

benefits to Canada. This action was taken with a view to establishing the reciprocity required for activation of Section 115 of the U.S. Clean Air Act.

Under the Amendment, where the source of air pollution is not a "federal work", specific emission standards with respect to that source may be prescribed by the federal government after notice of foreign representations has been forwarded to the province in which the work is situated, meaningful consultations with that province have taken place with a view to determining whether the emissions can be effectively controlled by provincial law, if any, and a reasonable effort to seek the application of such provincial law has been made. Where the source is a federal work the federal government is not required to consult with the provinces in establishing specific emission standards.

Proposed specific emission standards must be published in the Canada Gazette and a reasonable opportunity to make representations must be afforded to persons in Canada who would be affected by the proposed standards. Reasonable opportunity must also be afforded for the making of representations, in a manner to be prescribed by the federal government, on the part of the foreign country for the benefit of whose people the standards are proposed to be prescribed.

#### ii. National Ambient Air Quality Objectives

Section 4 of the Act empowers the federal government to prescribe national ambient air quality objectives reflecting three ranges of air quality for each contaminant: "tolerable", "acceptable" and "desirable".

These objectives are goals which have no legal effect unless prescribed as specific emission standards for "federal works", or incorporated by provinces in their legislation and municipalities in their bylaws, by virtue of federal-provincial agreements authorized under the Act.

#### iii. National Emission Guidelines

Section 8 of the Act authorizes the federal government to establish national emission guidelines indicating quantities and concentration in which any air contaminant should not be emitted into the ambient air by any source, stationary or otherwise. The guidelines now in effect were developed under the Department of the Environment Act, by a government-industry task force on the basis of agreements between government and industry which have as a criterion the "best practicable technology"