

PUBLIC HEALTH CODE (EXCERPT)
Act 368 of 1978

333.13723 Operation of disposal site; inspection of shipment; refusal to accept waste; return of waste; seizure and impoundment of vehicle and contents; imposition of surcharges; notice; unloading; requirements as to transport vehicle; informing department of violations.

Sec. 13723.

(1) The disposal site shall be operated in accordance with this part, the rules promulgated under this part, and in compliance with the terms and conditions of the construction and operating license and any applicable federal requirements.

(2) Each shipment of waste that arrives at the disposal site shall not proceed into the unloading area until inspected by both the authority and the department and found by the authority and the department to be in compliance with this part, the rules promulgated under this part, the manifest, and any applicable provisions of the construction and operating license. Shipments that are not in compliance shall proceed to a controlled area for appropriate action to remedy the noncompliance or the authority may refuse to accept the waste. If the authority refuses to accept the waste, the authority may order the waste returned by the carrier to the generator or processor who contracted with the carrier to transport the waste to the disposal site. If the waste is ordered to be returned, the authority shall specify on the manifest the address of the generator or processor to whom the waste shall be returned. The authority may seize and impound a vehicle and the contents of that vehicle if it transports waste in a manner that is not in compliance with this part or the rules promulgated under this part or if the contents of the truck are not in compliance with this part or the rules promulgated under this part. In addition, the authority may impose surcharges as provided in the low-level radioactive waste authority act. A vehicle and its contents that are impounded as provided in this subsection shall not be released until the department informs the authority that appropriate remedial and enforcement action has been concluded. The authority or his or her authorized agent shall notify the department and the local monitoring committee of the host site community of the noncomplying shipment. Shipments that are found to be in compliance shall proceed to the unloading area. After a transport vehicle is unloaded, or leaves the unloading area without being unloaded, it shall not leave the disposal site until it is inspected by the authorized agent of the authority and the department and is decontaminated, if necessary.

(3) The authority shall promptly inform the department of any violation of this part, the rules promulgated under this part, a permit issued under this part, or the low-level radioactive waste authority act, that is committed or that the authority suspects was committed by a generator, collector, carrier, or processor.

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

Compiler's Notes: 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