

DEPARTMENT OF STATE

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REFERENCE TO INTERNATIONAL JOINT COMMISSION -- UNITED STATES
AND CANADA, TO INVESTIGATE AIR POLLUTION BY VESSELS ON
THE DETROIT RIVER OR BY SHORE INSTALLATIONS
ALONG THE INTERNATIONAL BOUNDARY

The Governments of the United States and Canada have agreed upon Terms of Reference which were transmitted today to the United States and Canadian Sections of the International Joint Commission requesting them to investigate complaints that vessels passing through the Detroit River and shore installations along the boundary are polluting the air in cities in the United States and in Canada by the discharge of smoke, soot and fly ash in quantities sufficient to be detrimental to the public health, safety and general welfare of the citizens.

The Reference, which is made under the provisions of Article IX of the Boundary Waters Treaty signed January 11, 1909, asks the Commission to conduct inquiries and to report to the two Governments upon certain questions, and calls for recommendations as to remedial or preventive works which may be considered necessary to prevent pollution of the air in the vicinity of the international boundary.

The text of the letter submitting the Reference to the United States Section of the International Joint Commission reads as follows:

"January 12, 1949

"United States Section,
"International Joint Commission,
"Washington 25, D. C."

"Sirs:

"I have the honor to inform you that representations have been made to the Governments of the United States and Canada to the effect that the air in the vicinity of the cities of Detroit and Windsor on both sides of the international boundary in the area of the Detroit River, is being polluted by the discharge of smoke, soot and fly ash, in quantities sufficient to be detrimental to the public health, safety and general welfare of the citizens of both countries in this area. It has further been represented to the two Governments that vessels passing through the Detroit River are a source of this pollution. Pursuant to the provisions of Article IX of the Boundary Waters Treaty, signed January 11th, 1909, the two Governments have agreed to a joint reference of this matter to the International Joint Commission. The Commission is requested to enquire into, and to report to the two Governments upon, the following questions:

"1. Is

"1. Is the air over, and in the vicinity of, the cities of Detroit and Windsor, on either side of the international boundary, being polluted by smoke, soot, fly ash or other impurities, in quantities detrimental to the public health, safety or general welfare of the citizens, or to property interests on either side of the international boundary line?

"2. If the foregoing question, or any part thereof, is answered in the affirmative, to what extent are vessels plying the waters of the Detroit River, or any of them, contributing to this pollution; what other major factors are responsible and to what extent?

"3. If the Commission should find that vessels plying the waters of the Detroit River, or any of them, are responsible for air pollution to an extent detrimental to the public health, safety or general welfare of the citizens, or to the property interests on either side of the international boundary line,

"(a) what preventive or remedial measures would, in its judgment, be most practical from the economic, sanitary and other points of view?

"(b) what would be the probable cost of such measures?

"(c) by whom should cost be borne?

"For the purpose of assisting the Commission in making the investigations and recommendations provided for in this reference, the two Governments, upon request, will make available to the Commission the services of engineers and other specially qualified personnel of their respective Governments, and such information and technical data as may have been acquired by such Governments or as may be acquired by them during the course of the investigation.

"The Commission should submit its report and recommendations to the two Governments as soon as practicable.

"Very truly yours,

"R. A. LOVETT"

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