



# HUMAN CREMATORY



## COMPLIANCE INSPECTION CHECKLIST

**INSPECTION TYPE:** ANNUAL (INS1, INS2)  COMPLAINT/DISCOVERY (CI)   
 RE-INSPECTION (FUI)  ARMS COMPLAINT NO: \_\_\_\_\_

**AIRS ID#:** 0810039 **DATE:** 11/20/2007 **ARRIVE:** 1413 **DEPART:** 1452

**FACILITY NAME:** TOALE BROTHERS FUNERAL HOME

**FACILITY LOCATION:** 912 53RD AVE WEST  
BRADENTON 34207

**RESPONSIBLE OFFICIAL:** DAVID TOALE **PHONE:** (941)955-4171

**CONTACT NAME:** \_\_\_\_\_ **PHONE:** \_\_\_\_\_

**REMITTANCE YEAR:** \_\_\_\_\_ **ENTITLEMENT PERIOD:** 5/23/2003 / 5/23/2008  
(effective date) (end date)

**PART I: INSPECTION COMPLIANCE STATUS** (check  only one box)

IN COMPLIANCE  MINOR Non-COMPLIANCE  SIGNIFICANT Non-COMPLIANCE

**PART II: TESTING/RECORDKEEPING REQUIREMENTS – Rule 62-296.401, F.A.C.**

(check  appropriate box(es))

1. Were there any objectionable odor(s) detected?-----  Yes  No
2. Was a visible emissions test conducted during this site visit according to EPA Method 9 (Ref.: Chapter 62-297, F.A.C.)?-----  Yes  No
3. In order to demonstrate individual source compliance, was an annual visible emissions test conducted 60 days prior to the AGP Notification form submission, and within 60 days prior to each anniversary date? (Rule 62-296.401(5)(i), F.A.C.)-----  Yes  No
4. In order to demonstrate individual source compliance were the remaining applicable standards testing completed within 60 days prior to the AGP Notification form submission? (Rule 62-210.300(4), F.A.C.)
  - a) Carbon Monoxide (CO) emissions equal to or below the requirements of 100 parts per million by volume, dry basis, corrected to 7% O<sub>2</sub> on an hourly average basis and tested according to EPA Method 10 (Ref.: Chapter 62-297, F.A.C.)?-----  Yes  No
  - b) Oxygen test performed according to EPA Method 3 (Ref.: Chapter 62-297, F.A.C.)?-----  Yes  No
  - c) Particulate matter emissions test with results equal to or below the requirements of 0.080 grains per dry standard cubic foot (ft<sup>3</sup>) of flue gas, corrected to 7% O<sub>2</sub> and tested according to EPA Method 5 (Ref.: Chapter.62-297, F.A.C.)?-----  Yes  No
5. Was all emissions testing conducted with the source operating at the manufacturers recommended capacity?-----  Yes  No
6. Was CO & PM compliance demonstrated by submission of a test report for an identical crematory unit?  Yes  No
7. Was the Department notified at least 15 days prior to the date of the last formal compliance test?-----  Yes  No
8. Was the required test report filed with the Department as soon as practical, but no longer than 45 days after the test was completed?-----  Yes  No

**PART III: OPERATING/RECORDKEEPING REQUIREMENTS – Rule 62-296.401, F.A.C.**

(check  appropriate box(es))

1. Is there **Continuous Emissions Monitoring System (CEMS)** equipment installed on each unit to record temperatures in the primary and secondary chambers where there is a 1.0 second gas residence time in the secondary chamber combustion zone in accordance with the manufacturer's instructions?-----  Yes  No
  - a) Do temperature probes seem to be properly placed?-----  Yes  No
  - b) Are the following records kept on file, available for inspection for at least two years following the recording of such measurements, maintenance, reports and records?
    - 1) All measurements (including CEMS)-----  Yes  No
    - 2) Monitoring device-----  Yes  No
    - 3) Performance Testing Measurements -----  Yes  No
    - 4) CEMS Performance Evaluation-----  Yes  No
    - 5) All CEMS or monitoring device calibration checks-----  Yes  No
    - 6) Adjustments-----  Yes  No
    - 7) Preventive maintenance performed on systems/devices-----  Yes  No
    - 8) Corrective maintenance performed on systems/devices-----  Yes  No
2. Was this crematory unit constructed: (**check only one  box**)
  - a)  **BEFORE** August 30, 1989? (**If this box checked, continue on to #3 and skip #4**)
  - b)  **ON** or **AFTER** August 30, 1989? (**If this box checked, skip #3 and continue on to #4**)
3. If constructed **BEFORE** August 30, 1989 is the:
  - a) secondary chamber combustion zone providing at least a 1.0 second gas residence time @ **1600°F**?  Yes  No
  - b) actual operating temperature of the secondary chamber combustion zone no less than **1400°F** throughout the combustion process in the primary chamber?-----  Yes  No
  - c) cremation in the primary chamber begun after the secondary chamber combustion zone temperature is equal to or greater than **1400°F**?-----  Yes  No
  - d) required monitoring equipment installed and operational, and providing continuous monitoring to record the temperature at the point or beyond where 1.0 second gas residence time is obtained in the secondary chamber combustion zone according to the manufacturer's instructions?-----  Yes  No
4. If constructed **ON** or **AFTER** August 30, 1989 is the:
  - a) volume in the secondary combustion zone sufficient to provide at least a 1.0 second gas residence time @ **1800° F**?-----  Yes  No
  - b) the actual operating temperature of the secondary chamber combustion zone no less than **1600°F** throughout the combustion process in the primary chamber?-----  Yes  No
  - c) secondary chamber combustion zone temperature equal to or greater than **1600°F** before the cremation process begins in the primary chamber?-----  Yes  No
5. Are appropriate cremation containers containing no more than 0.5 % (percent) by weight chlorinated plastics used during the cremation of dead human bodies?-----  Yes  No
  - a) If the answer to question 4 above is YES, is certifying documentation from the manufacturer that they are composed of 0.5% or less by weight chlorinated plastics kept on file at the site for the duration of their use and for at least two years after their use?-----  Yes  No
  - b) Are there any other materials, including biomedical wastes (Rule 62-210.200, FAC) incinerated at this location?-----  Yes  No
6. Have all crematory operators been trained and certified by a Department-approved training program?  Yes  No
  - a) Are copies of the training certificates for all crematory operators kept on file at the facility for the duration of the operator's employment & for an additional two years after termination of employment?-----  Yes  No

**PART IV: SPECIAL CONDITIONS AND PROCEDURES – Rule 62-296.401, F.A.C.**

**A. New or Modified Process Equipment**

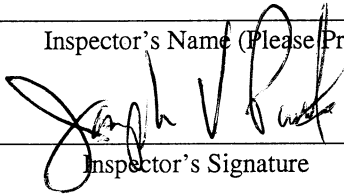
1. Since the last inspection has there been
  - a) installation of any new process equipment?-----  Yes  No
  - b) alterations to existing process equipment without replacement?-----  Yes  No
  - c) replacement of existing equipment substantially different than that noted on the most recent notification form?-----  Yes  No
  - d) If you answered **YES** to any of the above, did the owner submit a new and complete notification form and appropriate fee (Rule 62-4.050, F.A.C.) to the appropriate DEP or local program office?-----  Yes  No
2. If a crematory unit has been modified to the extent that a Department air construction permit was required, have all operators been retrained to operate the modified unit?-----  Yes  No
3. In the case of new or modified equipment, where a Department air construction permit was required, has the owner submitted copies of all operator training certificates?-----  Yes  No
  - a) submitted within the 15 day required window following the training?-----  Yes  No

Joseph V. Panetta

11202007

Inspector's Name (Please Print)

Date of Inspection



2008

Inspector's Signature

Approximate Date of Next Inspection

**COMMENTS:** After the inspection on 11/20/2007 a Filed Warning Notice was left with operator Jim Cummings, stating No copy of certification that plastic bags are less than 0.5 % or less by weigh, available at time of inspection. Records were faxed to the department and facility is now in compliance. Reviewed charts from 09/01/2007 through 11/20/2007: *Gave new*

*Registration Form to MR. Jim Cummings and let him current permit expires 5/23/2008 but he needs to get it to Tallahassee before 4/23/2008. Allot enough time for mailing.*



**Florida Department of Environmental Protection**  
Southwest District Office

**FIELD WARNING NOTICE**

Name / Owner / Operator: Toale Brothers Funeral Home  
 Address: 912 53RD Ave West  
 Location / Source: Bradenton 34207  
 Permit Number: 0810039 Permit Exp. Date: 5/23/2008 Date and Time: 11/20/07

The purpose of this notice is to advise you of possible violations of law for which you may be responsible, and to seek your cooperation in resolving the matter. Florida Department of Environmental Protection (DEP) personnel conducted a field inspection on the date listed above at the location described above. Florida DEP personnel observed the following, which indicates that a violation of Florida Statutes and Rules may exist at the above described facility: *(For example, Where was the activity observed? How was it discovered? Who provided information to the inspector?)*

Observations: No copy of certificate that plastic bags are less 0.5% or less by weight.

*Rule or Statute Relevant to Observations*

*Permit Condition No.*

<b>Unconfined Particulate Matter.</b> Rule 62-296.320(4)(c)1, Florida Administrative Code (F.A.C.), provides that no person shall cause, let, permit, suffer or allow the emission of unconfined particulate matter from any activity, without taking reasonable precautions to prevent such emissions.	
<b>Operating Without a Permit.</b> Rule 62-210.300, F.A.C., provides that, unless exempted from permitting or unless specifically authorized, the owner or operator of any facility or emissions unit which emits or can reasonably be expected to emit any air pollutant shall obtain an appropriate permit from the Department.	
<b>Violation of Permit Condition(s).</b> Rule 62-4.160(1), F.A.C., The terms, conditions, requirements, limitations and restrictions set forth in this permit, are "permit conditions" and are binding and enforceable pursuant to Sections 403.141, 403.727, or 403.859 through 403.861, F.S.	
<b>Objectionable Odor.</b> Rule 62-296.320(2), F.A.C., provides that no person shall cause, suffer, allow or permit the discharge of air pollutants which cause or contribute to an objectionable odor.	
<b>Excessive Visible Emissions.</b> Rule 62-296.320(4)(b)1., F.A.C., provides that no person shall cause, let, permit, suffer or allow to be discharged into the atmosphere the emissions of air pollutants from any activity, the density of which is equal to or greater than 20 percent opacity.	
<b>Open Burning.</b> With few exceptions, Rule 62-296.320(3), F.A.C., prohibits open burning in connection with industrial, commercial, or municipal operations.	
<b>Constructing Without a Permit.</b> Rule 62-4.210, F.A.C., provides that no person shall construct any installation or facility which will reasonably be expected to be a source of air or water pollution without first applying for and receiving a construction permit from the Department.	
<input checked="" type="checkbox"/> <b>Other.</b> <u>62-296.401 (5) F.A.C Pg 4 of Registration Form Given to Contact</u>	

The activities observed during the Department's field inspection and any other activities at your facility that may be contributing to violations of the above-described statutes or rules should be ceased. The operation of a facility in violation of state statutes or rules may result in liability for damages and restoration, and the administrative imposition of penalties up to \$10,000.00 pursuant to Section 403.121, Florida Statutes (F.S.), or the judicial imposition of civil penalties up to \$10,000.00 per violation per day pursuant to Sections 403.141 and 403.161, F.S.

You are requested to contact Joseph V. Panetti at the address or telephone number below within fifteen (15) days of receipt of this Field Warning Notice. Please be advised that this Field Warning Notice is part of an agency investigation, preliminary to agency action in accordance with Section 120.57(5), F.S. We look forward to your cooperation in completing the investigation and resolution of this matter.

Received by: Jim Cummings Issued / Posted by: Joseph V. Panetti  
 Print: Jim Cummings Print: Joseph V. Panetti  
 Title: Operator

# Aurora

## Material Safety Data Sheet For Container Used for Cremation

All wood and corrugated fiberboard caskets supplied by Aurora Casket Company, Inc. are in compliance with the Florida Administrative Code Rule 27-296.401 (5)(2) enacted by the Florida Department of Environmental Protection. The rule states that facilities subject to said rule shall cremate only dead human bodies with appropriate containers. The containers may contain up to 0.5 percent by weight of chlorinate plastics.

This is to certify that the abovementioned products do not contain more than 0.5 percent by weight of chlorinated plastics.

Should you have any questions, please give me a call at 812-926-5718.

Sincerely,



Mark C. Frye  
Safety and Environmental  
Coordinator



Aurora Casket Co., Inc. P.O. Box 29 Aurora, Indiana 47001 1-800-457-1111



**MANUFACTURER'S DATA SHEETS (MDS)  
Containers Used for Cremation**

Date: - November 26, 2007

Container Manufacturer - Batesville Casket Company, Inc.

Telephone # - (812) 934-1458

Fax #: - (812) 931-3824

Container Trade Name - Options by Batesville Cremation Caskets

Container Model Number - 100116 Basic Alternative Container

Please Include: Company Name: Batesville Casket Company, Inc.

Address: One Batesville Boulevard

Contact: Jeremy Raver

Telephone #: (812) 934-1458

FAX #: (812) 931-3824

NOTE: This MDS is to be furnished to each crematory for each separate container used for cremation.

The crematory will maintain copies for a period of two (2) years. In lieu of this procedure a crematory may maintain copies in a permanent three ring binder.

**This is to certify that this product does not contain more than 0.5% by weight of chlorinated plastics.**

By: 

Jeremy Raver

Title: Product Manager

**MANUFACTURE'S DATA SHEETS (MDS)**  
Containers Used for Cremation

Date	January 2, 2004
Manufacturer	Matthews Cremation, Elder Davis Plant
Telephone	765-966-7679
Fax	765-962-4507
Container Trade Name	Vencers
Container Model Number (s)	All Vencer units
Company Name and Address	Matthews Cremation, Elder Davis Plant 1010 Industries Road Richmond, IN 47374
Contacts	Kathy West or Dwayne Heeter

NOTE: This MDS is to be furnished to each crematory for each separate container used for cremation. The crematory will maintain copies for a period of two (2) years. In lieu of this procedure, a crematory may maintain copies in a permanent three ring binder.

This is to certify that this product does not contain more than .05% by weight of chlorinated plastics.

BY: Ron Roberts

Title: Purchasing

# Fax

**Name:** Nedin Bahtic  
**Organization:** DEP Southwest District  
**Date:** 12/04/07  
**Fax:** 813-632-7668  
**Phone:** 813-632-7600  
**From:** Brenda  
**Subject:** 10 Day Notice CANCELLATION  
**Pages:** 2

Please be advised that the previous revision submitted 12/04/07 is to be canceled. We apologize for the confusion and inconvenience.

Thank You.

From the Desk of:  
Brenda Parker  
Simpson Environmental Services, Inc.  
PO Box 735  
Trilby FL 33593  
Phone 352-583-2509  
Fax 352-583-3371





# TOALE BROTHERS

Funeral Homes, Crematory and Trust Pre-Arrangement Center

P.O. Box T ■ Sarasota, Florida 34230 ■ www.toalebrothers.com  
Telephone: Sarasota (941)955-4171 ■ Bradenton (941)746-6191



TOALE BROTHERS BRADENTON CHAPEL

FAX NUMBER (941) 751 3760

SENT TO Joe Panetta

DATE SENT December 04, 2007

NUMBER OF PAGES INCLUDING THIS COVER SHEET Four

FROM Jim

MESSAGE \_\_\_\_\_  
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Curtis H. Toale ■ Jason E. Toale ■ Jeffrey G. Toale ■ Robert V. Toale  
COLONIAL CHAPEL . 40 North Orange ■ GULF GATE CHAPEL . 6903 South Tamiami Trail  
BRADENTON SOUTH CHAPEL . 912 53rd Avenue, West