

**IMPLEMENTING ARRANGEMENT
REGARDING
ENVIRONMENTAL MATTERS
IN IMPLEMENTATION OF THE AGREEMENT BETWEEN
THE GOVERNMENT OF THE REPUBLIC OF BULGARIA
AND
THE GOVERNMENT OF THE UNITED STATES OF AMERICA
ON DEFENSE COOPERATION**

Pursuant to Articles XXIX and XXXIII of the "Agreement Between the Government of the Republic of Bulgaria and the Government of the United States of America on Defense Cooperation", signed in Sofia on April 28, 2006 (hereinafter "the Agreement"), it is agreed as follows:

1. The Government of the Republic of Bulgaria and the United States acknowledge the importance of environmental protection in the context of United States forces activities in the Republic of Bulgaria pursuant to the Agreement and the United States commitment to respect relevant Bulgarian environmental law in the execution of its policies. The Government of the Republic of Bulgaria and the United States share a common goal of protecting the health and safety of persons living and working on or near agreed facilities and areas, including the Republic of Bulgaria residents and Bulgarian and United States forces, their dependents, and United States contractors.
2. The Republic of Bulgaria and the United States agree to cooperate regarding protection of the environment in and around the agreed facilities and areas and have reached the following understandings on environmental standards, information sharing, environmental performance, and environmental consultation in connection with activities undertaken pursuant to the Agreement.
3. United States forces shall undertake to protect the environment through the application of relevant United States Department of Defense environmental requirements and policies. These efforts shall be guided by respect for and consideration of relevant Bulgarian laws, regulations, and standards, as generally and uniformly applied and enforced within the Republic of Bulgaria, and by relevant United States environmental standards, requirements, and policies. The Bulgarian Executive Agent shall provide assistance and information, in a timely fashion, to the United States Executive Agent, as may be necessary in connection with this Implementing Arrangement. The Executive Agents shall:
 - a. Through the framework of the Joint Commission, exchange appropriate information regarding issues that could substantially affect the natural environment and the health and safety of the Republic of Bulgaria citizens and United States forces;
 - b. Consult through the Joint Commission on risks posed by environmental contamination on or adjacent to agreed facilities and areas that could substantially affect the natural environment and health and safety of the Republic of Bulgaria citizens and United States forces.

4. The Bulgarian Executive Agent shall take appropriate and necessary measures to promptly respond to any contamination, including pre-existing contamination, caused by sources other than United States forces, that substantially endangers the health or safety of such persons, or that degrades the mission capabilities of United States forces in the Republic of Bulgaria.
5. United States forces shall conduct periodic environmental performance assessments to examine, identify and evaluate the environmental aspects of United States forces activities undertaken pursuant to the Agreement with a goal of minimizing adverse environmental effects. United States forces shall promptly undertake to remedy, as appropriate and in accordance with United States Department of Defense environmental standards, regulations and policies, contamination caused by United States forces in connection with activities undertaken pursuant to the Agreement. The United States shall be responsible only for environmental contamination caused by the United States forces in conducting activities under the Agreement.
6. As may be necessary for the environmentally sound management of hazardous wastes, United States forces shall provide all information required under the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal, done at Basel, Switzerland, March 22, 1989 (the "Basel Convention"), for the transboundary movement of hazardous waste.
7. The Bulgarian Executive Agent through the framework of the Joint Commission shall identify an entity to act on behalf of the United States forces as an operative agent or representative for the purpose of required notifications or agreements under the Basel Convention.
8. The United States Executive Agent shall furnish Environmental Baseline Studies on all agreed facilities and areas prior to initial use by the United States forces. The Bulgarian Executive Agent shall, in a timely manner, provide any existing information that will serve to identify, describe, or characterize these baseline conditions. These studies shall be considered as documentation of "pre-existing conditions."
9. The Bulgarian Executive Agent will keep the United States forces apprised of regulatory requirements for the protection of sensitive or endangered flora and fauna that may impact the operations, training or mission capabilities of the United States forces. The protection of flora and fauna will be considered during the planning of activities and the stationing of the United States forces on the territory of the Republic of Bulgaria.
10. The Government of the Republic of Bulgaria and the United States agree that issues, concerns, or disagreements regarding environmental issues associated with activities undertaken pursuant to the Agreement shall be a matter of consultation within the Joint Commission.
11. The Joint Commission shall oversee implementation of this Implementing Arrangement. For the appropriate and timely implementation and executions of the obligations and requirements of this Implementing Arrangement, the Joint Commission will develop and oversee appropriate procedures.
12. This Implementing Arrangement may be amended in writing at any time, with the mutual consent.

13. This Implementing Arrangement shall enter into force upon signature and remain in force unless terminated upon one year's written notice. In any event, this Implementing Arrangement shall terminate on the date the Agreement terminates, should that occur.

IN WITNESS THEREOF, the undersigned, being duly authorized, have signed this Implementing Arrangement.

DONE in Sofia, this 28th day of February 2008, in duplicate, in the Bulgarian and English languages, both texts being equally authentic.

**FOR THE GOVERNMENT
OF THE REPUBLIC OF BULGARIA**

FOR THE UNITED STATES