

Clean Air Act

Minister of the Environment, with discretionary authority to regulate individual emission sources or classes of sources which cause or contribute to air pollution, which, in his opinion, is endangering or may be anticipated to endanger the health, safety or welfare of persons in another country.

Second, they require the Minister of the Environment, before providing advice to the governor in council, to receive through appropriate channels and to take account of related representations from the foreign country adversely affected or likely to be adversely affected by pollutants from Canadian sources.

Third, they require the Minister of the Environment, before providing advice to the governor in council, to consult with the province or provinces concerned and to seek the application of provincial law to control the source or sources to a level judged adequate by the minister.

Fourth, they specify that the authority provided in these amendments would be exercised only on behalf of a country which, in the opinion of the governor in council, provides Canada with comparable legislative protection.

It is my view that an objective analysis of Canada's response over the years to incidents of transboundary pollution originating in Canada would show clearly that, working with and through the provinces involved, we have acted in the spirit which is represented by these proposed amendments. To put it another way, we have traditionally taken full account of United States' concerns, and the provinces have generally been willing to modify their pollution control requirements where good evidence of actual or likely damage to the United States has been forthcoming. I have no reason to believe that this responsible attitude on the part of the provinces will change in the future. Indeed, it is my hope that the pollution control authority provided to the federal government under these amendments will never need to be used. That is the message which I instructed my officials to convey in their conversations with provincial officials about these amendments, and which I subsequently underlined personally in letters to each of my provincial counterparts.

Having said that, I am aware that historic good practice does not, in a strictly legal sense, provide the reciprocity called for in section 115 of the United States clean air act, nor does it address a serious perceptual problem which we have encountered among United States political figures and officials. Bluntly stated, that problem is that the apparent imbalance in legal protection afforded by one country to the other reflects in the minds of a number of influential Americans a difference in our commitment to provide the consequent physical protection. However unfair that perception—and I think it is unfair—it is one which must be overcome. I believe that these amendments, if accepted by the House today, will greatly assist us in that effort.

There is another important benefit to be obtained from these amendments. The speed and unanimity with which this House is prepared to pass them reflect very clearly our collective view, representing the people of Canada, that the need to control acid rain requires extraordinary and rapid measures.

That is a message which we in this House are sending to the administration, Congress, and people of the United States.

Hon. members will recall that the Canadian ambassador to Washington and I signed, last August, in company with the United States Secretary of State and the Administrator of the United States Environmental Protection Agency, a memorandum of intent which, in addition to calling for the negotiation of an air quality agreement, specifically called upon each country to use its existing legislation to abate international air pollution. The passage of these amendments to our Clean Air Act will now enable the United States administration to use section 115 to honour this pledge.

● (1520)

In closing, I want to pay tribute to several members of the House. Bringing forth this legislative proposal today has been an exercise in consultation and co-operation by parties on all sides of the House. It recognizes the importance which all parties attach to dealing with these matters as effectively as we can. Often we are divided by partisan differences, but frequently as well we find ourselves united in dealing with a problem which faces our country.

I want to pay tribute particularly to the hon. member for Hillsborough (Mr. McMillan) and to the hon. member for Skeena (Mr. Fulton) who, as the critics for their respective parties in the area for which I am responsible, have shown friendly and forthcoming co-operation so as to accomplish something in a short period of time. I would also like to thank all three House leaders for their efforts in ensuring expeditious and prompt action on this proposal before the House.

Mr. Paproski: And all other members.

Mr. Tom McMillan (Hillsborough): Mr. Speaker, I am happy to participate in this short debate on a bill to amend the Clean Air Act. Both on my own behalf, as environment critic for the Progressive Conservative Party, and on behalf of my party, I welcome the initiative which the Minister of the Environment (Mr. Roberts) has taken to have Canada's Clean Air Act amended.

On the surface, the proposed amendment appears minor but, in fact, it would greatly strengthen our country's ability to co-operate with our United States neighbours in attacking the long-range transport of air pollutants, of which the most serious for both countries is acid rain.

As the minister has just pointed out, the United States clean air act allows the relevant authorities in the United States to take certain actions against polluters in that country who are damaging the health or welfare of another country. Such action, however, can be taken by the United States government only if the other country offers reciprocal protection to the United States. At present, because Canada's Clean Air Act does not offer that reciprocal protection, the American government cannot act as expeditiously as it otherwise could against interests in the United States who are polluting the Canadian environment. This bill we are debating, and which I