

8. IN ACCORDANCE WITH THE PROCEDURES AND CRITERIA SET FORTH IN ARTICLE V, THE COMMISSION SHALL ACCEPT A HOST STATE'S PROPOSED FACILITY AS A REGIONAL FACILITY.

9. IN ACCORDANCE WITH THE PROCEDURES AND CRITERIA SET FORTH IN ARTICLE V, THE COMMISSION MAY DESIGNATE, BY A TWO-THIRDS VOTE, HOST STATES FOR THE ESTABLISHMENT OF NEEDED REGIONAL FACILITIES. THE COMMISSION SHALL NOT EXERCISE THIS AUTHORITY UNLESS THE PARTY STATES HAVE FAILED TO VOLUNTARILY PURSUE THE DEVELOPMENT OF SUCH FACILITIES.

10. THE COMMISSION MAY REQUIRE OF AND OBTAIN FROM PARTY STATES, ELIGIBLE STATES SEEKING TO BECOME PARTY STATES, AND ~~NONPARTY~~ NON-PARTY STATES SEEKING TO BECOME ELIGIBLE STATES, DATA AND INFORMATION NECESSARY FOR THE IMPLEMENTATION OF COMMISSION RESPONSIBILITIES.

11. THE COMMISSION MAY ENTER INTO AGREEMENTS WITH ANY PERSON, STATE, REGIONAL BODY, OR GROUP OF STATES FOR THE IMPORTATION OF WASTE INTO THE REGION AND FOR THE RIGHT OF ACCESS TO FACILITIES OUTSIDE THE REGION FOR WASTE GENERATED WITHIN THE REGION. SUCH AUTHORIZATION TO IMPORT REQUIRES A TWO-THIRDS MAJORITY VOTE OF THE COMMISSION, INCLUDING AN AFFIRMATIVE VOTE OF THE REPRESENTATIVES OF THE HOST STATE IN WHICH ANY AFFECTED REGIONAL FACILITY IS LOCATED. THIS SHALL BE DONE ONLY AFTER THE COMMISSION AND THE HOST STATE HAVE MADE AN ASSESSMENT OF THE AFFECTED FACILITIES' CAPABILITY TO HANDLE SUCH WASTES AND OF RELEVANT ENVIRONMENTAL, ECONOMIC, AND PUBLIC HEALTH FACTORS, AS DEFINED BY THE APPROPRIATE REGULATORY AUTHORITIES.

12. THE COMMISSION MAY, UPON PETITION, GRANT AN INDIVIDUAL GENERATOR OR GROUP OF GENERATORS IN THE REGION THE RIGHT TO EXPORT WASTES TO A FACILITY LOCATED OUTSIDE THE REGION. SUCH GRANT OF RIGHT SHALL BE FOR A PERIOD OF TIME AND AMOUNT OF WASTE AND ON SUCH OTHER TERMS AND CONDITIONS AS DETERMINED BY THE COMMISSION AND APPROVED BY THE AFFECTED HOST STATES.

13. THE COMMISSION MAY APPEAR AS AN INTERVENOR OR PARTY IN INTEREST BEFORE ANY COURT OF LAW, FEDERAL, STATE OR LOCAL AGENCY, BOARD OR COMMISSION THAT HAS JURISDICTION OVER THE MANAGEMENT OF WASTES. SUCH AUTHORITY TO INTERVENE OR OTHERWISE APPEAR SHALL BE EXERCISED ONLY AFTER A TWO-THIRDS VOTE OF THE COMMISSION. IN ORDER TO REPRESENT ITS VIEWS, THE COMMISSION MAY ARRANGE FOR ANY EXPERT TESTIMONY, REPORTS, EVIDENCE, OR OTHER PARTICIPATION AS IT DEEMS NECESSARY.

14. THE COMMISSION MAY IMPOSE SANCTIONS, INCLUDING BUT NOT LIMITED TO FINES, SUSPENSION OF PRIVILEGES OR REVOCATION OF THE MEMBERSHIP OF A PARTY STATE IN ACCORDANCE WITH ARTICLE VII. THE COMMISSION SHALL HAVE THE AUTHORITY TO REVOKE, IN ACCORDANCE WITH ARTICLE VII(G), THE MEMBERSHIP OF A PARTY STATE THAT CREATES UNREASONABLE BARRIERS TO THE SITING OF A NEEDED REGIONAL FACILITY OR REFUSES TO ACCEPT HOST STATE RESPONSIBILITIES UPON DESIGNATION BY THE COMMISSION.