

NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION ACT (EXCERPT)
Act 451 of 1994

324.20120 Selection of remedial action; factors.

Sec. 20120.

(1) All of the following shall be considered when a person is selecting a remedial action or the department is selecting or approving a remedial action:

- (a) The effectiveness of alternatives in protecting the public health, safety, and welfare and the environment.
- (b) The long-term uncertainties associated with the proposed remedial action.
- (c) The persistence, toxicity, mobility, and propensity to bioaccumulate of the hazardous substances.
- (d) The short- and long-term potential for adverse health effects from human exposure.
- (e) Costs of remedial action, including long-term maintenance costs. However, the cost of a remedial action shall be a factor only in choosing among alternatives that adequately protect the public health, safety, and welfare and the environment, consistent with the requirements of section 20120a.

- (f) Reliability of the alternatives.
- (g) The potential for future response activity costs if an alternative fails.
- (h) The potential threat to human health, safety, and welfare and the environment associated with excavation, transportation, and redisposal or containment.

- (i) The ability to monitor remedial performance.
- (j) For remedial actions that require the opportunity for public participation under section 20120d, the public's perspective about the extent to which the proposed remedial action effectively addresses requirements of this part.

(2) Evaluation of the factors in subsection (1) shall consider all factors in balance with one another as necessary to achieve the objectives of this part. No single factor in subsection (1) shall be considered the most important.

History: Add. 2010, Act 228, Imd. Eff. Dec. 14, 2010

Compiler's Notes: Former MCL 324.20120, which pertained to schedule of remedial action plans, was repealed by Act 71 of 1995, Imd. Eff. June 5, 1995.

Popular Name: Act 451

Popular Name: Environmental Remediation

Popular Name: Environmental Response Act

Popular Name: NREPA