RADIOACTIVE WASTE
Act 113 of 1978

AN ACT to regulate the depositing, storing, or both, of radioactive waste.

History: 1978, Act 113, Imd. Eff. Apr. 14, 1978;—Am. 1987, Act 202, Imd. Eff. Dec. 22, 1987.

The People of the State of Michigan enact:

325.491 Radioactive waste; depositing or storing in state prohibited; exceptions.

Sec. 1. (1) Radioactive waste may not be deposited or stored in this state.

(2) Subsection (1) shall not apply to:

(a) The safe and secure storing or disposal in aboveground facilities at the site of an educational institution that produces radioactive waste consisting of spent fuel rods produced by that educational institution.

(b) The safe and secure storage in aboveground storage that is located at or near a nuclear power generating facility of spent fuel rods, or the safe and secure storage at the site of a nuclear power generating facility of low-level radioactive waste produced at that nuclear power generating facility. With the approval of the nuclear regulatory commission, spent fuel rods may be stored aboveground at or near a nuclear power generating facility while the nuclear regulatory commission operating license for the facility is in effect or until a date that is consistent with the decommissioning plan for the facility. Spent fuel rods shall not be transported from a nuclear power generating facility for storage at any other nuclear power generating facility.

(c) Waste consisting of uranium tailings that result from uranium mining within this state.

(d) The safe and secure temporary storage at the site of a nuclear power generating facility for not more than 2 days of any radioactive materials incidental to transportation of those materials.

(e) The normal usage and safe and secure storage of radioactive materials used by doctor's offices, hospitals, health clinics, or other medical research or medical treatment centers.

(f) The safe and secure storage or disposal, or both, of low-level radioactive waste pursuant to Act No. 460 of the Public Acts of 1982, being sections 3.751 to 3.752 of the Michigan Compiled Laws, and to part 137 of the public health code, Act No. 368 of the Public Acts of 1978, being sections 333.13701 to 333.13741 of the Michigan Compiled Laws.

(g) The safe and secure storage or disposal of radioactive waste with radioactivity less than the amount that would require a specific license under part 135 of the public health code, Act No. 368 of the Public Acts of 1978, being sections 333.13501 to 333.13536 of the Michigan Compiled Laws and rules promulgated under that part.

(h) The safe and secure storage of radioactive waste that was being stored before January 1, 1970 and that is stored in a manner approved by the department of public health so as not to create a hazard to the public health, safety, or welfare.

History: 1978, Act 113, Imd. Eff. Apr. 14, 1978;—Am. 1987, Act 202, Imd. Eff. Dec. 22, 1987;—Am. 1989, Act 12, Imd. Eff. May 10, 1989.

Administrative rules: R 325.5001 et seq. and R 325.5801 et seq. of the Michigan Administrative Code.

325.492 Repealed. 1987, Act 202, Imd. Eff. Dec. 22, 1987.

Compiler's note: The repealed section pertained to review of and report on effects of MCL 325.491.

CAUTION! This document is from an archive and may contain outdated information.

© Legislative Council, State of Michigan Courtesy of www.legislature.mi.gov