

Canada - United States Joint Inland Pollution Contingency Plan

Annex V: CANUSEAST



**A Plan for Response to
Spills and Releases of Pollutants
Along the Inland Border
Between
New Brunswick, Canada
and the State of Maine, United States of America**

Letter of Promulgation

The U.S. Environmental Protection Agency and Environment Canada recognize that there is a high probability that there will be a spill or other release of oil or hazardous materials along the common border between Canada and the United States. In July of 1994 the Administrator of the Environmental Protection Agency and the Minister for the Department of Environment signed the Canada-United States Joint Inland Pollution Contingency Plan, which provides for cooperative measures in 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 public health, welfare, or property. The Inland Plan makes provision for five regional Annexes or operational plans. Annex V or CANUSEAST is the Annex that covers the inland boundary between New Brunswick, Canada and the State of Maine, United States of America.

Representatives of Environment Canada, the Environmental Protection Agency, other federal agencies from both Canada and the United States, the State of Maine, the Province of New Brunswick and local emergency response organizations have worked together to develop CANUSEAST. Tribes have been included in the review process. The operation of CANUSEAST is based upon the premise that the responsible party will take the lead role in response to an emergency and that government will only take control if the response is inadequate to protect human health and the environment. The federal government's role will be determined in accordance with the Principle of Escalation, i.e. the response will be led first by the local or community level, followed by the state and provincial level and finally the federal level as additional resources and expertise are required. CANUSEAST does not supersede any statutory authorities held by either of the federal governments. CANUSEAST also recognizes the rights of U.S. Tribes and First Nations people and provides for their participation when their lands are threatened or impacted. We the undersigned endorse the process described in CANUSEAST for the response to a cross border spill or release of oil or hazardous material, which threatens public health and/or the environment along the border of New Brunswick, Canada and the State of Maine, United States of America.

Regional Administrator
U.S. EPA Region 1- New England

Original signed by Robert W. Varney

Date: 10-13-05

Regional Director General
Environment Canada
Atlantic Region

Original signed by Garth Bangay

Date: 10-14-05

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I. Background

CANUSEAST has been developed pursuant to the Canada-United States Joint Inland Pollution Contingency Plan (the Inland Plan), a cooperative mechanism between the United States Environmental Protection Agency (EPA) and Environment Canada (EC) for preparedness and response to spills and releases of oil and other hazardous substances. The Letter of Promulgation for the Inland Plan was signed on July 25, 1994 by the Minister of the Department of Environment for Canada and the Administrator of the Environmental Protection Agency for the United States of America. The Inland Plan divides the common inland border between the two countries into five regions. The EPA and EC regional offices were tasked with developing detailed multilateral annexes for each region. EPA Region 1-New England and EC Atlantic Region were responsible for the development of Annex V-CANUSEAST.

2. Purpose and Scope

2.1 Purpose

The overall purpose of CANUSEAST is to assist federal, state/provincial, local responders and First Nations/Tribes to mitigate the effects of oil and hazardous material spills on human health and safety, environment and property. CANUSEAST provides for a coordinated and integrated response to environmental emergency incidents on either side of the border.

The plan specifies the framework for a cooperative mechanism for preparedness and facilitates an effective joint response with state/provincial, local and where appropriate First Nations/Tribes to pollution incidents that may occur on or near the inland international boundary. CANUSEAST is based on the principle of escalation and accordingly it recognizes the legitimate roles of the local, state/provincial and federal responders and the need for First Nations/Tribes participation.

The Primary Objectives of CANUSEAST are to:

- Ensure timely and accurate notification of cross border incidents to federal, state/provincial, First Nations/Tribes and local authorities;
- Provide a coordination mechanism between responders in Canada and the U.S. to ensure an effective response to cross border spills, by establishing a Canada-United States Regional Joint Response Team (RJRT) under the joint chairmanship of EC and EPA, and when necessary allows the establishment of a joint Canada-U.S. Command Center;
- Ensure timely and accurate flow of information between responders in both countries;
- Facilitate safe and timely movement of personnel, equipment and supplies across the Canada-U.S. border.
- Institute measures to monitor and restrict the further spread of spilled or released pollutants; and,
- Ensure coordinated and timely flow of information to the public and media.

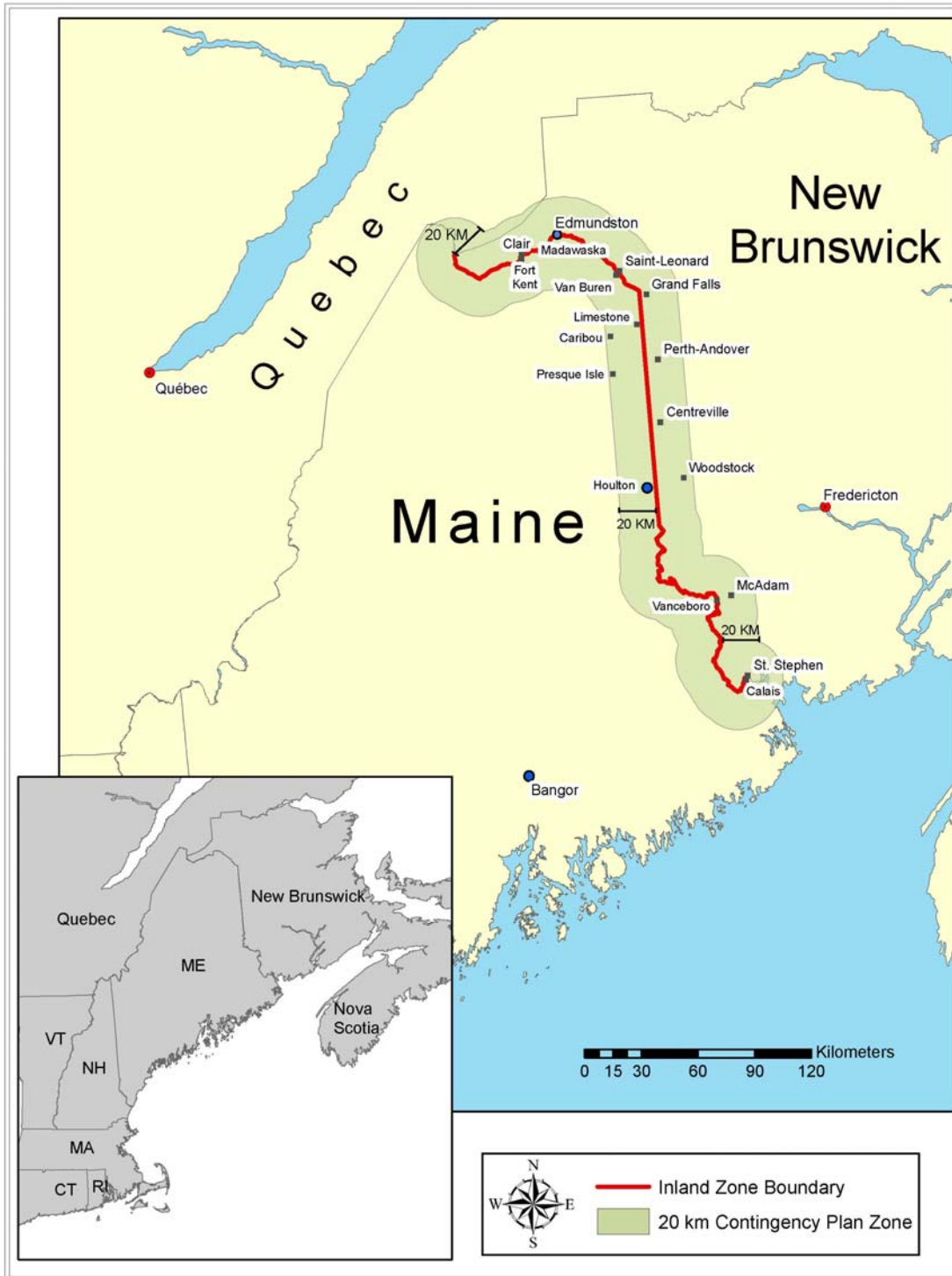
2.2 Scope

CANUSEAST may be invoked when an accidental or unauthorized release of oil or other hazardous substance, pollutant, or contaminant presents an imminent and substantial danger to public health or welfare, and poses potential danger to the environment on either side of the inland international boundary. The area includes, but is not limited to a 20 km zone along the Canada and U.S. border between the province of New Brunswick and the State of Maine (Figure 1). The inland zone begins at the International Bridge (45°11'31"N, 67°17'01"W), connecting Calais, Maine and St-Stephen, New Brunswick, and ends at the monument C 125 located at the mouth of the St-Francis River (47°17'51"N, 69°03'10"W). A more detailed map showing the main rivers flowing across the inland boundary or forming the international boundary is provided in TAB G.

CANUSEAST also applies when only one country is affected by a polluting incident, if the incident is of sufficient magnitude to require assistance from the other country.

CANUSEAST does not apply to radiological incidents. In Canada, the response to radiological incidents will be carried out in accordance with the Federal Nuclear Emergency Plan (FNEP) administered by Health Canada. In the United States the response will be carried out in accordance with the U.S. Federal Radiological Emergency Response Plan (FRERP).

Figure 1: CANUSEAST Geographical Area



3. Authority

This Annex has been developed pursuant to the Canada-United States Joint Inland Pollution Contingency Plan (the Inland Plan). The EPA is the coordinating authority for the United States and EC is the coordinating authority for Canada. An RJRT composed of representatives from EPA, EC and representatives from state/provincial, other federal agencies and First Nations/Tribes representatives will coordinate and support responses to cross border spills as outlined in Section 6 of CANUSEAST.

3.1 Environmental Protection Agency

EPA responsibilities for responding to a spill or release of oil or other hazardous substances are set out in the National Oil and Hazardous Substances Pollution Contingency Plan (NCP)(40 CFR 300), the Comprehensive Environmental Response Compensation and Liability Act (CERCLA)(42 U.S.C. 9601), and the Oil Pollution Act of 1990 (OPA 90). The NCP (40 CFR Part 300) provides the legal framework of the National Response System (NRS). Under the NCP, the responsibility for spills in the inland zone has been delegated to the EPA. The NCP states that the EPA is authorized to act for the United States to take response measures deemed necessary to protect public health or welfare or the environment from discharges of oil or releases of hazardous substances, pollutants, or contaminants except with respect to such releases on or from vessels or facilities under the jurisdiction, custody, or control of other federal agencies. The EPA will assign a Federal On-Scene Coordinator (FOSC) to carry out these functions and responsibilities. The NCP describes the general responsibilities of the FOSC. The NCP also provides for the establishment of Regional Response Teams (RRT) to provide assistance to the FOSC. The role of the RRT is further described in Tab B3.

3.1.1 Organizational Structure

EPA's headquarters are located in Washington, D.C. EPA is divided into ten Regional Offices. Response and removal authorities are delegated to each of the Regions. The State of Maine falls within EPA Region 1 – New England and shares a border with the Province of New Brunswick in the Atlantic Region of Canada.

3.2 Environment Canada

The mandate of Environment Canada, acting through the Minister, is to preserve and enhance the quality of the environment for the benefit of present and future generations of Canadians. With respect to environmental emergencies, Environment Canada has responsibility for administering the Canadian Environmental Protection Act; the pollution-control provisions of the Fisheries Act (Department of Fisheries and Oceans lead); the Migratory Birds Convention Act; the 1973 Cabinet Decision which clarifies emergency roles. The department is also responsible for elements of emergency and crisis preparedness under the Emergencies Act and Emergency

Preparedness Act, and for implementing interagency and intergovernmental agreements as described in Federal Policy for Emergencies approved by the Cabinet in 1995.

Environment Canada's key role in the event of an environmental emergency is to provide support and consolidated expert environmental advice to the lead agency responding to the emergency. The lead agency may be a federal or provincial department or agency. The lead and support agency roles of Environment Canada are outlined in Section 2.3 of the National Environmental Emergencies Contingency Plan.

3.2.1 Organizational Structure

Environment Canada is head-quartered in Ottawa (National Capital Region), and is divided into five Regions. The Atlantic Region is comprised of four provinces: Nova Scotia, New Brunswick, Prince Edward Island and Newfoundland/Labrador. The Province of New Brunswick is within the Atlantic Region and shares a border with the State of Maine in EPA Region 1. Federal environmental response advice in the Atlantic Region is coordinated by the Regional Environmental Emergencies Team (REET) described in Tab B4.

3.3 Applicable Contingency Plans and Policy Documents

In addition to the Canada-United States Joint Inland and Marine Pollution Contingency Plans, and the Letter of Understanding between the State of Maine and New Brunswick on Emergency Measures and Cooperative Emergency Arrangements, other plans that pertain to cross border response include:

3.3.1 United States

- National Oil and Hazardous Substances Pollution Contingency Plan (NCP);
- Region 1 Regional Oil and Hazardous Substance Pollution Contingency Plan;
- Region 1 Inland Area Contingency Plan;
- Federal Response Plan (FRP);
- State of Maine Contingency Plan; and
- Local plans developed by Local Emergency Planning Committees (LEPCs).

3.3.2 Canada

- National Environmental Emergencies Contingency Plan;
- Regional Environmental Emergencies Team (REET) Contingency Plan - Atlantic Region;
- EPB-Atlantic Region Environmental Emergencies Contingency Plan;
- Regional Emergency Plan for New Brunswick;
- Local Community Plans, and
- Canadian Council of Ministers of the Environment (CCME) – Memorandum of Understanding for Environmental Emergencies.

4. Response Operations

4.1 Concept of Operation

CANUSEAST may be activated when an accidental or unauthorized release of a pollutant causes or threatens damage to the environment and/or constitutes a threat to public health or property along the shared inland boundary. CANUSEAST may also be activated when only one country is affected by a polluting incident, if the magnitude is sufficient to require assistance from the other country.

It is always intended that the Responsible Party (RP) will take full responsibility, both operational and financial, for response to a spill (Polluter Pays Principle). Government officials will oversee the RP's response effort. If the RP's efforts are inadequate in protecting human health, property and the environment, government officials will take over management of the response operations in accordance with applicable legislation.

CANUSEAST is based upon the Principle of Escalation. The government response to the incident will be led first by the local or community level, followed by the state or provincial level and/or First Nations/Tribes level, and finally the federal level as additional resources and expertise are required. If the spill exceeds the capacity of local responders, requests for assistance may be made to the state or provincial agencies. If the spill exceeds the First Nations/Tribes or state/provincial capability, requests for assistance may then be made to the federal level. However, federal governments retain the authority to respond to the release without a request from the state/provincial level or First Nations/Tribes in accordance with applicable statutes if the incident is of significant magnitude or if the response is not proceeding in a satisfactory manner.

4.2 Discovery and Alerting

Any release or threat of release of oil or other hazardous substance affecting or potentially affecting both Canada and the U.S. shall be reported to both countries immediately.

United States

Maine/ New Brunswick border

Spills originating in the United States near the Maine/ New Brunswick border should be reported to:

The National Response Center	1-202-267-2675 (24 hours/day)
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Canada

New Brunswick / Maine border

Spills originating in Canada near the New Brunswick / Maine border shall be reported to:

National Environmental Emergencies Centre (NEEC)

1-819-997-3742 (24 hours / day)
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Additional emergency telephone numbers for reporting spills in the United States and Canada are provided in TAB A.

- Whenever the National Response Center (NRC) is notified of an incident having the potential for transboundary effects, it will notify the National Environmental Emergencies Centre (NEEC). The NRC will also relay the information immediately by telephone to a pre-designated Federal On-Scene Coordinator (FOSC - see section 6.2). The FOSC will be responsible to notify the RRT Chair; and
- 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 NEEC will relay the information immediately by telephone to the Regional Environmental Emergency Team (REET) Chair.

These notification arrangements are not meant to negate but to complement existing notification procedures at the federal, state, local, territorial, and/or provincial level.

If the polluting incident is considered a moderate or major incident, an Alerting Message (Appendix A) will be initiated by the appropriate RJRT Chair. The Alerting Message will be sent to the other RJRT Co-chair, and must always be acknowledged by the addressee. This 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 be distributed to all appropriate officials through each country's notification systems, and will include:

- the location of the incident;
- a brief situation summary; and
- any other pertinent information.

The RJRT Co-chair will notify the International Joint Advisory Team (IJAT) Chair whenever CANUSEAST is alerted or activated, and follow-up with written confirmation.

4.3 Inland Plan Activation

Whenever an incident occurs at or near the Canada/U.S. border and the incident is beyond the response capability of the municipality, State of Maine or Province of New Brunswick, First Nation or Tribe, consideration will be given to activating the RJRT (TAB B). The RJRT is made up of members of the RRT in the U.S. and REET in Canada. Both the RRT and REET are federally coordinated bodies that provide support to spill response actions. Activation of the

RJRT for a response to an inland spill is a joint decision, made by the RRT Chair and the REET Chair. The Inland Plan would be activated when a pollution incident has impacted or threatens to impact the other country, or when assistance is requested.

4.3.1 General

CANUSEAST may be activated upon discussion and concurrence by the RJRT Co-chairs through written notification or by telephone. Activation by telephone must be confirmed by written notification following the format identified in Appendix B. The receiving country shall acknowledge receipt of the Activation Message.

When the decision is made to activate the Plan, the RJRT Co-chairs will notify the IJAT, members of the Unified Command (UC) and the RJRT (TAB B).

Whenever possible, every effort will be made to communicate and reach consensus with the relevant state/provincial governments and First Nation/Tribal authorities prior to invoking the Inland Plan. Generally the activation of the Inland Plan will be preceded by a verbal or written request for assistance from a municipality, the State of Maine or Province of New Brunswick, or a First Nation or Tribe. However, EPA and EC retain the right to activate the Inland Plan without prior request.

4.3.2 United States CANUSEAST Activation

Upon receipt of a report of an incident at or near the border, the NRC forwards the report to an FOSC. The NRC will also notify NEEC. The United States CANUSEAST Activation Flowchart is shown in Figure 2.

The FOSC compiles all available information on the incident and notifies state, tribes and other appropriate officials where the incident has occurred. The FOSC concurrently makes a determination regarding the potential for any cross-border impacts, as well as the need for a response to the scene.

If potential cross-border impacts are anticipated, the FOSC will notify Environment Canada immediately by telephone:

PRIMARY CONTACT:	
Regional Environmental Emergencies Team (REET) Chair	1-902-426-6200 (24 hours/day)
ALTERNATE CONTACT:	
National Environmental Emergencies Centre (NEEC)	1-819-997-3742 (24 hours/day)

The FOSC will evaluate the threat posed by the incident, and will determine if an EPA response is warranted. Factors to be considered for an EPA response include, but are not limited to the following:

- request for federal assistance by Tribal, State and/or local responders;
- level of risk posed by the release or potential release to public health and/or the environment;
- timeliness of the response by RP or state and/or local responders;
- safety of the responders and the public and steps taken to assure adequate safety precautions have been implemented or planned; and
- public concern regarding the response.

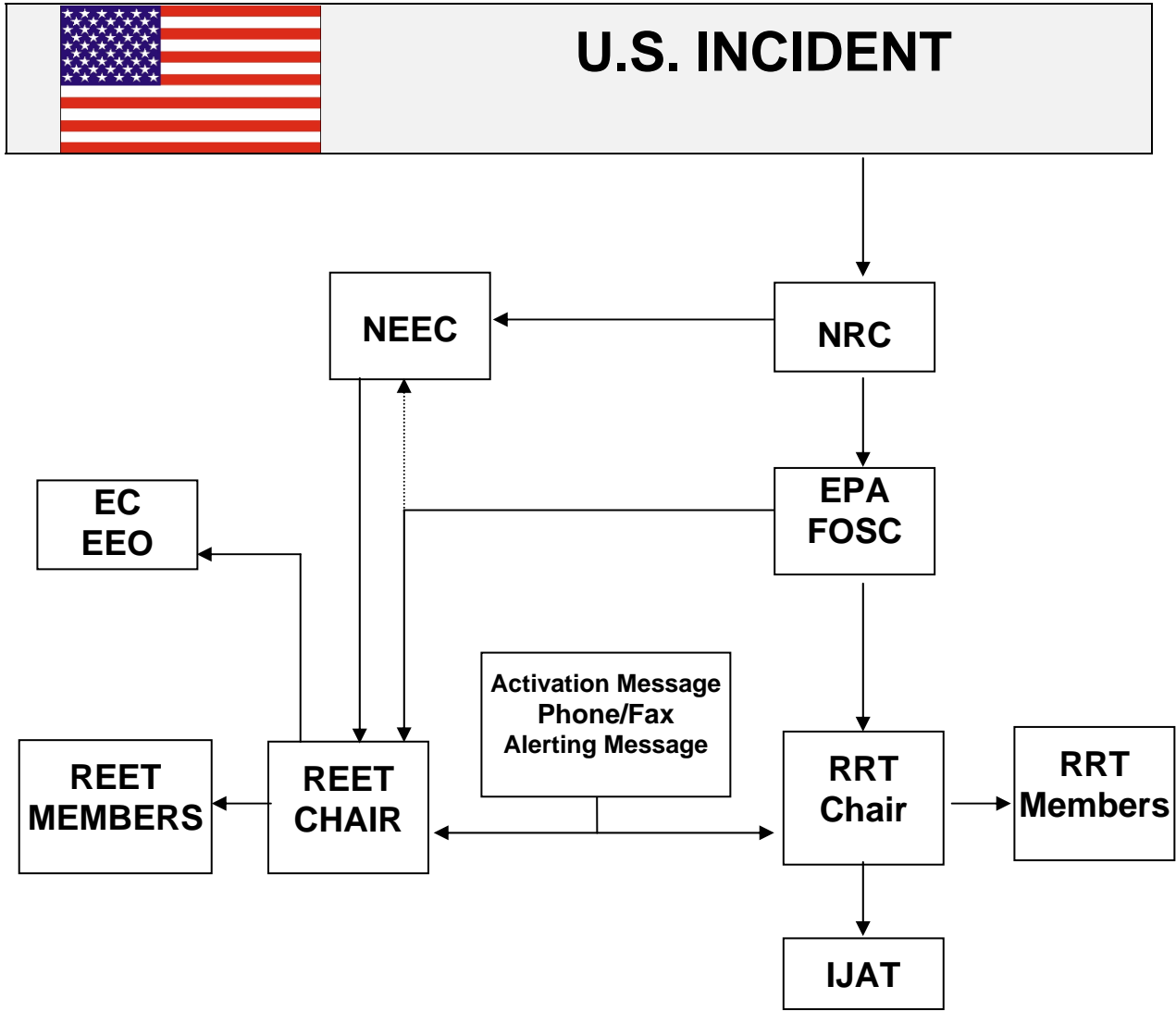
If the FOSC determines that an EPA response is necessary, the FOSC will notify EC of that decision and confer with them regarding activation of CANUSEAST.

A decision not to respond to the scene or not to activate the RJRT would generally mean that no significant federal support to the incident is deemed necessary. When new information becomes available or conditions change, the decision may be reconsidered. In some cases the Tribal, State, or local responders may request EPA technical support without activation of the RJRT. EPA would evaluate each request and, when appropriate, respond on a case-by-case basis.

A mutual decision by the RRT Chair and the REET Chair to activate CANUSEAST would necessitate the activation of the RJRT. The standard format for the Activation Message is found in Appendix B.

The U.S. RJRT Co-chair will verbally notify the IJAT whenever CANUSEAST is activated, and follow-up with written confirmation.

Figure 2: United States CANUSEAST Activation



Key:

EC-Environment Canada
 EEO - Environmental Emergencies Officer
 EPA-Environmental Protection Agency
 FOSC-Federal On Scene Coordinator
 IJAT-International Joint Advisory Team

NEEC-National Environmental Emergencies Centre
 NRC-National Response Center
 REET-Regional Environmental Emergencies Team
 RRT-Regional Response Team

4.3.3 Canada CANUSEAST Activation

Upon receipt of a report of an incident at or near the border, the REET Chair will assess the situation and the need for a response to the scene. The REET Chair will consult with the local EC Environmental Emergency Officer (EEO), and initiate appropriate notification and/or response. For the purpose of the CANUSEAST Annex, the EEO may be designated by the REET Chair to fulfill the Canadian functions of the FOSC as defined in Section 303 of the Inland Plan. The Canada CANUSEAST Activation Flowchart is shown in Figure 3.

The REET Chair will immediately notify the NEEC of any pollution incident posing a threat near the U.S. border. Whenever the NEEC is notified of such an incident, it will notify the NRC.

The National Response Center (NRC)	1-202-267-2675 (24 hours/day)
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The local EEO will evaluate the severity of the incident and the adequacy of current response efforts and will determine, in consultation with the REET Chair, if an EC response is warranted. Factors to be considered for an EC response include, but are not limited to the following:

- request for federal assistance by First Nation, Provincial and/or local responders;
- level of risk posed by the release or potential release to public health and/or the environment;
- timeliness of response by responsible party or provincial and/or local responders;
- safety of the responders and the public and steps taken to assure adequate safety precautions have been implemented or planned; and
- public concern regarding the response.

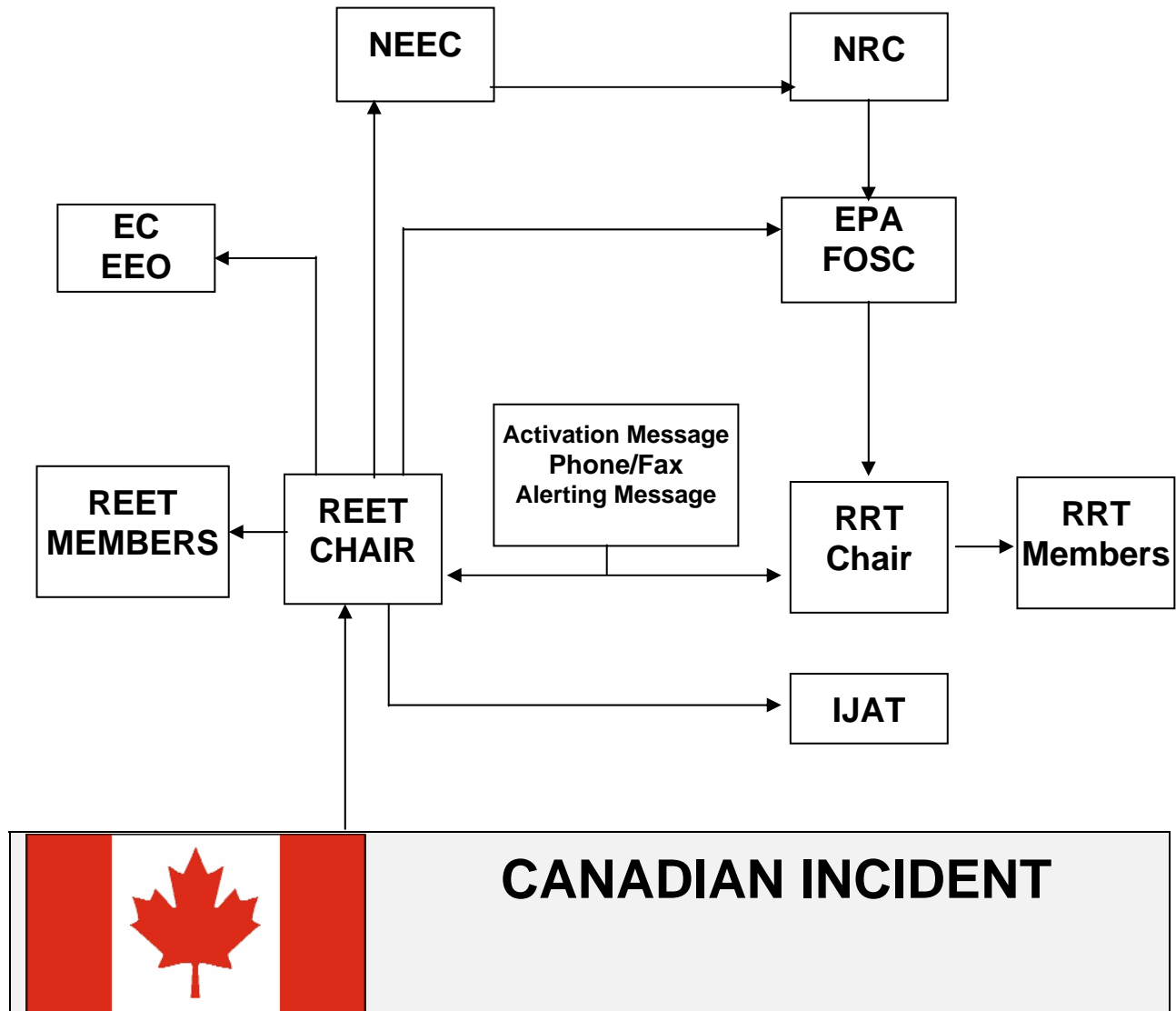
If a determination is made that EC should respond on scene, the REET Chair will notify the EPA of that decision and consult with them regarding activation of CANUSEAST.

A decision not to respond to the site or not to activate the RJRT would generally mean that no significant federal support to the incident is deemed necessary. When new information becomes available or conditions change, the decision may be reconsidered. In some cases the First Nation, Provincial, or local responders may request EC technical support without activation of the RJRT. EC will evaluate each request and, when appropriate, respond on a case-by-case basis.

A mutual decision by the REET Chair and the RRT Chair to activate CANUSEAST would necessitate the activation of the RJRT. The standard format for the Activation Message is found in Appendix B.

The REET Chair and the RRT Chair will verbally notify the IJAT whenever CANUSEAST is activated, and follow-up with written confirmation.

Figure 3: Canada CANUSEAST activation



Key:

EC-Environment Canada
 EEO - Environmental Emergencies Officer
 EPA-Environmental Protection Agency
 FOSC-Federal On Scene Coordinator
 IJAT-International Joint Advisory Team

NEEC-National Environmental Emergencies Centre
 NRC-National Response Center
 REET-Regional Environmental Emergencies Team
 RRT-Regional Response Team

4.4 Deactivation Process

The decision to de-activate CANUSEAST will generally be based on consensus reached by the Co-chairs; however, the decision to stand down either in Canada or in the U.S. can be made unilaterally by the appropriate Co-chair. When the decision to stand down is made the Co-chairs will notify the IJAT and the members of the Unified Command, and RJRT. The standard format for the deactivation message is found in Appendix C.

5. Response Management Organization

Initial response operations will be led by municipal/local level responders, and may receive assistance from state/provincial and federal level responders. A federal response may be warranted where there is the potential for cross border impact or the need for technical assistance. Federal presence does not replace local and/or state efforts, but augments on-going response actions. The magnitude of the polluting incident, and the ability and resources of each responder level will dictate the overall scope of response operations.

5.1 Bi-National Response Management

During escalation of the response, the FOSC and/or EEO will operate within the existing command structure established by First Nation/Tribal, State/Provincial or local government. The first responders at the scene of the emergency are usually local public safety officials and are the first to assess the situation and take emergency measures such as firefighting, securing the area, evacuation, and traffic control. The initial roles of the FOSC and/or EEO are to support and assist First Nation/Tribal, State/Provincial or local jurisdictions in mitigating the threat to human health and the environment. Public safety authorities rest with local and state officials. The FOSC and EEO are committed to effectively coordinating with local officials in order to minimize disruption to public safety measures.

The FOSC or EEO may provide technical assistance to the RP, First Nation/Tribal, State/Provincial, local incident commander and act as coordinator and director of the federal government activities at the scene. In other instances, the FOSC or EEO may serve as lead when the incident is beyond the capabilities of the First Nation/Tribal, State/Provincial, or local incident commander.

5.1.1 Use of Unified Bi-national Response Management Organizational Structure

In managing a multi-jurisdictional incident, a UC may be established. The UC generally follows the tenets of the National Interagency Incident Management System (NIIMS) based Incident Command System (ICS), although it is not a requirement. The purpose of a UC is for all agencies to achieve a common goal, with no agency or organization losing its jurisdictional authority, responsibility, or accountability. It is imperative that all affected governmental officials participate in the decision-making process.

When engaged in a unified bi-national response structure, coordination is achieved through regular incident command briefing meetings which identify issues of concern, available and deployed resources, and the status of current operations. During the initial stages of forming the command function, each participating organization should identify its jurisdictional priorities and objectives and present its jurisdictional limitations and concerns. Subsequent incident command briefing meetings will serve to update the command on issues such as response objectives, priorities, resources, established facilities, and planning for the next operational period. The responsible party must provide a qualified representative to participate in the unified command.

The decision-making process in the UC will strive for consensus; however, when consensus cannot be reached, the U.S. and Canadian organizations in the UC will operate under their respective legislative mandates and standard operating procedures to make final decisions related to activities in their respective countries.

5.1.2 Use of Coordinated Collateral Operations

When operating under separate command structures, the FOSC and EEO (or their designees) will meet to discuss cross border issues. Meetings may be held by conference call if necessary. For major incidents, the FOSC or EEO for each nation may send an Agency representative as liaison officer on a full time basis to the other country's respective command post.

The responsible party must provide a separate qualified representative to the response structure in each country. The responsible party may participate in all joint meetings between the FOSC and EEO.

6. Roles and Responsibilities

6.1 Regional Joint Response Team (RJRT)

The RJRT will include representatives from the REET and the RRT. The RJRT acts as an advisory, policy and planning body and provides support to the response. They do not exercise operational control over the Unified Command. During an incident, the advisory and support functions of the RJRT include but are not limited to the following:

- activating CANUSEAST;
- providing advice and/or assistance to the EEO or FOSC;
- monitoring incoming reports, reviewing environmental/health impacts;
- coordinating actions of other agencies providing support;
- assisting in the preparation of information releases to the public;
- reviewing actions taken at the scene and making recommendations for additional measures needed to support the response;
- promoting efficient communications to ensure effective information flow;
- conducting an evaluation of response actions taken; and
- supporting other functions as outlined in the Inland Plan Section 302.

The RJRT is ultimately responsible for the development, maintenance and effective implementation of CANUSEAST. The composition of the RJRT shall be determined on an incident-specific basis. Potential members of the RJRT are identified in Tab B.

6.2 Federal On-Scene Coordinator and Regional Environmental Emergencies Team Chair

The FOSC is the federal official designated by the EPA to coordinate response to releases of oil and/or hazardous substances that threaten public health or welfare or the environment. The authorities of the FOSC are described in NCP and the EPA Region 1 Inland Area Contingency Plan (ACP).

The REET Chair is the federal official designated by EC to coordinate response to releases of oil and/or hazardous substances that threaten public health or welfare or the environment. The authorities of the REET Chair are described in the National Environmental Emergencies Contingency Plan and the Atlantic Region REET Contingency Plan.

6.2.1 Support Role

In the support role, the FOSC or REET Chair may provide response oversight, technical assistance, and other support to responders. In addition he/she may provide coordination and liaison to other officials at the scene.

6.2.2 Lead Role

When the FOSC or REET Chair assumes the overall lead role, he/she shall be responsible for the overall planning, control and direction of the response, and is the final authority for all decisions. The FOSC or REET Chair may call upon and direct the deployment of resources to initiate and continue countermeasures, cleanup, temporary storage and disposal functions.

In all cases the FOSC or REET Chair is responsible for:

- ensuring that the response is adequate to protect human health, the environment and property;
- determining the pertinent facts about a particular incident such as: the identity of the RP; the nature, amount, and location of pollutant spilled; probable direction and migration of the pollutant; resources needed and available; and the potential effects on public health and welfare, the environment and property;
- assessing the severity and implications of the incident;
- consulting with health officials to establish response goals which are protective of public health;
- developing goals and objectives for the response;
- providing for the health and safety of the responders;
- assuring that adequate information is provided to the public;

- ensuring that comprehensive and consolidated environmental advice and technical support information is being provided to address the needs of the response operations;
- documenting response actions;
- maintaining an up-to-date and accurate information flow to the RJRT to ensure the maximum effectiveness of the joint effort in protecting public health and welfare, the environment and property from pollution damage; and
- submitting appropriate reports and recommendations to the RJRT following an incident.

For further details on the FOSC or REET Chair roles and responsibilities, refer to the NCP and the National Environmental Emergencies Contingency Plan.

6.3 Federal/State/Provincial Agency Roles

6.3.1 Environmental Protection Agency (EPA)

EPA has the federal responsibility for addressing spills of oil and hazardous substances in the inland zone of the U.S. It is EPA's responsibility to assure that all inland spills are responded to in a timely manner and that the response is adequate to ensure appropriate cleanup and protection of public health, the environment and property while taking into account natural and cultural resource issues.

The United States' fiduciary trust responsibilities and Government-to-Government relationship with Native American tribal governments are found in the U.S. Constitution, statute, treaties, judicial decisions, executive orders and policies. The U.S. EPA will undertake its response actions consistent with these policies, including but not limited to how these policies are expressed in the National Response Plan, National Contingency Plan, Clean Water Act, Comprehensive Environmental Response Compensation and Liability Act, National Historic Preservation Act, and the Native American Graves Protection and Repatriation Act. In conducting response activities on tribal lands and other areas of tribal interest, EPA will consult with tribal governments to the greatest extent practicable prior to taking actions that affect an Indian Tribe and its resources. Tribal contact information is located in TAB E. EPA follows a long-standing policy that EPA will operate under a government-to-government relationship with tribal governments, promote tribal self-government, and recognize tribal governments as the primary parties for managing the environment on Reservations (EPA Policy for the Administration of Environmental Program on Indian Reservations," November 8, 1984). EPA will carry out response activities in a manner that is consistent with EPA's Indian policies, the Region's agreements with Indian tribes, and EPA's enforcement policies. By following these procedures, EPA will ensure that the Tribes' rights to self-government are respected, and that EPA response authorities and enforcement discretion are safeguarded.

During a response it is EPA's intent to require the RP to respond to the release or discharge. EPA may conduct oversight of the RP's actions to ensure the response is conducted properly, in accordance with the NCP and other appropriate response plans.

When the responsible party is unknown or is incapable of providing a proper and timely response, EPA may assume the role of lead government agency. In the case of an oil discharge

posing a substantial threat to public health or welfare, EPA is required by law to initiate and direct an appropriate response. EPA has significant contractor and in-house resources available which can be brought to bear during a spill incident. It is EPA's intent that spills be addressed at the Tribal, State and local levels whenever possible.

6.3.2 Environment Canada

EC has a mandate under the 1973 Cabinet Directive and the Emergency Preparedness Act to maintain an environmental emergencies program, coordinate the federal government's response to environmental emergencies, and to develop, assess and test new response tools. EC is the lead Canadian federal coordinating agency for large scale inland cross border pollution incidents.

EC is responsible to ensure that all environmental emergency incidents are responded to in a timely manner and that the response protects public health, the environment and property including natural and cultural resources. EC will work with municipalities, Province of New Brunswick, First Nations, general public, United States federal and state agencies and other Canadian federal agencies to ensure a high level of coordination is established between all levels of responders.

In conducting response activities on reserve lands and First Nations treaty settlement lands, EC will involve First Nations people as it will other agencies with relevant jurisdiction relating to a pollution incident. EC recognizes the existence of both First Nations and Treaty rights as defined in Section 35 of the Canadian Constitution Act, 1982. In addition, EC supports the Government of Canada's Inherent Right Policy (1995) that established a new government-to-government relationship with First Nations governments within the Canadian constitutional framework. Contacts for First Nations are listed in TAB E.

Canada's underlying response concept is the "Polluter Pays Principle," which requires the responsible party to respond to and bear the cost of the incident and mitigate damage to the environment and public health. During incidents where EC is the lead Canadian response agency, the Department oversees the response to ensure that it is effectively carried out in a timely manner. When the responsible party is unknown, unwilling or incapable of providing an effective and timely response, EC may take over the response and recover costs.

EC has significant in-house resources available to support the response that can be activated during a major environmental emergency.

6.3.3 State of Maine

The Maine Department of Environmental Protection (ME DEP) is the lead state agency for environmental pollution response within the State of Maine. As such, it is the pre-designated State On-Scene Coordinator/Emergency Responder for spills occurring in state jurisdiction. In the event of a pollution incident that results in the activation of CANUSEAST, ME DEP would provide the state representative to the UC. The key responsibilities for ME DEP under a multi-jurisdictional incident include:

- obtaining and coordinating services and assistance from other state agencies;
- coordinating the state's spill response efforts with federal, local and tribal authorities;
- notifying the appropriate state resource trustee agencies if injury to fish, shellfish, habitat, wildlife or damage to cultural resources is noted or suspected as a result of a spill; and
- participating in a Joint Information Center (JIC) with representatives of federal, local and tribal governments, and the responsible party.

ME DEP provides 24-hour emergency response for pollution incidents including oil spills and chemical releases. For pollution incidents throughout the State of Maine, ME DEP has authorities under state statutes to take actions, including, but not limited to, the following:

- determining the source, cause and responsible party;
- directing the RP(s) to take appropriate actions.
- accessing state funds to ensure the timely and adequate containment, clean-up and disposal of a pollution incident when an RP cannot be located or is unresponsive and/or perform oversight of an RP to ensure a timely and adequate containment, clean-up and disposal of a pollution incident; and
- initiating enforcement action as appropriate.

ME DEP's authority to take action for oil spills is derived from Maine Revised Statutes Annotated, Title 38, Sections; 541, 543, 548, 551, 561, 568, 569.

ME DEP's authority to take action for hazardous waste releases is derived from Maine Revised Statutes Annotated, Title 38, Section 1319.

6.3.4 Province Of New Brunswick

New Brunswick Department of Environment and Local Government (NBDELG) is the lead agency for environmental emergencies that fall under provincial jurisdiction. Field staff participates in an on-call system which allows them to respond to environmental emergencies and ensure that the polluter responds in a timely and effective manner so as to prevent long-term environmental degradation. Included in this function is a consultative role in the development of and participation in the exercising of contingency plans for major industry emergency spill response, as well as the participation in the development of International or Inter-Provincial Agreements for Emergency Spill Response. NBDELG provides the provincial environmental member of the Regional Environmental Emergencies Team and where appropriate is responsible for soliciting and coordinating input from other provincial departments and agencies.

In the cases where the NBDELG is the lead government agency, the Department is responsible for:

- responding to and monitoring incidents;
- carrying out initial containment response if required;
- providing the on-scene commander with advice;
- managing the incident when the RP is unable or unwilling to effectively resolve the incident;

- ensuring that the RP complies with applicable legislation and accepts the costs for cleanup and disposal of contaminants;
- alerting government resource agencies and coordinating their activities;
- ensuring that proper legal procedures are undertaken for cost recovery actions;
- collecting and maintaining evidence for cost recovery and legal actions.

7. Customs and Immigration Procedures

During an environmental emergency the movement of resources (i.e., personnel or equipment) from Canada to the U.S. or from the U.S. to Canada may be required. Typically this movement of resources falls under three general scenarios:

- Resources that are unavailable in one country are available in the other country. The resources are requested for use and are moved across the border.
- Resources are available in both countries; however, one country maintains resources geographically closer to the scene of the environmental emergency. The resources are requested for use from the country with the resources located closest to the scene and are moved across the border.
- Appropriate resources are available in either country; however, the quickest route to the scene of the environmental emergency requires the movement of resources through one country (i.e., the resources are not deployed only transported through the country in question).

7.1 Responding from Canada into the United States

7.1.1 Customs Procedures for Responding from Canada into the U.S.

When federal involvement becomes necessary in a cross-border incident, an EPA Official (typically the RRT Co-Chair or the FOOSC) notifies the Port Director of U.S. Customs and Border Protection that the RJRT has been activated in accordance with the Inland Plan and the Regional Annex, to deal with a spill affecting the U.S. The telephone notification is confirmed with a facsimile to U.S. Customs and Border Protection and a hard copy to the FOOSC at the first opportunity following the telephone notification. The Port Director's telephone number, as well as a list of applicable ports of entry and their telephone numbers, are included in TAB C of this Annex.

It is anticipated that the U.S. Customs and Border Protection Port Director may authorize or direct the following activities:

- Expedited entry/clearance for incident-specific response equipment;
- Equipment that enters the U.S. from areas other than a port of entry (e.g., air or water) must be reported to U.S. Customs and Border Protection within 10 days;

- Material, equipment or supplies dispatched from Canada must remain under supervisory control of an appropriate Canadian authority, and must be brought back within 90 days unless an extension is granted or other arrangements were made at the outset of the response; and
- Consumables need not be returned.

Activities which would facilitate movement of equipment back to Canada after the incident would include but is not limited to: identifying Ports of Entry and projected crossing times; and maintaining dispatches stamped by Canadian Customs which list the equipment in each vehicle, and can be presented to U.S. Customs and Border Protection Agents upon crossing either back into or out of Canada.

7.1.2 U.S. Employment and Immigration Regulations

The Immigration and Nationality Act provides the U.S. Customs and Border Protection the responsibility for regulating the movement of people across the international borders of the U.S. This includes the ability to expedite the movement of emergency workers from Canada into the U.S., upon request from the U.S., to assist the U.S. in responding to emergencies. Section 212(d)(3) of the Immigration and Nationality Act provides the District Director, U.S. Customs and Border Protection, the discretion to allow Canadian workers, with special skills, who might not otherwise be allowed into the U.S. to temporarily enter the U.S. to assist in the response.

7.1.3 Employment and Immigration Procedures for Responding from Canada into the U.S.

When federal involvement becomes necessary in a cross-border incident, an EPA Official (typically the RRT Co-Chair or the FOSC) notifies the U.S. Customs and Border Protection that the RJRT has been activated in accordance with the Regional Annex of the Inland Plan, and that Canadian workers intend to enter the U.S. to deal with a cross-border pollution incident. The telephone notification is confirmed with a facsimile to U.S. Customs and Border Protection and a hard copy to the FOSC at the first opportunity following the telephone notification. The U.S. Customs and Border Protection's telephone number, as well as a list of applicable offices and their telephone numbers, are included in Tab C of this Annex.

The following procedures will be followed to ensure compliance with U.S. procedures (if possible, the U.S. Customs and Border Protection should be notified at least 24 hours in advance):

- The EPA Official verifies, based upon the documentation provided by the Canadian responder(s), that they are properly trained.
- Response organizations must complete an INS Form I-94 for each response worker.
- Response organizations must provide safe transport for an U.S. Customs and Border Protection Inspector to inspect response operations.

- All personnel must have proper identification with them. Additionally, non-Canadian citizens must have a passport or visa in their possession.
- Canadian personnel may work no longer than 90 days within the U.S. (unless other provisions are made).
- Upon departing from the U.S., Canadian workers must report through an U.S. Customs and Border Protection office.

The U.S. Customs and Border Protection Port Director at Houlton, ME is the key point of contact for the resolution of U.S.- Canadian immigration issues occurring at the border. In an actual emergency, the Port Director can waive regulations and expedite the movement of people/resolution of related issues.

7.2 Responding from the United States into Canada

7.2.1 Canada Border Services Agency Regulations

The Canada Border Services Agency have established procedures for facilitating the movement of goods for emergency use across the Canadian Border from the U.S., and for the remission of customs duty and excise taxes in respect of such goods. The Customs D- Memorandum D8-1-1, *Temporary Importation (Tariff Item No. 9993.00.00) Regulation* (see paragraphs 44 and 45 on page 8 of the Memorandum under “Guidelines and General Information”) provides full relief from the payment of the customs duties, and the *Goods for Emergency Use Remission Order* (O.I.C 73-2529), provides full relief from GST/HST that would otherwise be payable on these goods. This Customs D-Memorandum, D8-1-1, is dated March 23, 1998, and was last revised in August, 2003.

In the case of an emergency, there are two key appendices contained in Customs D-Memorandum D8-1-1; Appendix ‘G’ – which provides guidelines and information regarding the temporary importation of emergency goods, and Appendix ‘L’ – which provides a list of regional Customs’ contacts and their telephone numbers, or the national after-hours Hotline number in Ottawa – (613) 948-3939. The local New Brunswick contacts are in the attached Appendix Tab C2.

Officials of federal, provincial or municipal governments declare emergencies. When time or circumstances do not permit an official to declare an official notice of an emergency, Customs Officers will have to assess the situation as it develops by consulting with local response agencies. When time permits, a Temporary Admission Permit form # E29B will be issued covering all equipment and supplies. This permit will be issued covering emergency supplies and equipment without collection of security (Duty and/or Goods and Services Tax [GST]). In the case of release of goods where Customs or RCMP officers are not in attendance, a record kept by a responsible individual (i.e. chief of police, a municipal mayor, provincial government representative or other individual charged with responsibility of directing the emergency measures) will be accepted for the purpose of completing form E29B.

When the situation is urgent, the paperwork will be reduced to a simple blotter record of the E29B form(s) which may be completed after the fact. The E29B form(s) will be cancelled

whenever the responsible individual involved provides evidence that the goods have been consumed or destroyed in resolving the emergency, or that the goods have been exported from Canada.

7.2.2 Canada Border Services Agency Procedures

The REET Chair or FOSC will notify Canada Border Services Agency at the port of entry as soon as possible after the RJRT has been activated, CANUSEAST has been invoked and goods will be entering Canada. The telephone notification will be confirmed with a facsimile to Canada Border Services Agency and a copy to the REET Chair.

The driver of the vehicle/vessel/train/aircraft transporting goods to Canada should adhere to the following:

- carry two copies of the equipment list including serial numbers and monetary value;
- stop at United States Customs and Border Protection prior to departure to get the equipment list stamped. (This will assist when re-importing the goods back to the United States);
- present the list to Canada Customs for clearance approval. Should problems arise ask to speak to a Senior Officer (usually a Superintendent);
- report to Canada Customs when leaving Canada so that temporary admission permits can be cancelled.

7.2.3 Citizenship and Immigration Regulations into Canada

Emergency response personnel may be granted entry under the Immigration and Refugee Protection Act as visitors. Under this provision they would not be required to obtain a work permit. It is advised that personnel carry a visa/or proof of citizenship.

Provisions under the Immigration and Refugee Protection Act provide for case-by-case admission for people with special skills, which would otherwise not be admissible.

7.2.4 Citizenship and Immigration Procedures into Canada

Canada Border Services Agency officials may grant temporary authority to work in Canada on an emergency basis. To facilitate the process of gaining temporary authority to work in Canada, U.S. citizens should notify the specific Border Crossing of their needs prior to arriving for entry into Canada. It is also advisable that U.S. citizens arrange for an official from a Canadian agency involved in the emergency situation (e.g. Environment Canada) to contact Canada Border Services Agency and confirm the need for their entry into Canada.

8. Worker Health and Safety and Compensation

All workers must comply with safety requirements that apply to the country in which they are responding.

United States Government:

The U.S. Government Workers Compensation program is found in the Federal Employee Compensation Act, which is overseen by the Office of Workers Compensation Program in the U.S. Department of Labor. In this program U.S. Government Civil Service workers are covered in both Canada and the U.S. if they are performing work pursuant to their government positions. The level and type of coverage is dependent upon the type of injury and its duration. (Because of the complexity of the law, detailed discussion of the specific provision is omitted.) For detailed information see the “Federal Workers Compensation Act” at 5 U.S.C. Part 8101.

Canadian Government:

The Canadian federal government provides benefits to all employees of the federal government and most Crown agencies, except members of the regular forces of the Canadian Forces and the Royal Canadian Mounted Police, under the Government Employees Compensation Act, administered by Human Resources, Labour and Employment (HRLE). Instead of establishing its own system for compensation and treatment, the government uses the services already available through provincial Worker Compensation Boards (WCBs). As long as employees are engaged in work for their department or agency at the time of the accident, they are covered by the Act, wherever they may be working, in Canada or abroad. For detailed information see, “Government Employees Compensation Act”.

8.1 Training

The General Industry Standards of the Occupational Safety and Health Administration (OSHA) provide the U.S. Federal requirements for “emergency response workers” (Hazardous Waste Operations and Emergency Response – 29 Code of Federal Regulations, Part 1910.120). Health and Safety Training Requirements for all workers in the U.S. are listed in TAB D 1 of this Annex.

Training requirements for hazardous materials responders in Canada (TAB D 2) have not been prescribed to the same level of detail as found in the United States, however all must comply with provisions of the Canada Labour Code.

Environment Canada Inspectors comply with a National Training Plan which specifies completion of a 6 week Pollution Enforcement Course, a 40- hour Contaminated Sites Health & Safety Course (including annual 8-hour refresher training), a one week multi-media sampling course, and a SCAT Course (Shoreline Clean-up Assessment Course) before they are designated.

Responders from either country must be prepared to provide documentation of their training to appropriate officials.

8.2 Site Safety Plan Requirements

A written site safety plan should be prepared for all cross border responses prior to a response action. If separate site safety plans have been prepared by Canadian and U.S. responders, the safety officers from both countries will meet to resolve any differences. U.S. law requires site safety and health plans; federal requirements apply to the State of Maine. Safety plans must be site-specific and must address any unique features of the site. The site safety plan should address personnel monitoring, environmental monitoring, hazard identification, briefings, site security and decontamination procedures, and other related issues. For more detailed information refer to 29 CFR 1920.120(b).

8.3 Volunteers

The coordination and training of volunteers in the U.S. will be handled by the FOSC. Volunteers will be afforded the same level of health and safety protection and consideration as primary responders. Volunteers should be assigned to perform a specific task/duty.

In Canada, the practice is that volunteers are hired by the RP or lead agency to perform specific tasks. Therefore, their health and safety would be dealt with in accordance with Section 8.2.

9. Communications

Effective and reliable communications are essential during an emergency, the EEO and/or the FOSC are the point(s) of contact for activation of resources.

During the notification stage of an incident involving CANUSEAST activation, communications will generally be through the public phone system. When and where possible public phones will be used during an incident, and the phone numbers distributed to the command posts using information in this plan as a starting point. Cell phones can be used when and where there is adequate coverage. VHF/UHF radios may also be used during an incident. Common radio frequencies may be utilized. As an incident progresses, a more detailed specific Communications Plan and equipment list will be developed by the Unified Command.

10. Information Management

10.1 Public and Media

When an environmental emergency occurs the public and media should be provided with timely and accurate information on the nature of the incident; the steps being taken to address the problem; and what citizens can do to protect themselves.

Generally, public and media communication practices during an incident should provide efficient information flow to meet the information expectations of the public at large, gain and maintain public trust and confidence, and monitor/measure public perception of the incident. All public and media releases are to be undertaken through the respective communication function of the incident command structure. Key responsibilities of this function include, but are not limited to:

- Operating a Joint Information Center (JIC) based on the Unified Command Model to better serve the general public, the print and broadcast media and other governmental agencies;
- Consolidating and providing summary information from agency and incident contacts;
- Assisting in scheduling media conferences, briefings, site visits, and other public affairs events;
- Maintaining current information on the incident and identifying additional sources of information; and
- Obtaining public and media information that may be useful to incident planning.

10.2 Internal

Internal communication is largely the responsibility of each member organization of the RJRT. The RJRT will establish procedures for the effective transfer of information between the member organizations consistent with the requirements of the Unified Command.

11. Demobilization

Unified Command will develop a demobilization plan to identify both short term and long term objectives and specific phase-down procedures. It is possible that resource availability, applicable laws or regulations or other factors may require one federal agency to cease further action at an incident. Such a decision by one federal agency will not preclude further action by the remaining agencies. It is also possible that federal agencies may demobilize from the site while First Nation/Tribal, State/Provincial and/or local response continues. When demobilization decisions are made, all relevant responding organizations must be notified of the decision prior to the actual demobilization in accordance with the demobilization plan.

12. Post Incident Review and Report

The Unified Command for a CANUSEAST incident will conduct a Post Incident Debrief and prepare a report that documents the actions taken and any operational problems. It is critical that all organizations participate in the review and work together on developing the “Lessons Learned”.

The Debrief report should follow the format provided in TAB F.

13. Plan Distribution and Amendments

13.1 Distribution

Copies of CANUSEAST will be distributed to Federal, State/Provincial, Tribal/First Nations, and local governments and organizations in the RJRT, other local governments and some major private sector facilities. In addition, copies will be given to Customs Area Supervisors, Canada Border Services Agency and U.S. Customs and Border Protection for distribution to their respective customs/border officers.

CANUSEAST will be posted on the EPA Region 1 web site:

<http://www.epa.gov/NE/superfund/er/erindex.htm>

and the Environment Canada Atlantic Region web site:

<http://www.ns.ec.gc.ca/emergencies/index.html>

13.2 Amendments

EPA and EC will ensure that there is a review every eighteen months of the CANUSEAST Annex of the Inland Plan and issue amendments as required.

13.3 Exercising

A CANUSEAST exercise will be held once every two years, to be led alternatively by the United States and Canada.

14. Glossary of Acronyms

ACP	United States Region 1 Inland Area Contingency Plan
CCG	Canadian Coast Guard
CCGOC	Canadian Coast Guard Operations Center-Maritime Region
CERCLA	Comprehensive Environmental Response Compensation and Liability Act (United States)
EEO	Environmental Emergencies Officer
EC	Environment Canada
EPA	United States Environmental Protection Agency
FOSC	United States Federal On Scene Coordinator
FNEP	Federal Nuclear Emergency Plan (Canada)
FRP	Federal Response Plan (United States)
GST	Goods and Services Tax (Canada)
ICS	Incident Command System
IJAT	International Joint Advisory Team (Canada/United States)
INS	United States Immigration and Naturalization Service (United States)
JIC	Joint Information Center (Canada, United States)
LEPC	Local Emergency Planning Committee (United States)
ME DEP	Maine Department of Environmental Protection
NB	New Brunswick
NB EMO	New Brunswick Emergency Measures Organization (Canada)
NBDELG	New Brunswick Department of the Environment and Local Government (Canada)
NCP	National Oil and Hazardous Substances Pollution Contingency Plan (United States)
NEEC	National Environmental Emergencies Centre
NIIMS	National Interagency Incident Management System (United States)
NRC	National Response Center (United States)
RCP	Regional Contingency Plan (United States)
REET	Regional Environmental Emergencies Team (Canada)
RJRT	Regional Joint Response Team (United States/Canada)
RP	Responsible Party (Person or Organization responsible for the spill or release.)
The Inland Plan	Canada-United States Joint Inland Pollution Contingency Plan
UC	Unified Command
U.S.	United States

TAB A: Emergency Telephone Numbers

TAB A1: United States

Spills in the U.S. must be reported to the National Response Center (NRC).

The NRC will notify the appropriate EPA Regional Offices. The EPA Regional Offices will notify appropriate state and federal agencies and tribes.

The National Response Center

Calls placed from inside the U.S. **1-800-424-8802 (24 hours/day)**

Calls placed from Canada **Tel: 1-202-267-2675 (24 hours/day)**
Fax: 1-202-267-2165 (24 hours/day)

EPA Region 1

Calls placed from U.S. or Canada **Tel: 1-617-723-8928 (24 hours/day)**
Fax: 1-617-918-1269

State of Maine

Calls placed from U.S. or Canada **Tel: 1-207-657-3030 (24 hours/day)**
Fax: 1-207-287-7826

TAB A2: Canada

To report spills in Canada call:

National Environmental Emergencies Centre (NEEC)

Calls placed from U.S. or Canada

Tel: 1-819-997-3742 (24 hours/day)

Fax: 1-819-953-5361

Canadian Coast Guard Operations Centre-Maritime Region (CCGOC)

Calls placed from the Maritimes

Tel: 1-800-565-1633 (24 hours/day)

Calls placed from U.S. or Canada

Tel: 1-902-426-6030 (24 hours/day)

Environment Canada Environmental Emergencies Section Atlantic Region

Calls placed from US or Canada

Tel: 1-902-426-6200 (24 hours/day)

Fax: 1-902-426-9709

Province of New Brunswick Provincial Mobile Command Centre (PMCC)

Calls placed from U.S. or Canada

Tel: 1-506-453-7171 (24 hours/day)

TAB B: Regional Joint Response Team (RJRT) and/or the International Joint Advisory Team (IJAT)

The composition of the RJRT will be established in accordance with the needs of a specific incident. The following lists identify the key organizations which may comprise either the RJRT and or the IJAT.

TAB B1: United States Members

Department of Agriculture

Department of Commerce

Department of Defense

Department of Energy

Department of Health and Human Services

Department of Homeland Security

Department of Interior

Department of Justice

Department of Labor

Department of State

Department of the Treasury

Department of Transportation

Environmental Protection Agency

Food and Drug Administration

General Services Administration

Native American Tribe(s)

State of Maine

TAB B2: Canadian Members*

Environment Canada

First Nations

Fisheries and Oceans Canada

Canada Border Services Agency

Canadian Coast Guard

Health Canada

Indian and Northern Affairs Canada

Justice Canada

National Defense

New Brunswick Department of Environment and Local Government

New Brunswick Emergency Measures Organization

Public Works and Government Services Canada

Royal Canadian Mounted Police

Transport Canada

Public Safety and Emergency Preparedness Canada

*** Note: All organizations in REET could potentially be part of the RJRT and/or IJAT.**

TAB B3: Regional Response Team (RRT) - United States

The Regional Response Teams are comprised of the U.S. federal agencies listed in TAB B1 of this plan and representatives of the State of Maine and federally recognized Tribes. The RRT is primarily a preparedness, planning and support organization. Its function is fully described in the "National Oil and Hazardous Substances Pollution Contingency Plan" which is codified into law.

In the preparedness aspects of its responsibilities the RRT promotes training activities at the federal, state and local levels, in order to assure that the organizations that will reach the scene of an incident first will be knowledgeable regarding appropriate safety and health, and response techniques.

The planning activities include preparing a plan for how the RRT will function in the event of an emergency. The RRT also promotes the preparation of state, county and local response plans.

Although the name implies that the RRT responds to incidents, that is not the case. During an incident the RRT provides advice and support to the FOSC. The support can vary from legal interpretations of existing statutes to providing manpower and equipment in response to an incident.

The RRT is co-chaired by the EPA and the U.S. Coast Guard. During a spill incident the EPA Co-chair assumes the RRT leadership position for inland spills and the U.S. Coast Guard assumes RRT leadership during marine spills. At no time does the RRT direct the response actions of the UC or FOSC. The RRT can draw on all of the experience and expertise of its member agencies to provide advice and support to the Unified Command on both technical and scientific issues.

TAB B4: The Regional Environmental Emergencies Team (REET)

During response to a major incident, the polluter and the lead government agency must rely on technical and scientific information and knowledge to minimize adverse environmental impacts. To facilitate the flow of information and decision-making, the complex and sometimes conflicting advice from various experts must be assessed, consolidated, and a consensus position developed. In Canada this is accomplished through the Regional Environmental Emergencies Team (REET).

In Atlantic Canada the REET is chaired by the Regional Environmental Emergencies Coordinator (REEC). The REET is a group of experts in the field of resource protection and emergency response. The team members represent agencies and groups that are responsible for, or have interest or a stake in resource management and protection. These groups may include response agencies, all levels of government, First Nations, local communities, industries, and academic institutions.

During a response, the REET draws on the expertise and experience of its members to provide advice on a wide range of scientific and technical issues including: resource protection and spill clean-up priorities, spill behaviour, environmental / human health impacts of hazardous substances, spill countermeasures and waste disposal. In addition, the REET carries out a number of important spill response functions including: providing environmental sensitivity information, monitoring of environmental impacts, coordinating the rescue and rehabilitation of wildlife, spill trajectory and dispersion modeling, compilation of meteorological data and provision of site specific weather forecasts, HAZMAT advice, coordination of cleanup and assessment teams and documenting environmental damage. This advice is conveyed to the polluter through the lead agency or to the polluter directly if the lead agency contact cannot be established and time is of the essence.

The REET and its members also function in the preparedness or “planning” mode. In the planning mode, the REET reviews the latest scientific and technical developments, legislative and policy initiatives and, most importantly, discusses the roles and responsibilities of the team members to improve the overall effectiveness of its delivery of information and advice.

TAB B5: The International Joint Advisory Team (IJAT)

The IJAT is the policy and advisory body, with representatives from both the United States and Canada at the national level, who are tasked with the overall responsibility for the maintenance, promotion, and coordination of the Joint Inland Plan and the inland planning process. The purpose of the IJAT is to respond quickly to interagency and policy problems during environmental emergencies.

During an environmental emergency, the IJAT shall, upon request, facilitate the provision of emergency resources and other support to the RJRT and also activate other related emergency plans. Actions for the IJAT shall not include direct management of the on-scene response.

The IJAT shall also maintain a list of all potential assisting agencies for each country and the assistance available from each agency. The IJAT shall also be responsible for notifying the RJRT of any changes to these agencies capabilities.

Each IJAT Co-Chair (A member of the Federal Committee for Environmental Emergencies (FCEE) for Canada and a member of the National Response Team (NRT) for the United States) shall ensure that their country is in compliance with the legal requirements for protecting the health and safety of emergency responders.

As outlined in the Inland Plan, it is anticipated that the members of the IJAT will be comprised of members from Tabs B 1 and 2 listed above.

TAB C1: US Customs and Border Protection Crossings for the State of Maine

The corresponding Canada Customs crossings and their affiliated towns, where appropriate, are provided in parentheses. All Canada Customs Crossings are located in New Brunswick.

Maine	Telephone	Fax	Address	Hours of Operation
Bridgewater ME (Centreville NB)	207-425-2881	207-425-9027	PO Box 42,RFD 1 Boundary Road Bridgewater, ME 04735	00:00-24:00
Calais ME (St.Stephen NB)	207-454-3621	207-454-7122	1 Main St. Calais, ME 04619	00:00-24:00
Easton ME (River de Chute NB)	207-488-6958	207-488-6958	699 Ladner Rd. Easton, ME 04740	08:00-16:00
Fort Fairfield ME (Andover, NB)	207-473-7474	207-473-7077	RR 1, Box 1110 Fort Fairfield, ME 04742	00:00-24:00
Forest City ME (Forest City NB)	207-448-2288	207-448-2288	1 Main St. Brookton, ME 04413	08:00-19:00 Monday-Saturday; no Sundays or Holidays in Winter (Labor Day through Memorial Day)
Fort Kent ME (Clair NB)	207-834-5255	207-834-4292	98 W Main St. Fort Kent, ME 04743	00:00-24:00
Hamlin ME (Grand Falls NB)	207-868-2686	207-868-2686	(no street address) Hamlin, ME 04785	07:00-23:00
Houlton ME (Woodstock NB)	207-532-2131	207-532-6622	RR 3 Box 5300 Houlton, ME 04730	00:00-24:00
Limestone ME (Gillespie Portage NB)	207-325-4769	207-325-4769	RFD 1, Box 2100 Limestone, ME 04785	00:00-24:00
Madawaska ME (Edmundston NB)	207-728-4376	207-728-4376	2 Bridge Street Madawaska, ME 04785	00:00-24:00
Milltown ME	207-454-3713	(none)	1 North St.	00:00-24:00

(Milltown NB)			Calais, ME 04619	
Monticello ME (Bloomfield NB)	207-538-9475	207-538-9475	586 Fletcher Road Monticello, ME 04760	08:00-16:00 Monday – Saturday/ Closed Sundays and holidays
Orient ME (Fosterville NB)	207-448-2427	207-448-2427	626 Boundary Rd. Orient, ME 04471	07:00-18:00; winter 06:00-22:00; Memorial Day to Labor Day
Van Buren ME (St. Leonard NB)	207-868-3391	207-868-2901	67 Bridge Street Van Buren, ME 04785	00:00-24:00
Vanceboro ME (St. Croix NB)	207-788-3907	207-788-3990	PO Box Drawer B Vanceboro, ME 04491	00:00-24:00

TAB C2: Canada Customs Border Crossing for the Province of New Brunswick

The corresponding United States Customs and border Protection crossings and their affiliated towns, where appropriate, are provided in parenthesis. All United States Customs and border Protection Crossings are located in the State of Maine.

New Brunswick	Telephone	Fax	Address	Hours of Operation
Andover NB (Fort Fairfield, ME)	(506) 273-2073	(506) 273-4220	6 Route 190 Carlingford NB E7H 5H6	8:00 to 24:00 7 day week /
Bloomfield NB (Monicello, ME)	(506) 328-3872		185 Line Rd, Bloomfield Carleton County NB E7K 1C5	9:00 to 17:00 7 day week / closed Sunday from Nov. 1 to May 31 /
Centreville NB (Bridgeville, ME)	(506) 276-3519	(506) 276-1081	1449 Route 110 Royalton NB E7M 2E3	8:45 to 17:00 Monday to Friday (except holidays) /
Clair NB (Fort Kent, ME)	(506) 992-2124	(506) 992-3896	Canada Border Services Agency 790 Main St. Clair, N.B., E7A 2H6	24 hours 7 day week /
Edmundston NB (Madawaska, ME)	(506) 739-1820	(506) 739-1833	Canada Border Services Agency 66 St-Francois St. Local 107 Edmundston, N.B., E3V 1E6	24 hours 7 day week /
Forest City NB (Forest City, ME)	(506) 894-2452	(506) 894-1987	Forest City (IAS / SRBI) 1699 Forest City Rd. / 1699, ch. Forest City Forest City NB E6H 1Z6	9:00 to 17:00 7 day week /
Fosterville NB (Orient, ME)	(506) 894-2281		Fosterville 4575 Route 122 Fosterville NB E6H 2B6	9:00 to 17:00 Monday to Friday (except holidays) /
Gillespie Portage NB (Limestone, ME)	(506) 473-3536	(506) 473-5679	GILLESPIE PORTAGE 600 Rte 375, California Settlement Grand-Sault NB E3Z 1Z6	24 hours 7 day week /
Grand Falls /	(506) 473-3553	(506) 473-7202	1015 Main Street/ 1015, rue Main	8:00 to 24:00 7 day week /

Grand-Sault NB (Hamlin, ME)			P.O. Box 7297/ C.P. 7297 Grand Falls / Grand-Sault NB E3Z 2X1	
Milltown NB (Milltown, ME)	Phone Nos. / Nos de téléphone : (506) 465-2113 (506) 465-2100	(506) 465-2101 Commercial No.: (506) 465- 2112	Canada Border Services Agency 480 Milltown Blvd. / 480, boul. Milltown St. Stephen, New Brunswick / St. Stephen (Nouveau- Brunswick)	24 hours 7 day week /
River de Chute NB (Easton, ME)	(506) 276-4784		River De Chute 205 Smugglers Rd./ 205, chemin Smugglers River De Chute NB E7H 4X5	9:00 to 17:00 7 day week /
St. Croix—NB (Vanceboro, ME)	(506) 784-2225	(506) 784-3200	2785 Route 4 St. Croix NB E6J 2A7	24 hours 7 day week /
St. Leonard NB (Van Buren, ME)	(506) 423-6282	(506) 423-9408	10 Bridge Street / 10, rue Bridge P.O. Box 2147/ C.P. 2147 St. Leonard NB E7E 1Y1	24 hours 7 day week /
St. Stephen NB (Calais, ME)	(506) 465-2113 (506) 465-2100	Fax No. / No de télécopieur : (506) 465-2101 Commercial No.: (506) 465- 2112	204 Milltown Blvd./ 204, boul. Milltown P.O. Box 160 / C.P. 160 St. Stephen NB E3L 2X1	24 hours 7 day week /
Woodstock NB (Houlton, ME)	Phone No. / No de téléphone: (506) 325-3160	Fax No. / No de télécopieur : (506) 328-4850	1403 Route 95 Belleville NB E7H 4Z9	24 hours 7 day week /

TAB D: Health and Safety Training Requirements

TAB D1: United States

(a) Emergency Spill Response

Emergency Spill Response	
United States & State of Maine	
First Responder Awareness Level	<ul style="list-style-type: none"> • Sufficient training OR proven experience in competencies specified by regulation • Annual refresher training
First Responder Operations Level	<ul style="list-style-type: none"> • First Responder Awareness Level competency • 8 hours of classroom training OR proven experience in competencies specified by regulation • Annual refresher training
HAZMAT Technician	<ul style="list-style-type: none"> • First Responder Operations Level competency • 24 hours of classroom training AND proven experience in competencies specified by regulation • Annual refresher training
HAZMAT Specialist	<ul style="list-style-type: none"> • HAZMAT Technician Level competency • 24 hours of classroom training AND proven experience in competencies specified by regulation • Annual refresher training
On-Scene Incident Commander	<ul style="list-style-type: none"> • First Responder Awareness Level competency • 24 hours of classroom training AND additional competencies • Annual refresher training

* Training requirements for the United States Federal and State of Maine jurisdictions can be found at 29 CFR 1910.120(q).

(b) Routine Spill Cleanup

Routine Spill Cleanup	
United States & State of Maine	
Routine Site Cleanup Workers	<ul style="list-style-type: none"> • 40 hours classroom training* • 24 hours of on-site field experience under a trained experienced supervisor • 8 hours annual refresher training
Supervisors of Routine Site Cleanup Workers	<ul style="list-style-type: none"> • 40 hours classroom training • 24 hours of on-site field experience under a trained experienced supervisor • 8 hours of hazardous waste management training • 8 hours annual refresher training
Inspectors, Supervisors NOT Working in Hot Zone and Specified Limited Task Workers	<ul style="list-style-type: none"> • 24 hours classroom training • 8 hours of actual field experience under a trained experienced supervisor • 8 hours annual refresher training

*Exception for low risk oil cleanup activities at discretion of OSHA representative 4-hours classroom training.

TAB D2: Canada

Emergency Spill Response Training Guidelines	
Canada & Province of New Brunswick	
First Responder Awareness Level	<ul style="list-style-type: none"> • First Responder Awareness competency - 8 hours of course instruction based on National Fire Protection Association (NFPA) 472* • Annual refresher training required
First Responder Operations Level	<ul style="list-style-type: none"> • First Responder Awareness Level competency, and; • First Responder Operation competency - 24 hours of course instruction based on NFPA 472 • Annual refresher training required
HAZMAT Technician	<ul style="list-style-type: none"> • First Responder Operations Level competency, and; • Hazardous Material Technician competency - 40 hours of course instruction based on NFPA 472 • Annual refresher training required
Incident Commander	<ul style="list-style-type: none"> • Hazardous Material Technician competency, and; • Additional training that meets NFPA 472 provisions under competencies for Incident Commander.

Additional training for Environment Canada Inspectors includes a 40-hour Contaminated Sites Health Safety Course (requirement for annual refresher training) jointly endorsed by the EPA and Environment Canada. This course meets or exceeds the requirements of the U.S. Occupational Safety & Health Administration. In addition EC response staff must complete a 6 week Pollution Training Course, a multi-media sampling course and SCAT course prior to designation as an inspector.

*National Fire Protection Association (NFPA), 472 - Standard for Professional Competence of Responders to Hazardous Materials Incidents 2002.

TAB E: Tribes and First Nations

Tab E1: United States Tribes

Aroostook Band of Micmac Indians

P.O. Box 772
Presque Isle, ME 04769
(207) 764-1972
Fax: (207) 764-7667

Houlton Band of Maliseet Indians

RR #3 Box 450
Houlton, ME 04730
(207) 532-4273
Fax: (207) 532-2660

Passamaquoddy Indian Township Reservation

P.O. Box 301
Princeton, ME 04668
(207) 796-2301
Fax: (207) 796-5256

Passamaquoddy Pleasant Point Reservation

P.O. Box 343
Perry, ME 04667
(207) 853-2600
Fax: (207) 853-6039

Tab E2: First Nations in Canada

MADAWASKA MALISEET FIRST NATION

Council of Madawaska Maliseet First Nation
Administration Band Office
1771 Main Street
Madawaska Maliseet First Nation, NB
E7C 1W9

PH: (506) 739-9765
FAX: (506) 735-0024

TOBIQUE FIRST NATION

Council of Tobique Band
13156 Route 105
Tobique First Nation, NB
E7H 5M7

PH: (506) 273-5400 (506) 273-5490 (506) 273-5499
FAX: (506) 273-5650

WOODSTOCK FIRST NATION

Council of Woodstock Band
3 Wulastook Court
Woodstock First Nation, NB
E7M 4K6

PH: (506) 328-3303
FAX: (506) 328-2420

TAB F: CANUSEAST GENERIC POST INCIDENT DEBRIEF FORMAT

Objective:

1. Review history of the environmental emergency (the facts).
2. Review strengths (what went well).
3. Review lessons learned.
4. Review improvements required for future.
5. Implementation of recommended improvements.

History:

Develop a brief chronology of events from the initial report of the environmental emergency to the final demobilization of personnel and equipment.

Positive Outcomes:

All agencies should identify record and share things that went well during response operations.

Lessons Learned/Recommendations:

All agencies should identify, record and share "lessons learned" from their respective responses to the incident. All agencies should document their recommendations for areas of improvement (i.e., incident notification process, internal communications, incident management, safety, operations, planning, logistics, public information and any other areas important to the response operations).

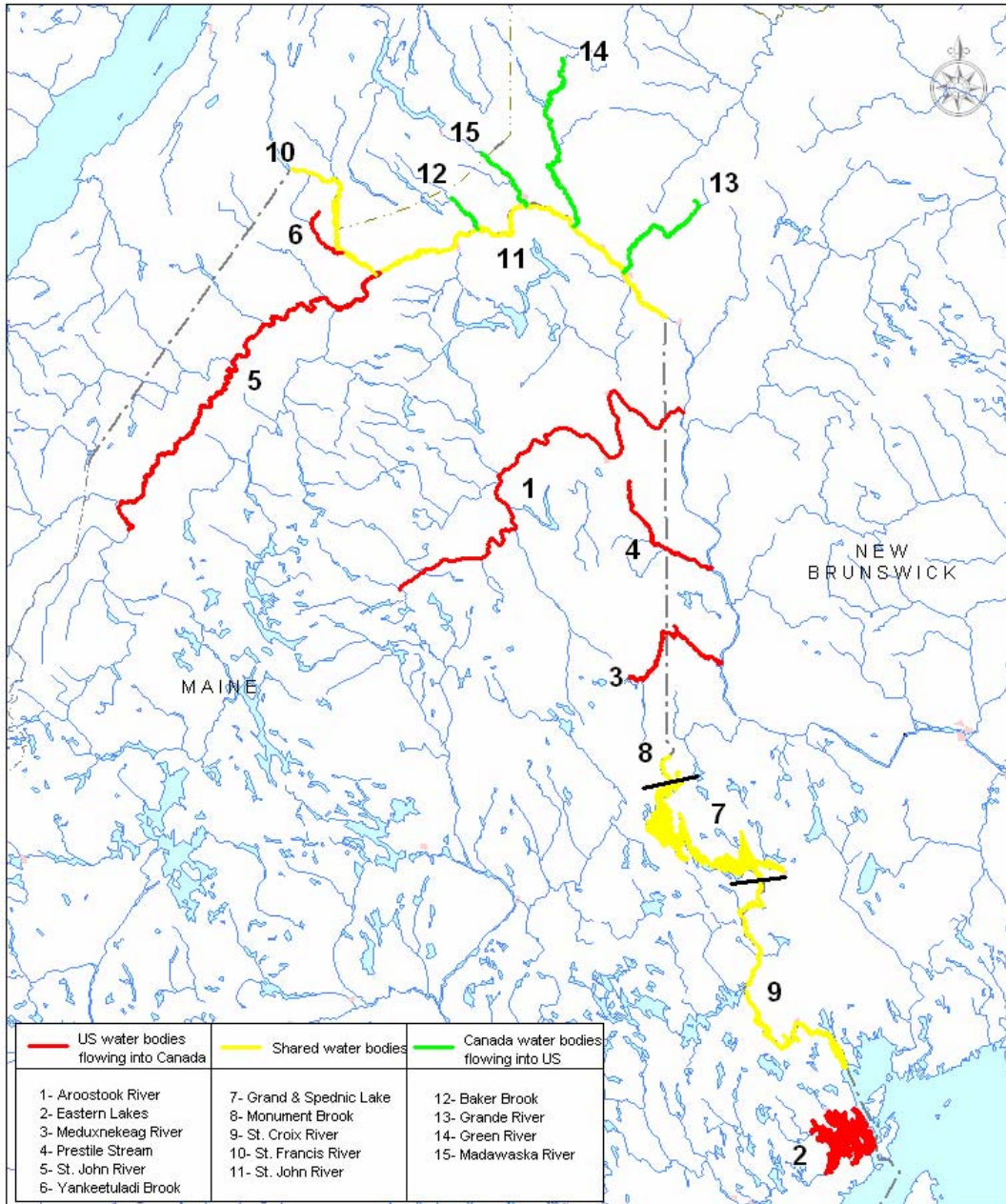
Implementation:

The group should prioritize areas for improvement and identify the appropriate agency for follow-up and implementation. Action items and completion dates should be allocated to individuals/agencies or the item should be deferred for further study.

TAB G: WATER BODIES SHARED BY CANADA & US

TAB G

WATER BODIES SHARED BY CANADA & US



APPENDIX A: CANUSEAST ALERTING MESSAGE

CANUSEAST Alerting Message

DATE: (please spell out the month to eliminate confusion)

TIME: (24 hour clock – specify time zone)

TO: (name, address, and telephone/fax number)

FROM: (sender and telephone / fax number)

CC: (for information and action as appropriate)

CANUSEAST: ENVIRONMENT CANADA ATLANTIC REGION/ EPA REGION 1

Geographic location:

Pertinent incident details (e.g., nature, amount, potential impact of the pollutant spilled, weather conditions, etc.):

Reasons for alerting message:

APPENDIX B: CANUSEAST ACTIVATION MESSAGE

CANUSEAST Activation Message

DATE: (please spell out the month to eliminate confusion)

TIME: (24 hour clock – specify time zone)

TO: (name, address, and telephone/fax number)

FROM: (sender and telephone / fax number)

CC: (for information and action as appropriate)

CANUSEAST: ENVIRONMENT CANADA ATLANTIC REGION/ EPA REGION 1

CONTINGENCY PLAN ACTIVATED AT: (date and time)

NAME AND CONTACT PHONE/FAX NUMBER OF EC EEO:

NAME AND CONTACT PHONE/FAX NUMBER OF EPA FOSC:

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

In its acknowledgment, the receiving county shall report the name of its RJRT Co-chair.

APPENDIX C: CANUSEAST DEACTIVATION MESSAGE

CANUSEAST Deactivation Message

DATE: (please spell out the month to eliminate confusion)

TIME: (24 hour clock – specify time zone)

TO: (name, address, and telephone/fax number)

FROM: (sender and telephone / fax number)

CC: (for information and action as appropriate)

CANUSEAST: ENVIRONMENT CANADA ATLANTIC REGION/ EPA REGION 1

CONTINGENCY PLAN DEACTIVATED AT: (date and time)