U.S. - MEXICO - CANADA AGREEMENT

U.S. Environmental Protection Agency
Office of Enforcement and Compliance Assurance

MAIN OBJECTIVES

EPA will enhance efforts to target illicit gains associated with international pollution arbitrage, including ensuring U.S. enforcement of its environmental laws under USMCA Article 24.4. EPA will also contribute expertise and support capacity building with respect to USMCA Articles 24.8 (Multilateral Environmental Agreements), 24.9 (Protection of the Ozone Layer), 24.10 (Protection of the Marine Environment from Ship Pollution), and 24.11 (Air Quality). These Articles commit the Parties to combat illegal trade in ozone depleting substances, pollution from ships, and importation of non-compliant engines. EPA will address these objectives, as well as those of Article 24.25 (Environmental Cooperation), to expand cooperative relationships and achieve shared environmental goals.

BACKGROUND

The United States, Mexico, and Canada are significant chemicals trade partners. [1] Illicit pesticides pose potentially serious threats to human safety and health, economies, businesses and farmers, the environment, and national security. [2] Illegal pesticides and ozone depleting substances can negatively impact trade as well as weaken the rule of law, damage the environment, and harm local communities. The partnership between EPA and USTR is working to address these challenges and promote sustainable chemical import and export in North America. [3] This in turn helps all three USMCA trade partners to strengthen the chemical market by combating illegal pesticides and ozone depleting substances - jointly protecting public lands, human health, and the environment through continued enforcement of the laws regulating the importation, sale, and distribution of dangerous pesticides.

GOAL 1

Combat illegal trade of regulated chemicals that pose a risk to human health & the environment

Planned Actions

- Provide capacity building for U.S., Mexico, Canada, and Tribal border inspectors on sampling and analysis of various regulated chemicals, including ozone depleting substances
- Provide analytical field-testing equipment for border inspectors in the United States.
- Enhance capabilities to sample and analyze suspect chemicals quickly and accurately

GOAL 2

Increase & improve vessel pollution enforcement

Planned Actions

- Target and enforce requirements associated with illegal levels of sulfur in ship fuels
- Increase and improve targeting, inspection, and compliance in the area of deliberate pollution from ships
- Provide funding and expertise to the U.S. Coast Guard to support targeted vessel pollution inspections, including sampling and analysis of suspect wastes and fuels aboard vessels

GOAL 3

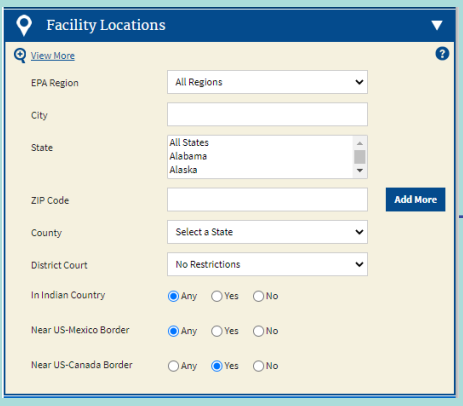
Promote improved communications and exchange of information with Mexican and Canadian agencies

Planned Actions

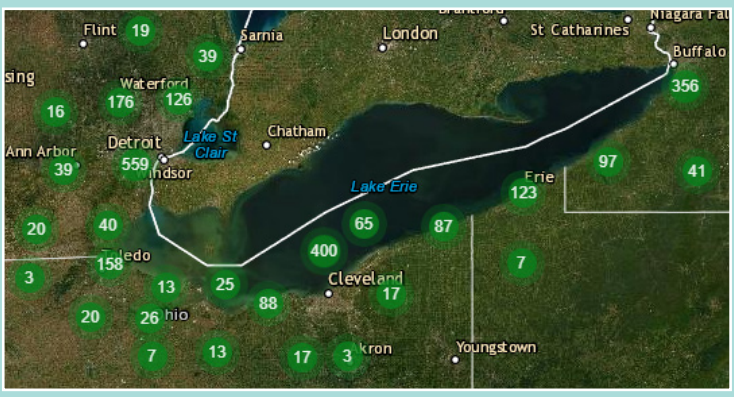
- Establish a steering committee along the northern border and one along the southern border to improve and expand enforcement coordination and collaboration with Mexico and Canada
- Use various intelligence sources and enforcement trends to identify sites/locations for trainings, equipment delivery, and enhanced inspections
- Develop training for specific sampling, inspection, and analysis
- Exchange information with partner agencies on the best methods to identify and investigate violators at border crossings and ports, seize contraband, and prosecute violators

SPOTLIGHT

A new Search function was added to EPA's Enforcement and Compliance History Online (ECHO) database to search for facilities located along the U.S.-Canada border. Searching for EPA-regulated facilities using these flags can quickly communicate compliance status and enforcement history of facilities.



Search Results for Activity Along Canadian Border



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References
1. https://www.usitc.gov/research_and_analysis/trade_shifts_2017/chemicals.htm
2. https://unicri.it/sites/default/files/2019-10/The_problem_of_illicit_pesticides.pdf
3. https://www.justice.gov/usao-sdca/pr/border-pesticide-initiative-results-prosecution-50-defendants-smuggling-dangerous