

7-303.

ARTICLE III.  
RIGHTS AND OBLIGATIONS

A. THERE SHALL BE PROVIDED WITHIN THE REGION ONE OR MORE REGIONAL FACILITIES WHICH, TOGETHER WITH SUCH OTHER FACILITIES AS MAY BE MADE AVAILABLE TO THE REGION, WILL PROVIDE SUFFICIENT CAPACITY TO MANAGE ALL WASTES GENERATED WITHIN THE REGION.

1. REGIONAL FACILITIES SHALL BE ENTITLED TO WASTE GENERATED WITHIN THE REGION UNLESS OTHERWISE PROVIDED BY THE COMMISSION. TO THE EXTENT REGIONAL FACILITIES ARE AVAILABLE, NO WASTE GENERATED WITHIN A PARTY STATE SHALL BE EXPORTED TO FACILITIES OUTSIDE THE REGION UNLESS SUCH EXPORTATION IS APPROVED BY THE COMMISSION AND THE AFFECTED HOST STATE(S).

2. AFTER JANUARY 1, 1986, NO PERSON SHALL DEPOSIT AT A REGIONAL FACILITY WASTE GENERATED OUTSIDE THE REGION, AND FURTHER, NO REGIONAL FACILITY SHALL ACCEPT WASTE GENERATED OUTSIDE THE REGION, UNLESS APPROVED BY THE COMMISSION AND THE AFFECTED HOST STATE(S).

B. THE RIGHTS, RESPONSIBILITIES AND OBLIGATIONS OF EACH PARTY STATE TO THIS COMPACT ARE AS FOLLOWS:

1. EACH PARTY STATE SHALL HAVE THE RIGHT TO HAVE ALL WASTES GENERATED WITHIN ITS BORDERS MANAGED AT REGIONAL FACILITIES, AND SHALL HAVE THE RIGHT OF ACCESS TO FACILITIES MADE AVAILABLE TO THE REGION THROUGH AGREEMENTS ENTERED INTO BY THE COMMISSION PURSUANT TO ARTICLE IV (I) (11). THE RIGHT OF ACCESS BY A GENERATOR WITHIN A PARTY STATE TO ANY REGIONAL FACILITY IS LIMITED BY THE GENERATOR'S ADHERENCE TO APPLICABLE STATE AND FEDERAL LAWS AND REGULATIONS AND THE PROVISIONS OF THIS COMPACT.

2. TO THE EXTENT NOT PROHIBITED BY THE FEDERAL LAW, EACH PARTY STATE SHALL INSTITUTE PROCEDURES WHICH WILL REQUIRE SHIPMENTS OF LOW-LEVEL WASTE GENERATED WITHIN OR PASSING THROUGH ITS BORDERS TO BE CONSISTENT WITH APPLICABLE FEDERAL PACKAGING AND TRANSPORTATION REGULATIONS AND APPLICABLE HOST STATE PACKAGING AND TRANSPORTATION REGULATIONS FOR MANAGEMENT OF LOW-LEVEL WASTE; PROVIDED, HOWEVER, THAT THESE PRACTICES SHALL NOT IMPOSE UNREASONABLE, BURDENSOME IMPEDIMENTS TO THE MANAGEMENT OF LOW-LEVEL WASTE IN THE REGION. UPON NOTIFICATION BY A HOST STATE THAT A GENERATOR, SHIPPER, OR CARRIER WITHIN THE PARTY STATE IS IN VIOLATION OF APPLICABLE PACKAGING OR TRANSPORTATION REGULATIONS, THE PARTY STATE SHALL TAKE APPROPRIATE ACTION TO ENSURE THAT SUCH VIOLATION DOES NOT RECUR.

3. EACH PARTY STATE MAY IMPOSE REASONABLE FEES UPON GENERATORS, SHIPPERS, OR CARRIERS TO RECOVER THE COST OF INSPECTIONS AND OTHER PRACTICES UNDER THIS COMPACT.