

CANUSEAST



Annex V to the Canada-United States Joint Inland Pollution Contingency Plan

**A Plan for Response to Polluting Incidents
Along the Inland Boundary between the Province of New Brunswick, Canada and
the State of Maine, United States of America**

**ENVIRONMENT CANADA, ATLANTIC REGION
ENVIRONMENTAL PROTECTION AGENCY, REGION 1**

2013

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LETTER OF PROMULGATION

The Canada–United States Joint Inland Pollution Contingency Plan (the “Inland Plan”), originally signed by the Government of Canada’s Minister of the Environment and the United States Environmental Protection Agency’s (U.S. EPA’s) Administrator in July, 1994, and revised and signed in October 2009, sets forth cooperative measures for dealing with a release of a pollutant along the inland boundary of a magnitude that causes, or may cause, damage to the environment or constitutes a threat to public safety, security, health, welfare, or property.

The Inland Plan may also facilitate the provision of assistance in the event that only one country is affected, but the polluting incident is of sufficient magnitude to justify a request for assistance from the other country.

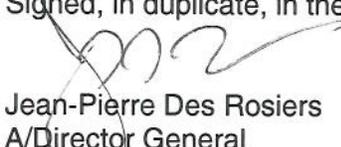
The Inland Plan includes five Regional Annexes. This CANUSEAST Annex addresses the inland boundary between the Province of New Brunswick, Canada and the State of Maine, United States of America.

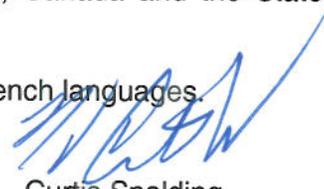
A fundamental premise under which CANUSEAST operates is that the Responsible Party (RP) is to take the lead role in a response and that the government is to assume the lead role only if the RP’s response is inadequate or otherwise deemed inappropriate. Further, the federal government’s role is to be determined in accordance with the response escalation, *i.e.* the response is to be led first at the local or community level, followed by the provincial, territorial or State level, and finally the federal level, as additional resources and expertise are needed.

Consistent with the Inland Plan, CANUSEAST is not intended to supersede any statutory authorities held by either Participants, to create any legally binding rights or obligations under domestic or international law with regard to the Participants or any other entity, or to create any right or benefit, substantive or procedural, enforceable by law or equity against the Participants or any other entity. CANUSEAST recognizes that First Nations in Canada have constitutionally protected Aboriginal and treaty rights and provides for their participation when their lands are impacted or threatened. Similarly, CANUSEAST also recognizes the interests of U.S. Tribal Nations and provides for their participation when their lands are impacted or threatened. CANUSEAST is to be reviewed periodically by Environment Canada’s (EC’s) Environmental Emergencies Program and U.S. EPA’s Region 1, and amended as required.

We, the undersigned, endorse the process described in CANUSEAST for the response to a release of a pollutant which causes, or may cause, damage to the environment or constitutes a threat to public safety, security, health, welfare, or property along the shared inland boundary between the Province of New Brunswick, Canada and the State of Maine, United States of America.

Signed, in duplicate, in the English and French languages.


Jean-Pierre Des Rosiers
A/Director General
Environmental Protection
Operations Directorate
Environment Canada


Curtis Spalding
Regional Administrator
Region 1
U.S. EPA
Date:

Date: JUN 18 2013

LETTRE DE PROMULGATION

Le Plan d'urgence bilatéral Canada–États-Unis en cas de pollution dans la zone frontalière intérieure (le « Plan sur la zone frontalière intérieure »), signé à l'origine par le ministre de l'Environnement du gouvernement canadien et par l'administrateur de l'Environmental Protection Agency (EPA) des É.-U. en juillet 1994, puis revu et promulgué le 28 octobre 2009, prévoit des mesures conjointes d'intervention en cas de rejet d'un contaminant, le long de la frontière intérieure, d'une importance telle qu'il cause ou risque de causer des dommages à l'environnement ou constitue une menace pour la sécurité, la santé, le bien-être de la population ou pour des biens.

Le Plan sur la zone frontalière intérieure peut également faciliter la prestation d'aide dans l'éventualité où seul un pays est atteint, mais où la gravité de l'événement de pollution est telle qu'elle justifie une demande d'aide à l'autre pays.

Le Plan sur la zone frontalière intérieure comporte cinq annexes régionales. L'annexe CANUSEAST porte sur la frontière intérieure entre la province du Nouveau-Brunswick (Canada) et l'État du Maine (États-Unis d'Amérique).

L'un des principes fondamentaux de l'annexe CANUSEAST est que la partie responsable (PR) doit assumer le rôle principal pendant une intervention et que le gouvernement ne doit assumer ce rôle que si l'intervention de la PR est inadéquate ou si cette mesure est jugée nécessaire pour une autre raison. De plus, on doit déterminer le rôle du gouvernement fédéral en fonction du recours hiérarchique, *c.-à-d.* que l'intervention doit d'abord se faire à l'échelle de la municipalité ou de la collectivité, puis à l'échelle de la province, du territoire ou de l'État et en dernier recours à l'échelle fédérale si des ressources et de l'expertise supplémentaires s'avèrent nécessaires.

Conformément au Plan sur la zone frontalière intérieure, l'annexe CANUSEAST n'est pas destinée à remplacer toute autorisation législative conférée à l'un ou l'autre des participants, à établir des droits ou obligations juridiquement contraignants en vertu du droit national ou international à l'égard des participants ou toute autre entité, ni à créer des droits ou des avantages, formels ou procéduraux, opposables en droit ou en équité aux participants ou à toute autre entité. CANUSEAST reconnaît que les peuples Autochtones au Canada ont des droits, ancestraux ou issus de traités, protégés par la Constitution et prévoit leur participation lorsque leurs terres sont touchées ou menacées. De façon similaire, CANUSEAST reconnaît également les intérêts des tribus américaines et prévoit leur participation lorsque leurs territoires sont touchés ou menacés. Les responsables du Programme des urgences environnementales d'Environnement Canada (EC) et de la région 1 de l'EPA examineront périodiquement l'annexe CANUSEAST et y apporteront des modifications au besoin.

Nous, soussignés, approuvons le processus décrit dans l'annexe CANUSEAST pour l'intervention en cas de rejet d'un contaminant qui cause ou peut causer des dommages à l'environnement ou constitue une menace pour la sécurité, la santé, le bien-être de la population ou pour des biens le long de la frontière intérieure entre la province de Nouveau-Brunswick (Canada) et l'État du Maine (États-Unis d'Amérique).

Signé en double exemplaire, en français et en anglais.



Jean-Pierre Des Rosiers
Directeur général/
Direction des activités de
protection de l'environnement
Environnement Canada
Date : JUN 18 2013



Curtis Spalding
Administrateur régional
Région 1
EPA, É.-U.
Date :

100 INTRODUCTION

101 Purpose

The overall purpose of the CANUSEAST Annex is to provide details on jurisdictional roles and responsibilities as well as on response procedures related to the implementation of the Inland Plan in EC's Atlantic Region and EPA's Region 1.

102 Objectives

The objectives of the CANUSEAST Annex are to:

- enable timely and accurate notification of Federal, Provincial/Territorial/State, First and Tribal Nations, and local authorities concerning polluting incidents that occur along the shared inland boundary between the Province of New Brunswick and the State of Maine that are of a magnitude that causes, or may cause, damage to the environment or constitutes a threat to public safety, security, health, welfare, or property;
- establish effective preparedness and response cooperation mechanisms between Canada and the U.S. to deal with such polluting incidents, when there is either the potential for cross-border impacts or when only one country is likely to be impacted but the size of the incident might justify a request for assistance from the other country;
- comply with applicable health and safety standards of each country as part of any joint response effort;
- enable the safe and timely movement of adequate resources including personnel, equipment and supplies across the Canada-U.S. border to respond to a polluting incident; and
- coordinate timely public information releases in both countries.

103 Geographical Scope

CANUSEAST applies to that portion of the Canada-U.S. inland boundary (an approximate 25 km or 15.5 mile zone on each side of the border) between the Province of New Brunswick and the State of Maine. 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). The *CANUSEAST geographical area* is depicted in Figure 1.

Figure 1: CANUSEAST Geographical Area

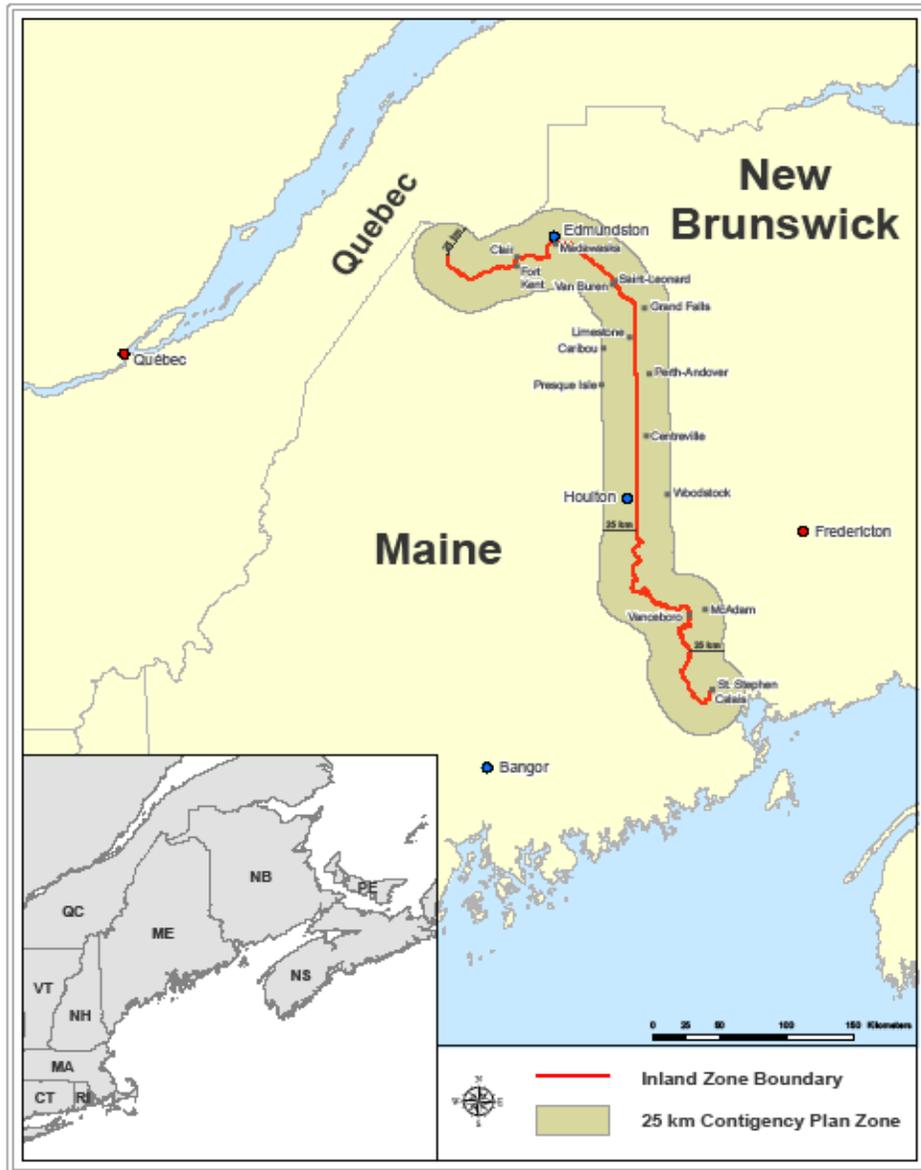


Figure 2: CANUSEAST Contingency Plan Zone Water Bodies

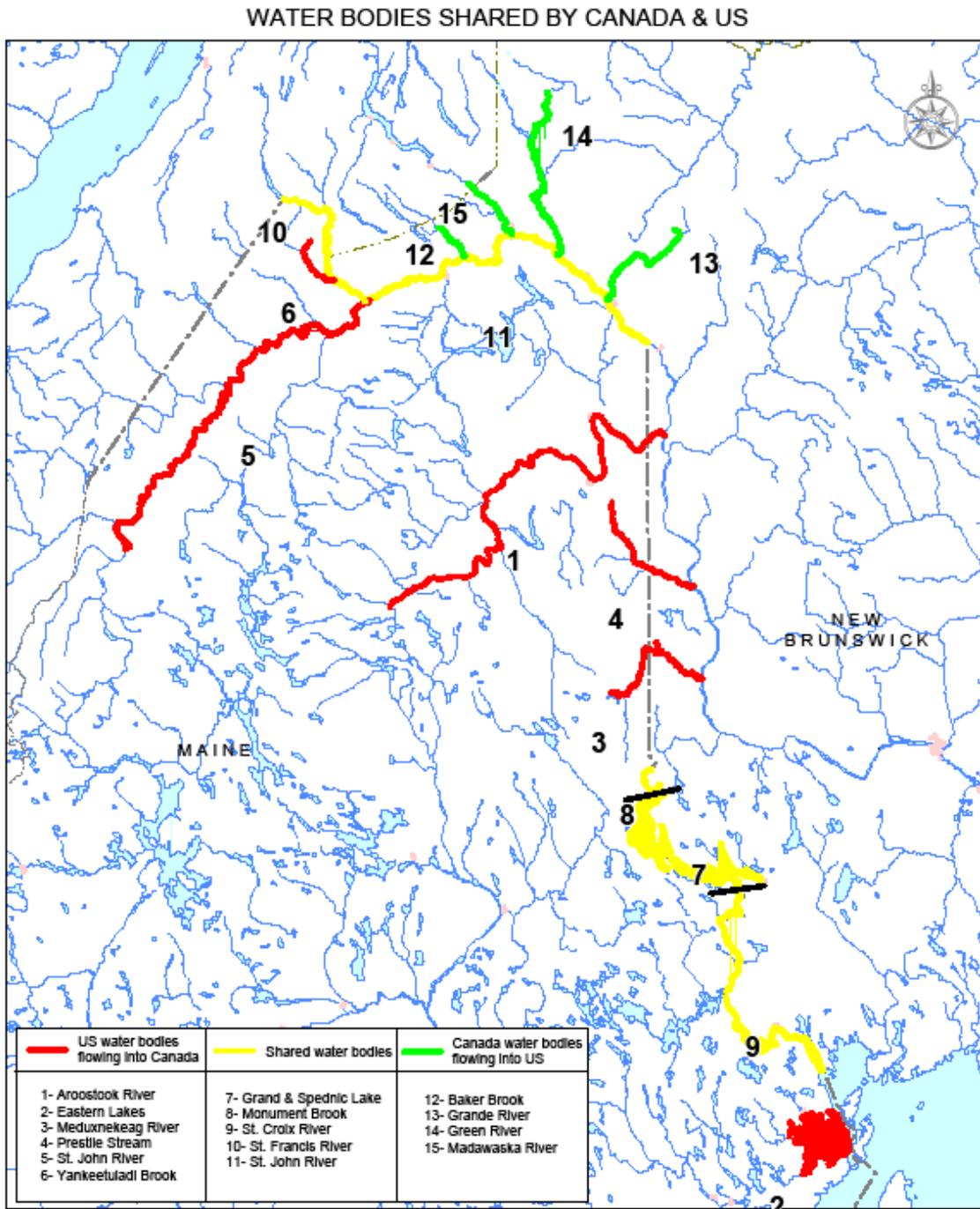


Figure 2 – *CANUSEAST Contingency Plan Zone Water Bodies* shows shared water bodies, water bodies in or near the *CANUSEAST* border area, and/or rivers flowing across the inland boundary or forming part of the international boundary.

104 List of Acronyms

ACP	(U.S.) Area Contingency Plan
BOC	(Canada) Border Operations Centre (CBSA)
CBP	(U.S.) Customs and Border Protection
CBSA	(Canada) Canada Border Services Agency
CERCLA	(U.S.) <i>Comprehensive Environmental Response, Compensation, and Liability Act</i>
CFR	(U.S.) Code of Federal Regulations
DHS	(U.S.) Department of Homeland Security
EC	(Canada) Environment Canada
EPA	(U.S.) Environmental Protection Agency
FCC	(U.S.) Federal Communication Commission
FEMA	(U.S.) Federal Emergency Management Agency
HRSDC	(Canada) Human Resources and Skills Development Canada
HSOC	(U.S.) Homeland Security Operations Center
HSPD-5	(U.S.) Homeland Security Presidential Directive
IC	(Canada) Industry Canada
ICS	(Canada-U.S.) Incident Command System
ICO	(U.S.) International Coordinating Officer
ICSU	(U.S.) Incident Communications Support Unit
INS	(U.S.) Immigration and Naturalization Service
IRAC	(U.S.) Inter-department Radio Advisory Committee
LNO	(U.S.) Liaison Officer
MEDEP	(U.S.) Maine Department of Environmental Protection
MOC	(U.S.) Mobile Operations Center
MOU	(Canada-U.S.) Memorandum of Understanding
NIFC	(U.S.) National Interagency Fire Center
NRF	(U.S.) National Response Framework
NRS	(U.S.) National Response System
NTIA	(U.S.) National Telecommunication & Information Administration
OPA	(U.S.) <i>Oil Pollution Act</i>
OSC	(Canada-U.S.) On-Scene Coordinator
OSHA	(U.S.) Occupational Safety and Health Administration
OSM	(U.S.) Office of Spectrum Management
RCRA	(U.S.) <i>Resource Conservation and Recovery Act</i>
RJRT	(Canada-U.S.) Regional Joint Response Team
ROC	(U.S.) Regional Off-Site Contact
RP	(Canada-U.S.) Responsible Party
RRT	(U.S.) Regional Response Team
SSC	(U.S.) Scientific Support Coordinator
Science Table	(Canada) Environmental Emergencies Science Table
UC	(U.S.) Unified Command
UCS	(U.S.) Unified Command System
UHF	Ultra High Frequency
U.S.A.	United States of America
USDA	(U.S.) United States Department of Agriculture
VHF	Very High Frequency

105 Definitions

The following terms are defined for the purpose of the CANUSEAST Annex:

- 105.1 Homeland Security Operations Center (HSOC) (U.S.). The HSOC serves as regional and national-level multi-agency situational awareness and operational coordination center for the United States. The HSOC is the primary national hub for domestic incident management, operational coordination, and situational awareness. The HSOC is a standing, 24-hours-per-day/7-days-per-week interagency organization fusing law enforcement, national intelligence, emergency response, and private sector reporting. The HSOC facilitates homeland security information-sharing and operational coordination with other federal, state, local, tribal, first nations, and non-governmental Emergency Operation Centers.
- 105.2 International Coordinating Officer (ICO) (U.S.). The ICO is the primary coordinating official between the U.S Federal On-Scene Coordinator (OSC) and the Regional Joint Response Team (RJRT) and is the advisor to the OSC on RJRT matters. The ICO, assigned to the Unified Command, communicates effectively within the Incident Command structure of one country to transmit concerns and recommendations to the Incident Commander/Unified Command of the other country and between the RJRT and the OSC.
- 105.3 Liaison Officer (LNO) (U.S.). The LNO is the liaison between the U.S Federal On-Scene Coordinator (OSC) and the Regional Joint Response Team (RJRT) and is the advisor to the OSC on RJRT matters. The LNO, assigned to the Unified Command, facilitates the flow of information between the RJRT and the OSC.
- 105.4 Scientific Support Coordinator (SSC) (U.S.). The SSC serves under the direction of the OSC during a response to a polluting incident, and is responsible for providing scientific support for operational decisions and for coordinating on-scene scientific activity.
- 105.5 Unified Command (UC) (U.S.). An incident command function that can be used in managing complex responses. A UC, as part of an Incident Command System (ICS), brings together the "incident commanders" from each organization involved in a response to allow key decision-makers to develop consensus, coordination, and cooperation.

200 RESPONSE ORGANIZATION

201 Regional Joint Response Team (RJRT)

The composition of the Regional Joint Response Team (RJRT) is to be established in accordance with the needs of a specific incident. Organizations that may comprise the RJRT are those that are listed in Sections 202 and 203 as members of Canada's Environmental Emergencies Science Table (Science Table) and the U.S. Regional Response Teams (RRTs), respectively.

202 Environmental Emergencies Science Table (Science Table) – Canada

The Environmental Emergencies Science Table (the "Science Table") builds upon, and replaces the former Regional Environmental Emergencies Team (REET) model.

In the event of a significant polluting incident requiring a heightened level of response and multi-agency cooperation, EC can convene the Science Table and provide consolidated, consensus-based environmental advice for consideration by the On-Scene Coordinator (OSC) and for implementation by the RP.

The Science Table brings together scientific and technical specialists from federal, provincial/territorial and local governments, First Nations, environmental non-government organizations, industry and academic institutions.

Science Table Members address environmental concerns, protection and clean-up priorities and strategies. Members can adapt the scale of response to a particular polluting incident, and provide a forum for rapidly gathering, coordinating and synthesizing environmental information into timely and practical advice. This contributes to minimizing damage to human life or health, or the environment, while maximizing the use of limited response resources and optimizing the environmental response.

During response to a significant polluting incident, the Science Table is to provide advice on a wide range of scientific and technical issues, including but not limited to: resource protection and spill clean-up priorities, spill behavior, environmental/human health impacts of hazardous substances, spill countermeasures and waste disposal. In addition, Science Table Members are to carry out a number of important spill response functions, including but not limited to: supplying environmental sensitivity information, monitoring of environmental impacts, providing advice on the coordination of the rescue and rehabilitation of wildlife, spill trajectory and dispersion modeling, compilation of meteorological data and weather forecasts, hazardous materials (HAZMAT) advice, coordination of shoreline cleanup assessment techniques, and documenting environmental damage.

The Science Table provides response advice but does not physically respond to the polluting incident.

The Science Table is chaired by EC.

Science Table Members

The following lists potential Member Agencies; other representatives may be requested to join the Science Table, as appropriate:

Aboriginal Affairs and Northern Development Canada

Canada Border Services Agency

Environment Canada (Chair)

First Nations

Fisheries and Oceans Canada (Habitat Protection and Canadian Coast Guard)

Health Canada

Justice Canada

National Defense

New Brunswick Department of Environment

New Brunswick Department of Fisheries and Aquaculture

New Brunswick Emergency Measures

Parks Canada

Public Safety Canada

Public Works and Government Services Canada

Royal Canadian Mounted Police

Transport Canada

203 Regional Response Teams (RRTs) - United States

RRTs are composed of representatives from U.S. Federal agencies, the State of Maine, and/or Native American Tribes, as listed below. RRTs are primarily preparedness, planning and support organizations. Their function is fully described in the *National Oil and Hazardous Substances Pollution Contingency Plan*.

In the preparedness aspects of their responsibilities, RRTs promote training activities at all levels of government in order to assure that the organizations that are to reach the scene of an incident first are to be knowledgeable regarding appropriate safety, health, and response techniques.

The planning activities include preparing a plan for how a RRT is to function in the event of an emergency. RRTs are also to promote the preparation of state, county and local response plans.

Although implied by its name, a RRT does not respond to an incident, but rather provides advice and support to the OSC during an incident. The support can vary from legal interpretations of existing statutes to providing human resources and equipment in response to an incident.

RRTs are to be co-chaired by the U.S. EPA and the U.S. Coast Guard (USCG). During a polluting incident, the U.S. EPA co-chair is to assume the RRT leadership position for inland incidents, and the U.S.CG is to assume RRT leadership for marine incidents. At no time is a RRT to direct the response actions of the Unified Command System (UCS) or OSC. RRTs can draw on all of the experience and expertise of their member agencies to provide advice and support to the Unified Command (UC) on both technical and scientific issues.

RRT 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

Federal Emergency Management Agency

Food and Drug Administration

General Services Administration

Native American Tribe(s)

Nuclear Regulatory Commission

State of Maine Department of Environmental Protection (Region 1 RRT)

U.S. Coast Guard.

300 AGREEMENTS AND PLANS

301 Canadian Agreements and Plans

301.1 Federal Emergency Response Plan

301.2 Environmental Emergencies Response Operations Plan (2013)

301.3 Applicable provincial, regional and municipal emergency response plans.

302 U.S. Agreements and Plans

302.1 National Oil and Hazardous Substances Pollution Contingency Plan (NCP)

302.2 Region 1 Regional Oil and Hazardous Substances Pollution Contingency Plan

302.3 Region 1 Inland Area Contingency Plan

302.4 National Response Framework (NRF)

302.5 Applicable state and local emergency response plans

303 Joint Agreements and Plans

International Emergency Management Assistance Memorandum of Understanding (2000)

Agreement between the Government of Canada and the Government of the United States on Emergency Management Cooperation (2009)

400 CUSTOMS AND IMMIGRATION

Whether crossing the border for response activities from the Canadian side or the U.S. side, the basic process to cross the border is similar. Before workers and their vehicles, equipment and supplies cross the border to respond to a polluting incident, EC and/or U.S. EPA officials are to provide advance notification to both the Canadian and U.S. border control agencies, using the contact coordinates for the Canada Border Services Agency (CBSA) and the U.S. Customs and Border Protection (CBP) outlined in Tabs B1 and B2, respectively. The notification is to provide information on the response, the fact that it is being conducted under the Inland Plan, the specific individuals (including their name, date of birth, and passport number or other Western Hemisphere Travel Initiative compliant document number), vehicles, equipment, and supplies involved in the response, and where and when the workers are planning to cross the border. Tab B1 contains the telephone and facsimile numbers as well as the e-mail address to be used to notify CBSA. Tab B2 contains a list of CBP offices and their telephone and facsimile numbers.

Two copies of information on equipment and supplies contained in each vehicle, including serial numbers and declared values, should be in the possession of persons in the vehicles crossing the border. These copies should be presented to both Canadian and U.S. officials at the border crossing, where they are to be stamped/certified. These copies should be retained by the workers and presented again to Canadian and U.S. officials when the border is re-crossed at the conclusion of response activities.

If work activities are to be conducted along the border but not at or requiring a border crossing, the nearest Canadian and U.S. border crossing stations should be notified. In the case of the CBSA, such notifications are to be provided to the CBSA Border Operations Centre (BOC) at the contact coordinates provided in Tab B1. The BOC, in turn, is to advise the CBSA port(s) of entry.

401 Employment and Immigration Procedures for the Deployment of Workers from Canada into the United States

When there is a requirement for Canadian workers to enter the U.S. following activation of the Inland Plan, an EPA official (typically the RRT Co-Chair or the EPA OSC) is to notify CBSA and U.S. CBP of this activation, and that Canadian workers are to be entering the U.S. to assist in responding to a polluting incident. The telephone notification is to be made to the appropriate CBSA BOC and U.S. CBP port of entry, and is to be confirmed in writing to CBSA and CBP at the first opportunity following the telephone notification. The contact coordinates for the CBSA BOC are included in Tab B1. CBP telephone and facsimile numbers, as well as a list of applicable CBP offices and their telephone and facsimile numbers, are included in Tab B2. Please note that CBSA is to accept confirmation of the telephone notification either by facsimile or by e-mail. In order to protect the information that is requested by both Border Agencies, it is recommended that when the telephone notification is made, the preferred method for secure information sharing be discussed.

The following procedures are to be respected to ensure compliance with U.S. CBP procedures (if possible, CBP should be notified at least 24 hours in advance):

- The EPA official is to verify, based upon the documentation provided by the Canadian responder(s), that they are properly trained. This information is to be conveyed to CBP.
- Response organizations are to complete a CBP Form I-94 (a sample form is available at <http://forms.cbp.gov/pdf/arrival.pdf>) for each response worker.
- Response organizations are to provide safe transport for a CBP Officer to inspect response operations, as needed.
- All personnel are to have proper identification with them. Non-Canadian citizens are to have a passport and a valid visa in their possession, unless they are a citizen of a country eligible for the Visa Waiver Program. Canadian citizens are to provide a Western Hemisphere Travel Initiative compliant document, such as: Passport, Enhanced Driver's License, Trusted Traveler Card (NEXUS, SENTRI or FAST), or Secure Certificate of Indian Status. Please note that entry requirements are determined by the appropriate authorities and are subject to change at any time.
- Upon departing from the U.S., Canadian workers are to stop and report out through a CBP port of entry.

402 Customs and Excise Procedures for the Deployment of Equipment from Canada into the United States

When there is a requirement for Canadian equipment to enter the U.S. following activation of the Inland Plan, an EPA official (typically the RRT Co-Chair or the EPA OSC) is to notify CBSA and the U.S. CBP of this activation, and that Canadian equipment is to be entering the U.S. to be used in responding to a polluting incident. The telephone notification is to be made to CBSA's BOC and the appropriate U.S. CBP port of entry, and is to be confirmed in writing to CBSA and CBP at the first opportunity following the telephone notification. The contact coordinates for CBSA's BOC are included in Tab B1. CBP telephone and facsimile numbers, as well as a list of applicable CBP offices and their telephone and facsimile numbers, are included in Tab B2. Please note that CBSA is to accept confirmation of the telephone notification either by facsimile or by e-mail. In order to protect the information that is requested by both Border Agencies, it is recommended that when the telephone notification is made, the preferred method for secure information sharing be discussed.

It is anticipated that the U.S. Customs Port Director may authorize or direct the following activities under the authority of U.S. Customs and Immigration Regulations Section 13322(b), subsections 2.3 of Title 19, U.S. Code:

- Incident-specific response equipment may be given expedited entry/clearance with no duty or other fees imposed.

- Upon arrival at the border crossing station, response personnel are to provide Canadian and American officials with a Certificate of Registration Form 4455 for each vehicle. This form is available at the following link: http://forms.cbp.gov/pdf/CBP_Form_4455.pdf. Additionally, all equipment and materials in each vehicle that is mobilized are to be listed on an equipment list with its declared value. This equipment list is to be attached to Form 4455; two copies of each Form 4455 and attached equipment list are to be made available for review/use by both CBSA officers and U.S. CBP Officers.
- Equipment that enters the U.S. from areas other than a port of entry (e.g., air or water) is to be reported to U.S. CBP within 10 days.
- Material, equipment or supplies dispatched from Canada are to remain under supervisory control of an appropriate Canadian authority, and are to be brought back within 90 days unless an extension is granted or other arrangements were made at the outset of the response.
- Consumables need not be returned. An account of all equipment and materials is to be maintained during the response efforts to explain any variance due to use or loss, including consumables. Both Border Agencies are expected to question the discrepancy and what is the disposition of the equipment/materials (i.e., protective suits used and disposed of on location of the polluting incident).

Activities which would facilitate movement of equipment back to Canada after the incident would include: identifying ports of entry and projected crossing times; and maintaining dispatches stamped by CBSA which list the equipment in each vehicle, and which can be presented to U.S. CBP Officers upon crossing either back into or out of Canada.

When the emergency requires the use of equipment that contains radioactive sources, border crossing of such equipment is to be coordinated by the Science Table Chair and RRT Chair.

Canadian government owned vehicles travelling into American territory (25 kilometers inland) to perform joint exercises, discuss preparedness and response issues, as well as to assist in the response to a significant border incident, will have the necessary third party automobile liability insurance coverage.

403 Employment and Immigration Procedures for the Deployment of Workers from the United States into Canada

When there is a requirement for U.S. workers to enter Canada following activation of the Inland Plan, EC is to notify CBSA and U.S. CBP of this activation, and that U.S. workers are to be entering Canada to assist in responding to a polluting incident. The telephone notification is to be made to CBSA's BOC and the appropriate U.S. CBP port of entry, and is to be confirmed in writing to CBSA and CBP at the first opportunity following the telephone notification. Tab B1 contains the contact coordinates for CBSA's BOC. CBP telephone and facsimile numbers, as well as a list of applicable CBP offices and their

telephone and facsimile numbers, are included in Tab B2. Please note that CBSA is to accept confirmation of the telephone notification either by facsimile or by e-mail. In order to protect the information that is requested by both Border Agencies, it is recommended that when the telephone notification is made, the preferred method for secure information sharing be discussed.

- Response personnel are to provide to CBSA officers a valid passport or other Western Hemisphere Travel Initiative compliant document that guarantees re-entry into the U.S.
- Canada's *Immigration and Refugee Protection Regulations* section 186(t) allows a foreign national to work in Canada without a work permit as a provider of emergency services, including medical services, for the protection or preservation of life or property.
- If possible, border crossings should be coordinated with EPA such that EPA and the contractors cross the border as one group. If this is not possible, an EPA official should be present at the border crossing, or be in contact with CBSA's BOC when the contractors arrive in order to facilitate crossing activities.

404 Customs and Excise Procedures for the Deployment of Equipment from the United States into Canada

When there is a requirement for U.S. equipment to enter Canada following activation of the Inland Plan, EC is to notify CBSA and U.S. CBP of this activation, and that U.S. equipment is to be entering Canada to be used in responding to a polluting incident. The telephone notification is to be made to CBSA's BOC and the appropriate U.S. CBP port of entry, and is to be confirmed in writing to CBSA and CBP at the first opportunity following the telephone notification. Tab B1 contains the contact coordinates for CBSA's BOC. CBP telephone and facsimile numbers, as well as a list of applicable CBP offices and their telephone and facsimile numbers, are included in Tab B2. Please note that CBSA is to accept confirmation of the telephone notification either by facsimile or by e-mail. In order to protect the information that is requested by both Border Agencies, it is recommended that when the telephone notification is made, the preferred method for secure information sharing be discussed.

CBSA Memorandum D8-1-1 provides the guidelines for temporary importation of emergency goods. Goods imported for use in response to an emergency qualify under tariff item No. 9993.00.00, and the Goods and Services Tax / Harmonized Sales Tax is fully relieved under the Goods for Emergency Use Remission Order (Order in Council 73-2529). As the goods are required on site quickly, the inspecting CBSA officer is to try to expedite the clearance of the goods. No security deposit is to be collected and, where the inspecting CBSA officer deems it necessary, only a simple blotter record on a Form E29B is to be kept describing the goods in general terms. Depending on the circumstances, a Form E29B can also be issued after the fact. This form is available at the following link: <http://www.cbsa-asfc.gc.ca/publications/forms-formulaires/e29b.pdf>.

When goods imported under the Goods for Emergency Use Remission Order are consumed or destroyed in response to the emergency, they cannot be exported. The *Temporary Importation (Tariff Item No. 9993.00.00) Regulations* waive the requirement to provide proof of export for these goods. Where a Form E29B was completed at the time of importation, a Form B3 should be completed for any goods that are not to be exported. Special authorization code 73-2529 is to be entered in field 26 and, where necessary, "9993" should be entered in field 28. A Form E15 or a statement signed by a responsible individual attesting to the consumption or destruction of the goods in Canada is to accompany Form B3. Examples of the types of goods that qualify include, but are not limited to, fire suppressant foams, neutralizing agents, dispersants, etc.

A "responsible individual" includes, but is not limited to, a chief of police, a fire chief, a municipal mayor, a representative of the provincial/territorial government or another individual charged with responsibility for directing the emergency countermeasures.

Upon arrival at the border, response personnel are to provide Canadian and American border officials with a CBP Form 4455 Certificate of Registration for each vehicle. This form is available at the following link: http://forms.cbp.gov/pdf/CBP_Form_4455.pdf. Additionally, all equipment and materials in each vehicle that is mobilized are to be listed on an equipment list with their declared value. This equipment list is to be attached to Form 4455; two copies of each Form 4455 and attached equipment list are to be made available for review/use by both the CBSA officers and CBP officers.

Drivers of U.S. government-owned vehicles are to coordinate with Canadian officials (e.g. Science Table Chair) prior to entry of the vehicles(s) into Canada.

- U.S. government owned vehicles travelling into Canadian territory (25 kilometers inland) to perform joint exercises, discuss preparedness and response issues, as well as to assist in the response to a significant border incident, will have the necessary third party automobile liability insurance coverage.
- The driver of the vehicle transporting the goods into Canada is to carry two copies of the equipment list that includes serial numbers and monetary values. It is advisable to have this list stamped by U.S. CBP to aid in the re-entry procedure.
- All vehicles departing from Canada are to report to CBSA to have their E29B permits cancelled. Upon completion of response activities in Canada and prior to re-entry into the U.S., responding personnel are to notify the Plant Protection and Quarantine Office at the U.S. CBP office. Additionally, the U.S. Department of Agriculture (USDA) requires that all of the response equipment be properly decontaminated and free of debris prior to returning to the U.S.
- Consumables need not be returned. An account of all equipment and materials is to be maintained during the response efforts to explain any variance due to use or loss, including consumables. Both Border Agencies are expected to request an explanation for the discrepancy and the disposition of the equipment/materials (i.e., protective suits used and disposed of on location of the polluting incident).

When the emergency requires the use of equipment that contains radioactive sources, border crossing of such equipment is to be coordinated by the Science Table Chair and the RRT Chair.

500 HEALTH AND SAFETY TRAINING, SITE SAFETY PLANNING AND WORKER COMPENSATION

501 Health and Safety Training – Canada and United States

Emergency response personnel deployed from either Canada to the U.S. or from the U.S. to Canada under this Plan are to be certified as having successfully completed the 40-hour HAZWOPER course, refreshed, at a minimum, biennially. Additional health and safety training may also be stipulated based on requirements set forth in the Site Specific Safety Plan for specific cross-border responses.

502 Site Safety Plan Requirements

A written site safety plan should be prepared for all cross-border responses prior to a response action that addresses personnel monitoring, environmental monitoring, hazard identification, briefings, site security, decontamination procedures and other related issues.

If separate plans have been prepared by Canadian and U.S. responders, the appointed Safety Officers representing each country are to meet to exchange information, resolve any differences, and develop one Site Specific Safety Plan. A written site safety plan should be prepared for all cross-border responses prior to a response action that addresses personnel monitoring, environmental monitoring, hazard identification, briefings, site security, decontamination procedures and other related issues.

503 Worker Compensation – Government of Canada

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 (CF) and the Royal Canadian Mounted Police (RCMP), under the *Government Employees Compensation Act*, administered by Human Resources and Skills Development Canada (HRSDC). Instead of establishing its own system for compensation and treatment, the government uses the services already available through Provincial Workers' 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.

504 Worker Compensation – Government of the United States

Under the U.S. *Federal Employee Compensation Act*, 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, a detailed discussion of the specific provision is not provided herein.

505 Worker Compensation – Province of New Brunswick

The New Brunswick Workplace Health, Safety and Compensation Commission (WHSCC) is responsible for administering the *Workplace Health, Safety and Compensation Commission Act*, the *Workers' Compensation Act* and the *Occupational Health and Safety Act*.

In New Brunswick, workers' compensation is administered by WorkSafeNB (<http://www.worksafenb.ca>), in accordance with the Workers' Compensation Act.

Workers' compensation in New Brunswick is a no-fault liability insurance system, exclusively funded by employers that provide financial, medical and rehabilitation assistance to workers who are injured on the job, or who develop an occupational disease.

Under the Workers' Compensation Act, all employers with three or more workers at any time during the year must register for coverage with WorkSafeNB. These workers may be full-time, part-time, casual workers or non-registered contractors, subcontractors or brokers. This is referred to as mandatory coverage. An exception is the fishing industry, where coverage is required only for companies that employ 25 or more workers at the same time. When fewer than three workers are employed, voluntary coverage may be requested and coverage is assessed by WorkSafeNB.

The New Brunswick Worker's Compensation system provides wage loss protection up to a limit of 85 percent of a worker's net earnings. Compensation may include a variety of benefits, depending on the eligibility of each individual case.

Workers' compensation insurance coverage may be extended beyond New Brunswick in cases where a worker is employed by a New Brunswick employer and works temporarily outside the province. In such cases, workers may obtain temporary coverage from the receiving jurisdiction or apply for extended coverage with WorkSafeNB.

506 Worker Compensation – State of Maine

Non-Federal U.S. workers in the U.S. obtain worker's compensation benefits through a combination of their respective employers and their employer's insurance coverage, as overseen by designated State agencies. This U.S.-based worker's compensation program provides coverage for non-Federal U.S. workers on temporary assignment in any Canadian Province.

507 Management of Volunteers – Canada and United States

The New Brunswick WHSCC can declare volunteers “workers” under the *Workers’ Compensation Act*. Volunteers are the responsibility of the RP or its agent(s) and all parties have obligations to comply with provisions set forth in the *Workers’ Compensation Act* and the *Occupational Health and Safety Act*.

In the United States, voluntary services are to be accepted in accordance with 31 U.S.C § 1342. The coordination and training of volunteers in the U.S. is to be handled by the OSC. Volunteers are to be afforded the same level of health and safety precautions and consideration as primary responders. Volunteers should be assigned to perform a specific task/duty which coincides with their level of training and needs of the response. All volunteers are to be prepared to provide documentation of their training when reporting for deployment to the response.

600 TELECOMMUNICATIONS

601 Integrated Telecommunications Plan

A telecommunications control center is to be operated at a safe location that provides UHF/VHF radio coverage across the border corridor. Frequencies and equipment in use are to be integrated into the Telecommunications Center without disruption of existing lines of communication at the incident scene.

Communications at the incident are to be managed through the use of a common telecommunications plan and an incident-based communications center established solely for the use of tactical and support resources assigned to the incident.

All communications among organizational elements at an incident should be in plain English. No codes should be used, and all communications should be confined only to essential messages.

The Telecommunications Unit is to be responsible for all communications planning at the incident. This is to include mission-specific radio networks, on-site telephone, public address, and off-incident telephone/microwave/radio systems, as well as assigned and non-assigned cellular telephones, satellite telephones, facsimile machines, and designated e-mail communications.

602 Radio Networks

Radio networks for large-scale incidents should normally be organized as follows:

Command and Control Net Frequency - This Net should link together the Incident Commander, key staff members, Section Chiefs, Division and Group Supervisors.

Tactical Nets - There may be several Tactical Nets. They may be established around agencies, departments, geographical areas or even specific functions. The determination of how Nets are set-up should be a joint Planning and Operations responsibility. The Communications Unit Leader is to develop the plan.

Support Net - A Support Net is to be established, primarily to handle status changing for resources as well as for support requests and certain other non-tactical or command traffic.

Ground to Air Net - A ground to air tactical frequency may be designated, or regular Tactical Nets may be used to coordinate ground to air traffic.

Air-to-Air Nets – Air-to-Air Nets are normally to be pre-designated and assigned for aircraft in use at the incident site.

603 Canadian Networks

In Canada, telecommunications issues are regulated by Industry Canada (IC). Specifically, the Spectrum Management - Radio Licensing and Investigations Division of IC is responsible for the licensing and allocation of radio frequencies within Canada. If additional radio frequencies are needed for a cross border incident, EC is to contact IC for assistance.

604 United States Networks

In the U.S., the Federal Communications Commission (FCC), the National Telecommunications and Information Administration (NTIA), and the Inter-Department Radio Advisory Committee (IRAC) all play an important role in the licensing, management and allocation of radio frequencies. The FCC regulates non-governmental interstate and international communications by radio, television, wire, satellite and cable. NTIA (Office of Spectrum Management (OSM)) is responsible for managing the Federal Government's use of the radio frequency spectrum. To achieve this, OSM receives assistance and advice from the IRAC. If additional radio frequencies are needed for a cross border incident, an application is to be made to NTIA (or the FCC for non-governmental organizations).

The Federal Emergency Management Agency (FEMA) is an independent Agency of the Federal Government under the Department of Homeland Security (DHS) that responds, upon request of State officials, to disasters and significant incidents. FEMA may utilize a Mobile Operations Center (MOC) to replace failed telecommunication systems or to

provide a communication interface between agencies with incompatible telecommunication systems. FEMA assistance can be activated through the OSC or RRT Chair.

The National Interagency Fire Center (NIFC), located in Boise, Idaho includes the Incident Communications Support Unit (ICSU), an interagency organization comprised of the U.S. Forest Service and Bureau of Land Management. The ICSU is responsible for providing emergency communications to all-risk incidents. It is the largest cache of low power, portable emergency communications equipment housed at a single location in the world. The ICSU of NIFC can be activated through the OSC.

700 DEMOBILIZATION

ICS is to 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 call for one Federal Agency to cease further action at an incident. Such a decision by one Federal Agency is not to preclude further action by the remaining agency or agencies. It is also possible that federal agencies may demobilize from the site while First/Tribal Nations, Provincial/Territorial/State, and/or local responses continue. When demobilization decisions are made, all relevant responding organizations are to be notified of the decision prior to the actual demobilization in accordance with the demobilization plan.

800 POST-INCIDENT REVIEW AND REPORT

EC and U.S. EPA are to 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 CANUSEAST Working Groups should review the Post Incident Debrief and make changes to CANUSEAST to address any deficiencies discovered.

The Debrief Report should follow the format provided in TAB D - Generic Post Incident Debrief Format.

900 PLAN DISTRIBUTION AND AMENDMENTS

901 Distribution

Copies of the Inland Plan, including the CANUSEAST Annex, are to be distributed to all levels of government and organizations in the RJRT, other local governments, and some major private sector facilities. In addition, copies are to be given to CBSA and U.S. CBP agencies for distribution to their respective customs/border officers.

It is also to be posted on the EPA Office of Emergency Management and EC Environmental Emergencies web sites:

http://www.epa.gov/oem/content/canada_border.html

<http://www.ec.gc.ca/ee-ue/default.asp?lang=en&n=0BA114F0>.

902 Amendments

EC and EPA are to conduct a periodic review of the CANUSEAST Annex and issue amendments, as needed or otherwise appropriate. The review should be carried out in accordance with Appendix C of the Inland Plan – Guidelines for the Revision of the Inland Plan Regional Annexes.

1000 LIST OF AMENDMENTS

No.	Date	Page/Section	Nature of Amendment / Comment	Amended by
1	2005		Previous edition	
2	2013	All	To reflect operational reorganization within various government of Canada institutions and update regional information, as required.	EC and EPA

1100 TABULATIONS

TAB A: Emergency Telephone Numbers

TAB A1 – Canada

Environment Canada National Environmental Emergencies Centre (NEEC)

Telephone number: 1-866-283-2333 (24 hour)
Facsimile number: 1-514-496-1157
E-mail address: cnue_neec@ec.gc.ca

TAB A2 – United States

National Response Center (NRC)

Telephone number (from within the U.S.): 1-800-424-8802 (24 hour)
Telephone number (from Canada): 1-202-267-2675 (24 hour)
Facsimile number (from either country): 1-202-267-2165

EPA Region 1 - Maine/New Brunswick Border

Telephone number (from either country): 1-617-723-8928 (24 hour)
Telephone number (from within U.S.): 1-800-424-8802 (NRC - 24 hour)
Telephone number (from Canada): 1-202-267-2675 (NRC - 24 hour)
Telephone number (from either country): 1-617-918-1236 (Duty Officer - business hours)
Facsimile number (from either country): 1-617-918-1269

State of Maine - Maine/New Brunswick Border

Telephone number (from within Maine): 1-800-482-0777 (24 hour)
Telephone number (from Canada): 1-207-657-3030 (24 hour)
Facsimile number (from either country): 1-207-287-7826

Customs and Border Protection

Telephone number: 1-877-227-5511

TAB B: Customs and Immigration Contacts - Canada

TAB B1 Canada's CBSA Telephone and Facsimile Numbers, and e-mail address for notifications of cross-border responses under the Inland Plan

All notifications of impending cross-border responses under the Inland Plan should be provided to CBSA's Border Operations Centre (BOC) located at CBSA headquarters in Ottawa. CBSA's BOC operates 24 hours per day, 7 days per week. BOC is responsible for notifying the specific CBSA port(s) of entry where the responders and their vehicles, equipment and supplies are to cross the Canada-U.S. border.

The contact coordinates for CBSA's BOC are as follows:

Telephone Numbers: (613) 960-6001 (English) and (613) 960-6002 (French)

Facsimile Number: (613) 948-4848

Secure Facsimile Number: (613) 957-8599

E-mail address: BOC-COF@cbsa-asfc.gc.ca

The Directory of CBSA Offices on the CBSA Internet site provides a current list of CBSA offices in New Brunswick and information about their hours and services. The links to the directory are: <http://www.cbsa-asfc.gc.ca/do-rb/menu-eng.html> and <http://www.cbsa-asfc.gc.ca/do-rb/menu-fra.html>. Please disregard the instructions in the Directory of CBSA Offices about calling the Border Information Services (BIS) telephone number. For all matters related to workers and their vehicles, equipment and supplies crossing the border under the Inland Plan, please deal directly with the CBSA BOC at the contact coordinates provided above.

TAB B: Customs and Immigration Contacts – U.S.

TAB B2 United States Border Crossing Stations

U.S. Ports of Entry (Customs) and Telephone Numbers

All information obtained from the U.S. Customs and Border Protection (CBP) website:

<http://www.cbp.gov/xp/cgov/toolbox/contacts/ports/>

CBP Telephone number: (703) 526-4200 or (877) 227-5511

Port	Address	Telephone	Fax	Hours of Operation
Maine				
Estcourt Station, ME	1 Frontier Rd. Estcourt, ME 04741	(418) 859-2501	(418) 859-2501	0800hrs-1600hrs Saturdays 0600hrs-2100hrs Weekdays
Jackman, ME (Port of Entry)	2614 Main Street Jackman, ME 04945	(207) 668-3711	(207) 668-7887	0000hrs-2400hrs
Coburn Gore Station, ME	6091 Arnold Trail Coburn Gore, ME 04936	(207) 297-2501	(207) 297-2553	0000hrs-2400hrs
St. Juste Station, ME	S.R. Box 1 Clayton Lake, ME 04737	(418) 244-3026	(418) 244-3030	0600hrs-2000hrs Monday-Thursday 0600hrs-1400hrs Fridays
St. Pamphile Station, ME	T15 R 15 Wells Northwestern, ME Aroostook County, ME	(418) 356-3222	(418) 356-3222	0800hrs-1600hrs Saturdays 0600hrs-2100hrs Weekdays
St. Zacharie Crossing, ME	T5 R20 Northwestern Mtns. Somerset County, ME "Golden Road"	(418) 593-3264	(418) 593-3276	0600hrs-2000hrs Monday-Thursday 0600hrs-1700hrs Fridays
Ste. Aurelie Station, ME	T6 R 19 Northwestern Mtns. Somerset County ME "Baker Lake Road"	(418) 593-3582	(418) 593-3582	0600hrs-2100hrs Monday-Thursday 0600hrs-1600hrs Fridays

TAB C: First Nations - Canada

TAB C1 Canada

Madawaska Maliseet First Nation

Council of Madawaska Maliseet First Nation
Administration Band Office
1771 Main Street
Madawaska Maliseet First Nation, NB
E7C 1W9
Tel: (506) 739-9765
Fax: (506) 735-0024

Tobique First Nation

Council of Tobique Band
13156 Route 105
Tobique First Nation, NB
E7H 5M7
Tel: (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
Tel: (506) 328-3303
Fax: (506) 328-2420

TAB C: Tribal Nations – U.S.

TAB C2 United States

Passamaquoddy Tribe of Maine

Indian Township Reservation
Post Office Box 301
Princeton, ME 04668
Tel: (207) 796-2301 (0800hrs-1600hrs Mon-Fri)
Tel: (207) 796-5296 (0000hrs-2400hrs Mon-Sun)
Fax: (207) 796-5256

Penobscot Indian Nation

6 River Road
Indian Island Reservation
Old Town, ME 04468
Tel: (207) 827-7776
Fax: (207) 827-6042

TAB D - Generic Post Incident Debrief Format

Objective:

1. Review history of the polluting incident (the facts).
2. Review strengths (what went well).
3. Review weaknesses (what did not go so well).
4. Review lessons learned.
5. Review improvements needed for future.
6. Implementation of recommended improvements.

History:

A brief chronology of events from the initial report of the polluting incident itself to the final demobilization of personnel and equipment.

What Went Well?

All agencies are to be requested to identify the things which went well during response operations. These comments can be recorded in point form on a flip chart. Debate and discussion at this point in time is to be discouraged.

What Did Not Go So Well?

All agencies are to be requested to identify the things which did not go so well during response operations. These comments can be recorded in point form on a flip chart. Debate and discussion at this point in time is to be discouraged.

What Did We Learn?

All agencies are to be requested to identify what they learned which could change the way they would do their job during the next incident. The comments can be recorded in point form on a flip chart.

What Improvements Are Required?

In relation to identified strengths, weaknesses and lessons learned, all agencies are to be requested to identify areas where improvements should be made in terms of Management, Safety, Operations, Planning, Logistics, Media/Public Information and any other areas important to the response operations. Brainstorming or thought webs may be useful tools to encourage results. These comments can be recorded in point form on a flip chart.

Implementation

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