

dangerous situation cannot be remedied any other way. Thus, the Act, which would apply to air as well as the other environmental media, could be utilized to control emissions contributing to air pollution if no action can be taken, for instance, under the Clean Air Act.

The Environmental Contaminants Act gives the federal government comprehensive powers to restrict or prohibit the release of a named substance into the environment, the use of that substance for certain purposes, and the incorporation of the substance in a manufactured product. Section 8 prohibits willful release of substances named in schedule to the Act in excess of quantities or concentration prescribed by regulations; the import, manufacture, processing, offering for sale or knowingly using a scheduled substance for a prescribed commercial, manufacturing or processing use, except when such substance is adventitiously present in the material and does not exceed a quantity or concentration consistent with good manufacturing practice; and the import, manufacture, knowingly offering for sale of a product that contains a scheduled substance in a quantity or concentration exceeding that prescribed for that substance in relation to such product. Offences under this section are punishable by a fine up to \$100,000 for each offence on summary conviction or by imprisonment up to 2 years on conviction upon indictment. An offence continuing for more than a day is deemed to be a separate offence.

The Act has notice and public participation provisions which may be applicable to residents of the United States. Proposed regulations and modifications and addition of substances to the Schedule are required to be published in the Canada Gazette. Within 60 days of publication any person "having an interest therein" may require the Minister to inquire into the nature of the danger posed by the substance. The Act states that "any other interested or knowledgeable person may be given an opportunity to be heard at such a hearing. After sixty days, if no hearing is held, the Order or regulation comes into force or the substance is added to the list in the Schedule to the Act. If a hearing is held, the regulation or Order can only be made after the Board's report has been received by the two Ministers.

Fisheries Act

Subsection 33(2) is the core of the anti-pollution provisions of this Act. It prohibits the deposit of any deleterious substance in Canadian fisheries waters or in any place under any conditions where such deleterious substance, or any other deleterious substance that results from its