- (1) ~~A a~~ holding facility of suitable size to accommodate all human remains which are retained and awaiting hydrolysis;
- (2) ~~A a~~ commercially-manufactured hydrolysis unit, within the hydrolysis facility, made for hydrolyzing human remains, and which meets the following minimum standards:

(A) ~~A~~ a collection pan, tray, or other device that is designed for the purpose of removing hydrolyzed remains from the hydrolysis unit and to minimize the commingling of hydrolyzed remains of one human remains with another; and

(B) ~~Approval~~ approval by a testing company, such as Underwriters Laboratory. ~~Laboratory~~ or a comparable testing agency.]

(3) ~~A~~ a commercially-manufactured processor, within the hydrolysis facility, that shall meet the same minimum standards set forth in Subparagraph (a)(3) of this Rule.

*History Note:* Authority G.S. ~~90-210.41(9),(12); 90-210.45(d),(e); 90-210.50(a); 90-210.121(11); 90-210.129(i),(j); 90-210.124(a); 90-210-136(d),(h)~~

*Eff. July 1, 1991;*

*Recodified from Rule .0202 Eff. July 7, 1992;*

*Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 19, 2017;*

*Temporary Amendment Eff. May 24, 2019;*

*Temporary Amendment Expired Eff. March 13, 2020-2020;*

*Amended Eff. January 1, 2021.*

21 NCAC 34C .0202 is amended as published in 35:06 NCR 670-675 as follows:

**21 NCAC 34C .0202 REFRIGERATION**

(a) Crematory and hydrolysis licensees shall have a refrigeration unit capable of storing at least three adult human ~~bodies~~ bodies, each measuring up to seven feet in length and three hundred pounds in weight, in the holding facility.

Each refrigeration unit required by this Rule shall be capable of maintaining an interior temperature of 40 degrees Fahrenheit while loaded with the maximum number of bodies for which it is designed; shall be a sealed concrete, stainless steel, galvanized, aluminum, or other flooring in walk-in units; and shall be stainless steel, aluminum, or other non-corrosive materials for the remainder of all units.

(b) Unembalmed human remains retained in the custody of a crematory or hydrolysis licensee for more than 24 hours prior to cremation or hydrolysis shall be kept in a refrigeration unit. ~~Crematory licensees shall have a refrigeration unit, capable of storing at least three adult human bodies, in the holding facility. Each refrigeration unit required by this Rule shall meet the following minimum standards:~~

(1) ~~Capable of maintaining an interior temperature of 40 degrees Fahrenheit while loaded with the maximum number of bodies for which it is designed.~~

(2) ~~Sealed concrete, stainless steel, galvanized, aluminum or other easily cleaned flooring in walk-in units.~~

(3) ~~Stainless steel, aluminum or other non-corrosive and easily cleaned materials for the remainder of the interior of all units.~~

(c) The provisions of this Rule shall not be construed to require a crematory facility and hydrolysis facility that share common ownership and are located on a single contiguous piece of property to maintain more than one refrigeration unit.

*History Note: Authority G.S. 90-210.121(9),(12); 90-210.134(a); 90-210.136(d),(h);*

*Eff. July 1, 1991;*

*Recodified from Rule .0201 Eff. July 7, 1992;*

*Amended Eff. July 1, 2004;*

*Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 19, 2017;*

*Temporary Amendment Eff. May 24, 2019;*

*Temporary Amendment Expired Eff. March 13, ~~2020~~ 2020;*

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21 NCAC 34C .0206 is amended as published in 35:06 NCR 670-675 as follows:

**21 NCAC 34C .0206 CLEANLINESS**

All areas of the crematory ~~and holding facility~~ or hydrolysis licensee facilities devoted to the reception, storage and cremation or hydrolysis of human remains and to the pulverization and delivery of cremated or hydrolyzed remains, and all equipment located therein, shall be kept free of stains, disintegration, debris, and uncontained fluids in good repair and in a sanitary condition and subject to inspection by the Board or its agents at all times.

*History Note: Authority G.S. ~~90-210.41(9),(12); 90-210.50(a); 90-210.121(11); 90-210.129(i),(j); 90-210.124(a); 90.210.136(d),(h);~~*  
*Eff. July 1, 1991;*  
*Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 19, 2017;*  
*Temporary Amendment Eff. May 24, 2019;*  
*Temporary Amendment Expired Eff. March 13, ~~2020~~ 2020;*  
*Amended Eff. January 1, 2021.*

21 NCAC 34C .0207 is adopted as published in 35:06 NCR 670-675 as follows:

**21 NCAC 34C .0207      REMOVAL OF PACEMAKERS OR OTHER IMPLANTED DEVICES;  
AUTOPSIED REMAINS; COMMUNICABLE DISEASES**

(a) No person other than an individual who is licensed by the Board as either an embalmer or funeral service licensee shall remove a pacemaker, defibrillator, or any other implanted device or material that must be removed from human remains prior to cremation or hydrolysis as set forth in G.S. ~~[90-210.129(d); 90-210.129(d)]~~ ~~[provided, however, that any]~~ Any such device or material that must be removed pursuant to G.S. 90-210.129(d) ~~[deemed hazardous]~~ shall be removed in accordance with the guidelines set by the manufacturer thereof. ~~[thereof and any statutes or rules enforced by any proper regulating agency.]~~

(b) ~~[It shall not be permissible for any person]~~ No person other than an individual who is licensed by the Board as either an embalmer or funeral service licensee to handle, treat, or otherwise prepare for cremation or hydrolysis the viscera removed from human remains as the result of an autopsy.

(c) An hydrolysis licensee shall not remove from the outer case required by G.S. 130A-395(b) and 10 NCAC 41A .0212, or to hydrolyze, any decedent who is known or suspected to have been infected with the plague, smallpox, COVID-19, or severe acute respiratory syndrome (SARS), without first obtaining the written consent of the local health director.

*History Note:      Authority G.S. 90-210.125; 90-210.129; 90-210.134; 90-210.136(d),(h);  
Temporary Adoption Eff. May 24, 2019;  
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21 NCAC 34C .0303 is amended as published in 35:06 NCR 670-675 as follows:

**21 NCAC 34C .0303 RECORDS OF CREMATION OR HYDROLYSIS AND DELIVERY**

(a) All crematory or hydrolysis licensees shall complete receipts for human remains on Board forms. The crematory  
[or hydrolysis] licensee shall furnish forms and shall include the following information: name of the crematory  
licensee, full name of the decedent, date and time of death, date and time the human remains was delivered to the  
crematory licensee, any affiliation by the person delivering remains with a funeral establishment or crematory, the  
name and signature of the employee or agent of the crematory who received the human remains, and any other  
information the Board deems necessary as required by law. Every crematory licensee shall furnish this receipt to the  
person who delivers the human remains to the crematory licensee.

(1) name of the crematory or hydrolysis licensee;

(2) first, middle, and last name of the decedent;

(3) date and time of death;

(4) date and time the human remains were delivered to the crematory or hydrolysis licensee;

(5) any affiliation by the person delivering remains with a funeral establishment or an individual  
licensed to practice funeral service under the provisions of G.S. 90-210.25(a2)(2), or crematory;

(6) any affiliation with the crematory or hydrolysis licensee; and

(7) first, middle, and last name and signature of the employee or agent of the crematory or hydrolysis  
licensee who received the human remains.

Every crematory or hydrolysis licensee shall furnish this receipt to the person who delivers the human remains to the  
crematory or hydrolysis licensee.

(b) All records documenting the release of human remains from a crematory or hydrolysis licensee to the person who  
receives the cremated or hydrolyzed remains shall be completed on Board forms. The crematory [or hydrolysis]  
licensee shall furnish forms and shall include the following information: name of the crematory licensee, the full name  
of the decedent, the date and time of release, the name of the person who received the cremated remains, the place  
where cremated remains were received, any affiliation by the person receiving remains with a funeral establishment  
or other entity, the signatures of the person delivering the remains and the recipient of remains, any mailing or handling  
instructions, and any other information the Board deems necessary as required by law. Crematory licensees must  
provide evidence by signature, postal receipt or its equivalent, of the receipt of the cremated or hydrolyzed remains.

(1) name of the crematory or hydrolysis licensee;

(2) first, middle, and last name of the decedent;

(3) date and time of release;

(4) first, middle, and last name of the person who received the cremated or hydrolyzed remains;

(5) place where cremated or hydrolyzed remains were received;

(6) any affiliation by the person receiving remains with a funeral establishment or an individual licensed  
to practice funeral service under the provisions of G.S. 90-210.25(a2)(2) or other entity; and

(7) signatures of the person delivering the remains and recipient of remains, and any mailing or handling instructions.

Crematory and hydrolysis licensees must provide evidence by [signature, signature or shipping receipt upon delivery of the cremated or hydrolyzed remains.

(c) All records documenting the release of human remains from a funeral establishment or an individual licensed to practice funeral service under the provisions of G.S. 90-210.25(a2)(2) (“unaffiliated practitioner”) to the person who receives the cremated or hydrolyzed remains shall be completed on Board forms. The funeral establishment or unaffiliated practitioner shall furnish forms and shall include the following information: name of the funeral establishment, the full name of the decedent, the date and time of release, the person to whom the remains were released, the type of container in which the remains were released, the signatures of the parties delivering and receiving remains, any shipping or special handling instructions, and any other information the Board deems necessary as required by law. Funeral establishments must provide evidence by signature, postal receipt or its equivalent, of the receipt of the cremated remains.

(1) name of the funeral establishment or unaffiliated practitioner;

(2) first, last, and middle name of the decedent;

(3) date and time of release;

(4) person to whom the remains were released;

(5) type of container in which the remains were released;

(6) signatures of the parties delivering and receiving remains; and

(7) any shipping or special handling instructions.

Funeral establishments must provide evidence by signature, or shipping receipt upon delivery of the cremated or hydrolyzed remains. The provisions of this Paragraph shall not apply when the funeral establishment and crematory or hydrolysis licensee share common ownership and are physically located within one or more buildings on a contiguous piece of property that would qualify the funeral establishment to use “crematory,” “crematorium,” “cremation center,” “hydrolysis facility,” or “hydrolysis center” in its operating name; provided, however, that the crematory or hydrolysis licensee shall comply with Paragraphs (a), (b), and (d) or (e) of this Rule.

(d) All records documenting In order to track the human remains through the cremation [or hydrolysis] process of cremation or hydrolysis from the time the remains are received at the crematory or hydrolysis licensee facility until the cremated or hydrolyzed remains are delivered, all crematory or hydrolysis licensees shall keep records on Board forms and shall include the following information: forms. The crematory [or hydrolysis] licensee shall furnish the [following information to a funeral establishment, an individual licensed to practice funeral service under the provisions of G.S. 90-210.25(a2)(2), authorizing agent, or other person or entity authorized to receive the cremated or hydrolyzed remains from the crematory or hydrolysis licensee; name of the crematory licensee, full name of the decedent, description of the cremation container used, time and date the decedent was placed into the crematory, person who placed the deceased in the crematory, time and date the cremated remains were removed from the crematory, type of container in which the cremated remains were placed, time and date the cremated remains were

1 ~~processed, the name and signature of the person who processed the cremated remains and placed them into a container,~~  
2 ~~and any other information the Board deems necessary as required by law.~~

3 (1) first, middle, and last name of the crematory or hydrolysis licensee;

4 (2) first, middle, and last name of the decedent;

5 (3) description of the cremation or hydrolysis container used;

6 (4) time and date the decedent was placed into the cremation or hydrolysis unit;

7 (5) first, middle, and last name of person who placed the deceased in the cremation or hydrolysis unit;

8 (6) time and date the cremated or hydrolyzed remains were removed from the cremation or hydrolysis  
9 unit;

10 (7) type of container in which the cremated or hydrolyzed remains were placed;

11 (8) time and date the cremated or hydrolyzed remains were processed; and

12 (9) first, middle, and last name and signature of the person who processed the cremated or hydrolyzed  
13 remains and placed them into a container.

14 The crematory or hydrolysis licensee shall furnish this information to a funeral establishment, an individual licensed  
15 to practice funeral service under the provisions of G.S. 90-210.25(a2)(2), authorizing agent, or other person or entity  
16 authorized to receive the cremated or hydrolyzed remains from the crematory or hydrolysis licensee.

17 (e) In lieu of the separate forms required by Paragraphs (a), (b), and (d) of this Rule, a crematory or hydrolysis licensee  
18 may use a form prescribed by the Board that combines all information required by Paragraphs (a), (b), and (d) of this  
19 Rule.

20 (f) The crematory or hydrolysis licensee shall retain the completed forms required by this Rule for a period of three  
21 years and shall produce all ~~crematory~~ cremation or hydrolysis forms for inspection or copying by the Board or its  
22 agents upon request. ~~The~~ Unless otherwise permitted by this Rule, the funeral establishment or individual licensed to  
23 practice funeral service under the provisions of G.S. 90-210.25(a2)(2) shall retain the a completed copy of each form  
24 required by Paragraph (e) of this Rule and shall produce the form forms for inspection or copying to the Board or its  
25 agents upon request.

27 *History Note: Authority G.S. 90-210.127; 90-210.134(a); 90.210.136(d),(h);*

28 *Eff. July 1, 1991;*

29 *Amended Eff. September 1, 2009; August 1, 2004;*

30 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 19,*  
31 *2017;*

32 *Temporary Amendment Eff. May 24, 2019;*

33 *Temporary Amendment Expired Eff. March 13, ~~2020~~ 2020;*

34 *Amended Eff. January 1, 2021.*