

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 THE FACILITY IS SITUATED, TO IMPOSE SURCHARGE FOR PURPOSES INCLUDING, BUT NOT LIMITED TO, HOST COMMUNITY COMPENSATION AND HOST COMMUNITY DEVELOPMENT INCENTIVES. SUCH SURCHARGES SHALL BE REASONABLE AND SHALL NOT BE IMPOSED UNLESS THE COMMISSION HAS BEEN PROVIDED REASONABLE OPPORTUNITY TO REVIEW AND MAKE RECOMMENDATION ON THE PROPOSED SURCHARGE. SUCH SURCHARGE MAY BE RECOVERED THROUGH THE APPROVED FEE AND SURCHARGE SCHEDULES PROVIDED FOR IN THIS SECTION.

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ARTICLE VI.
OTHER LAWS AND REGULATIONS

A. NOTHING IN THIS COMPACT SHALL BE CONSTRUED TO ABROGATE OR LIMIT THE REGULATORY RESPONSIBILITY OR AUTHORITY OF THE U.S. NUCLEAR REGULATORY COMMISSION OR OF AN AGREEMENT STATE UNDER SECTION 274 OF THE ATOMIC ENERGY ACT OF 1954, AS AMENDED.