

(D) THE VOLUMES AND TYPES OF WASTE GENERATED WITHIN EACH PARTY STATE;

(E) THE MINIMIZATION OF WASTE TRANSPORTATION;
AND

(F) THE EXISTENCE OF REGIONAL FACILITIES WITHIN THE PARTY STATES.

2. FOLLOWING ITS ESTABLISHED CRITERIA AND PROCEDURES, THE COMMISSION SHALL DESIGNATE BY A TWO-THIRDS AFFIRMATIVE VOTE A PARTY STATE TO SERVE AS A HOST STATE. A CURRENT HOST STATE SHALL HAVE THE RIGHT OF FIRST REFUSAL FOR A SUCCEEDING REGIONAL FACILITY.

3. THE COMMISSION SHALL CONDUCT SUCH HEARINGS AND STUDIES, AND TAKE SUCH EVIDENCE AND TESTIMONY AS IS REQUIRED BY ITS APPROVED PROCEDURES PRIOR TO DESIGNATING A HOST STATE. PUBLIC HEARINGS SHALL BE HELD UPON REQUEST IN EACH CANDIDATE HOST STATE PRIOR TO FINAL EVALUATION AND SELECTION.

4. A PARTY STATE WHICH HAS BEEN DESIGNATED AS A HOST STATE BY THE COMMISSION AND WHICH FAILS TO FULFILL ITS OBLIGATIONS AS A HOST STATE MAY HAVE ITS PRIVILEGES UNDER THE COMPACT SUSPENDED OR MEMBERSHIP IN THE COMPACT REVOKED BY THE COMMISSION.

D. EACH HOST STATE SHALL BE RESPONSIBLE FOR THE TIMELY IDENTIFICATION OF A SITE AND THE TIMELY DEVELOPMENT AND OPERATION OF A REGIONAL FACILITY. THE PROPOSED FACILITY SHALL MEET GEOLOGIC, ENVIRONMENTAL AND ECONOMIC CRITERIA WHICH SHALL NOT CONFLICT WITH APPLICABLE FEDERAL AND HOST STATE LAWS AND REGULATIONS.

1. TO THE EXTENT NOT PROHIBITED BY FEDERAL LAW, A HOST STATE MAY REGULATE AND LICENSE ANY FACILITY WITHIN ITS BORDERS.

2. TO THE EXTENT NOT PROHIBITED BY FEDERAL LAW, A HOST STATE SHALL ENSURE THE SAFE OPERATION, CLOSURE, POST-CLOSURE OBSERVATION AND MAINTENANCE, AND INSTITUTIONAL CONTROL OF A FACILITY, INCLUDING ADEQUATE FINANCIAL ASSURANCES BY THE OPERATOR AND ADEQUATE EMERGENCY RESPONSE PROCEDURES. IT SHALL PERIODICALLY REVIEW AND REPORT TO THE COMMISSION ON THE STATUS OF THE POST-CLOSURE AND INSTITUTIONAL CONTROL FUNDS AND THE REMAINING USEFUL LIFE OF THE FACILITY.

3. A HOST STATE SHALL SOLICIT COMMENTS FROM EACH PARTY STATE AND THE COMMISSION REGARDING THE SITING, OPERATION, FINANCIAL ASSURANCES, CLOSURE, POST-CLOSURE OBSERVATION AND MAINTENANCE, AND INSTITUTIONAL CONTROL OF A REGIONAL FACILITY.

E. A HOST STATE INTENDING TO CLOSE A REGIONAL FACILITY WITHIN ITS BORDERS SHALL NOTIFY THE COMMISSION IN WRITING OF ITS INTENTION AND THE REASONS THEREFORE.