

maintain and enforce national ambient air quality standards. Both the statute and EPA regulations establish many criteria the plans must meet, including the adoption of emissions limitations on sources as necessary to ensure that national standards are attained and maintained. In general, any state plan or plan revision must be submitted to EPA for approval.

Opportunities for public ,including Canadian, participation, occur in comment periods and public hearings on EPA proposals to approve, disapprove or take no action on plans or revisions. Since plans establish emission limits for individual existing sources, rulemaking on plans and revisions is the prime opportunity for public comment on pollution control requirements for those sources.

Part D of the Act (Sections 171-178) sets out specific plan requirements for nonattainment areas which do not meet air quality standards. Although those requirements are in addition to and generally more stringent than those in Section 110, they are implemented through the Section 110 plan revision process. Therefore, any federal nonattainment regulations, or plan revisions to satisfy nonattainment requirements, are subject to public notice and comment rulemaking in which the public, including Canadian citizens and government entities, may participate.

While Sections 172 and 173 require states to develop programs to review proposed new and modified sources, once the program is approved by EPA the state operates the program. EPA regulations require state new source review programs to provide for notice and comment.

iv Primary Nonferrous Smelter Orders

Under Section 113, nonferrous smelters which cannot meet sulfur dioxide emission limitations in state implementation plans because adequate technology is not available may receive extensions, until 1988 at the latest, which exempt them from meeting the plan requirements. Sources apply for an extension order to obtain an exemption either to the state (which must obtain final approval from EPA) or directly to EPA, depending on whether the applicable plan requirements were promulgated by the state or by EPA. EPA's proposed action is subject to notice and comment rulemaking in which the public, including Canadian citizens and government entities, may participate.

v. Stack Height Regulations

Section 123 prohibits any source from receiving stack height credit above a "good engineering practice"