

PUBLIC HEALTH CODE (EXCERPT)
Act 368 of 1978

333.13704 Definitions; M to S.

Sec. 13704. (1) "Municipality" means a city, village, township, or Indian tribe.

(2) "Operation" means the control, supervision, or implementation of the actual physical activities involved in the acceptance, storage, disposal, and monitoring of waste at the disposal site, the maintenance of the disposal site, and any other responsibility pertaining to the disposal unit and the disposal site.

(3) "Performance assessment" means an analysis of the potential pathways for release of waste to the environment and the potential impacts of a release during the transportation of radioactive waste to the disposal site and during the handling and disposal of waste at the disposal site, including, but not limited to:

(a) A description of the potential pathways for radioactive nuclide migration beyond the boundaries of the disposal site during the operation of the site and in the event there is a release.

(b) A description of the potential pathways for radioactive nuclide migration beyond the packaging boundaries in the event of a release that occurs during transportation.

(c) An analysis of safety factors pertaining to the transportation of waste.

(d) The identification of the potential impacts to air, surface water, and groundwater quality, and vegetation, animals, and humans, or any other living thing beyond the boundaries of the disposal site.

(e) A description of potential mechanisms for radioactive release, including, but not limited to, mechanical failure, structural failure, and human error.

(4) "Person" means a person as defined in section 1106, and, for the purposes of this part, includes the authority, a municipality, county, the state, and any subdivision of the state.

(5) "Postclosure observation and maintenance" means the surveillance, monitoring, and maintenance of the disposal site after it has been closed and continuing through site closure and stabilization and institutional control.

(6) "Processing" means any method, technique, or process, including storage to facilitate radioactive decay, designed to change the physical, chemical, radioactive concentration, or biological characteristics or composition of the waste, in order to render the waste safer for transport, storage, or disposal, amenable to recovery, convertible to another usable material, or to reduce the volume of waste. Processing does not include incineration or dilution of a material that has a radioactive concentration that is greater than the radioactive concentration of low-level radioactive waste.

(7) "Processor" means a person authorized pursuant to this part who processes or repackages waste.

(8) "Release" means any intentional or unintentional spilling, leaking, pumping, emitting, emptying, discharging, injecting, escaping, leaching, dumping, disposing, or placing of waste into the environment, except in compliance with all of the following:

(a) This part.

(b) The rules promulgated under part 135.

(c) Any rules promulgated under this part.

(d) Federal law.

(e) A permit or license issued pursuant to federal law, if the person who is responsible for the release holds such a permit or license.

(f) A permit or license issued pursuant to this part, if the person who is responsible for the release holds such a permit or license.

(9) "Remedial actions" means those actions taken in the event of a radioactive release or threatened release into the environment to prevent or minimize the radioactive release so that it does not migrate and cause significant danger to the present or future public health, safety, or welfare, or to the environment. Remedial action includes, but is not limited to, actions at the location of the release such as storage, confinement, perimeter protection which may include dikes, trenches, and ditches, clay cover, neutralization, dredging or excavation, repair or replacement of leaking containers, collection of leachate and runoff, efforts to minimize the social and economic harm of processing, provision of alternative water supplies, and any required monitoring to assure that the actions taken are sufficient to protect the public health, safety, and welfare, and the environment.

(10) "Shallow land burial" means the disposal of waste in an excavated trench constructed entirely below grade without a below-ground vault and without below-ground canisters.

(11) "Site characterization" means the site specific investigation of a candidate site undertaken pursuant to section 12 of the low-level radioactive waste authority act.

(12) "Site closure and stabilization" means the actions taken at the disposal site during the time period after the closure of the disposal unit during which on-site low-level radioactive waste is disposed in accordance

with this part, equipment is dismantled, decontaminated, removed for reuse or disposed of, and radioactive residues are removed from, or properly isolated on, the disposal site.

(13) "Storage" means the temporary holding of low-level radioactive waste prior to processing or disposal.

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

Administrative rules: R 325.5001 et seq., R 325.5801 et seq., and R 325.5901 et seq. of the Michigan Administrative Code.