

The Secretary of State for External Affairs



Secrétaire d'Etat aux Affaires extérieures

Canada

OTTAWA KLA OG2

July 8, 1975

Dear Mr. Chance,

I have the honour to inform you that the Governments of Canada and the United States of America have agreed, pursuant to Article IX of the Boundary Waters Treaty of 1909, to request the International Joint Commission to examine into and report upon the state of air quality in the Detroit-Windsor and Port Huron-Sarnia areas and on measures being undertaken for its improvement.

The Governments of Canada and the United States have jointly reviewed the Report and Recommendations of the International Joint Commission regarding transboundary air pollution in the Detroit-Windsor and Port Huron-Sarnia areas along the international boundary. The Governments note that significant progress is being made to remedy the serious problems identified in the Commission's Report, and to improve ambient air quality in these areas. They further note that firm commitments have been made by Federal, State and Provincial authorities to achieve air quality compatible with the air quality objectives proposed by the Commission in its Report. With regard to the Province of Ontario and the State of Michigan, the Commission's attention is specifically directed toward the Memorandum of Understanding signed on November 21, 1974, between Premier Davis of Ontario and Governor Milliken of Michigan, a copy of which is annexed to this reference.

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Mr. D.G. Chance,
Secretary, Canadian Section,
International Joint Commission,
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151 Slater Street,
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K1P 5H3

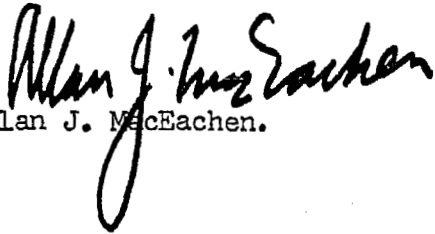
Both the Government of Canada and the Government of the United States, with the full concurrence and support of the Governments of the Province of Ontario and the State of Michigan, believe that these efforts to reduce the problem of transboundary air pollution should be regularly reviewed to assure that meaningful improvement occurs and continues to occur.

Accordingly, the Commission is specifically requested, on a continuing basis, to examine into and report upon the state of air quality in the Detroit-Windsor and Port Huron-Sarnia areas, and, with particular regard to the Michigan-Ontario Memorandum of Understanding, on the measures undertaken to improve such air quality. Examinations shall be undertaken and reports to Governments submitted at any time the Commission may deem necessary, but no less frequently than annually. The Commission may make such reports public. The Commission may report and make recommendations on the following matters:

1. Ambient air quality trends for sulphur dioxide, total suspended particulates and odors.
2. Emissions of sulphur dioxide, total suspended particulates, and odors. The Commission may wish to report upon the effectiveness of enforcement activities directed at reducing the amount of pollution emitted by particular sources.
3. The extent and adequacy of surveillance of air quality, and the adequacy of steps taken by Governments and by private interests to prevent, abate and control air pollution. Particular reference should be made to the extent of compliance with ambient air quality objectives established by affected Federal, State and Provincial Governments, and to the enforcement activities undertaken by such Governments to reduce the incidence of pollution.
4. The steps taken by affected levels of Governments to prepare for, and to respond to, pollution incidents. The Commission should consider the adequacy of measures taken to respond to such incidents.
5. The adequacy of regular exchanges of air quality data and reports of progress of compliance with abatement schedules and special problems, and other matters which may arise from time to time in implementing the integrated plan outlined in the Michigan-Ontario Memorandum of Understanding.

To permit the Commission to prepare its reports, the Commission may request from the Governments concerned, status reports providing complete information on their monitoring and surveillance activities, their compliance schedules and the implementation of such schedules, their enforcement actions, and their contingency plan activities.

A similar request is being transmitted to the International Joint Commission by the Government of the United States.


Allan J. MacEachen.

MEMORANDUM OF UNDERSTANDING
ON TRANSBOUNDARY AIR POLLUTION
CONTROL IN SOUTHWESTERN ONTARIO--
SOUTHEASTERN MICHIGAN AREA

WHEREAS, the Governor of the State of Michigan of the United States of America and the Premier of the Province of Ontario, Canada:

Are determined to restore air quality along the boundary in the Detroit and St. Clair River area;

Have accepted and developed control programs for the improvement of air quality in their respective jurisdictions directed toward achieving air quality standards for the protection of public health, welfare and property;

Are intent upon accelerating control programs for the improvement of air quality impaired by existing sources of air pollution in the Detroit and St. Clair River area;

Are desirous of assuring cooperation to prevent the creation of new sources of transboundary air pollution;

Have accepted the 1973 report on "An Integrated Cooperative Air Pollution Control Program" as prepared by the air pollution control agencies of the State of Michigan, the Air Pollution Control Division of the Wayne County (Michigan) Health Department, and the Province of Ontario;

Have accepted the proposal to implement compatible programs consistent with the objectives recommended by the International Joint Commission;

Have requested the Government of the United States and the Government of Canada to request the International Joint Commission to assume responsibility for monitoring progress of implementing programs for the control of air pollution in the transboundary area;

THEREFORE, we, William G. Milliken, Governor of the State of Michigan, and William G. Davis, Premier of the Province of Ontario, hereby pledge our cooperation in implementing air pollution control programs to achieve compliance with the air quality objectives recommended by the International Joint Commission. Unless otherwise agreed, these control programs and other measures shall be completed by December 31, 1978. The programs shall include:

- 1) Controls over point sources of pollution including surveillance of marine sources,
- 2) Monitoring and surveillance of air quality,
- 3) Maintenance of joint procedures for action to control and prevent episodes of air pollution which may be observed or predicted, and,
- 4) Regular exchange of air quality data and reports of progress of compliance with abatement schedules, special problems and other

matters which may arise from time to time
in implementing the integrated plan.

Date

William G. Milliken
for the State of Michigan

Date

William G. Davis
for the Province of Ontario

