

## ANNEX 8

### JOINT CONTINGENCY PLAN

1. *The Plan.* The Parties agree that the "Joint U.S.-Canadian Oil and Hazardous Materials Pollution Contingency Plan for the Great Lakes Region" adopted on June 10, 1971, shall be maintained in force, as amended from time to time. It shall be the responsibility of the United States Coast Guard and the Canadian Ministry of Transport to coordinate and to maintain the plan, as so amended, in written form.

2. *Purpose.* The purpose of the Plan is to provide for coordinated and integrated response to pollution incidents in the Great Lakes System by responsible federal, state, provincial and local agencies. The Plan supplements the national, provincial and regional plans of the Parties.

#### 3. *Pollution Incidents.*

- (a) A pollution incident is a discharge, or an imminent threat of a discharge, of oil or any other substance, of such magnitude or significance as to require immediate response to contain, clean up or dispose of the material.
- (b) The objectives of the plan in pollution incidents are:
  - (i) to develop appropriate preparedness measures and effective systems for discovery and reporting the existence of a pollution incident within the area covered by the plan;
  - (ii) to institute prompt measures to restrict the further spread of the pollutant;
  - (iii) to provide adequate equipment to respond to pollution incidents.

4. *Funding.* Unless otherwise agreed, the costs of operations of both Parties under the Plan shall be borne by the Party in whose waters the pollution incident occurred.

5. *Amendment.* The United States Coast Guard and the Canadian Ministry of Transport are empowered to amend the Plan subject to the requirement that such amendments shall be consistent with the purpose and objectives of this Annex.

#### *Text of Reference to the International Joint Commission to Study Pollution in the Great Lakes System from Agricultural, Forestry and other land use activities*

I have the honour to inform you that the Governments of Canada and the United States of America, pursuant to Article IX of the Boundary Waters Treaty of 1909, have agreed to request the International Joint Commission to conduct a study of pollution of the boundary waters of the Great Lakes System from agricultural, forestry and other land use activities, in the light of