

4. Remedial Action Plans for Areas of Concern

- (a) The Parties shall cooperate with State and Provincial Governments to ensure that Remedial Action Plans are developed and implemented for Areas of Concern. Each plan shall include:
- (i) a definition and detailed description of the environmental problem in the Area of Concern, including a definition of the beneficial uses that are impaired, the degree of impairment, and the geographic extent of such impairment;
 - (ii) a definition of the causes of the use impairment, including a description of all known sources of pollutants involved and an evaluation of other possible sources;
 - (iii) an evaluation of remedial measures in place;
 - (iv) an evaluation of alternative additional measures to restore beneficial uses;
 - (v) a selection of additional remedial measures to restore beneficial uses and a schedule for their implementation;
 - (vi) an identification of the persons or agencies responsible for implementation of remedial measures;
 - (vii) a process for evaluating remedial measure implementation and effectiveness; and
 - (viii) a description of surveillance and monitoring processes to track the effectiveness of remedial measures and the eventual confirmation of the restoration of uses.
- (b) The Parties, in cooperation with State and Provincial Governments, shall ensure that affected State and Provincial Governments not now covered by this Agreement will be involved in the development of such plans and consulted on their implementation.
- (c) The Parties shall co-operate with State and Provincial Governments to classify Areas of Concern by their stage of restoration progressing from the definition of the problems and causes, through the selection of remedial measures, to the implementation of remedial programs, the monitoring of recovery, and, when identified beneficial uses are no longer impaired and the area restored, the removal of its designation as an Area of Concern.
- (d) The Remedial Action Plans shall be submitted to the Commission for review and comment at three stages:
- (i) when a definition of the problem has been completed under subparagraphs 4 (a) (i) and (ii);
 - (ii) when remedial and regulatory measures are selected under subparagraphs 4 (a) (iii), (iv), (v) and (vi); and