

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

**333.13717 Independent contractor; inspecting and verifying construction of disposal site; qualification of contractor; certification; compliance; filing and availability of inspection results; addressing deficiencies.**

Sec. 13717. (1) Prior to the commencement of the construction of the disposal site, the department shall enter into a contract with an independent contractor who shall inspect and verify that the construction of the disposal site is progressing according to this part, rules promulgated under this part, and the conditions and stipulations included in the construction and operating license. The contractor hired under this subsection shall be knowledgeable in construction projects of the scope and complexity of the disposal site and shall not be associated in any business capacity with a contractor hired by the authority to construct the disposal site. A representative of the local monitoring committee for the host site community may be present during an inspection of the disposal site by the independent contractor.

(2) Prior to the commencement of the operation of the disposal site, the authority shall submit to the director a certification under the seal of a registered professional engineer who contracted with the authority verifying that the construction of the disposal site has proceeded according to the plans approved by the department and the construction and operating license. The department may require additional certification periodically during the operation of the disposal site.

(3) Following the construction of the disposal site and receipt of the certification required under subsection (2), the department and the independent contractor hired pursuant to subsection (1) shall inspect the disposal site and determine if the site complies with this part, rules promulgated under this part, and the conditions and stipulations included in the construction and operating license. The results of the inspection shall be filed in writing with the department before the operation of the disposal site is authorized, and shall be made available to the local monitoring committee of the host site community, the governing body of the county in which the host site is located, and to the public for review. The department shall assure that all deficiencies noted in the inspection shall be addressed to the satisfaction of the department prior to the commencement of the operation of the disposal site.

**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