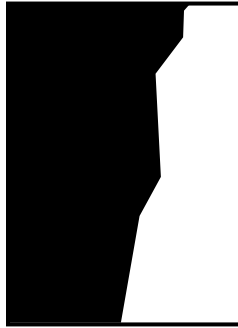


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# Canada-United States Joint Inland Pollution Contingency Plan



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# LETTER OF PROMULGATION



The Canada–United States Joint Inland Pollution Contingency Plan (the Inland Plan) provides for co-operative measures for dealing with accidental and unauthorized releases of pollutants that cause or may cause damage to the environment along the shared inland boundary and that may constitute a threat to the public health, property, or welfare.

The Inland Plan will also allow for the provision of assistance in the event that only one country is affected, but the incident is of sufficient magnitude to justify a request for assistance.

The Inland Plan is intended to complement the Canada–United States Joint Marine Pollution Contingency Plan, which provides a joint response mechanism for any oil or “noxious” substance pollution incident that threatens the waters or coastal areas of both countries.

The implementation and maintenance of the Inland Plan is the joint responsibility of the Department of the Environment for Canada and the Environmental Protection Agency for the United States of America.

Sheila Copps  
**Minister**  
Department of the Environment  
for Canada

Carol M. Browner  
**Administrator**  
Environmental Protection Agency  
of the United States of America

Date: July 25, 1994

Date: July 25, 1994



# Canada–United States Joint Inland Pollution Contingency Plan

## ABSTRACT

### Purpose and Objectives

The Canada–United States Joint Inland Pollution Contingency Plan (the Inland Plan) provides for a cooperative mechanism for preparedness for and response to accidental and unauthorized spills and releases of pollutants that cause or may cause damage to the environment along the shared inland boundaries of both countries and that may constitute a threat to the public health, property, or welfare. It also allows for the provision of assistance when only one country is affected, but the spill or release is of such magnitude as to justify a request for assistance.

The purpose of the Inland Plan is to establish a coordinated and integrated federal response to polluting incidents along the shared boundary through the provision of support and assistance to provincial, territorial, regional, state, and subregional plans of both countries. This also includes all (U.S.) federally recognized Indian tribes and all (Canada) First Nations. The Inland Plan provides for an international coordination mechanism to ensure appropriate and effective cooperative preparedness, reporting, and response measures between Canada and the United States.

### Concept of Operations

The Inland Plan provides for an International Joint Advisory Team (IJAT) and Regional Joint Response Teams (RJRTs). The IJAT is the policy and advisory body with overall responsibility for the maintenance, promotion, and coordination of the Plan. The IJAT also provides advice and assistance to an RJRT. The RJRT is the regional body responsible for providing advice and support to the federal On-Scene Coordinator (FOSC). The Plan establishes alerting and notification procedures and management structure.

The Inland Plan divides the international boundary into five Regional planning areas and includes Regional Annexes that define the jurisdiction, roles, and response procedures of regulatory and support agencies within each planning area. The RJRTs are responsible for developing the respective Annexes.



The Inland Plan comes into effect when an accidental or unauthorized release of a pollutant causes or could cause damage to the environment along the shared inland boundary and constitutes a threat to the public health, property, or welfare. The Plan also comes into effect when only one country is affected by a polluting incident but the incident is of sufficient magnitude to require assistance from the other country. The FOSC provides advice, assistance, and support to the local, state, territorial, or provincial incident commander during a polluting incident as required. However, if the polluting incident is beyond the capabilities of the incident commander or if requested, the FOSC will assume command of the polluting incident.

The polluter is and will always be responsible for the response to and cleanup of the polluting incident. However, the Inland Plan provides for the oversight of the polluter's response or the management of operations, as well as the coordination of and support for response efforts at the scene of the polluting incident should the polluter's response be inadequate. It also includes an escalating system of problem solving from the FOSC to the RJRT to the IJAT. The Plan is intended to complement the existing Canada–United States Joint Marine Pollution Contingency Plan.

## **Responsibilities**

The implementation and maintenance of the Inland Plan is the joint responsibility of the Department of the Environment for Canada and the United States Environmental Protection Agency. These two are the responsible agencies and will seek the assistance of other agencies as appropriate and required. The two lead agencies are jointly empowered to amend the Plan as prescribed in Section 803 of the Plan.



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## **100 INTRODUCTION**

### **101 Background**

- 101.1 The need for a Canada–United States pollution contingency plan for spills and releases of pollutants that affect the shared inland boundary not covered by the Canada–United States Joint Marine Pollution Contingency Plan (the Marine Plan) was officially recognized with the signing of the Memorandum of Understanding between the Department of the Environment of the Government of Canada and the Environmental Protection Agency of the United States of America, October 17, 1985.
- 101.2 The Memorandum of Understanding outlined a plan for cooperative measures for dealing with accidental and unauthorized releases of pollutants that cause or may cause damage to the environment along the shared inland boundary and that may constitute a threat to the public health and welfare, the environment, and property.
- 101.3 The Canada–United States Joint Inland Pollution Contingency Plan (the Inland Plan) is intended to complement the Marine Plan, and is consistent with the Treaty relating to boundary waters between Canada and the United States signed on January 11, 1909, and the intent of the Agreement between the United States and Canada on Great Lakes quality 1972, 1978, and amended by Protocol in 1987.
- 101.4 The Inland Plan is in keeping with two Council Acts adopted by the Organization for Economic Cooperation and Development in 1988 Pertaining to the Exchange of Information Concerning Accidents Capable of Causing Transfrontier Damage and Provision of Information to the Public and Public Participation for Accidents Involving Hazardous Substances.
- 101.5 The Inland Plan is also consistent with the United Nations Economic Commission for Europe Convention on Transboundary Effects of Industrial Accidents, signed by Canada and the United States in Helsinki in March 1992, which calls for the development of agreements between governments on preparedness, response, prevention, notification, mutual assistance, and research and development issues.
- 101.6 The Inland Plan is also consistent with the Agreement between the Government of Canada and the Government of the United States on Cooperation in Comprehensive Civil Emergency Planning Management, which was signed on April 28, 1986.
- 101.7 The Inland Plan is also consistent with the relevant existing preparedness and response plans of each country.



## **102 Purpose and Objectives**

- 102.1 The Inland Plan provides for a cooperative mechanism for preparedness for and response to accidental and unauthorized spills and releases of pollutants, exclusive of radiological materials, that affect or are likely to affect both countries. The Plan also addresses polluting incidents that, although directly affecting one country, are of such a magnitude as to justify alerting and/or requesting assistance from the other country (e.g., for technical advice and/or equipment and responders).
- 102.2 The purpose of the Inland Plan is to mitigate the effects on public health and welfare, the environment, and property, by providing for coordinated and integrated responses to polluting incidents on either side of the border.
- 102.3 The objectives of the Inland Plan are to provide an international coordination mechanism to ensure appropriate and effective cooperative preparedness and response measures between Canada and the United States with respect to major releases of pollutants along the shared inland boundary; to develop systems for notification of a polluting incident within the area covered by the Plan; to institute measures to monitor and restrict the further spread of spilled or released pollutants in an expeditious manner; and to ensure the availability of adequate resources to respond to an incident. The Plan will also ensure that coordinated public information releases are made in a timely fashion to the public in both countries.
- 102.4 The Inland Plan includes Regional Annexes. These Annexes follow the format and guidelines described in Section 802 and Appendix E of the Plan.

## **103 Scope**

- 103.1 The Inland Plan applies to all polluting incidents along the shared inland boundary that have the potential for transboundary effects, except for those incidents occurring in the waters or coastal areas that are described in the Annexes to the Marine Plan, as amended or revised. The Inland Plan applies to the waters of Lake Champlain. In the case of an incident where the pollutant spreads to any major waterways covered by the Marine Plan, the country providing the FOSC will provide a liaison to work with either the Canadian Coast Guard or the U.S. Coast Guard.
- 103.2 The Inland Plan organizes the activities of responsible authorities in each country, prescribes a response structure, and establishes a method of operation for personnel responding to an incident.
- 103.3 Nothing in the Inland Plan shall prejudice existing or future agreements concluded between the two parties, or affect the rights and obligations of the parties under international agreements or arrangements to which they are or may become party.





103.4 The Inland Plan does not apply to radiological incidents. Such incidents are covered by the Canada Federal Nuclear Emergency Response Plan of 1984 (FNERP) or by the United States Federal Radiological Emergency Response Plan of November 1985 (FRERP).

## 104 Abbreviations

ALC	Advisory and Liaison Coordinator
DOE	Department of the Environment (Canada)
EPA	(U.S.) Environmental Protection Agency
EPC	Emergency Preparedness Canada
FEMA	(U.S.) Federal Emergency Management Agency
FCEE	(Canada) Federal Committee for Environmental Emergencies
FNERP	(Canada) Federal Nuclear Emergency Response Plan
FOSC	Federal On-Scene Coordinator
FRERP	(U.S.) Federal Radiological Emergency Response Plan
IJAT	International Joint Advisory Team
NCP	(U.S.) National Oil and Hazardous Substances Pollution Contingency Plan (i.e., National Contingency Plan)
NEEC	(Canada) National Environmental Emergencies Centre
NOAA	(U.S.) National Oceanic and Atmospheric Administration
NRC	(U.S.) National Response Centre
NRT	(U.S.) National Response Team
PIR	(Canada) Pollution Incident Report
RCP	(U.S.) Regional Contingency Plan
REET	(Canada) Regional Environmental Emergencies Team
RJRT	Regional Joint Response Team
RRT	(U.S.) Regional Response Team
SITREP	(U.S.) Situation Report
SSC	(U.S.) Scientific Support Coordinator

## 105 Definitions

The following terms are defined for the purpose of the Inland Plan:

105.1 Advisory and Liaison Coordinator (ALC). The liaison between the federal On-Scene Coordinator (FOSC) and the Regional Joint Response Team (RJRT) and the advisor to the FOSC on RJRT matters. The ALC is meant to facilitate the flow of information between the RJRT and the FOSC and provide additional support to the direct communication between the RJRT and the FOSC.



- 105.2 Containment. Any measure that is taken to control or to restrict the spread of a pollutant.
- 105.3 Countermeasures. Any measures, whether physical or chemical, that are implemented to reduce the impact and the effect of a pollutant on the public health and welfare, the environment, and property.
- 105.4 Environment. The atmosphere, land, and surface and ground waters, including the natural resources therein, and all other components of the ecosystem.
- 105.5 Federal Committee for Environmental Emergencies (FCEE) (Canada). The body responsible for ensuring a coordinated federal response to significant environmental emergencies and providing advice and assistance to Regional responders when requested.
- 105.6 Federal On-Scene Coordinator (FOOSC). The federal government official who coordinates the federal government activities at the scene of the polluting incident and provides advice, assistance, and support to the local, state, territorial, or provincial incident commander during a polluting incident. (In the U.S., the FOOSC can be predesignated).
- 105.7 Incident Commander. The local, state, territorial, or provincial official who coordinates and directs the pollution control efforts at the scene of the polluting incident.
- 105.8 Inland International Boundary. The non-marine boundary common to both countries, including boundary and transboundary waters not included in the Marine Plan.
- 105.9 International Joint Advisory Team (IJAT). A policy and advisory body with overall responsibility for the maintenance, promotion, and coordination of the Inland Plan. It is comprised of representatives from the Canadian Federal Committee on Environmental Emergencies (FCEE) and the U.S. National Response Team (NRT) and jointly co-chaired by the Parties.
- 105.10 National Response Team (NRT) (U.S.). The body, established by the National Oil and Hazardous Substances Pollution Contingency Plan, that is responsible for national response and preparedness planning, for coordinating regional planning, and for providing policy guidance and support to the Regional Response Teams (RRTs).
- 105.11 Party. The Parties referred to in the text of this Inland Plan are the Department of the Environment (DOE) for Canada and the United States Environmental Protection Agency (EPA).
- 105.12 Pollutants. Substances that, if discharged, cause or may cause damage to public health or welfare, the environment, or property according to the laws and regulations of each country.



105.13 **Polluting Incident.** An accidental or unauthorized release of any pollutant, other than radiological materials and permit exceedences, on either or both sides of the inland international boundary of a magnitude that causes, or threatens to cause, adverse effects to the public health or welfare, the environment, or property.

**Major incident.** An incident that would be likely to cross the international boundary; and/or pose a significant threat to human life, property, and/or the environment; and/or that requires more response personnel and/or equipment than are available to local responders, and that thereby would necessitate activation of the Inland Plan.

**Moderate incident.** An incident that is less severe than a major incident but that poses a potential threat and that would typically require the country of origin to warn the other country that it might be necessary to activate the Inland Plan.

**Minor incident.** An incident that can be handled by the polluter (possibly with the assistance of local responders) and that poses little or no threat to human life and the environment.

105.14 **Regional Environmental Emergencies Coordinator (REEC) (Canada).** The governmental official who coordinates the planning and response activities of the REET. 105.15 **Regional Environmental Emergencies Team (REET) (Canada).** The regional body that provides coordinated and comprehensive information and advice to the FOSC and incident commander on environmental impacts, resource sensitivities, environmental forecasting, spill modelling, contingency planning, spill containment, and cleanup priorities and techniques during the planning for and response to environmental emergencies. It is chaired by the Federal Department of the Environment or the provincial ministry responsible for the environment or as otherwise arranged, and is composed of federal, provincial, territorial, and other agency environmental specialists. Other representation such as Native groups, local communities, and industrial specialists are included as required.

105.16 **Regional Joint Response Team (RJRT).** The regional support and advisory team that is responsible for the maintenance and effective implementation of the respective Annexes of the Inland Plan (identified as the JRT in the DOE/EPA MOU dated October 17, 1985). The RJRT is composed of agencies and organizations in both Canada and the United States and is co-chaired by the provincial or regional representatives of each Party as described in the Regional Annexes. The RJRTs will include representatives from the appropriate Canadian REET for each of the five Regions (Atlantic, Quebec, Ontario, Prairie and Northern, Pacific and Yukon), and from the U.S. Regional Response Team for each of the EPA Regions (1, 2, 5, 8, and 10), whose area of responsibility coincides with the respective borders of the five Canadian Regions.

105.17 **Regional Response Team (RRT) (U.S.).** Parallel in agency membership to that of the U.S. NRT, RRTs develop and coordinate preparedness activities before a response action is taken and also coordinate assistance and advice to the FOSC during such response actions. The two principal components of the RRT mechanism are a standing team, which consists of designated representatives from each participating federal agency, state government, and local government; and incident-specific teams, which are formed from the standing team when the RRT is activated



for a response. The role of the standing RRT, co-chaired by representatives of EPA and the U.S. Coast Guard, includes communications systems and procedures, planning, coordination, training, evaluation, preparedness, and related matters on a regionwide basis. The role of the incident-specific team is determined by the operational requirements of the response to a specific polluting incident.

- 105.18 Scientific Support Coordinator (SSC) (U.S.). The SSC serves under the direction of the FOOSC, during a response to a polluting incident, and is responsible for providing scientific support for operational decisions and for coordinating on-scene scientific activity.

## **200 JOINT POLICY AND RESPONSIBILITIES**

### **201 Joint Policy**

- 201.1 The Parties will seek the cooperation from the appropriate Canadian and U.S. agencies, to the extent possible, to respond expeditiously to a polluting incident that affects or threatens to affect both countries. Actions taken pursuant to the Inland Plan shall be consistent with the statutory authorities, operational requirements, and other obligations of each country.
- 201.2 Effective communication between Canada and the United States is vital to the successful implementation of the Inland Plan. Any inland environment polluting incident that presents a potential threat to the other country shall be reported promptly to that country in accordance with Section 401.1 of the Plan.
- 201.3 In a response situation that falls within the scope of the Inland Plan, the Parties shall make every effort to obtain resources that could be used for joint response operations, subject to their capabilities and requirements. In addition, each Party shall have in place procedures to ensure that the necessary resources from the public and private sectors may be brought to bear to achieve a successful outcome to a joint response operation.
- 201.4 The existing decision-making process of each country shall be followed to determine whether chemicals (e.g., dispersants) will be used to respond to a polluting incident.

### **202 Special Arrangements for Mutual Assistance**

- 202.1 Special arrangements for mutual assistance will be considered on a case-by-case basis. The provision of witnesses pursuant to such an arrangement will be governed by existing and applicable regulations, laws, practices, and agreements between the two Parties. Special arrangements for mutual assistance will not prejudice the resolution of any dispute involving



third parties that may arise respecting liability and compensation resulting from any polluting incident, wherever it may occur.

- 202.2 The Parties will, as appropriate, assist each other in exercising a right of recovery against the third party, including the provision of documentation.
- 202.3 As appropriate for mutual assistance, special customs and immigration clearances may be granted by each country in accordance with the laws and regulations of each party for response resources, including personnel and equipment. Procedures for accomplishing this will be developed by national, regional, and local officials, and will be outlined in each Regional Annex. Guidelines for the development of the Regional Annexes are found in Appendix E.

## **300 PLANNING AND RESPONSE ORGANIZATION**

### **301 International Joint Advisory Team**

- 301.1 The International Joint Advisory Team (IJAT) is the policy and advisory body with overall responsibility for the maintenance, promotion, and coordination of the Inland Plan. The purpose of the IJAT is to respond quickly to interagency and policy problems during major emergencies.
- 301.2 The IJAT will be composed of some or all representatives from the agencies listed in Appendix A with co-chairs appointed by the FCEE for Canada and the NRT for the United States.
- 301.3 During a polluting incident, the IJAT upon request shall facilitate the provision of emergency resources and other support to the Regional Joint Response Team (RJRT) and also activate other related emergency plans such as those involving customs and immigration. Actions of the IJAT shall not include direct management of the on-scene response.
- 301.4 The IJAT shall also maintain a list of potential assisting agencies of each country and the assistance available from each agency. The IJAT shall also be responsible for notifying the RJRTs of any changes to these agencies' response capabilities.
- 301.5 Each IJAT Co-chair shall ensure that his/her country is in compliance with legal requirements for protecting the health and safety of emergency responders.

### **302 Regional Joint Response Teams**

- 302.1 Regional Joint Response Teams (RJRTs) are responsible for the development, maintenance and effective implementation of the respective Annexes to the Inland Plan, including the development and maintenance of videos, graphs, or other records of sensitive areas that are



given high priority for protection in the event of a polluting incident. However, specific information on sensitive areas during a polluting incident should be obtained from the REET (Canada) or the SSC (U.S.).

302.2 The RJRTs will include representatives from the appropriate Canadian REET for each of the five Regions (Atlantic, Quebec, Ontario, Prairie and Northern, Pacific and Yukon), and from the U.S. RRT for each of the EPA Regions (1, 2, 5, 8, and 10), whose area of responsibility coincides with the respective areas covered by the five Canadian Regions.

302.3 The RJRTs' areas of responsibility are divided as follows:

- a) The combined border of the Yukon Territory and British Columbia with U.S. EPA Regions 8 and 10 (Washington, Idaho, Montana, Alaska) - CANUSWEST
- b) The combined border of Alberta, Saskatchewan, and Manitoba with U.S. EPA Regions 5 and 8 (Minnesota, Montana, North Dakota) - CANUSPLAIN
- c) The border of Ontario with U.S. EPA Regions 2 and 5 (New York, Minnesota) - CANUSCENT
- d) The border of Quebec with U.S. EPA Regions 1 and 2 (New Hampshire, Vermont, Maine, New York) - CANUSQUE
- e) The border of New Brunswick with U.S. EPA Region 1 (Maine) - CANUSEAST

Further subdivision of Annexes may be an option for some of the Regions for easier implementation.

302.4 Each RJRT shall maintain Annexes that include contact lists for federal, provincial, territorial, state, and nongovernment agencies.

302.5 The standing pre- and post-incident functions of an RJRT include planning and preparedness activities, which are outlined below:

- a) developing procedures to promote a coordinated response by all federal agencies to polluting incidents. These procedures will include, among others, environmental, technical, logistic, legal, customs, immigration, financial, and public information/media-relations
- b) reviewing post-incident reports from the FOSC on the handling of polluting incidents for the purpose of analyzing response actions, recommending needed improvements in the contingency plans, and identifying training needs
- c) forwarding to respective federal, state, provincial, territorial, and local authorities relevant reports and recommendations including FOSC post-incident reports



- d) preparing RJRT debriefing reports and recommendations concerning amendments to the Inland Plan or the Annexes
  - e) planning and implementing exercises as addressed in Section 700 of the Plan
- 302.6 Under RJRT coordination, the Parties should encourage federal agencies of both countries to coordinate their planning and response activities with each other, with affected provincial, territorial, state, and local governments, and with private sector response organizations.
- 302.7 The RJRT shall seek arrangements with federal agencies of either country having services or facilities that may be useful to it in responding to an incident.
- 302.8 The RJRT does not have operational control over the FOSC. During an incident, the advisory and support functions of the RJRT include
- a) providing advice and assistance to the FOSC during polluting incidents
  - b) monitoring incoming reports, reviewing the possible impact of reported polluting incidents, and being at all times fully aware of the actions and plans of the FOSC
  - c) coordinating the actions of the various agencies in supplying the necessary resources and assistance to the FOSC
  - d) recruiting other federal agencies, and industrial or scientific groups to play their appropriate parts in support actions by acting through the RJRT or FOSC
  - e) coordinating all reporting on the status of the polluting incident to the respective parties (using existing reporting mechanisms)
  - f) ensuring that the FOSC has adequate public information support
  - g) providing an Advisory and Liaison Coordinator (ALC) at the scene of the polluting incident for liaison between the FOSC and the RJRT, to support the FOSC, and to advise the FOSC on RJRT matters
  - h) reviewing actions taken by the FOSC and making recommendations for additional measures needed to support the response
  - i) recommending means to facilitate response coordination among federal, provincial, territorial, state, and other agencies
  - j) promoting efficient communications to ensure effective information flow



### **303 Federal On-Scene Coordinator**

- 303.1 The FOSC may assume one of two roles: first, as provider of advice, assistance, and support to the local, state, territorial or provincial incident commander and as coordinator and director of the federal government activities at the scene of a polluting incident; and second, as lead when the polluting incident is under federal jurisdiction or in accordance with federal, provincial, territorial, or state agreements or when the polluting incident is beyond the capabilities of the local, state, territorial, or provincial incident commander.
- 303.2 In the case where the FOSC is the lead, he/she shall be responsible for the overall control and direction of the operations and is the final authority for all decisions related to response and countermeasure operations. The FOSC shall obtain proper authorization and necessary permits, in accordance with appropriate national, provincial, territorial, state, and local laws, to call upon and direct the deployment of available resources to initiate and continue containment, countermeasures, cleanup, and disposal functions.
- 303.3 In all cases, the FOSC shall
- a) determine the pertinent facts about a particular polluting incident: the identity of the polluter; the nature, amount, and location of pollutant spilled; probable direction and time of travel of the pollutant; resources available and needed; and the potential effects on public health and welfare and on property or the environment;
  - b) ensure that comprehensive and consolidated environmental advice and technical support information is being provided to address the needs of the response operations. This should be done through a REET for Canada or an SSC for the U.S.
  - c) maintain an up-to-date and accurate information flow to the RJRT to ensure the maximum effectiveness of the joint effort in protecting the public health and welfare, the environment, and property from pollution damage
  - d) submit reports and recommendations to the RJRT following a polluting incident

### **304 Canada and United States Federal Agencies' Responsibilities**

- 304.1 Responsibilities of specified agencies are set out in the Canadian Department of the Environment's Environmental Emergencies Plan, the Canadian Coast Guard's National Marine Emergency Plan (under revision) and Arctic Marine Emergency Plan, the U.S. National Oil and Hazardous Substances Pollution Contingency Plan (NCP) and its supplementary guidance. Other federal, provincial, territorial, state, and local agencies may be requested to assist as needed.





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### **305 Coordination with Provincial, Territorial, Regional, State, and Local Preparedness and Response**

- 305.1 Initial responsibility for responding to incidents rests with local authorities unless otherwise identified under federal jurisdiction or agreements. Therefore, the Inland Plan anticipates that each country will encourage communities to have up-to-date contingency plans and information about potential hazards as well as adequate equipment and trained personnel for responding to potential incidents within the community's jurisdiction.
- 305.2 Whenever an incident exceeds local capabilities, local officials should seek the assistance of provincial, territorial, regional, or state agencies and should coordinate with nongovernmental organizations when appropriate.
- 305.3 To ensure that authorities do not overlap during a polluting incident, the Inland Plan and its Annexes should be coordinated with the comprehensive emergency plans prepared for U.S. local emergency planning districts on the international border in compliance with Title III (the Emergency Planning and Community Right-to-Know Act of 1986) of the Superfund Amendments and Reauthorization Act of 1986 as well as the Area Contingency Plans developed under the Oil Pollution Act of 1990, and equally with existing Canadian plans and arrangements.
- 305.4 Each country shall call to the attention of its provincial, territorial, state, local, and other authorities in areas adjacent to the international border the desirability of achieving compatibility between preparedness and planning activities in Canada and the United States.
- 305.5 Local communities are encouraged to enter into joint planning and mutual aid agreements with their international neighbours, specifying delegations of authority, responsibility, and duties consistent with national requirements for transboundary activities. These plans and mutual aid agreements should be coordinated with the development of regional, provincial, and territorial contingency plans. Specific local response agencies (e.g., police, fire, emergency medical) should be encouraged to develop mutual aid or good samaritan agreements with their counterparts in neighbouring localities whenever practicable.

### **306 Coordination with Nongovernmental Groups**

- 306.1 This Inland Plan and its Annexes should be coordinated with general and area-specific emergency response plans developed by major industrial and volunteer associations and by individual industries near the international border.
- 306.2 RJRTs should seek the active cooperation of industries and transporters near the international border to ensure that joint contingency plans take a realistic account of hazards.



- 306.3 Industry groups, academic organizations, and others will be encouraged to commit resources for response operations that can be listed in the Annexes to the Inland Plan. It is particularly important to consider the valuable operational response techniques that may be available from the nongovernment organizations and local communities to assist the incident commander in devising cleanup strategies where effective standard techniques are unavailable, and to encourage the development of new techniques to meet each country's needs.
- 306.4 Joint contingency plans for Regions listed in the Annexes may establish procedures to allow for well-organized, helpful, and safe use of volunteers by the FOSC, or by other federal, state, provincial, territorial, or local officials knowledgeable in contingency planning and response operations. Regional plans should identify specific areas in which volunteers can be used, such as property surveillance, logistical support, and wildlife treatment.

### **307 Technical Support Teams**

- 307.1 The RJRT shall annually prepare and update a list of governmental and nongovernmental technical support that can be of assistance during joint response activities.
- 307.2 The IJAT shall review the Annexes and advise each RJRT on sources of expertise, services, and technology that the RJRT could include in planning.

## **400 RESPONSE OPERATIONS**

### **401 Discovery and Alerting**

- 401.1 Any polluting incident presenting a potential threat to the other country shall be reported to the other country without delay by telephoning the appropriate Regional contacts (as referenced in the Annex) in Canada or the Canadian National Environmental Emergencies Centre (NEEC) (819) 997-3742 or the U.S. National Response Centre (NRC) at (202) 267-2675 (outside the U.S.) or (800) 424-8802 (in the U.S.), in accordance with the procedures stated in each Annex.
- 401.2 Whenever the NRC is notified of an incident near the Canadian border having the potential for transboundary effects, it will notify the NEEC; whenever the NEEC is notified of an incident near the U.S. border having the potential for transboundary effects, it will notify the NRC. The NRC will first notify the appropriate predesignated FOSC (U.S.) and then the U.S. RJRT and IJAT Co-chairs. The NEEC will notify the Canadian IJAT Co-chair and the appropriate RJRT Co-chair.
- 401.3 These notification arrangements are not meant to impact upon existing notification procedures at the federal, state, local, territorial, and/or provincial level.



401.4 If the polluting incident is considered a moderate or major incident, an alerting message will be originated by the appropriate RJRT Co-chair or alternate, sent to the other RJRT Co-chair and to the IJAT Co-chairs, and must always be acknowledged by the addressees. This alert will not activate the Inland Plan but will permit assessment and immediate preparation for the possibility of activation of the Plan. The alerting message will include the geographical position of the incident, a brief situation summary, and other appropriate data and will be distributed to all appropriate officials through each country's notification systems. The standard format for the alerting message is found in Appendix B.

## **402 Plan Activation**

402.1 The Inland Plan may be activated by the RJRT Co-chair from the country of origin, after consulting with the RJRT Co-chair from the other country if

- a) the polluting incident is accompanied by a substantial threat of the spread of a pollutant into the area of responsibility of the other country or such spreading has already occurred, and/or
- b) no spread of pollutants into the other country has occurred or is threatened, but the magnitude of the incident, or other factors, makes a request for assistance necessary.

The RJRT Co-chair who activates the Inland Plan shall be known as the Activating Co-chair for the purposes of Section 405.1.

402.2 The appropriate RJRT Co-chair or alternate may activate the Inland Plan through written notification or telephone. The telephone message must be followed by written notification (telex/fax). This message should follow the format identified in Appendix C.

If an alerting message under Section 401.4 of the Inland Plan was not issued, the necessary site information shall be added to the message activating the Plan.

In its acknowledgement, the receiving country shall report the name of its RJRT Co-chair.

## **403 Response Procedures**

403.1 Each Regional Annex shall identify the specific response roles of participating public and private sector organizations.



## **404 Disposal**

- 404.1 Pollutants and other associated incident debris that are recovered as a result of cleanup actions shall be disposed of in accordance with federal, state, provincial, territorial, and local requirements so as to minimize the possibility of further or continuing environmental damage.

## **405 Plan Deactivation**

- 405.1 A recommendation to end the joint response to an incident shall be made by the RJRT after consultations between the FOSC and the Activating Co-chair. The Activating Co-chair shall deactivate the Inland Plan by formal message with the agreement of the RJRT Co-chair from the other country. This message must clearly establish the date and time of the deactivation of the Plan. This requirement to consult does not diminish the Activating Co-chair's prerogative to decide upon deactivation. The standard format for the deactivation message is found in Appendix D.

## **500 REPORTING REQUIREMENTS**

### **501 Pollution Incident Reports**

- 501.1 The RJRT shall ensure that pollution incident reports (PIRs) include a full and timely assessment of the incident, actions taken, and progress made during the response. In turn, the RJRT shall provide the IJAT with the PIRs, along with additional comments describing the RJRT's actions and recommendations.
- 501.2 The RJRT shall recognize that conditions at the scene of an incident may place constraints on the FOSC such that PIRs and SITREPs may be incomplete or temporarily delayed.

### **502 Post-Incident Reports**

- 502.1 The RJRT may request the FOSC to submit reports and to prepare operational debriefings for the IJAT on the incident. These may include actions taken and any observations, lessons learned, and recommendations that need to be made.

## **600 PUBLIC INFORMATION**

### **601 Policy**

- 601.1 When an incident occurs, the public must be provided with timely and accurate information on the nature of the incident, the steps that are being taken to cope with the problem, and what citizens should do to protect themselves. This information is intended to protect human lives,



to encourage understanding among the public, to ensure cooperation from all interested parties, and to reduce the possibility of the spread of concern or alarm through misinformation.

## **602 Responsibilities**

- 602.1 When the Inland Plan is activated, each Co-chair of the RJRT shall assign from the resources of the country he/she represents an on-scene public information officer who will maintain liaison with the interested parties in his/her own country, including but not limited to the local, state, provincial, or territorial authorities, news media, government press offices, the public, special interest groups, and concerned industries. These officers shall support the FOSC, maintaining an account of events and advising the FOSC on public reactions.
- 602.2 FOSC news releases will contain operational information. If however they contain policy considerations they must first be cleared through the Co-chair of the RJRT and other representatives of the Parties as the Co-chair deems necessary. The FOSC shall keep the local, state, territorial, and provincial authorities and the RJRT apprised of news-office activities (e.g., issuing press releases, organizing briefing sessions, keeping the public informed) and public reactions.

## **700 EXERCISING AND UPDATING THE PLAN**

### **700.1 The IJAT shall review the Inland Plan annually and identify specific planning issues.**

- 700.2 Scheduling RJRT meetings and conducting joint response exercises are the responsibility of the individual RJRTs. It is recognized that the continued viability of the Inland Plan is primarily dependent on the development of working relationships through such periodic meetings and exercises. The recommended frequency of these meetings and exercises is as follows:

RJRT meetings: one meeting for each Regional Annex, at least once every 18 months, alternately organized by each country

RJRT exercises: one exercise for each Regional Annex every two years, alternately organized by each country

Schedules for both the RJRT meetings and the exercises are set out in the Annexes

- 700.3 To promote greater efficiency, joint meetings could be held to coincide with joint exercises and could include more than one Region or Annex, as appropriate.
- 700.4 The IJAT is responsible for keeping the Inland Plan up to date. Responsible authorities for each RJRT shall submit significant Annex amendments to the IJAT.



- 700.5 The IJAT shall confirm the accuracy of all names, addresses, and telephone numbers in the Inland Plan every March 31.
- 700.6 Each RJRT shall confirm the accuracy of all names, addresses, and telephone numbers in the Appendices and Annexes every March 1. Any necessary changes shall be entered. Any significant changes to the Annexes to the Inland Plan shall be forwarded to the IJAT.

## **800 ADMINISTRATION**

### **801 Custodians**

- 801.1 The custodians for the Inland Plan and Annexes and any amendments thereto are, for Canada, the Director of the Environmental Emergencies Branch, Environmental Protection Service, Department of the Environment; and for the United States, the Director of the Chemical Emergency Preparedness and Prevention Office, Office of Solid Waste and Emergency Response for the Environmental Protection Agency.

### **802 Annex Guidelines**

- 802.1 Regions will be encouraged to maintain Annexes to the Inland Plan, covering such topics as communications, reporting systems, designated and/or potential RJRT members, and useful points of contact. A guidance document to assist regional planners in preparation of the Annexes is found in Appendix E.

### **803 Amendments**

- 803.1 Amendments to the Inland Plan and Annexes may be made by mutual agreement of the custodians and shall be approved and disseminated pursuant to sections 803.1.1 and 803.1.2.
- 803.1.1 Amendments to the Inland Plan and Annex provisions that concern national policy interests or are otherwise of significant importance to both the Canadian and U.S. governments may be executed only by government to government agreement by procedures appropriate to the circumstances and need for a particular amendment.
- 803.1.2 Amendments to the Inland Plan and Annex provisions that do not have national policy implications or are not of significant importance may be executed by the agreement of the custodians.
- 803.1.3 The Annexes are of regional interest and may be amended by the respective RJRTs upon their agreement to do so. The respective RJRT Co-chairs will notify the Co-chairs of the IJAT of all significant amendments by letter.



## **900 APPENDICES**

- APPENDIX A Suggested IJAT Member Agencies
- APPENDIX B Alerting Message
- APPENDIX C Activation Message
- APPENDIX D Deactivation Message
- APPENDIX E Guidelines for the Development of Regional Annexes
- APPENDIX F Annexes



## **APPENDIX A**

### **Suggested IJAT Member Agencies**

Canada: Emergency Preparedness Canada, Canadian Heritage, Department of Agriculture and Agri-food, Department of Citizenship and Immigration, Department of the Environment, Department of Fisheries and Oceans, Department of Foreign Affairs and International Trade, Department of Health, Department of Indian Affairs and Northern Development, Department of Justice, Department of National Defence, Department of National Revenue, Department of Natural Resources, Department of Transport (Canadian Coast Guard and Transportation of Dangerous Goods Directorate), National Energy Board, Office of the Privy Council, Transportation Safety Board

U.S. (NRT members as of 1/94): Environmental Protection Agency, U.S. Coast Guard (DOT), Department of Agriculture, Department of Commerce, Department of Defense, Department of Energy, Department of Health and Human Services, Department of the Interior, Department of Justice, Department of Labour, Department of State, Department of Transportation, Federal Emergency Management Agency, General Services Administration, Nuclear Regulatory Commission





## **APPENDIX B**

### **Alerting Message**

DATE:

TIME:

TO: (action addressees, address, and telephone/fax number)

FROM: (sender and telephone/fax number)

CC: (for information and action as appropriate)

NAME OF REGION/ANNEX:

1. Geographical location:
2. Pertinent incident details: (e.g., nature, amount, and potential impact of the pollutant spilled; weather conditions)
3. Reason for alerting message:



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## **APPENDIX C**

### **Activation Message**

DATE:

TIME:

TO: (action addressees, address, and telephone/fax number)

FROM: (sender and telephone/fax number)

CC: (for information and action as appropriate)

NAME OF REGION/ANNEX:

CONTINGENCY PLAN ACTIVATED AT: (date and time)

NAME OF FOSC:

If an alerting message under Section 401.4 of the Inland Plan was not issued, the necessary site information shall be added to the message activating the Plan.

In its acknowledgement, the receiving country shall report the name of its RJRT Co-chair.



## **APPENDIX D**

### **Deactivation Message**

DATE:

TIME:

TO: (action addressees, address, and telephone/fax number)

FROM: (sender and telephone/fax number)

CC: (for information and action as appropriate)

NAME OF REGION/ANNEX:

CONTINGENCY PLAN DEACTIVATED AT: (date and time)



## **APPENDIX E**

### **Guidelines for the Development of Regional Annexes**

The Inland Plan provides for a cooperative response mechanism for responses to spills and releases of pollutants that affect the inland boundary areas of both countries. The Plan allows for the provision of assistance when only one country is affected but the spill or release is of such magnitude as to justify a request for assistance.

The development of Regional Annexes that include, among other matters, the definition of the jurisdiction, roles, and response procedures of regulatory and support agencies within specific regions of each country is one feature of the Plan.

As described in section 802.1, the following is a suggested list of contents which can be used in the development of Regional Annexes to ensure a common understanding and approach.

This should not inhibit the creativity of the planners or interfere with existing regional planning practices although Regions may elect to develop separate Regional Plans. In fact, it may be beneficial to integrate the development of the Regional Annex into the existing regional planning process.

#### **PROPOSED LIST OF CONTENTS**

1. Scope (includes purpose and geographic areas)
2. Agreements and plans (relevant to each region)
3. Response organization
  - Response centre
  - Predesignated FOSCs (U.S.)
  - Special forces/teams
  - Response structures
4. Operating procedures
  - a) Discovery and alarm
  - b) Information and coordination on and between
    - FOSC team
    - REETs and RRTs
    - RJRT and IJAT
    - State, provincial, territorial, and local agencies
    - Public information groups
    - Special interest groups



- c) Response operations
  
- 5. Special considerations
  - a) Customs and Immigration
  - b) Health and safety of responders and volunteers
  - c) Volunteer coordination
  - d) Native lands
  
- 6. Administration
  - a) Amendments
  - b) Exercising and updating schedule
  - c) Contact and resource list



## **APPENDIX F**

### **Annexes**

When completed, the following annexes will be added:

#### **ANNEX I CANUSWEST**

The combined border of the Yukon Territory and British Columbia with U.S. EPA Regions 8 and 10 (Washington, Idaho, Montana, Alaska) - CANUSWEST

#### **ANNEX II CANUSPLAIN**

The combined border of Alberta, Saskatchewan, and Manitoba with U.S. EPA Regions 5 and 8 (Minnesota, Montana, North Dakota) - CANUSPLAIN

#### **ANNEX III CANUSCENT**

The border of Ontario with U.S. EPA Regions 2 and 5 (New York, Minnesota) - CANUSCENT

#### **ANNEX IV CANUSQUE**

The border of Quebec with U.S. EPA Regions 1 and 2 (New Hampshire, Vermont, Maine, New York) - CANUSQUE

#### **ANNEX V CANUSEAST**

The border of New Brunswick with U.S. EPA Region 1 (Maine) - CANUSEAST

