

**PUBLIC HEALTH CODE (EXCERPT)**

**Act 368 of 1978**

**333.13724 Compact member states; list of generators, carriers, processors, and collectors; state laws and rules; valid permits; permitting and regulatory system; permission to receive waste; equivalent privileges; expenses; liabilities; primary place of business; eligibility for permit.**

Sec. 13724. (1) If this state is a member of a compact, the department shall obtain from each compact member a list of generators, carriers, processors, and collectors who hold permits to generate, transport, process, or collect waste in each compact member state. The department shall also obtain an updated list of the generators, carriers, processors, and collectors as necessary. In addition, the department shall obtain from each state that is a member of a compact with this state the state laws and rules that regulate generators, carriers, processors, and collectors in each compact member state.

(2) The department shall compile and maintain a list of all generators, carriers, processors, and collectors who hold valid permits issued in this state under this part, including updated information regarding any change in the status of a permit issued in this state under this part.

(3) If this state is a member of a compact, the department shall determine which compact member states have established and maintained to the satisfaction of the department a permitting and regulatory system, including penalties and remedies, that equals or exceeds the laws and rules of this state as they apply to generators, carriers, processors, and collectors, and the department shall prepare a master list that includes only the names of generators, carriers, processors, and collectors who hold permits in those compact member states and the names of generators, carriers, processors, and collectors who hold permits under this part.

(4) The department shall permit the authority to receive waste only from a generator, carrier, processor, or collector whose name is on the master list and who holds a valid permit issued in this state under this part or who holds a valid permit issued by a compact member state that has equivalent privileges in this state because the state in which that person generates, carries, processes, or collects waste has established and maintains to the satisfaction of the department a permitting and regulatory system, including penalties and remedies, that equals or exceeds the laws and rules of this state as they pertain to generators, carriers, processors, and collectors. If this state is a member of a compact, a compact member state that establishes and maintains a permitting and regulatory system that the department determines equals or exceeds this state's system as provided in subsection (3) shall, by accepting equivalent privileges in this state as provided in this subsection, give its consent to the requirements of this part, the rules promulgated under this part, and the provisions of the low-level radioactive waste authority act. In addition, each of the compact member states shall be considered to have consented to share with this state and any other compact member states the expenses incurred in the construction, operation, site closure and stabilization, postclosure observation and maintenance, and institutional control of the disposal site and liabilities incurred as a result of the locating of the disposal site in this state.

(5) A carrier, processor, or collector whose primary place of business is in this state shall be eligible to seek a permit from the department under this part to transport, process, or collect waste in this state. A carrier, processor, or collector whose primary place of business is in a state that is not a compact member state shall be eligible to seek a permit from the department under this part to transport, process, or collect waste generated in this state. The department shall issue a permit only to a generator who generates waste in this state.

**History:** Add. 1987, Act 203, Imd. Eff. Dec. 22, 1987;—Am. 1994, Act 435, Imd. Eff. Jan. 6, 1995.

**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