

LOW-LEVEL RADIOACTIVE WASTE AUTHORITY ACT (EXCERPT)
Act 204 of 1987

333.26205 Duties of authority generally.

Sec. 5. (1) In addition to the duties provided in this act and in part 137, subject to other applicable requirements of law, the duties of the authority include all of the following:

- (a) Select the host site.
- (b) Submit an application to the department for a construction and operating license for the disposal site that meets the requirements of part 137.
- (c) Acquire, purchase, hold, lease, or manage real property, easements, and rights-of-way to implement this act.
- (d) Make available and negotiate on behalf of the state monetary and nonmonetary incentives and benefits for the state, the host site community, the county in which the host site community is located, and the municipalities that have a common border with the host site community.
- (e) Make available to local monitoring committees sufficient funding to enable the local monitoring committees to fulfill their responsibilities under section 14.
- (f) Establish just and reasonable waste disposal fees and surcharges subject to the requirements of section 19.
- (g) Negotiate and arbitrate with the local monitoring committee for the host site as provided in section 16.
- (h) Establish and implement a disposal shipment registration system.
- (i) Make a continuous study and investigation of the disposal site in order to ascertain and provide remedies for any defects in the disposal site through institutional control.
- (j) If this state does not enter a compact, refuse to accept waste that is not generated in this state.
- (k) If this state does enter into a compact, refuse to accept waste generated in any state that is not a member of the compact in which this state is a member. In addition, the authority shall refuse to accept waste for disposal in the disposal site from any member of the compact who does either of the following:
 - (i) Is delinquent in paying dues or fees payable under the compact.
 - (ii) Fails to establish or maintain a permitting and regulatory system, including penalties and remedies, that equals or exceeds the laws and rules of this state as they apply to generators, carriers, processors, and collectors of waste.
- (l) Inspect the construction of the disposal site until construction is completed on a weekly basis and submit to the department the results of the inspection and the date on which the inspection occurred.
- (m) Hold public hearings every other month during the process for selecting a site for the disposal site and every 6 months after the site for the disposal site is selected through the period of institutional control.
- (n) Assist generators in sharing policies to facilitate waste minimization and volume reduction, including, but not limited to, switching from long-lived radioactive materials to short-lived radioactive materials, switching to nonradioactive materials and processes, waste stream screening and separation, and curtailment of waste producing operations.

(2) In addition to the duties provided in this act and in part 137 and the rules promulgated under part 137, the authority shall do all of the following or enter into contracts to assure that all of the following are accomplished:

- (a) Site characterization.
- (b) Performance assessment.
- (c) Development of siting criteria.
- (d) Disposal site monitoring.
- (e) Disposal site design, construction, engineering, and inspection.
- (f) Selection of disposal technology.
- (g) Prepare an application for a construction and operating license for the disposal site.
- (h) Disposal site operation.
- (i) Site closure and stabilization.
- (j) Postclosure observation and maintenance.
- (k) Institutional control.

History: 1987, Act 204, Imd. Eff. Dec. 22, 1987;—Am. 1994, Act 434, Imd. Eff. Jan. 6, 1995.