



# U.S./CANADA BORDER ACTIVITIES

## U.S./Canada Joint Inland Pollution Contingency Plan

# FACTSHEET

### HOW IT BEGAN

**T**he preliminary step for developing the U.S./Canada Joint Inland Pollution Contingency Plan (Inland Plan) was the October 1985 Memorandum of Understanding (MOU).

This MOU is specific to accidental and unauthorized discharges of pollutants along the U.S./Canada inland boundary and was signed by the Minister of the Department of the Environment for Canada (Environment Canada) and the Administrator of the Environmental Protection Agency (EPA) for the United States. The MOU provided an outline of activities to be undertaken by the United States and Canada to prepare for and prevent chemical accidents along the border. The focus of the MOU was the development of the Inland Plan. Further, it spelled out the goals and objectives as well as key issues to be covered in the Inland Plan. The roles and responsibilities of the Joint Response Team and On-Scene Coordinators and the terms under which the Inland Plan would be invoked were also specified. Using this MOU as a guide and the experience gained from developing other bilateral chemical accident contingency plans, the two countries set out to develop the Inland Plan.

**Summary** — In the mid-1980s, after Mexico and the U.S. signed a landmark agreement to protect and improve their border environment, Canada and the U.S. began efforts to reach similar agreement. Both countries recognized that taking steps to prevent chemical accidents along the border helps keep the population and environment safe. Additionally, the tragic chemical accident in Bhopal, India, as well as other environmental emergencies, showed that insufficient preparation for and response to a chemical accident can have devastating effects. For these reasons, Canada and the U.S. began to develop a Joint Inland Pollution Contingency Plan. Its purpose is to ensure that a mechanism is in place effectively and efficiently to prepare for and respond to chemical accidents in the inland border area, thereby reducing the impact of such accidents.

### DEVELOPING THE PLAN

**C**anada and the U.S. designed the Inland Plan on the foundation of two basic principles: First, that it is strictly a federal umbrella plan for Canada/U.S. cross-border emergency response efforts. This federal plan complements state and local plans; it does not interfere with the accident prevention and preparedness activities of state and local planners and responders. Second, the Plan must be a continuously evolving document. As experience is gained from planning and exercising at all levels, revisions will be made.

The Inland Plan was drawn up in a collaborative atmosphere. During the entire drafting and reviewing process, EPA and Environment Canada worked closely with their federal, state, provincial, and local colleagues. In order to facilitate this co-ordination, they held extensive consultations with all appropriate stakeholders inside and outside EPA and Environment Canada.

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## WHAT THE PLAN IS

**T**he purpose of the Inland Plan is to establish a co-ordinated and integrated federal response to chemical accidents along the inland border by supporting and assisting regional, provincial, state, and local planners and responders of both countries. To accomplish this purpose, the Inland Plan furnishes a mechanism for preparedness for and response to a chemical accident that causes or may cause damage to the environment along the inland border and that may constitute a threat to public health. In addition to setting up a mechanism for assistance during a cross-border event, the Inland Plan also allows for assistance when only one country is affected by a chemical accident, if it is of sufficient magnitude.

The Inland Plan was completed in July, 1994. Its key provisions:

- Provide for a bilateral co-operative preparedness and response mechanism
- Include the "polluter pays" principle
- Allow for the provision of assistance when only one country is affected
- Establish a co-ordinated and integrated federal response
- Serve as a federal umbrella plan for regional, state, and local planning and response
- Create an International Joint Advisory Team, Regional Joint Response Teams, Federal On-Scene Coordinators, and Advisory and Liaison Coordinator
- Complement the Canada/U.S. Joint Marine Pollution Contingency Plan
- Require the development of regional annexes
- Require annual review; incorporate a flexible amending process so the Inland JCP remains a useful and current tool for both countries

## CONSISTENCY WITH OTHER INTERNATIONAL ACTIVITIES

**T**he Inland Plan completes the trilateral efforts among Mexico, the United States, and Canada. The three countries now have contingency plans in place along their shared borders to protect the local communities and the environ-

ment from chemical accidents. Mexico and the United States have been working closely since 1983 to complete (in 1988) and implement the Mexico/U.S. Joint Contingency Plan for the Mexico/U.S. inland border area. The lessons learned from that process were used to ensure the Canada/U.S. Inland Plan is useful and effective. In addition to the Inland Plans along both borders, there are also U.S./Mexico and U.S./Canada Marine Plans for the shared waterways along the borders.

The Canada/U.S. Joint Inland Pollution Contingency Plan is also one of the steps the United States is taking to comply with the United Nations Economic Commission for Europe's Convention on the Transboundary Effects of Industrial Accidents, which the United States signed in March, 1992. This Convention requires participating countries to put in place appropriate mechanisms, including contingency plans, to prevent, prepare for, and respond to chemical accidents capable of causing transboundary effects. The Canada/U.S. Inland Plan meets many of the requirements within the Convention. Thus, this Inland Plan is one more step toward a co-ordinated effort worldwide in the area of chemical emergency prevention, preparedness, and response.

## WHAT'S NEXT?

**W**ithin the next year, the two countries will hold a Canada/U.S. International Joint Advisory Team (IJAT) meeting to discuss realities of their operation and organization and discuss roles and responsibilities of each participating agency. Additionally, the IJAT will set a schedule of future meetings and exercises and determine possible dates for revising the Inland Plan. Regional Annexes will also be developed by the regional response teams (RRTs) between 1994 and 1997 and will incorporate lessons each of the countries has learned from the development of its contingency plans. Further, the RRTs will ensure that the Regional Annexes are complementary to existing regional, state, and local plans.

### FOR MORE INFORMATION...

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