

PUBLIC HEALTH CODE (EXCERPT)
Act 368 of 1978

333.13703 Definitions; G to M.

Sec. 13703. (1) "Generator" means any person licensed as a generator by the nuclear regulatory commission and authorized pursuant to this part whose act or process results in the production of waste or whose act first causes waste to become subject to regulation under this part or federal law.

(2) "Groundwater" means water below the land surface in a zone of saturation.

(3) "Hazardous waste" has the meaning attributed to it in part 111 (hazardous waste management) of the natural resources and environmental protection act, Act No. 451 of the Public Acts of 1994, being sections 324.11101 to 324.11152 of the Michigan Compiled Laws.

(4) "Host site" means the candidate site that is designated by the authority as the location for the disposal site in this state.

(5) "Host site community" means the municipality that is designated by the authority as the host site.

(6) "Institutional control" means the continued surveillance, monitoring, and care of the disposal site after site closure and stabilization to insure the protection of the public health, safety, and welfare, and the environment until the contents of the disposal site no longer have a radioactive content that is greater than the natural background radiation of the host site as determined during its site characterization.

(7) "Local monitoring committee" means a committee established pursuant to the low-level radioactive waste authority act to provide for the participation of the residents of a candidate site community.

(8) "Low-level radioactive waste" or "waste" means radioactive material that consists of or contains class A, B, or C radioactive waste as defined by 10 C.F.R. 61.55, as in effect on January 26, 1983 but does not include waste or material that is any of the following:

(a) Owned or generated by the department of energy.

(b) Generated by or resulting from the operation or closure of a superconducting super collider.

(c) Owned or generated by the United States navy as a result of the decommissioning of vessels of the United States navy.

(d) Owned or generated as a result of any research, development, testing, or production of an atomic weapon.

(e) Identified under the formerly utilized sites remedial action program.

(f) High-level radioactive waste, spent nuclear fuel, or byproduct material as defined in section 11(e)(2) of the atomic energy act of 1954, chapter 1073, 68 Stat. 922, 42 U.S.C.2014.

(g) Contains greater than or equal to 100 nanocuries per gram of transuranic elements.

(h) Contains concentrations of radionuclides that exceed the limits established by the nuclear regulatory commission for class C radioactive waste as defined by 10 C.F.R. 61.55, as in effect on January 26, 1983.

(i) Classified as naturally occurring or accelerator-produced radioactive materials known as N.A.R.M. waste.

(j) Waste that after the effective date of this part is determined by the nuclear regulatory commission to be waste that is beneath regulatory concern, or B.R.C. waste as defined by the nuclear regulatory commission, unless the department and the authority concur with this designation.

(9) "Low-level radioactive waste management fund" or "fund" means the fund created in section 20 of the low-level radioactive waste authority act, Act No. 204 of the Public Acts of 1987, being section 333.26220 of the Michigan Compiled Laws.

(10) "Management" means the collection, storage, packaging, processing, transportation, or disposal, where applicable, of low-level radioactive waste.

(11) "Manifest" means a form provided or approved by the department that is used for identifying the quantity; composition, including the class, curie count, and radioactive nuclides; origin; routing; and destination of waste from the point of generation to the point of processing, collection, or disposal.

History: Add. 1987, Act 203, Imd. Eff. Dec. 22, 1987;—Am. 1996, Act 67, Imd. Eff. Feb. 26, 1996.

Compiler's note: For transfer of powers and duties of radioactive materials program from department of health and human services to department of health and human services, see E.R.O. No. 2017-3, compiled at MCL 333.26254.

Popular name: Act 368