

United States the major concern has been on the thermal power generation sector.

Domestic legislation has obviously been developed to deal with domestic air pollution problems. However, in the legislation of both countries, the need to deal with transboundary air pollution has been recognized. This may be seen from Section 115 of the United States Clean Air Act and the 1980 Amendment to the Canadian Clean Air Act (Bill C-51).

B. Canada

1. General

Canadian authority to control air pollution rests in the various statutes of the federal government and the ten provinces. The major instrument of the Canadian Government in this area is the Clean Air Act (1971) which empowers the federal government to prescribe national ambient air quality objectives, national emission guidelines, national emission standards, and specific emission standards. The Act was unanimously amended by the Canadian Parliament in December 1980 (Bill C51) to expand the Government's authority to control directly pollutants crossing the international boundary on a basis of reciprocity with the United States.

In practice the exercise of authority in the field of air pollution is carried out on a cooperative basis by the federal government and the provinces, with much of the actual control of specific pollutant sources being carried out under provincial statutes. Action has recently been taken under provincial legislation to increase control of pollutants contributing to acid rain; in September 1980 the Government of Ontario issued a Control Order and a Regulation under the provincial Environmental Protection Act requiring a substantial reduction in pollutants from the INCO smelting operation at Sudbury, the largest single Canadian source of these pollutants. Another Regulation was issued in February 1981 requiring substantial reductions in acid causing emissions from the operations of Ontario Hydro, a crown corporation responsible for power generation in the province.

The nature of federal and provincial jurisdiction in the field of air pollution control is reflected in the way in which environmental protection is carried out in Canada. Implementation through domestic legislation of international commitments undertaken in an agreement could be effected by federal or provincial authorities, or a combination. The Great Lakes Water Quality Agreement is an