

**No. 31532. Canada and United States of America**

AGREEMENT BETWEEN THE GOVERNMENT OF CANADA AND THE GOVERNMENT OF THE UNITED STATES OF AMERICA ON AIR QUALITY. OTTAWA, 13 MARCH 1991 [*United Nations, Treaty Series, vol. 1852, I-31532.*]

PROTOCOL BETWEEN THE GOVERNMENT OF CANADA AND THE GOVERNMENT OF THE UNITED STATES OF AMERICA AMENDING THE "AGREEMENT BETWEEN THE GOVERNMENT OF CANADA AND THE GOVERNMENT OF THE UNITED STATES OF AMERICA ON AIR QUALITY" (WITH APPENDIX). WASHINGTON, 7 DECEMBER 2000\*

**Entry into force:** 7 December 2000 by signature, in accordance with article VI

**Authentic texts:** English and French

**Registration with the Secretariat of the United Nations:** Canada, 22 January 2016

*\*No UNTS volume number has yet been determined for this record. The Text(s) reproduced below, if attached, are the authentic texts of the agreement /action attachment as submitted for registration and publication to the Secretariat. For ease of reference they were sequentially paginated. Translations, if attached, are not final and are provided for information only.*

**N° 31532. Canada et États-Unis d'Amérique**

ACCORD ENTRE LE GOUVERNEMENT DU CANADA ET LE GOUVERNEMENT DES ÉTATS-UNIS D'AMÉRIQUE SUR LA QUALITÉ DE L'AIR. OTTAWA, 13 MARS 1991 [*Nations Unies, Recueil des Traités, vol. 1852, I-31532.*]

PROTOCOLE ENTRE LE GOUVERNEMENT DU CANADA ET LE GOUVERNEMENT DES ÉTATS-UNIS D'AMÉRIQUE MODIFIANT L'«*ACCORD ENTRE LE GOUVERNEMENT DU CANADA ET LE GOUVERNEMENT DES ÉTATS-UNIS D'AMÉRIQUE SUR LA QUALITÉ DE L'AIR*» (AVEC APPENDICE). WASHINGTON, 7 DÉCEMBRE 2000\*

**Entrée en vigueur :** 7 décembre 2000 par signature, conformément à l'article VI

**Textes authentiques :** anglais et français

**Enregistrement auprès du Secrétariat des Nations Unies :** Canada, 22 janvier 2016

*\*Aucun numéro de volume n'a encore été attribué à ce dossier. Les textes disponibles qui sont reproduits ci-dessous sont les textes originaux de l'accord ou de l'action tels que soumis pour enregistrement. Par souci de clarté, leurs pages ont été numérotées. Les traductions qui accompagnent ces textes ne sont pas définitives et sont fournies uniquement à titre d'information.*

[ ENGLISH TEXT – TEXTE ANGLAIS ]

**PROTOCOL**  
**BETWEEN**  
**THE GOVERNMENT OF CANADA**  
**AND**  
**THE GOVERNMENT OF THE UNITED STATES OF AMERICA**  
**AMENDING THE “AGREEMENT BETWEEN THE GOVERNMENT OF**  
**CANADA AND THE GOVERNMENT OF THE UNITED STATES OF AMERICA**  
**ON AIR QUALITY”**

**THE GOVERNMENT OF CANADA AND THE GOVERNMENT OF THE UNITED STATES OF AMERICA**, hereinafter referred to as “the Parties”,

**RECALLING** the Agreement between the Government of Canada and the Government of the United States of America on Air Quality done at Ottawa March 13, 1991, hereinafter referred to as “the Agreement”;

**RECOGNIZING** that cooperative and coordinated action through the Agreement provides an effective means of addressing transboundary air pollution;

**INTENDING** to reduce the transboundary flow of tropospheric ozone and precursor emissions (NO<sub>x</sub> and VOC), thereby helping both countries attain their respective air quality goals;

**RECOGNIZING** that tropospheric ozone and its precursors (NO<sub>x</sub> and VOC) originating in Canada and the United States are transported across their international border, thereby affecting the ability of downwind areas in each country to attain their air quality goals;

**CONCERNED** about the serious adverse effects to human health and the environment from these pollutants;

**RECOGNIZING** the need to take new scientific evidence into account; and

**ACKNOWLEDGING** the importance of public awareness, information, education and involvement;

**HAVE AGREED** as follows:

**ARTICLE 1**

A new Annex 3, titled “Specific Objectives Concerning Ground-Level Ozone Precursors” and attached as an appendix to this Protocol, shall be added to the Agreement.

**ARTICLE II**

Paragraph 2 of Article IV of the Agreement shall be deleted and replaced with the following:

"2. Each Party's specific objectives for emissions limitations or reductions are set forth in annexes to this Agreement as follows:

- (a) Specific objectives for sulphur dioxide and nitrogen oxides, which will reduce transboundary flows of these acidic deposition precursors, are set forth in Annex 1.
- (b) Specific objectives for volatile organic compounds and nitrogen oxides, which will reduce transboundary flows of tropospheric ozone and these precursors, thereby helping both countries attain their respective air quality goals over time, are set forth in Annex 3.

Specific objectives for such other air pollutants as the Parties agree to address should take into account, as appropriate, the activities undertaken pursuant to Article VI."

**ARTICLE III**

1. Article VII of the Agreement shall be amended by adding a new paragraph 2 as follows:

"2. The Parties agree to provide, subject to their respective laws and regulations, public access to the databases containing the emissions and monitoring data reported or shared under this Agreement."

2. Paragraph 2 of Article VII of the Agreement shall be renumbered paragraph 3.

**ARTICLE IV**

Paragraph 3 of Annex 2 of the Agreement shall be amended as follows:

1. Subparagraph (e) shall be deleted and replaced with the following:

"(e) their analysis of and experience with market-based mechanisms, including emissions trading. Specifically, through the Air Quality Committee established under Article VII of the Agreement, the Parties shall exchange information, within 12 months of entry into force of the Protocol amending this Agreement and as may be agreed upon thereafter, about the structure, components, public information and disclosure requirements (including verification), environmental impacts, and administration of their respective NO<sub>x</sub> and SO<sub>2</sub> emissions trading programs including emissions monitoring, reporting and tracking of transfers of authority to emit;"

2. Subparagraph (f) shall be amended by deleting the period and replacing it with “; and”.
3. A new subparagraph (g) shall be added as follows:  
“(g) public engagement and outreach activities.”

ARTICLE V

Annex 2 of the Agreement shall be amended by adding a new paragraph 5 as follows:

“5. The Parties further agree, subject to their respective laws and regulations, to consult and share respective information on data, tools and methodologies and develop joint analyses on ground-level ozone and its precursors, including:

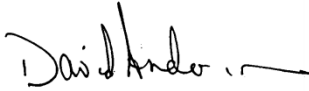
- (a) research and applications that contribute to tracking of human health and environmental responses to controls;
- (b) facility-specific emissions data, quantification methods, and related information required for modeling and regulatory policy development, assumptions and models used to estimate emissions from other sources, and air quality data for all relevant monitors;
- (c) evaluation of transboundary transport, using methods such as, *inter alia*, monitoring and meteorological data analyses, and modeling;
- (d) evaluation of adequacy of monitoring networks;
- (e) review of new technologies; and
- (f) analysis of options for reductions from significant emitting source categories such as transportation, manufacturing and electricity where there may be opportunities to achieve further cost-effective emission reductions through various means, for example, energy efficiency, renewable energy, cleaner fuels, and alternative technologies and approaches.”

**ARTICLE VI**

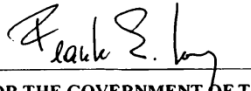
Pursuant to Article XVI of the Agreement, this Protocol shall enter into force upon signature by the Parties.

**IN WITNESS WHEREOF** the undersigned, being duly authorized by their respective Governments, have signed this Protocol.

**DONE** in duplicate at *Washington*, this *seventh* day of *December*, 2000, in the English and French languages, each version being equally authentic.



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**FOR THE GOVERNMENT  
OF CANADA**



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**FOR THE GOVERNMENT OF THE  
UNITED STATES OF AMERICA**