

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.

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.