

PUBLIC HEALTH CODE (EXCERPT)
Act 368 of 1978

333.13712 Construction and operating license; application; additional information; fee; license nontransferable.

Sec. 13712. (1) The disposal site shall not be constructed or operated in this state except upon issuance of a construction and operating license issued under this part by the director. The director shall consider only an application submitted by the authority for a construction and operating license. However, the authority may submit a license that has been prepared for the authority pursuant to a contract entered into by the authority as provided in the low-level radioactive waste authority act.

(2) An application for a construction and operating license shall contain all of the following information pertaining to the disposal site:

(a) The mailing address of the authority.

(b) The location of the host site.

(c) A hydrogeological report specifying the existing hydrogeological characteristics.

(d) A monitoring program acceptable to the department and consistent with all applicable federal and state laws and rules pertaining to the protection of the public health, safety, and welfare, and the environment.

(e) A performance assessment.

(f) Engineering plans and specifications for construction.

(g) A detailed basis for design specifications.

(h) The disposal technology.

(i) Procedures for the pre-closure monitoring.

(j) Operating procedures.

(k) A site closure and stabilization plan.

(l) A postclosure observation and maintenance plan and an institutional control plan, both of which shall contain specific provisions as to who is responsible for all aspects of monitoring, maintenance, and other procedures necessary to protect the public health, safety, and welfare, and the environment for as long as the waste is in the disposal site.

(m) Estimates of the quantities and types of wastes to be stored, treated, or disposed of at the disposal site.

(n) The personnel information necessary to assure the integrity and qualifications of the personnel hired by the authority.

(o) A contingency plan to establish the procedures to be followed in the event of a release.

(3) If any information required to be included in the application regarding a person undertaking a responsibility of the authority changes, or is supplemented after the filing of the statement, the person undertaking a responsibility of the authority shall provide that information to the department in writing, within 30 days of the change or addition.

(4) An application for a construction and operating license shall be accompanied by a nonrefundable application fee that is determined by the department to be sufficient to cover the costs of processing the application.

(5) A construction and operating license shall not be transferable from the office of the authority.

History: Add. 1987, Act 203, Imd. Eff. Dec. 22, 1987.

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