

these areas. The states are now in the process of revising their plans and the process allows for public participation, including that of Canadian citizens and government entities. The state implementation plan provisions will generally apply to specific sources and will have greater applicability in the western half of the country. All current EPA regulations under this section relate to visibility infringement due to plumes easily attributed to a given facility. The second phase of EPA's planned visibility program will deal with regional haze which is not attributable to a specific source or sources.

viii. International Air Pollution

Section 115 of the Act gives authority to the Administrator to require state implementation plan revisions either a) on receipt of reports from duly-constituted international agencies giving him reason to believe that an air pollutant emitted in the United States causes or contributes to air pollution which may reasonably be anticipated to endanger health or welfare in another country; or, b) upon receiving a request from the Secretary of State alleging that such air pollution is occurring. Invocation of Section 115 cannot be accomplished unilaterally by foreign private parties or government entities.

The Section may be brought into effect only if the Administrator has made a finding of "reciprocity", that is, that the other country offers the United States essentially the same rights relating to control of air pollution in that country which the United States offers the foreign country under Section 115.

Following these findings and the identification of the state or states where the emissions originate, the Administrator is to require the revision of the appropriate state implementation plan or plans to the extent necessary to abate the endangerment. An offending state must revise the state implementation plan in such a manner as to abate the endangerment. In that revision process, Section 115 makes expressly clear that the foreign government may participate fully in all administrative hearings.

ix. Judicial Review Under the Clean Air Act

EPA's approval of a revision to a state implementation plan may thereafter be challenged by any person pursuant to Section 307(b) (1) of the Act (42 U.S.C. 7607(b) (1)). Section 302(e) of the Act (42 U.S.C. 7602(e)) defines "person" as an individual, corporation, partnership, association, state, municipality, political subdivision of a