

PUBLIC HEALTH CODE (EXCERPT)
Act 368 of 1978

333.13725 Generator's permit; identification number; requirements; conditions; validity; issuance or renewal; application; nontransferable; applicability; fee; modification of permit; administrative costs; automatic issuance of permit.

Sec. 13725.

(1) After the issuance of a construction and operating license for a disposal site under this part, a person shall not generate waste in this state unless the person holds a generator's permit issued under this section. The department shall assign an identification number to each generator who is issued a permit or who has been granted equivalent privileges in this state under section 13724.

(2) A generator's permit shall include requirements as provided in this part and any rules promulgated under this part, in the low-level radioactive waste authority act, and conditions that are equivalent to applicable federal requirements. Other conditions as necessary and provided by law may be imposed after the department has submitted to the governor and the legislature the written recommendations required under section 13707(2). A generator's permit is valid for 3 years after the date of issuance.

(3) Upon receipt of the application and a fee as required in subsection (6), the department shall issue or renew a generator's permit if it determines that the generator meets the requirements of this part.

(4) An application for a generator's permit shall contain information required by the department to implement and enforce this part, including all of the following:

- (a) The estimated quantities and types of waste generated.
- (b) The procedures and methods to be used for responding to a release of waste.
- (c) The location and use of storage and transfer facilities, if any.

(5) A generator's permit is not transferable, and shall state with particularity the persons and real or personal property to which it applies.

(6) Each person who submits an application for a generator's permit or permit renewal in this state under this section shall pay a permit application fee of \$500.00.

(7) If a generator requests modification of a generator's permit, or if the director determines that modifications are necessary to conform to the requirements of this part, the director may invoke permit modifications which the director considers necessary and may specify the time required to complete the modifications. The director may prescribe a fee not to exceed \$500.00 for administrative costs associated with the processing of a modification of a generator permit.

(8) The department shall automatically issue a generator's permit to an applicant who makes an initial application for a generator's permit under this part if that person holds a valid permit or other authorization to generate waste issued by the nuclear regulatory commission at the time of the initial application. A person granted a generator's permit under this subsection is subject to all the applicable provisions of this part, rules promulgated under this part, and the provisions of the permit.

History: Add. 1987, Act 203, Imd. Eff. Dec. 22, 1987 ;-- Am. 1994, Act 435, Imd. Eff. Jan. 6, 1995

Compiler's Notes: 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