MEMORANDUM

TO: Colorado Landfill Operators

FROM: Colorado Department of Public Health & Environment
Hazardous Materials and Waste Management Division

SUBJ: Human Remains Disposal

DATE: May 5, 2016

The Colorado Department of Public Health and Environment (CDPHE) has been contacted by an individual seeking permission from the department to “…walk into a landfill and be hauled away and disposed of as trash; dead or alive.” We understand that this individual has also made several appearances at landfill sites in the state making the same request. The department formally notified the individual that neither the department nor a landfill owner or operator could authorize or participate in the proposed activities.

This type of action could be viewed as asking a landfill owner/operator to cooperate in a deliberate act to end life, which is a violation of Colorado criminal statutes. The state cannot condone, nor could landfills participate in such actions. Even if the death occurred offsite, no landfill in Colorado currently has procedures in place to safely function as a cemetery, which is outside the scope of routine business operations. In the Regulations Pertaining to Solid Waste Sites and Facilities (6 CCR 1007-2, Part 1), human remains are defined as “pathological waste.” The regulations further define pathological waste as “all tissues, organs, limbs, products of conception and other body parts removed from the whole body. Includes, but is not limited to, tissues; organs; body parts removed during surgery, autopsy or other medical procedures; and human anatomical remains.” Section 13.9 states that final disposal of recognizable human anatomical remains must be by interment, cremation, incineration or entombment, or by acceptance by a representative of the State Anatomical Board (donation to science). No landfills include pathological wastes in their waste acceptance plans and even if pathological wastes were included, a landfill owner/operator maintains the right to refuse any type of waste.

Therefore, it remains CDPHE’s position that placement of human remains in any landfill in Colorado would be a violation of the regulations. Please contact CDPHE Customer Technical Assistance at 303-692-3320 if you have questions regarding this issue.

The Regulations Pertaining to Solid Waste Sites and Facilities can be found on the department’s website or by clicking on the following link: Regulations Pertaining to Solid Waste Sites and Facilities.