

PERMITTED BY APPLICABLE FEDERAL OR STATE REGULATIONS TO BE DISCARDED WITHOUT REGARD TO ITS RADIOACTIVITY.

C. UNLESS SPECIFICALLY APPROVED BY THE COMMISSION AND AFFECTED HOST STATE(S) PURSUANT TO ARTICLE IV, IT SHALL BE A VIOLATION OF THIS COMPACT FOR: (1) ANY PERSON TO DEPOSIT AT A REGIONAL FACILITY WASTE NOT GENERATED WITHIN THE REGION; (2) ANY REGIONAL FACILITY TO ACCEPT WASTE NOT GENERATED WITHIN THE REGION; AND (3) ANY PERSON TO EXPORT FROM THE REGION WASTE GENERATED WITHIN THE REGION.

D. PRIMARY RESPONSIBILITY FOR ENFORCING VIOLATIONS PROVISIONS OF THE LAW WILL REST WITH THE AFFECTED STATE OR STATES. THE COMMISSION, UPON A TWO-THIRDS VOTE OF ITS MEMBERS, MAY BRING ACTION TO SEEK ENFORCEMENT OR APPROPRIATE REMEDIES AGAINST VIOLATORS OF THE PROVISIONS AND REGULATIONS FOR THIS COMPACT AS PROVIDED FOR IN ARTICLE IV.

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ARTICLE IX.
COMPENSATION PROVISIONS

A. THE RESPONSIBILITY FOR ENSURING COMPENSATION AND CLEANUP DURING THE OPERATIONAL AND POST-CLOSURE PERIODS RESTS WITH THE HOST STATE, AS SET FORTH HEREIN.

1. THE HOST STATE SHALL ENSURE THE AVAILABILITY OF FUNDS AND PROCEDURES FOR COMPENSATION OF INJURED PERSONS, INCLUDING FACILITY EMPLOYEES, AND PROPERTY DAMAGE (EXCEPT ANY POSSIBLE CLAIMS FOR DIMINUTION OF PROPERTY VALUES) DUE TO THE EXISTENCE AND OPERATION OF A REGIONAL FACILITY, AND FOR CLEANUP CLEAN-UP AND RESTORATION OF THE FACILITY AND SURROUNDING AREAS.

2. THE STATE MAY SATISFY THIS OBLIGATION BY REQUIRING BONDS, INSURANCE, COMPENSATION FUNDS, OR ANY OTHER MEANS OR COMBINATION OF MEANS, IMPOSED EITHER ON THE FACILITY OPERATOR OR ASSUMED BY THE STATE ITSELF, OR BOTH. NOTHING IN THIS ARTICLE ALTERS THE LIABILITY OF ANY PERSON OR GOVERNMENTAL ENTITY UNDER APPLICABLE STATE AND FEDERAL LAWS.

B. THE COMMISSION SHALL PROVIDE A MEANS OF COMPENSATION FOR PERSONS INJURED OR PROPERTY DAMAGED DURING THE INSTITUTIONAL CONTROL PERIOD DUE TO THE RADIOACTIVE AND WASTE MANAGEMENT NATURE OF THE REGIONAL FACILITY. THIS RESPONSIBILITY MAY BE MET BY A SPECIAL FUND, INSURANCE, OR OTHER MEANS.

1. THE COMMISSION IS AUTHORIZED, AT ITS DISCRETION, TO IMPOSE A WASTE MANAGEMENT SURCHARGE, TO BE COLLECTED BY THE OPERATOR OR OWNER OF THE REGIONAL FACILITY; TO ESTABLISH A SEPARATE INSURANCE ENTITY, FORMED BY BUT SEPARATE FROM THE COMMISSION ITSELF, BUT UNDER SUCH TERMS AND CONDITIONS AS IT DECIDES, AND EXEMPT FROM STATE INSURANCE REGULATION; TO CONTRACT WITH THIS COMPANY OR OTHER ENTITY FOR COVERAGE; OR TO TAKE ANY OTHER MEASURES, OR COMBINATION OF MEASURES, TO IMPLEMENT THE GOALS OF THIS SECTION.