

U.S. - Canada Regulatory Cooperation Council Regulatory Partnership Statement

By Department of Natural Resources of Canada's Explosives Safety and Security Branch and the United States Department of Transportation's Pipeline and Hazardous Materials Safety Administration

Department of Natural Resources of Canada (NRCan) and the United States Department of Transportation's Pipeline and Hazardous Materials Safety Administration (USDOT/PHMSA) have established an ongoing regulatory partnership, as outlined in the *RCC Joint Forward Plan*, that will enable us to work together and with our stakeholders to increase regulatory cooperation and alignment.

To achieve this, NRCan and USDOT/PHMSA have:

- Established high-level partnership governance between the organizations' senior officials who oversee and help technical-level working groups identify opportunities for coordination on medium and long-term regulatory cooperation and alignment.
- Implemented a bi-national work planning process that includes annual review of work plans.
- Regularized stakeholder discussions to inform senior officials on regulatory alignment opportunities and provide input on future work.

Given that Canada and the United States of America share a seamless transportation network where explosives are being deployed in a common market, and that similar consumer preferences and the globalized nature of commercial explosives being manufactured and used underpin their strong collaboration on the classification of explosives matters, NRCan and USDOT recognize that by acting together, we may address individual national interests while achieving shared goals of greater safety and security. We will be guided in our partnership work by a mutual desire to promote responsible explosives use, and a shared interest in expanding our safety and security collaboration, and our desire to work together regionally and globally.

The high-level partnership governance is the purview of the Director General (Explosives Safety and Security Branch) at the Department of Natural Resources of Canada and the Associate Administrator, Office of Hazardous Materials Safety of the U.S. Department of Transportation. They will ensure that technical expert groups are organized and conduct each activity under the scope of this RPS, including an annual review.

Stakeholders will be invited regularly to consult and provide information on areas outlined in the work plans, as well as new areas where enhanced regulatory cooperation may be considered beneficial. We will also engage with stakeholders to help identify industry and consumer trends, and the potential implications those trends may have on their businesses, as well as applicable regulations. For example, stakeholders may provide information on supply chain management changes, the emergence of new technologies, new applications for existing technologies, new manufacturing processes etc. We will seek views from stakeholders in both countries during the work planning process. Working groups will consider stakeholder input in developing and updating their work plans. Stakeholder input should be specific and include costs associated with proposed initiatives and ideas for their implementation.

Collaborative work in the areas of alignment and promotion of the safe management of explosives materials including classification requirements for transportation purposes is expected to include:

- i. Work plans and schedules for the mutual recognition of explosives classification;
- ii. Information sharing, with respect to data, information, and analysis that informs, decision-making with respect to methodologies and rationales for the development and application of test methods and other standard development.
- iii. Policy reviews or other initiatives to enhance regulatory cooperation (e.g. information sharing);
- iv. Where warranted and practicable, test methods and joint stakeholder consultations;
- v. Sharing stakeholder submissions and statements;
- vi. Industry, consumer or technological trends that may impact regulatory systems; and
- vii. Existing or future international cooperation initiatives with other countries.
- viii. Information that is confidential, business proprietary or otherwise not appropriate for public dissemination is only to be shared as permitted by law and subject to applicable procedures and policies of the Participants.