

# THREE NAUTICAL MILES, A SCATTERING AT SEA

By Ryan Helfenbein

The holidays are a time when we eat great home-cooked meals, visit with extended family members and scatter a loved one's cremated remains. What? That's right, the holidays have proven to be a very popular time for that final goodbye as loved ones are already gathered together anyway. Studies show that two out of five families who elect cremation plan to use scattering as their final goodbye. That said, where is it permissible to scatter cremated remains?

Living as close to the water as many of us do, local families often elect to scatter ashes in the tributaries of the Chesapeake Bay. Before you gas up that boat and ice down the beverages, you need to know that it is against state and federal laws. Scattering is a violation of the Federal Clean Water Act. It regulates the pollutants that enter the nation's surface waters that include lakes, rivers, streams, wetlands, coastal areas and, yes, bays such as our very own Chesapeake.

Scattering in the Chesapeake also violates Environmental Protection Agency and state of Maryland regulations prohibiting scattering of cremated remains in waters closer than three nautical miles from land and in waters less than 100 fathoms (600 feet) deep. Those of us who grew up having to learn the deepest point of the Chesapeake Bay to satisfy our middle school science teachers, know that even that is not a suitable depth.

But what about a reef program? Can't you put cremated remains into a reef ball and place them in the Chesapeake Bay? Prior to April of 2012, yes. However, it was announced by the state of Maryland on April 26, 2012, that, "MD DNR Fisheries Service will no longer allow the placement of human remains incorporated into manmade structures onto sites permitted to the Maryland

DNR Fisheries Service. This includes all sites in Chesapeake Bay and state waters of the Atlantic Ocean (within three nautical miles of the shoreline). Unfortunately, since this was released, there is currently no legal method for placement of cremated remains in the Chesapeake Bay.

So I can't legally bury a family member into the local waterways that lead to the Chesapeake Bay or even the deepest parts of the Bay? Then what can I do? Fortunately, there is an

organization that works with funeral homes called Atlantic Scattering. It offers assistance to families seeking water scattering as the final resting place for a loved one's cremated remains. This organization is based in Maryland and scatters cremated remains in accordance with the state and federal laws. They provide the family with photos and/or

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video of the sunset scattering service on the Atlantic Ocean along with certification, with a map, that includes GPS coordinates as to where they were deposited. All cremated remains through this process are contained in a biodegradable, eco-friendly, receptacle for placement into the water.

As the gift-giving season knocks on our door, let's keep the boat winterized and stay cozy by the fire with family. Know that local undertakers will coordinate and oversee a legal scattering for you.

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