

Lighthouse Crematory & Remembrance

56 Durham Rd. Freeport Maine 04032 Ph: 207-865-5500 Fax: 207-865-0507

www.cremationmaine.net

Scattering Ashes / Laws & Regulations / Ethics

Scattering ashes is an act of memorialization and isn't a normal state matter (outside of State controlled parks and lands). This makes it difficult to find an appropriate answer.

If your scattering ashes ceremony is to be held within a city or town limits this suggests that city/town ordinance and bylaws should be consulted.

If your scattering ashes ceremony is to be held outside of city or town limits then municipal or county ordinance and bylaws should be consulted.

You should use the same judgment you would expect others to use. Be considerate of others, first and foremost.

First, you are to obtain a permit. Then, you need to make sure that the remains have been pulverized so there are no recognizable bone or tooth fragments (this is usually done at the crematory, but you are to confirm this so no one suspects foul play upon finding human bone fragments).

Be advised that cremated remains or as most people call them "ashes" contain bone fragments, a little like aquarium gravel, and therefore rather conspicuous, not at all like the "ashes from a fireplace". Most often there is an ID tag that is included in the urn. You may wish to consider a shallow burial unless you're scattering ashes in water. It is also highly advisable to use roads (areas) less traveled for the ash scattering ceremony; cremation and/or scattering ashes are offensive to many people and cultures.

Scattering can be "messy" wind is the biggest factor with this. The "ash" portions of the cremains are VERY fine and dry. When scattered in the wind, on a hill side, off a boat or aircraft, the ash most often "blows back" and can get on the attending family members. To best avoid this it is recommended that you purchase urns meant specifically for scattering cremains.

As a guide, you should not scatter ashes within 100 yards of public roads or walks or public trails. Within all the literary writings at all levels; federal, state, and local legislation - the only commonly agreed point of principle I have found is that the container which carries the remains must be disposed of separately - either to your funeral director or local crematory for disposal.

"DONT ASK, DONT TELL"

There are no "scattering ashes police" in any state to ensure proper etiquette, permits, or permission are obtained and used. There is no health, safety or environmental issues to be concerned about. Your own moral compass/judgment can be equally right within the reasons of common sense. "Don't Ask, Don't Tell" Is not an excuse to ignore any laws, including trespassing.

You should ask yourself

Would I like it if I knew someone's ashes were right here? Meaning- would you like it if you found out someone had spread ashes on the beach you go to, or in waters that allow them to wash onto shore?

If I scatter at camp what happens when we no longer own the camp.

Private Property

We STRONGLY urge you to get the permission to scatter ashes from the landowner.

Controlled Public Lands

Most controlled lands such as public city parks have rules and regulations, and permits.

Uncontrolled Public Lands

When it comes to non-specific public land, (e.g. rural woodlands) "don't ask, don't tell" is not a justification to scatter ashes. Each State and National park has set their own rules: check www.nps.gov/parks.html. Generally they ask you stay at least 100 yards from any trail, body of water, or historic site. You ask asked NOT to scatter ashes from Mt. Katadin.

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Requirements for burying remains at sea are listed below. Burials in inland waters are regulated according to the Clean Water Act. For inland waters burial, a permit is required from the appropriate state agency.

Maintained Spaces

YOU SHOULD NEVER SCATTER ON MAINTAINED GROUNDS. Anywhere grounds are kept. (Parks, Golf courses, and yes Cemeteries, etc.) Scattering ashes on maintained grounds results in the ashes being blow around by maintenance equipment. Once airborne the ashes are then inhaled by personnel and bystanders.

Please note the requirement that the United States Environmental Protection Agency (EPA) be notified within 30 days after scattering.

Balloons

One of the newest options for scattering is using a large balloon. The ashes are poured into the balloon, then the balloon is filled with helium, it is release and rises drifting off wherever the wind takes it. Of all the scattering option this one is the most troubling to us. By releasing a balloon filled with ashes, and allowing to drift away, there is no way of knowing when and where the balloon will "POP". It could be out to sea, over a mountain, or it could be over a picnic area, or any outside event, the ashes landing on people, food, etc. We STRONGLY urge you NOT to choose this option.

Scattering at Sea

Disposal location and measures - Cremated remains

Cremated remains shall be buried in or on ocean waters without regard to the depth limitations, provided that such burial takes place at least three nautical miles from land.

Decomposable flowers and wreaths

Flowers and wreaths consisting of materials that are readily decomposable in the marine environment may be placed at the burial site.

Notice to EPA within 30 days

All burials conducted shall be reported within 30 days to the EPA Region in writing. The following information should be included and mailed or faxed to the Region 1 contact at the bottom of this page.

Cemeteries

Ultimately, cemeteries are one of the best places for ashes. Cemeteries are designed for the honoring and memorialization of people. Cemeteries offer a wide variety of options, including tradition inurnments on individually own lots, above ground entombment in a columbarium, or scattering in a cremation garden or "Green" area. When using a cemetery it is a place that families can always return to, a place that will not be sold or disturbed by development. Cemeteries are a place not to remember someone died, but that someone lived.

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	NAME OF DECEASED:	
	DATE OF BURIAL/SCATTER:	
TYPES OF REMAINS:	Cremated ()	Non-Cremated ()
	LOCATION OF BURIAL/SCATTER	
Latitude:		
Longitude:		
Distance from shore: (minimum of 3 nautical miles)		
Depth of water:		
	VESSEL NAME:	
	VESSEL POINT OF CONTACT	
Name:		
Phone:		
	PORT OF DEPARTURE:	
	FOR NON-CREMATED REMAINS	
Did the remains appear to rapidly sink to the ocean floor?		
Yes ()	No ()	
	DIRECTOR OR PERSON(S) RESPONSIBLE FOR BURIAL ARRANGEMENTS	
Name:		
Phone:		

Region 1:

Connecticut, **Maine**, Massachusetts, New Hampshire, Rhode Island and Vermont

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Burial at Sea Coordinator

US EPA Region 1

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