

**JOINT**  
**UNITED STATES OF AMERICA -- UNITED MEXICAN STATES**  
**CONTINGENCY PLAN**  
**FOR ACCIDENTAL RELEASES OF HAZARDOUS SUBSTANCES**  
**ALONG THE BORDER**

**JANUARY 1988**

This Joint Inland Contingency Plan for Accidental Releases of Hazardous Substances was developed pursuant to the August 14, 1983 "Agreement Between The United States Of America And The United Mexican States On Cooperation For The Protection And Improvement Of The Environment In The Border Area".

For The Government Of The  
United States Of America:

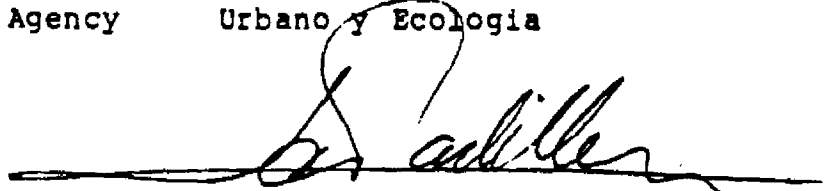


Sheldon Meyers  
Acting Associate Administrator,  
Office of International Affairs  
Environmental Protection Agency

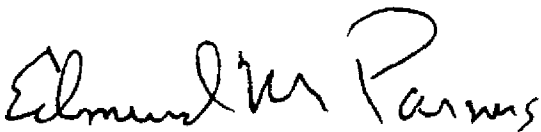
For The Government Of The  
United Mexican States:



Fis. Sergio Reyes Lujan  
Subsecretario de Ecologia  
Secretaria de Desarrollo  
Urbano y Ecologia



Act. J. Carlos Padilla Aguilar  
Director General del Sistema  
Nacional de Proteccion Civil  
Secretaria de Gobernacion



Edmund M. Parsons  
Director, Office of Ecology  
and Natural Resources  
Department of State



Lic. Marco A. Alcazar Avila  
Director General de Limites  
y Rios Internacionales  
Secretaria de Relaciones  
Exteriores

Mexico, D.F.  
United Mexican States

January 29, 1988

## CONTENTS

	<u>Page</u>
<b>EMERGENCY NOTIFICATION INFORMATION</b>	<b>1</b>
<b>INCIDENT NOTIFICATION SUMMARY</b>	<b>2</b>
<b>100. INTRODUCTION</b>	<b>3</b>
101. Purposes and Objectives	3
102. Authority	5
103. Scope	5
104. Abbreviations	6
105. Definitions	6
<b>200. CONCEPT OF OPERATIONS</b>	<b>9</b>
201. Organizational Concepts	9
202. Notification	10
203. Response Operations	10
204. Support Resources	11
205. Communications	11
206. Public Information	12
207. Health and Safety	12
208. Multi-Jurisdiction Responses	13
<b>300. DUTIES AND RESPONSIBILITIES</b>	<b>14</b>
301. Duties and Responsibilities of the Joint Response Team	14
302. Responsibilities of the Co-Chairs of the Joint Response Team	15
303. Responsibilities of the On-Scene Coordinator	15
304. Responsibilities of the Advisory and Liaison Coordinator	16
305. Duties and Responsibilities of the Federal Agencies of the United States of America and the United Mexican States	16

## **CONTENTS (Cont'd)**

	<u>Page</u>
306. Provision of Additional Response Support	17
307. State and Local Participation and Responsibilities	17
308. Non-Government Participation	17
<b>400. RESPONSE OPERATIONS</b>	<b>18</b>
401. Notification	18
402. Preliminary Assessment	19
403. Initiation of a Joint Response Action	19
404. Containment, Countermeasures, Cleanup, Treatment and Disposal	20
405. Ending the Joint Response	20
406. Documentation	20
<b>500. TRAINING, SIMULATION EXERCISES, AND OTHER EDUCATIONAL ACTIVITIES</b>	<b>23</b>
501. Training	23
502. Simulation Exercises	23
503. Educational Activities	23
<b>APPENDICES</b>	
APPENDIX A -- CONTACT PHONE NUMBERS	24
APPENDIX B -- SISTER CITY PLANS	25
APPENDIX C -- EXISTING BI-NATIONAL, NATIONAL, AND REGIONAL PLANS	26
APPENDIX D -- LIST OF REFERENCES	27

# **EMERGENCY NOTIFICATION INFORMATION**

Any substantial threat to the public health and safety or the environment due to the accidental spill or release of hazardous substances, pollutants, or contaminants into the air, surface water, ground water, or onto the ground, should be reported to:

## United States of America<sup>1</sup>

National Response Center  
(Outside the United States)  
(202) 426-2675  
(Within the United States)  
1-800-424-8802

## United Mexican States<sup>1</sup>

Direccion General de Prevencion  
y Control de la Contaminacion  
Ambiental SEDUE

915-553-9481  
915-553-2977  
915-286-9192

Coordinacion General del Sistema  
Nacional de Proteccion Civil,  
Secretaria de Gobernacion

915-789-5331  
915-795-2019

(Communications Center)

915-789-4142  
915-789-4116  
915-789-3111

The Incident Notification Summary form on the next page should be used as a guide when notifying either Party under this Plan.

---

<sup>1</sup> The United Mexican States will provide English speaking personnel and the United States of America will provide Spanish speaking personnel to make the emergency notification.

**INCIDENT NOTIFICATION SUMMARY**

When notifying either Party of a release or threat of release under this Plan, the following information should be provided:

Date and Time:

Reporting Party (Name and Organization):

Reporting Party Call-Back Telephone Number:

Purpose of Call: ☐ Information Only ☐ Assistance Request

Name and Telephone Number of On-Scene Contact:

Date and Time of Incident:

Location:

Hazardous Substance(s) Involved:

Quantity:

Incident Description (how release occurred):

Possible Health Effects/Medical Emergency Information:

Number of Dead or Injured; Where Dead or Injured are Taken:

Responsible Party (Name and Phone Number):

Government Agencies On-Scene:

Current Status of Situation:

Additional Comments:

## 100. INTRODUCTION

This United States-Mexico Joint Contingency Plan (the Plan) for accidental spills and releases of hazardous substances, pollutants, or contaminants along the border, based on Annex II to the August 1983 Agreement, signed by both countries, in cooperation for the protection and improvement of the environment in the border area, provides a framework for cooperation between Mexico and the United States in response to a polluting incident that may pose a significant threat to both Parties or that affects one Party to such an extent as to justify warning the other Party or asking for assistance.

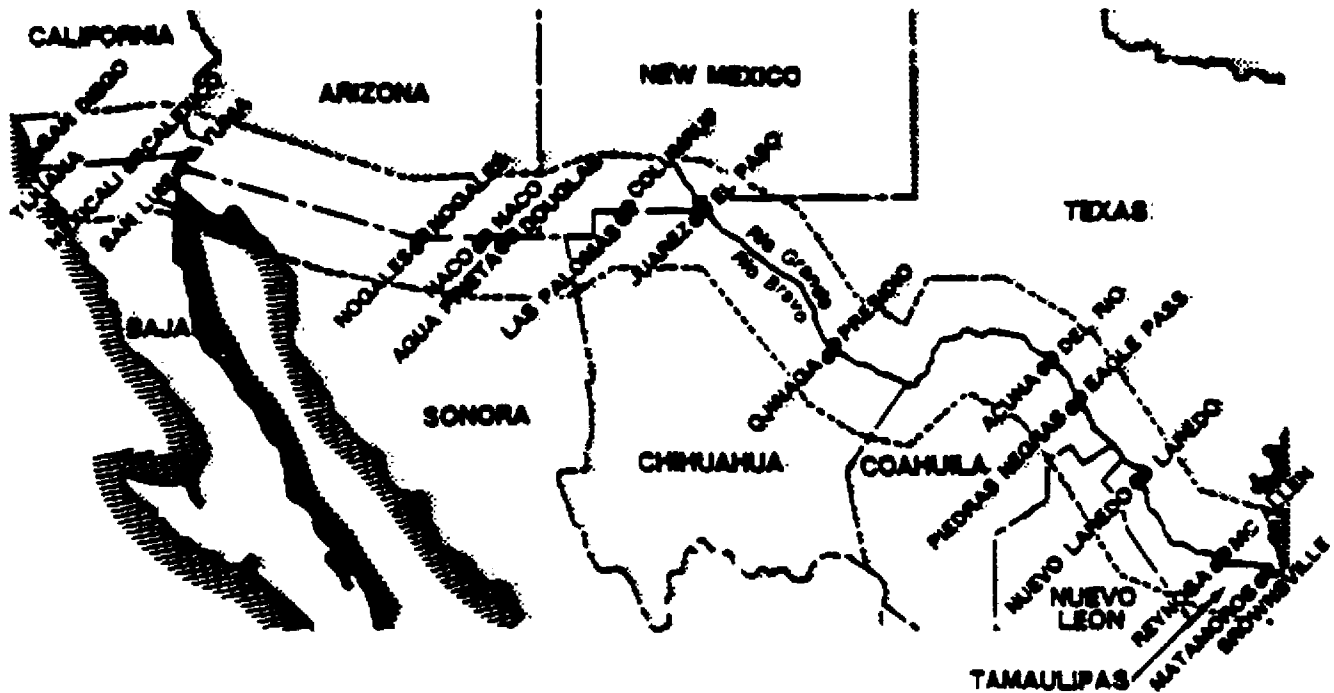
### 101. Purposes and Objectives

- 101.1 The purpose of this Plan is to protect human health and safety and the environment by providing for coordinated responses to hazardous substance incidents affecting the inland border area of the United States of America and the United Mexican States.
- 101.2 The objectives of this Plan are: 1) to develop appropriate preparedness measures; 2) to develop systems for reporting an incident within the area covered by the Plan; 3) to institute appropriate timely measures to monitor and restrict the further spread of spilled or released hazardous substances, pollutants, or contaminants; and 4) to ensure the availability of adequate resources to respond to an incident.
- 101.3 This Plan applies to all pollution incidents along the inland border, within an area 100 kilometers on either side of the Inland International Boundary (see Exhibit 1). Pollution incidents affecting the marine environment are covered in the United States-Mexico Joint Contingency Plan Regarding Pollution of the Marine Environment signed on September 15, 1983.
- 101.4 In the event of a release of a hazardous substance, pollutant, or contaminant into international rivers and waters, the Commissioners of the International Boundary and Water Commission from the United States and Mexico, will inform the Co-Chairs of the Joint Response Team, through the notification process established in this Plan (see page 1), as well as local authorities on both sides, of incidents related to the Joint Contingency Plan which come to their attention. The Commissioners will also inform the Co-Chairs of appropriate actions being taken under the authority and responsibility of the Commission pursuant to bilateral agreements and treaties in force. When an incident exceeds the Commission's response capabilities, the two Commissioners will coordinate with the On-Scene Coordinators (OSCs).

**EXHIBIT 1**



**US/Mexico Border  
Area of Environmental Concern**





## 102. Authority

- 102.1 This Plan is based upon the Agreement Between the United States of America and the United Mexican States on Cooperation for the Protection and Improvement of the Environment in the Border Area, dated August 14, 1983 and Annex II to the Agreement dated July 18, 1985. The United States Environmental Protection Agency (EPA) is the coordinating authority for this Plan for the United States of America, and for the United Mexican States the coordinating authority is the Secretaria de Desarrollo Urbano y Ecologia (SEDUE) (for technical issues) under the direction of the Sistema Nacional de Proteccion Civil coordinated by the Secretaria de Gobernacion. A Joint Response Team (JRT) composed of representatives of these two agencies shall coordinate responses to polluting incidents as outlined in Section 400 of this Plan. These efforts are conducted with the cooperation of the Department of State in the United States and the Secretaria de Relaciones Exteriores in Mexico.
- 102.2 SEDUE, under the direction of the Sistema Nacional de Proteccion Civil coordinated by the Secretaria de Gobernacion, and EPA are jointly empowered to amend this Plan provided such amendments are in keeping with the above Agreement, and Annex II thereof.
- 102.3 Hazardous substance emergency incidents addressed in this Plan are initially a local and state responsibility. When an incident progresses to the extent that it exceeds local and state resources to mitigate, then national plans will be implemented. If such an incident endangers either Party, then this bi-national Plan may be invoked. Information regarding incidents, however, may be provided verbally and subject to confirmation in writing to all levels of government.

## 103. Scope

- 103.1 This Plan applies to:
- A release or threat of release of any hazardous substance, or a pollutant or contaminant, which may present an imminent and substantial danger to public health or welfare, or the environment on either side of the Inland International Boundary (IIB) area.
  - All federal agencies of the United States of America and the United Mexican States having legal jurisdiction within the IIB area.
- 103.2 This Plan provides for:
- The efficient, coordinated and effective response to releases of hazardous substances, pollutants, and contaminants as defined: for the United States by the U.S. National Oil and Hazardous Substances Pollution Contingency Plan (NCP) and the Comprehensive Environmental Response, Compensation, and

Liability Act (CERCLA) (as amended); and for the United Mexican States by the ley Federal de Protección al Ambiente.

- The cooperation between agencies in both countries with jurisdiction in the IIB area and the division and specification of responsibilities among concerned agencies.

103.3 This Plan does not provide for response to radiological incidents. These responses are covered by separate national authorities (See Appendix C).

#### 104. Abbreviations

ALC	Advisory and Liaison Coordinator
SINAPROC	Sistema Nacional de Protección Civil (UMS)
CILA	Comision Internacional de Limites y Aguas
EPA	Environmental Protection Agency (US)
FEMA	Federal Emergency Management Agency (US)
IBWC	International Boundary and Water Commission
IIB	Inland International Boundary
JCP	Joint Contingency Plan
JRT	Joint Response Team
NRC	National Response Center (US)
NRT	National Response Team (US)
OSC	On-Scene Coordinator
SEDUE	Secretaria de Desarrollo Urbano y Ecologia (UMS)
SITREPS	Situation Reports
UMS	United Mexican States
US	United States of America

#### 105. Definitions

**Advisory and Liaison Coordinators** - are personnel designated to advise and assist the OSC in effecting preliminary assessments and joint response actions based on their familiarity with both the English and Spanish languages, experience with cross-cultural, political and international relations as well as technical backgrounds in hazardous materials management.

**Agreement of 1983** - The Agreement Between the United States of America and the United Mexican States on Cooperation for the Protection and Improvement of the Environment in the Border Area (August 1983).

**Bi-National** - involving two countries.

**Drinking Water Supply** - any water source created or treated for use by a public water system or for human consumption.

**Environment** - the ambient air, land surface or subsurface strata, and surface and ground waters, including the natural resources contained therein, such as fish, wildlife, forests, farm and pasture lands, rivers, streams, aquifers, and all other components of the ecosystem.

**Facility** - (a) any building, structure, installation, equipment, pipe or pipeline (including any pipe into a sewer or publicly owned treatment works), well, pit, lagoon, impoundment, ditch, landfill, storage container, motor vehicle, rolling stock, or aircraft, or

(b) any site or area where a hazardous substance has been deposited, stored, disposed of, placed, or otherwise come to be located; but does not include any consumer product in consumer use or any vessel.

**Groundwater** - water in a saturated zone or stratum beneath the land surface.

**Hazardous Substances** - elements and compounds which when discharged present an imminent and substantial danger to the public health, welfare, or environment, in accordance with the laws of each of the Parties and the determination by the Joint Response Team (JRT). The JRT and its responsibilities are defined in Section 301.

**Inland International Boundary Area** - means the inland boundary as defined in the August 14, 1983 Agreement Between the United States of America and the United Mexican States on Cooperation for the Protection and Improvement of the Environment in the Border Area, i.e., the area situated 100 kilometers on either side of the inland boundaries between the Parties.

**Coordinating Authorities** - Under Article 8 of the 1983 Agreement, each Party designates coordinating authorities to coordinate and monitor the implementation of the Agreement. The coordinating authority for the United States is the U.S. Environmental Protection Agency and for the United Mexican States it is the Secretaria de Desarrollo Urbano y Ecologia (for technical issues) under the direction of the Sistema Nacional de Proteccion Civil of the Secretaria de Gobernacion.

**Natural Resources** - land, fish, wildlife, biota, air, water, groundwater, drinking water supplies, and other such resources.

**On-Scene Coordinator (OSC)** - those officials designated by the EPA and SEDUE to coordinate and direct responses under this Plan.

**Party** - a signatory of the Agreement of 1983, i.e., the United Mexican States or the United States of America.

**Plan** - the United States/Mexico Joint Contingency Plan published pursuant to Annex II of the Agreement of 1983.

**Pollutant or Contaminant** - includes but is not limited to any element, substance, compound, or mixture, including disease-causing agents, which after release into the environment and upon exposure, ingestion, inhalation, or assimilation into any organism, either directly from the environment or indirectly by ingestion through food chains, will or may reasonably be anticipated to cause death, disease, behavioral abnormalities, cancer, genetic mutation or physiological malfunctions, or physical or reproductive deformations in such organisms or their offspring.

**Polluting Incident** - a release or threat of release of any hazardous substance, pollutant, or contaminant on either side of the Inland International Boundary of a magnitude that causes or threatens to cause imminent and substantial adverse effects on the public health, welfare, or the environment.

**Release** - any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing of hazardous substances, pollutants or contaminants into the environment including the abandonment or discarding of barrels, containers and other closed receptacles containing any hazardous substance, pollutant, or contaminant. It excludes: (a) any release which results in exposure to persons solely within a workplace, (b) emissions from the engine exhaust of a motor vehicle, rolling stock, aircraft, vessel, or pipeline pumping station engine, and (c) the normal application of fertilizer. For the purpose of this Plan, release also means substantial threat of release.

**Response Action** - the removal of released hazardous substances pollutant, or contaminant from the environment, actions to abate a threat of release, actions to monitor, assess, and evaluate the threat (or actual release) of a hazardous substance, pollutant, or contaminant, the disposal of removed material, or other actions intended to prevent or mitigate damage to human health, welfare or the environment.

**State** - a) those States of the United States of America bordering Mexico: Texas, New Mexico, Arizona and California; and, b) the United Mexican States bordering the United States of America: Tamaulipas, Nuevo Leon, Coahuila, Chihuahua, Sonora, and Baja California.

## 200. CONCEPT OF OPERATIONS

This Concept of Operations provides for an integrated and coordinated joint bi-national Federal response effort to supplement State and local emergency response actions following the release of hazardous substances, pollutants, or contaminants in the geographic areas covered under this Plan. The concepts presented here focus on the Federal structure for coordination of the joint response. Specific details of the coordination of the joint response are outlined in Section 400 of this Plan.

### 201. Organizational Concepts

The response structure that will provide the nucleus for coordination of the joint response to a polluting incident under this Plan is discussed below.

#### 201.1 Bi-National Joint Response Structure

The major components of the joint response structure are as follows:

- Coordinating Authorities - The coordinating authorities are designated under Article IV of Annex II, to coordinate and monitor implementation of the Agreement. In the case of the United States of America, the National Coordinator is the Environmental Protection Agency (EPA), and in the case of Mexico, the Secretaria de Desarrollo Urbano y Ecologia (SEDUE) serves as the national coordinator (for technical issues) as part of the general coordination effort of the Operations Center under the direction of the Sistema Nacional de Proteccion Civil of the Secretaria de Gobernacion.
- Joint Response Team - Members and Co-Chairs of the JRT are SEDUE and EPA. For Mexico, the Co-Chair is part of the general coordination effort of the Operations Center to be established. For the U.S., the Co-Chair coordinates with the National Response Team which is responsible for ensuring effective response actions involving all appropriate federal agencies. Other entities may become members at the invitation of the Co-Chairs. The JRT functions as a centralized, coordinating group at the call of the JRT Co-Chairs. For Mexico, the participants coordinate with the Operations Center. The JRT serves as a forum which meets at least semi-annually, as per the Agreement of 1983, to discuss bi-national concerns and to provide support to the On-Scene Coordinator. The JRT is part of the technical coordination effort of the Operations Center for federal actions. The JRT members serve as a conduit for information about their agencies' response activities. The JRT may be augmented by officials from other organizations, having resources, capabilities, and expertise necessary to carry out the joint response efforts.
- On-Scene Coordinator (OSC) - The OSC is the official designated by each country to exercise the functions and

responsibilities for coordinating all actions to a polluting incident on site within each country's respective jurisdiction and in close coordination with and in support of local and state authorities.

- Advisory and Liaison Coordinator (ALC) - The ALC is designated to assist the OSC of his or her respective country during a joint response action. This assistance is based on the ALC's familiarity with both the English and Spanish languages, and his or her experience with cross-cultural, political, and international relations.

#### 201.2 Additional Components of the Joint Response Structure.

Additional components can be accessed in providing assistance and expertise to the joint response. These components include:

- Response personnel and equipment;
- Support resources (see Section 204);
- Other Federal agencies (see Section 305); and
- Private sector resources.

### 202. Notification

- 202.1 Any release or substantial threat of a release of a hazardous substance, pollutant, or contaminant affecting or likely to affect the other Party shall be reported to that Party without delay. The telephone numbers and reporting format are listed on pages 1 and 2 of this document.

### 203. Response Operations

A brief overview of response operations is discussed here. Section 400 of this Plan contains a more detailed discussion of response operations.

- At the determination of the OSC or at the request of the JRT Co-Chairs, the OSC will conduct a Preliminary Assessment of the emergency situation in order to determine: (1) the facts; and (2) whether or not a joint response action is needed. The OSC will discuss the situation and the OSC's recommendations with the JRT Co-Chairs without delay.
- If the JRT Co-Chairs determine that a joint response action is warranted, the JRT Co-Chairs will notify the OSCs of their respective countries without delay.
- The OSC of each country will implement the joint response action to contain, cleanup, treat, or dispose of the hazardous substance, or prevent, mitigate, or minimize the threat of a release of hazardous substances within his or her jurisdiction. In implementing the response action, the OSC

will follow the guidelines in Section 400 of this Plan, consistent with each country's laws and provisions.

- In accordance with national legislation, each Party will encourage the timely implementation of customs, immigration, and other necessary authorization mechanisms to facilitate the free entry and exit of persons and equipment to ensure an efficient joint response.
- At the conclusion of the response action, the OSC will prepare a final report that summarizes the events, analyzes the response actions taken, discusses the problems encountered, and provides recommendations for preventing a recurrence of the release as well as improvements in the response action and changes in this Plan.

#### **204. Support Resources**

A number of specialty teams and expertise are available to assist the OSC in conducting response actions under this Plan.

204.1 For the United Mexican States, these resources include:

- National level. The Sistema Nacional de Proteccion Civil coordinated by the Secretaria de Gobernacion shall establish, define, and delimit, in each agency and department of the Federal Government, the emergency incident responsibilities with respect to all destructive phenomena capable of causing damage to the citizenry, their property, and the environment.
- Agencies and departments assisting in incidents involving the release of hazardous substances are as follows: Secretaria de Desarrollo Urbano y Ecologia (SEDUE); Secretaria de Salud (SSA); Secretaria de Marina (SM); Secretaria de la Defensa Nacional (SEDENA); Secretaria de Relaciones Exteriores (SRE); Secretaria de Agricultura y Recursos Hidraulicos (SARH); Petroleos Mexicanos (PEMEX); Comision Federal de Electricidad (CFE); Compania Nacional de Subsistencias Populares (CONASUPO); and the Comision Internacional de Limites y Aguas (CILA).
- Local level. The Sistema Nacional de Proteccion Civil shall establish, in each federal and municipal entity, civil defense organizations to handle emergencies occurring in each jurisdiction, activating first their own resources, to be supplemented by those of the delegations from the federal agencies and departments established in the region.

204.2 For the United States of America, these resources include:

- National Response Team (NRT). The NRT, composed of the fourteen U.S. Federal agencies with major environmental and public health responsibilities, is the primary vehicle for coordinating U.S. Federal agency activities under the U.S. National Oil and Hazardous Substances Pollution Contingency Plan (NCP). The U.S. EPA serves as the NRT Chair and the U.S. Coast Guard serves as the NRT Vice-Chair.

- Regional Response Teams (RRTs). Regional counterparts to the National Response Team, the RRTs are made up of regional representatives of the Federal agencies on the NRT, and representatives of each State within each Region.
- Environmental Response Team (ERT). Established by the U.S. EPA, the ERT includes expertise in biology, chemistry, hydrology, geology, and engineering, and provides technical advice to the OSC.
- Strike Team. Established by the U.S. Coast Guard, the Strike Team(s) can provide communications support, advice, and assistance for hazardous substance incidents. The Teams are equipped with specialized containment and removal equipment and have rapid transportation available.

## 205. Communications

- 205.1 The JRT shall evaluate whenever necessary, and improve the communications aspects of this Plan, including phone lists, radio compatibility, callout protocols, and equipment.

## 206. Public Information

When an incident occurs, the public shall be given prompt, accurate information on the nature of the incident and the response actions underway. OSCs will ensure that all appropriate public and private interests are served and that their concerns are met. A Joint Information Center staffed with representatives designated by public authorities of both countries shall be established to ensure the coordinated, timely, and accurate release of information to the news media and the public about the emergency incident and the response actions. All information regarding the emergency incident and response action will be cleared through the OSC(s) with the assistance of the ALC(s).

## 207. Health and Safety

### 207.1 Medical

Each Party is responsible for notifying appropriate agencies of the need for coordinating medical services related to polluting incidents.

### 207.2 Worker Health and Safety

All government agencies and private organizations are directly responsible for the health and safety of their own employees. Each Party must assure that a program for occupational safety and health is made available for the protection of its workers at the response site, and that its workers entering the response site are informed of the response site hazards and provisions of the health and safety program. The provisions of the health and safety program include: (1) standard operating procedures for entering and leaving the response site, using equipment, and



decontamination; (2) accountability for personnel entering and leaving the response site; (3) recommended safety and health equipment; (4) personal safety precautions; and (5) other measures as warranted.

207.3 Evacuation and Relocation

In the event of evacuation, each Party will ensure that procedures are in place to identify the evacuation zone, notify affected citizens, and provide for their transportation and shelter.

208. **Multi-Jurisdiction Responses**

208.1 Geographic Areas of Both Parties

If a release of hazardous substances moves from the geographic area covered by one Party into the geographic area of the other Party, the authority for response actions should likewise shift. If a release or substantial threat of release affects geographic areas covered by both Parties, the response mechanisms of both Parties shall be activated, within their respective jurisdictions.

### **300. DUTIES AND RESPONSIBILITIES**

#### **301. Duties and Responsibilities of the Joint Response Team (JRT)**

The coordinating authorities of each Party will designate its members on the JRT and will communicate its designations to the other Party. The United States coordinating authorities will designate the United States Co-Chair of the JRT. The Mexican coordinating authorities will designate the Mexican Co-Chair of the JRT.

When the JRT meets in the United States of America, the U.S. Co-Chair will preside. When the JRT meets in Mexico, the Mexican Co-Chair will preside.

##### **301.1 Specific Duties and Responsibilities**

When the JRT is not activated for a response action, it shall serve as a standing body to:

- Develop procedures for carrying out a joint response to a polluting incident including procedures to ensure the coordination of Federal, State, and local government and private response to polluting incidents;
- Maintain readiness to respond in a timely manner to a release of hazardous substances, pollutants, or contaminants that may have an impact on the other country;
- Conduct periodic meetings to plan, review actions and activities, and exchange information;
- Maintain a contact list of names and telephone numbers of appropriate persons to contact under this Plan; update this list annually or more frequently if warranted;
- Evaluate methods of responding to releases of hazardous substances;
- Make recommendations on the training, equipping, and protection of response personnel and response teams;
- Conduct periodic simulation exercises of this Plan;
- Recommend needed changes in the response organization; and
- Recommend to the National Coordinators improvements needed in this Plan.

When the United States of America and the United Mexican States have agreed to initiate a joint response to a polluting incident, the functions and responsibilities of the JRT include:

- Advise the On-Scene Coordinator (OSC) about measures needed to respond to the incident and what resources are available to carry out those measures;

- Evaluate and make recommendations concerning the measures taken by the OSC;
- Provide continuing advice to the OSC;
- Coordinate and use as appropriate the resources that agencies or persons of the United States of America or the United Mexican States or a third party can contribute;
- Assist the OSC in preparing information releases for the public; and
- Participate in the termination of response.

**302. Duties and Responsibilities of the Co-Chairs of the Joint Response Team**

302.1 The functions and responsibilities of the JRT Co-Chairs are to:

- Conduct semi-annual and other periodic meetings of the JRT;
- Provide advice and assistance to the OSC during response actions;
- Update this Plan as appropriate after consulting with the appropriate authorities of each country; and
- Keep the Coordinating Authorities informed of all JRT activities.

**303. Duties and Responsibilities of the On-Scene Coordinator (OSC)**

303.1 The functions and responsibilities of the OSC are:

- To coordinate and direct measures related to the detection of polluting incidents;
- To determine the facts concerning the polluting incident, including: the nature, quantity, and location of the hazardous substance, pollutant or contaminant; the direction and probable time of travel of the hazardous substance, pollutant or contaminant; the available resources and those resources required; and the potential impacts on public health and welfare, and on the environment;
- To determine priorities and recommend to the JRT Co-Chair of his or her country that the Co-Chair formally propose to the JRT Co-Chair of the other Country the initiation of a joint response under this Plan for a specific polluting incident;
- To notify immediately the Co-Chairs of the Joint Response Team (JRT) about every polluting incident that has occurred, or that is in imminent danger of occurring, which in the judgment of the OSC may require the initiation of a joint response;

- To coordinate and direct all phases of the response action within his or her jurisdiction;
- To make detailed situation reports to the JRT about all aspects of the polluting incident and of the progress of the response operation;
- To keep a journal of the events occurring during the polluting incident and to make the journal available to the JRT;
- To recommend to the Co-Chairs of the JRT the termination of a joint response action; and
- To prepare and submit to the JRT a final report on each polluting incident that includes recommendations for handling future incidents.

303.2 If response action is required in the territories of both Parties, the OSC of each Party will coordinate the response actions in their respective countries.

**304. Duties and Responsibilities of the Advisory and Liaison Coordinator (ALC)**

304.1 The function and responsibility of the Advisory and Liaison Coordinator (ALC) is to:

- Provide advice and assistance to the OSC throughout all phases -- from preliminary assessment through completion of a final report and follow-up activities -- of a response action to a release of hazardous substances, pollutants or contaminants occurring under this Plan.

**305. Duties and Responsibilities of the Federal Agencies of the United States of America and the United Mexican States**

**305.1 Agencies Having Primary Responsibility under this Plan**

The U.S. Environmental Protection Agency (EPA) has primary responsibility for providing assistance and coordinating the United States response under this Plan. The Secretaria de Desarrollo Urbano y Ecologia (SEDUE) has primary responsibility for providing assistance and coordinating the response under this Plan under the direction of the Sistema Nacional de Proteccion Civil coordinated by the Secretaria de Gobernacion for the United Mexican States. General responsibilities of these two agencies include:

- Coordinating, integrating, and managing the overall joint effort to detect, identify, contain, clean up, dispose of, or minimize the danger of releases of hazardous substances, or prevent, mitigate, or minimize the threats of releases;
- Maintaining close coordination with the affected locality, the OSC, and the other Party; and

- Providing administrative assistance, facilities, communications, and personnel to support response efforts under this Plan within that Agency's jurisdiction.

305.2 Assistance Available from Support Agencies of the United Mexican States and the United States of America.

Each support agency will provide assistance to support efforts under this Plan in their respective areas of expertise and consistent with agency capabilities and legal authorities. For the United Mexican States, the Sistema Nacional de Proteccion Civil shall establish, define, and delimit emergency incident responsibilities for each federal agency. For the United States of America, the Federal agencies are listed in the U.S. National Oil and Hazardous Substance Pollution Contingency Plan.

**306. Provision of Additional Response Support**

- 306.1 The JRT shall provide information on non-governmental resources and services that may be useful in responding to an emergency incident.
- 306.2 Under JRT coordination and OSC authority, Federal agencies of both Parties should coordinate their planning and response activities with each other, and with affected Region, State, and local governments.

**307. State and Local Participation and Responsibilities**

- 307.1 Initial responsibility for responding to local hazardous substance incidents rests upon local governments. The JRT will provide assistance to State and local officials in the development of selected Sister City Plans. These Sister City Plans will be included in Appendix B when developed.
- 307.2 Whenever an incident exceeds local capabilities, local officials should seek the assistance of State, Regional, or National agencies.

**308. Non-Government Participation**

- 308.1 Industry groups, academic organizations, and others will be encouraged by the Parties of the Plan to commit resources for response actions. It is particularly important to use the valuable technical and scientific information generated by the non-government local community to assist the OSC in devising and implementing effective cleanup strategies

#### 400. RESPONSE OPERATIONS

Each participating Federal agency of either Party has specific functions to perform to implement the concept of operations outlined in Section 200 of this Plan. This section discusses those functions in greater detail and describes how the overall bi-national joint response effort will be coordinated.

##### 401. Notification

###### 401.1 Release or Threat of Release

Any release or threat of release of a hazardous substance, pollutant, or contaminant affecting or likely to affect the other Party shall be reported to that Party without delay. The telephone numbers are:

###### United States of America<sup>2</sup>

National Response Center  
(Outside the United States)  
(202) 426-2675  
(Within the United States)  
1-800-424-8802

###### United Mexican States<sup>2</sup>

Direccion General de Prevencion  
y Control de la Contaminacion  
Ambiental SEDUE

915-553-9481  
915-553-2977  
915-286-9192

Coordinacion General del Sistema  
Nacional de Proteccion Civil,  
Secretaria de Gobernacion

915-789-5331  
915-795-2019

(Communications Center)

915-789-4142  
915-789-4116  
915-789-3111

###### 401.2 Further notification elements include:

- The reporting points listed in 401.1 shall notify the JRT Co-Chair and the OSC of their respective countries without delay;
- The JRT Co-Chair shall notify the National Coordinators respective countries that a release has occurred or a threat of release exists;

---

<sup>2</sup> The United Mexican States will provide English speaking personnel and the United States of America will provide Spanish speaking personnel to make the emergency notification.

- The National Coordinators shall notify their respective foreign affairs officials that a release has occurred or a threat of release exists. These officials are: for the United States of America, the U.S. Department of State; for the United Mexican States, the Department of Foreign Affairs.
- The OSC will immediately notify the JRT about every polluting incident, or potential incident, that in the judgment of the OSC may require the initiation of a joint response action.

#### **402. Preliminary Assessment**

##### **402.1 Initiation of a Preliminary Assessment**

At the determination of the OSC or at the request of the Co-Chairs, the OSC will perform a Preliminary Assessment of the situation within his or her area of jurisdiction.

##### **402.2 Purpose and Contents of the Preliminary Assessment**

The purpose of the Preliminary Assessment is to obtain the facts concerning the polluting incident in order to determine if a joint response action is warranted. The assessment may include but is not limited to:

- Identification of the source and nature of the release or threat of release including quantity and location of the hazardous substance, pollutant, or contaminant;
- Evaluation of threat to human health or the environment;
- Evaluation of the magnitude of the release or threat of release; and
- Determination if a potentially responsible party is undertaking a proper response.

#### **403. Initiation of a Joint Response Action**

##### **403.1 Determination of Need for Joint Response Action**

The need for a joint response action will be determined by the OSC upon consideration of the Preliminary Assessment.

##### **403.2 Recommendation of Initiation of Joint Response Action**

If the OSC determines that a joint response action is warranted, the OSC will recommend to the Co-Chairs of the JRT that the initiation of a joint response action for the polluting incident be formally proposed to the National Coordinators. For Mexico, the SINAPROC General Coordinating Officer shall also be notified. Each Party shall notify the other without delay whether it agrees to the initiation of a joint response action.

##### **403.3 Initiation of a Joint Response**

#### 403.3 Initiation of a Joint Response

If the National Coordinators in consultation with the JRT Co-Chairs agree that a joint response action should be undertaken, they will notify the JRT, as well as their respective foreign affairs officials. The appropriate JRT member will notify the OSC of his or her respective country who will then implement this Plan.

#### 404. Containment, Countermeasures, Cleanup, Treatment and Disposal

In the event of a joint response action, the OSC(s) for each country will be responsible for the implementation of appropriate measures to contain, restrict, or reduce the release or threat of release within each country's jurisdiction. This includes the appropriate defensive actions to prevent, minimize, or mitigate a threat to public health, welfare, or the environment. These actions may include but are not limited to:

- stabilization of berms, dikes, or impoundments;
- capping of contaminated soils or sludges;
- use of chemicals and other materials to contain or retard the spread of the release or to mitigate its effects in accordance with respective laws and national policy provided that such use:
  - a) prevents or substantially reduces the risk to human life and health or the risk of fire;
  - b) prevents or reduces damage to the environment; or
  - c) appears to be the most effective method to reduce the overall adverse effects of the polluting incident.
- drainage controls;
- fences, warning signs, or other security or site control precautions;
- removal of soils highly contaminated from drainage;
- removals of drums, barrels, tanks, or other bulk containers that contain hazardous substances;
- restoration; and
- other measures as deemed necessary.

#### 405. Ending the Joint Response

A recommendation to conclude the joint response to an incident shall be made by the OSC to the JRT Co-Chairs. The JRT Co-Chairs, in consultation with the coordinating authorities, may end the joint response.



#### 406. Documentation

##### 406.1 Situation Reports (SITREPS)

Up-to-date information on the situation of an emergency incident or response action conducted under this Plan shall be provided by the OSC to the Co-Chairs as frequently as necessary via situation reports (SITREPS) that describe the current status, the actions taken, future plans, recommendations, and requests for assistance. The SITREPS shall be prepared in the following format and transmitted via telex or other electronic means to the Co-Chairs:

Date:  
Name and Phone Number of Sender:  
Name and Address of Receiver:  
Number of this SITREP:  
Situation:  
Action(s) Taken:  
Recommendations:  
Future Plans:

##### 406.2 Documentation of Actions

The OSC(s) are responsible for documenting all actions taken under this Plan in response to a polluting incident. The documentation can be in the form of written, graphic, audio, visual or other materials and shall include:

- The source and circumstances of the incident;
- The identity of the responsible party;
- An accurate accounting of public costs incurred; and
- The impacts and potential impacts to public health, welfare, and the environment.

The documentation will be useful for completing the Final Report discussed in §406.3 of this Plan.

##### 406.3 Final Report

After a joint response has terminated, the OSC shall prepare a Final Report for transmittal to the JRT. The Final Report shall accurately describe the situation as it developed, the actions taken, the resources committed, and the problems encountered. The format for the Final Report shall be as follows:

- Summary of Events -- a chronological narrative of all events, including:
  - The cause of the release;
  - The initial situation;

- Efforts to obtain response by those responsible for the release;
- The organization of the response, including participation by public and private sector organizations;
- The resources committed;
- The location of the hazardous substance, pollutant, or contaminant released;
- Details of any threat abatement action taken;
- Public information and community relations activities;
- Effectiveness of Removal Actions -- A thorough analysis of the removal actions taken by:
  - Those responsible for the release;
  - State and local response personnel;
  - Federal agencies;
  - Private groups, volunteers, and others.
- Problems Encountered -- A list of problems affecting response.
- Recommendations -- OSC recommendations are a source for new procedures and policy and should include:
  - Means to prevent a recurrence of the release;
  - Improvement of response actions; and
  - Any recommended changes in the Joint Contingency Plan.

**500. TRAINING, SIMULATION EXERCISES, AND OTHER EDUCATIONAL ACTIVITIES**

As per Article 6 of the Agreement, the parties agree to exchange technical and scientific information for protecting public health and the quality of the environment in the border area. This exchange includes, but is not limited to, training, simulation exercises, and other educational activities.

**501. Training**

The parties will participate in formal and informal training activities including on-site observations of response actions.

**502. Simulation Exercises**

The parties will participate in periodic simulation exercises of this Plan.

**503. Educational Activities**

The parties will participate in an exchange of other educational activities including academic courses, seminars, workshops, and conferences.

APPENDIX A

CONTACT PHONE NUMBERS

UNITED STATES OF AMERICA

National Response Center  
(outside the United States)  
(202) 426-2675  
(within the United States)  
1-800-424-8802

Jim Makris, JRT Co-Chair  
(202) 475-8600

For areas bordering  
Arizona and California:

24-Hour Number  
(415) 974-8131

Kathleen Shimmin  
(415) 974-7477

For areas bordering  
New Mexico and Texas:

24-Hour Number  
(214) 655-2222

Russell Rhoades  
(214) 655-222

Sheldon Meyers, National Coordinator  
(202) 382-4870

UNITED MEXICAN STATES

Act. Juan Carlos Padilla,  
National Coordinator  
General Coordinator for COPROCI  
11 (915) 789-5331  
11 (915) 789-5250  
11 (915) 789-5424

Communication Center  
11 (915) 789-4142  
11 (915) 789-4116  
11 (915) 789-3111

Rene Altamirano Perez, JRT Co-Chair  
11 (915) 553-9481  
11 (915) 553-2977  
11 (915) 286-9192

For areas bordering  
Baja California:  
11 (916) 557-0857  
11 (916) 557-0020

For areas bordering  
Sonora:  
11 (916) 212-1479  
11 (916) 213-3281  
11 (916) 213-2063

For areas bordering  
Chihuahua:  
11 (914) 412-5484  
11 (914) 412-2164  
11 (914) 416-2169

For areas bordering  
Coahuila:  
11 ( ) 414-2260  
11 ( ) 414-3332

For areas bordering  
Nuevo Leon:  
11 (918) 345-6305

For areas bordering  
Tamaulipas:  
11 (911) 312-5289

**APPENDIX B**

**SISTER CITY PLANS**

This Appendix will contain the Plans to be developed for the Sister Cities:

United States/United Mexican States

San Diego, California/Tijuana, Baja, California  
Calexico, California (including Imperial County)/Mexicali, Baja, California  
Yuma, Arizona/San Luis, Sonora  
Nogales, Arizona/Nogales, Sonora  
Naco, Arizona/Naco, Sonora  
Douglas, Arizona/Agua Prieta, Sonora  
Columbus, New Mexico/Las Palomas, Chihuahua  
El Paso, Texas/Ciudad Juarez, Chihuahua  
Presidio, Texas/Ojinaga, Chihuahua  
Del Rio, Texas/Ciudad Acuna, Coahuila  
Eagle Pass, Texas/Piedras Negras, Coahuila  
Laredo, Texas/Nuevo Laredo, Tamaulipas  
McAllen, Texas/Reynosa, Tamaulipas  
Brownsville, Texas/Matamoros, Tamaulipas

## APPENDIX C

### EXISTING BI-NATIONAL, NATIONAL, AND REGIONAL PLANS

#### Bi-National Plans

- United States/Mexico Joint Contingency Plan Regarding Pollution of the Marine Environment, September 1983.
- United States/Mexico Agreement of May 3, 1968 on Cooperation in Cases of Natural Disasters:
  - Plan for geological phenomena (San Diego/Tijuana)
  - Plan for hydrometeorological phenomena (Brownsville/Matemoes).

#### For the United States of America:

##### National Plans

- National Oil and Hazardous Substances Pollution Contingency Plan
- National Plan for Federal Response to a Catastrophic Earthquake
- Federal Radiological Emergency Response Plan
- National Drinking Water Plan

##### Regional Plans

- Region VI Oil and Hazardous Substance Pollution Contingency Plan
- Region IX Oil and Hazardous Substance Pollution Contingency Plan

##### State Plans

- Arizona
- California
- New Mexico
- Texas

#### For the United Mexican States:

##### National Plans

- National Civil Protection Program
- National Health Contingency Program in cases of disasters
- Operations Manual for CONASUPO and its subsidiaries in the case of a disaster

- Plan SM-A-87 for assistance to the population in the case of a disaster
- Plan DN-III-E for assistance to the civilian population
- National Water Quality Monitoring Program

State Civil Protection Programs

- Baja California
- Sonora
- Chihuahua
- Coahuila
- Nuevo Leon
- Tamaulipas

Local Plans

- Plan for management of toxic substances and frequently used chemicals (Federal Electricity Commission)
- Plan for solid waste management
- Plan for the Preventive Management PCBs Civil Protection Units
- Emergency Control Systems

APPENDIX D

REFERENCES

1. Agreement Between the United States of America and the United Mexican States on Cooperation for the Protection and Improvement of the Environment in the Border Area, August 14, 1983.
2. Annex II to the Agreement of August 14, 1983 -- Agreement of Cooperation Between the United States of America and the United Mexican States Regarding Pollution of the Environment Along the Inland International Boundary by Discharges of Hazardous Substances, July 18, 1985.
3. Agreement of Cooperation Between the United States of America and the United Mexican States Regarding Pollution of the Marine Environment, July 24, 1980.
4. Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA) as amended, (United States). More popularly known as "Superfund," CERCLA was passed to provide the needed general authority for U.S. Federal agencies and State governments to respond directly to hazardous substances incidents.
5. Clean Water Act (United States). The Clean Water Act provides the authority for U.S. Federal agencies to respond to spills of oil into the marine environment.
6. National Oil and Hazardous Substances Pollution Contingency Plan (NCP) (United States). The NCP effectuates the response powers and capabilities of CERCLA and Section 311 of the Clean Water Act. The NCP applies to all U.S. Federal agencies and provides for efficient, coordinated, and effective response to discharges and releases of oil and hazardous substances into or threatening the environment.
7. U.S. Executive Order 12580, Superfund Implementation (United States).
8. Presidential Decree of May 6, 1986, regarding the basis of the establishment of the National Civil Protection System.