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Conservation and Protection

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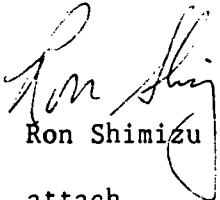
January 30, 1989

**TO:        Distribution List (attached)**

**FROM:     Ron Shimizu, Director  
          Great Lakes Environment Office  
          Conservation and Protection  
          Environment Canada**

**RE:        Distribution of the Summary Record from the Meeting of the Parties**

For your information, please find attached the Summary Record from the November 30, 1989 Meeting of the Parties to the 1987 Protocol to the 1978 Great Lakes Water Quality Agreement. If you have any inquiries relating to the record please do not hesitate to contact me at (416) 973-1104.

  
Ron Shimizu

attach.  
TCH000186

## Distribution List

### Canadian Participants:

D. Egar, DOE  
D. Williams, DOE  
G. Sherbin, DOE  
C. Hogan, DOE  
C. Ferguson, DOE  
A.R. Davis, DOE  
K. Richards, MOE  
J. Piette, Environnement Quebec  
T. Fleck, CCG  
S. LaChance, CCG  
R. Stanfield, Consulate  
M. Schwartz, External Affairs

### IJC:

✓ E. D. Fulton, A/Canadian Chairman  
A. Duda, IJC Windsor  
Dr. M.P. Bratzel Jr., IJC Windsor

### COA:

J.W. Giles, MOE  
G. Rees, MOE  
R.M. McMullen, DFO-Winnipeg  
G.R. Whitney, MNR  
E.T. Wagner, IWD-OR  
M. Hicknell, Agriculture Canada  
V.I.D. Spencer, Ministry of Agriculture and Food  
D.A. Davis, Inland Waters, C&P-HQ  
A. LeFeuvre, IWD-OR  
J.D. Kinkhead, MOE  
S. Llewellyn, EP-OR  
D. Weatherbe, MOE  
F.C. Fleischer, MOE  
D. Persaud, MOE  
I. Orchard, EP-OR  
W. Scheider, MOE  
H. Martin, AES  
E. Piche, MOE  
D. Evans, MOE  
B. O'Connor, DOE  
Dr. J. Cooley, DFO  
Dr. D. Dodge, MNR  
L. Marshall, MOE

### Others:

D. Villeneuve, NHW  
R. Whitehorne, CCG  
J. Jackson, GLU  
S. Miller, CELA  
P. Muldoon, CIELAP  
M. Kapur Malhotra, Centre for the Great Lakes

MEETING OF THE PARTIES IN COOPERATION WITH  
STATE AND PROVINCIAL GOVERNMENTS  
UNDER THE 1987 PROTOCOL TO THE 1978 GREAT LAKES WATER QUALITY  
AGREEMENT

**SUMMARY RECORD**

Chicago - November 30, 1989

In attendance were:

From Canada

David Egar (Co-Chair), DOE  
A. Davis, DOE  
C. Ferguson, DOE  
T. Fleck, Canadian Coast Guard  
C. Hogan, DOE  
S. LaChance, Coast Guard  
J. Piette, MOE-Quebec  
K. Richards, MOE-Ontario  
M. Schwartz, External Affairs  
G. Sherbin, DOE  
R. Shimizu, DOE  
R. Stanfield, DOE  
D. Williams, DOE

From the United States :

Valdas Adamkus (Co-Chair), EPA  
P. Bertram, EPA  
P. Christich, EPA  
J. Falwalter, EPA  
J. Felt, State Department  
C. Finch, EPA  
C. Fuller, EPA  
K. Fuller, EPA  
D. Green, EPA  
P. Horvatin, EPA  
P. McAvoy, EPA  
R. Pacific, US FWS  
D. Pascoe, US Coast Guard  
D. Schregardus, Ohio EPA  
J. D. Snyder, Michigan DNR  
W. Willford, EPA

1.0 Opening Remarks

U.S. Co-chair V. Adamkus called the meeting to order and welcomed the Canadian members, the Canadian Consulate, US Fish and Wildlife Service, and the U.S. and Canadian Coast Guards. Mr. Adamkus noted that the Parties meetings and all other Great Lakes environmental matters are receiving added attention due to increasing public expectations.

Canadian Co-chair D. Egar stated that progress in the Great Lakes is a top priority and that public expectations are high regarding future progress.

## 2.0 Approval of Agenda

An additional item on Natural Resources Damage Assessments under CERCLA was added to the Agenda as Item 13.3. The agenda was approved as modified.

## 11.0 Spills in the Great Lakes/Coast Guard Annexes

D. Pascoe stated that prevention of oil spills is a high priority for the Coast Guards. There is oil spill legislation pending before the U.S. Congress which impacts the Great Lakes. A summary from the 11/29/89 Coast Guard meeting will be provided.

**ACTION ITEM: D. Pascoe**

T. Fleck and S. LaChance reported on the Canadian internal review and the Public Review Panel on Tanker Safety and Marine Spills Response Capability. This review panel is examining oil transportation policy; spill prevention; and emergency preparedness. An Interim Report has been released and final recommendations are expected by Spring.

T. Fleck reported on the Canadian Coast Guard voluntary control guidelines to address importation of exotic species in ballast water. A joint meeting of the Great Lakes Fisheries Commission and the Coast Guards is planned for January or February 1990 to discuss a variety of related issues. Environment Canada and U.S. EPA will be invited to participate in the meeting. **ACTION ITEM: D. Pascoe and T. Fleck.**

There will be a Canadian and U.S. Coast Guard review of the points raised in the Water Quality Board's and Science Advisory Board's 1989 Reports with respect to Coast Guard issues. The Coast Guards will provide a response to the Parties by April 1, 1990. This will include a further report on the success of the voluntary guidelines.

**ACTION ITEM: D. Pascoe and T. Fleck**

D. Pascoe reported that the Coast Guards have agreed to take a closer look at the adequacy of the contingency plans called for in Annex 9 of the Agreement. The U.S. Coast Guard is focusing first on oil and then reviewing the hazardous substance plans. The U.S. and Canadian Coast Guards are working in close cooperation and developing a joint response plan.

**ACTION ITEM: D. Pascoe and T. Fleck**

The utility of the Hazardous Polluting Substances List contained in Annex 10 was discussed. USEPA and Environment Canada will review the Annex 10 lists of chemicals with the Coast Guards to determine whether they are serving a useful purpose. Furthermore, the Coast Guards will compare the Annex 10 lists with the MARPOL Annex List. A decision will then be made on whether Annex 10 should be revised.

**ACTION ITEM: D. Pascoe and T. Fleck**

It was questioned whether there are substances which are so hazardous that they are, or should be, totally banned from shipping on the Great Lakes. D. Pascoe was not aware of any such restrictions. T. Fleck stated that they would need to seek scientific advice regarding chemicals which pose the greatest danger. V. Adamkus asked that such sources be consulted. **ACTION ITEM: P. Horvatin and G. Sherbin**

The difference between the pilotage requirements between the U.S. and Canada are being reviewed and will be addressed in the April 1, 1990 report of the Coast Guards to the Parties.

R. Pacific expressed concern about the long term effects of small oil spills on sediments and expressed a desire to be involved in future Coast Guard meetings.

### 3.0 Review of Summary Record of June 9, 1989 Meeting of the Parties

#### o Areas of Concern - Listing/Delisting:

Work is in progress within the Canadian COA RAP Steering Committee on proposed guidelines for listing and delisting. They will be provided to GLNPO for comment when available. **ACTION ITEM: G. Sherbin**

#### o Cornwall - Messena:

D. Egar requested a briefing on the status of clean-up projects in the area. GLNPO will facilitate the meeting and will try to schedule one in January or February 1990. Representatives from the Provinces of Ontario and Quebec will be invited to participate. **ACTION ITEM: K. Fuller**

The proposed G.M. site Remediation Plan is expected to be submitted by US EPA to G.M. and the public in January, 1990.

J. Piette, Quebec Ministry of Environment, requested inclusion of Lac St. Francois in the St. Lawrence RAP because of concern about PCBs and mercury.

#### o Parties' Report to IJC:

The second Parties' Reports are due December 1990. It was agreed that there should be coordination between the Parties to make the formats compatible. R. Shimizu stated that this is a key opportunity to inform the public about progress in the Great Lakes. **ACTION ITEM: K. Fuller and G. Sherbin**

### 9.0 QA/QC, Data Reporting and Management

Agenda item 9.0 QA/QC, Data Reporting and Management was moved up on the Agenda to provide a preface to discussions on GLISP implementation.

D. Williams presented a draft issue paper on Data Adequacy/Data Quality. Two major issues were highlighted: (i) determination of what data are needed; and (ii) the issue of compatibility regarding data from individual jurisdictions which is collected for jurisdictional needs, but is forced to fit into the IJC reporting needs (GLISP).

It was agreed that the Parties would describe their monitoring programs and associated QA/QC activities. Conversely, it is the IJC's role to analyze and comment on the adequacy of the Parties plans and activities in relation to GLISP. To accelerate the process, it was decided that the Parties would request that the IJC identify, prior to June 1990, core monitoring programs and data sets necessary for tracking long-term progress under the Agreement. A letter from the meeting co-chairs to the IJC Commissions was approved and signed.

It was agreed that QA/QC coordinators would be appointed and charged with preparing terms of reference for their activities.

**ACTION ITEM: W. Willford and D. Williams**

#### **4.0 GLISP Implementation**

With respect to a report on the Parties' progress in implementing GLISP, W. Willford presented a new print-out in dBase 3 format which summarizes U.S. open lakes monitoring information. Comments on the format and its suitability for use in a report to the IJC were invited. The intent is to expand the use of the format to include tributary, point source and air data from both countries. A report will be prepared describing current and planned monitoring activities of the Parties in response to GLISP by June 1990.

**ACTION ITEM: W. Willford and D. Williams**

#### **5.0 Phosphorus Load Reduction Plans**

K. Fuller provided an update on the Phosphorus Load Reduction Plans. It was noted that Lake Ontario phosphorus concentrations appear to have reached desired levels although target loading levels have not yet been fully attained. With regard to Lake Erie, the eastern basin, like Lake Ontario, appears to have reached desired phosphorus concentrations. The central basin is approaching desired phosphorus concentration, but continues to suffer dissolved oxygen problems. The western basin far exceeds the desired phosphorus concentration levels.

An ad hoc working group will meet to discuss a variety of related issues in early 1990. The working group will take recommendations

from this meeting to a special meeting of the Parties scheduled for April 11, 1990 in Chicago. **ACTION ITEM:** P. Horvatin and G. Sherbin

## 6.0 Binational Objectives Development Committee

On behalf of the Binational Objectives Development Committee, C. Fuller presented a progress report on the activities of the Chemicals Objectives Work Group. The following were tabled for the Parties' approval and adoption:

- I. Standard Methods under Annex 1 for listing chemicals; and
- II. Chemical Lists 1, 2 and 3 (Draft).

The Parties adopted the Standard Methods and the Lists of Substances and approved their publication. Public comment on Standard Methods and the lists will be sought through a mailing and comment period. This will be accompanied by a press release. Distribution for comments will begin in January 1990. The Standard Methods and Lists will be reviewed and updated annually.

**ACTION ITEM:** A. Davis and W. Willford

C. Fuller reported that the Binational Objectives Development Committee (BODC) recommends that the specific objectives for selenium, toxaphene and 2,3,7,8-TCDD not be adopted by the Parties nor be the subject of a public workshop because of new data and the need for a common methodology. The Committee recommends that a methodology be developed for selecting candidate substances and developing specific objectives.

The BODC was instructed to develop a protocol for a methodology and to aim for a general agreement to this protocol by December 31, 1989. This protocol will be applied to the chemicals for which the IJC initially developed the specific objectives.

**ACTION ITEM:** A. Davis and W. Willford

C. Fuller led a discussion of the relationship between criteria development in the U.S. and Canada and the development of binational objectives. The Parties agreed to maintain three discrete, but related, processes for development of the specific objectives and criteria: (i) the U.S.; (ii) Canadian; and (iii) bilateral efforts. There will be a U.S. observer to the Canadian process which takes place within the Canada-Ontario Agreement Board. A Canadian observer(s) will be included in the U.S. process.

D. Egar observed that it is important for all three related processes to move ahead rapidly and at times separately. V. Adamkus noted that full sharing should lead to bilateral agreement on proposed objectives.

W. Willford and P. Bertram reported on the progress of the Ecosystem Objectives Work Group. There will be a public workshop on the

ecosystem objectives in January, by invitation only. A subgroup is developing ecosystem health indicators. Completion of the draft objectives is expected in late February or March 1990.

**ACTION ITEM:** A. Davis and W. Willford

The Ecosystem Objectives Work Group stated the need for guidance on public involvement in the process. A draft paper "Public Participation in the Parties Activities: Options and Recommendations" developed by the BODC was presented to the Parties.

C. Finch stated that guidance from the Parties is needed on the issue of public participation. The Parties agreed that this issue needs special attention. Public participation/involvement was added to the agenda of the special meeting of the Parties scheduled for April 1990.

#### 7.0 Binational Remediation Coordination

G. Sherbin stated the need to create a vehicle for information exchange and priority setting with regard to remediation efforts in the Great Lakes. U.S. and Canadian Coordinators were designated to draft terms of reference. **ACTION ITEM:** P. Horvatin and G. Sherbin

#### 8.0 Atmospheric Deposition

W. Willford gave a brief status report. A bilateral meeting of atmospheric deposition experts has been scheduled for December 4 and 5, 1989, in Detroit. The purpose of the meeting is to come to resolution on work plans, to identify additional research needs and to develop a plan to reach agreement on outstanding technical issues. Results from the December meeting will be presented to the Parties at the June 1990 semi-annual meeting.

**ACTION ITEM:** W. Willford

#### 10.0 Lakewide Management Plans (LAMPS)

R. Shimizu reported on the Canada/US Framework for Lakewide Management Plans for Critical Pollutants. It is based on the results of a workshop held in April and was the subject of a workshop held on November 17, 1989. C. Finch stated that the framework would be used in the development of plans for each lake.

Concern was expressed by jurisdictions regarding resource implications. In response, it was noted that resource availability would affect timing of plan completion and that the planning process must involve, and gain the support of, many public and private interests.



V. Adamkus recommended acceptance of the framework stating that it had received extensive review. The Parties accepted the draft framework in principle.

K. Fuller stated that, based on the approval in principle, the framework will be distributed and work will proceed on developing further agreement on the necessary content of Lakewide Management Plans.

**ACTION ITEM: K. Fuller and G. Sherbin**

## 12.0 International Joint Commission

### 12.1 4th Biennial Report

M. Schwartz reported that Canada is working on finalizing an interim general response, in the form of a letter, expected by December 1989. A more detailed response will be made in the Parties report due December 1990.

J. Felt reported that the U.S. State Department is responding to a General Accounting Office report which calls for a more detailed response. The State Department is planning, by March 1990, to determine the format for the U.S. response.

### 12.2 Hamilton Biennial Meeting

The Parties agreed that V. Adamkus and D. Egar should request a meeting with the IJC Commissioners, at the earliest possible time, to discuss the format of the biennial meeting, the role of the Parties in the meeting and the credibility of the Water Quality Board.

**ACTION ITEM: V. Adamkus and D. Egar**

## 13.0 New Business

### 13.1 St. Marys River

M. Schwartz provided a briefing on the license request for increased sand and gravel dredging in White Fish Bay of Lake Superior near the head of the St. Marys River. The request from AB McLean Sand and Gravel Ltd. is now in the Lands Division of the Ontario Ministry of Natural Resources. Based upon concerns expressed by U.S. FWS, V. Adamkus requested further study of impacts before the license is issued. It was agreed that the U.S. will provide further comments through formal channels.

**ACTION ITEM: K. Fuller and R. Pacific**

### 13.2 Groundwater Binational Workgroup

R. Shimizu expressed a desire to authorize a bilateral workgroup to address groundwater contamination. Canada has such a committee and they need a U.S. counterpart. The Parties will designate coordinators who will serve as contacts and develop terms of reference. They will provide a workplan at the next Parties meeting in June 1990.

**ACTION ITEM:** C. Finch and R. Shimizu


### 13.3 Natural Resource Damage Assessment

The Natural Resource Damage Assessment under CERCLA is a potential source of revenue to help improve the Great Lakes environment and thus achieve the goals of the Water Quality Agreement. It was agreed that a letter of support to pursue such funds from the Department of Interior would be drafted and sent.

**ACTION ITEM:** K. Fuller

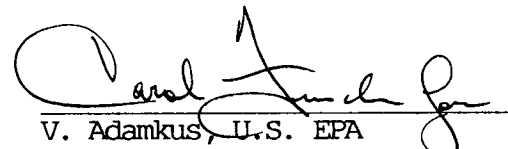
### 14.0 Date and Time for Next Meeting

The Parties will meet in a special session on April 11, 1990 in Chicago to discuss the phosphorus and public participation issues. The next semi-annual meeting will be held in Toronto on June 7, 1990.



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D. Egar, Environment Canada  
Canadian Co-Chair



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V. Adamkus, U.S. EPA  
U.S. Co-Chair