

**PUBLIC HEALTH CODE (EXCERPT)**  
**Act 368 of 1978**

**333.13707 Review and recommendations; conflicting laws and rules.**

Sec. 13707. (1) The department shall enter into negotiations with the federal government on behalf of this state for full agreements providing for the discontinuance of specified federal authority with regard to waste disposal, radioactive by-product, source and special nuclear material, or for other authority over radioactive materials or sources of ionizing radiation in this state and assumption of that authority by this state. The governor with the advice and consent of the senate may enter into 1 or more agreements with the federal government negotiated pursuant to this subsection.

(2) The department and the attorney general shall review this part and all applicable federal and state laws and rules pertaining to the authority, the disposal site, and to generators, carriers, collectors, and processors and shall submit written recommendations to the legislature and the governor regarding whether this state should require additional or more stringent regulations for generators, carriers, collectors, or processors to protect the public health, safety, and welfare, and the environment. In addition, the department and the attorney general shall submit written recommendations and the rationale supporting the recommendations to the legislature regarding whether this state should include naturally occurring or accelerator produced radioactive materials known as N.A.R.M. waste in the definition of waste that may be disposed of in the disposal site. The recommendation required in this subsection shall be submitted by April 1, 1988.

(3) If a portion of this part or a rule that is promulgated under this part conflicts with part 135 or with a rule that is promulgated under part 135 prior to the effective date of this part, this part and any rules promulgated under this part shall be given precedence unless a contrary legislative intent is evident.

**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.