

1. EXCEPT AS OTHERWISE PROVIDED, SUCH NOTIFICATION SHALL BE GIVEN TO THE COMMISSION AT LEAST 5 YEARS PRIOR TO THE SCHEDULED DATE OF CLOSURE.

2. A HOST STATE MAY CLOSE A REGIONAL FACILITY WITHIN ITS BORDERS IN THE EVENT OF AN EMERGENCY OR IF A CONDITION EXISTS WHICH CONSTITUTES A SUBSTANTIAL THREAT TO PUBLIC HEALTH AND SAFETY. A HOST STATE SHALL NOTIFY THE COMMISSION IN WRITING WITHIN 3 DAYS OF ITS ACTION AND SHALL, WITHIN 30 WORKING DAYS, SHOW JUSTIFICATION FOR THE CLOSING.

3. IN THE EVENT THAT A REGIONAL FACILITY CLOSES BEFORE AN ADDITIONAL OR NEW FACILITY BECOMES OPERATIONAL, THE COMMISSION SHALL MAKE INTERIM ARRANGEMENTS FOR THE STORAGE OR DISPOSAL OF WASTE GENERATED WITHIN THE REGION UNTIL SUCH TIME THAT A NEW REGIONAL FACILITY IS OPERATIONAL.

F. FEES AND SURCHARGES SHALL BE IMPOSED EQUITABLY UPON ALL USERS OF A REGIONAL FACILITY, BASED UPON CRITERIA ESTABLISHED BY THE COMMISSION.

1. A HOST STATE SHALL, ACCORDING TO ITS LAWFUL ADMINISTRATIVE PROCEDURES, APPROVE FEE SCHEDULES TO BE CHARGED TO ALL USERS OF THE REGIONAL FACILITY WITHIN ITS BORDERS. EXCEPT AS PROVIDED HEREIN, SUCH FEE SCHEDULES SHALL BE ESTABLISHED BY THE OPERATOR OF A REGIONAL FACILITY UNDER APPLICABLE STATE REGULATION, AND SHALL BE REASONABLE AND SUFFICIENT TO COVER ALL COSTS RELATED TO THE DEVELOPMENT, OPERATION, CLOSURE, POST-CLOSURE OBSERVATION AND MAINTENANCE, AND INSTITUTIONAL CONTROL OF THE REGIONAL FACILITY. THE HOST STATE SHALL DETERMINE A SCHEDULE FOR CONTRIBUTIONS TO THE POST-CLOSURE OBSERVATION AND MAINTENANCE, AND INSTITUTIONAL CONTROL FUNDS. SUCH FEE SCHEDULES SHALL NOT BE APPROVED UNLESS THE COMMISSION HAS BEEN GIVEN REASONABLE OPPORTUNITY TO REVIEW AND MAKE RECOMMENDATIONS ON THE PROPOSED FEE SCHEDULES.

2. A HOST STATE MAY, ACCORDING TO ITS LAWFUL ADMINISTRATIVE PROCEDURES, IMPOSE A STATE SURCHARGE PER UNIT OF WASTE RECEIVED AT ANY REGIONAL FACILITY WITHIN ITS BORDERS. THE STATE SURCHARGE SHALL BE IN ADDITION TO THE FEES CHARGED FOR WASTE MANAGEMENT. THE SURCHARGE SHALL BE SUFFICIENT TO COVER ALL REASONABLE COSTS ASSOCIATED WITH ADMINISTRATION AND REGULATION OF THE FACILITY. THE SURCHARGE SHALL NOT BE ESTABLISHED UNLESS THE COMMISSION HAS BEEN PROVIDED REASONABLE OPPORTUNITY TO REVIEW AND MAKE RECOMMENDATION ON THE PROPOSED STATE SURCHARGE.

3. THE COMMISSION SHALL IMPOSE A COMMISSION SURCHARGE PER UNIT OF WASTE RECEIVED AT ANY REGIONAL FACILITY. THE TOTAL FUNDS COLLECTED SHALL BE ADEQUATE TO PAY THE COSTS AND EXPENSES OF THE COMMISSION AND SHALL BE REMITTED TO THE COMMISSION ON A TIMELY BASIS AS DETERMINED BY THE COMMISSION. THE SURCHARGE MAY BE INCREASED OR DECREASED AS THE COMMISSION DEEMS NECESSARY.

4. NOTHING HEREIN SHALL BE CONSTRUED TO LIMIT THE ABILITY OF THE HOST STATE, OR THE POLITICAL SUBDIVISION IN WHICH