

available to the industry. Provincial governments are also consulted in the development of these guidelines. The guidelines are legally enforceable against provincial works when adopted by the provinces.

#### iv. National Emission Standards

Section 7 of the Act authorizes the federal government to prescribe national emission standards establishing maximum quantities of concentrations of air contaminants that may be emitted from any stationary source. The authority to set these standards is given if the emission would:

- (a) constitute a significant danger to the health of persons; or
- (b) be likely to result in the violation of any international obligation entered into by Canada, relating to the control or abatement of air pollution in regions adjacent to the international boundary or throughout the world.

Proposed national emission standards must be published in the Canada Gazette and may be prescribed 60 days after such publication.

#### v. Specific Emission Standards

Section 13 of the Act empowers the federal government to prescribe specific emission standards for any stationary work, undertaking or business within the exclusive legislative authority of the Parliament of Canada ("federal works"). This generally does not extend to mobile sources.

Federal works "include a work, undertaking or business operated or carried on for or in connection with activities that fall under federal jurisdiction such as navigation and shipping, railways, canals, telegraph or other works, steamships lines, ferries, aerodromes and aircraft, radio broadcasting stations, nuclear establishments, etc."

As already indicated above, where an activity of a provincially regulated work (e.g. provincial hydro utility) causes pollution in another country, that activity can be subjected to federal legislation.

If a province has adopted national ambient air quality objectives, the federal government is empowered by section 20 to prescribe specific emission standards corresponding to the objectives (maximum "acceptable" level) with