
grants a pollution-generating facility the permission to operate in a particular manner. The RCRA, for example, requires treatment, storage and disposal permits for facilities generating hazardous waste. Air pollution control permits restrict emissions of certain pollutants. Solid waste permits, generally handled by state agencies, guide the handling, treatment and disposal of municipal and industrial waste.

Local Governments

County governments receive transfers from higher governments to enforce legislation, although the margin of coverage is generally quite tight. Counties can pass their own ordinances, although, for funding reasons, this is done in only a handful of cases. For example, Santa Clara (Silicon Valley) has enacted a toxic gas ordinance due to the specific industrial nature of the industry located in the region.

American municipalities are not actively involved in enforcement, although water plants are owned by municipalities and are generally regulated by them.

2.2 The Liability Issue

Many of the interviews during this study have indicated that manufacturers and other purchasers are concerned with the liability question. To what extent can Canadian firms be found liable for environmental problems and/or engineering errors? How much insurance do firms generally have? What are the trends in the liability area? And so on.

Liability is a high-profile issue in the United States. For instance, a few years ago a selection of environmental companies withdrew from the hazardous waste area until certain liability matters were addressed.

From a potential client's perspective, the engineer supplying a service must be adequately covered to accommodate any potential liability problems. From the Canadian engineer's perspective, our view is that adequate insurance and extreme caution will ensure that questions of liability can be accommodated.

Avoiding Liability

In general liability areas, engineers in the United States can be held liable for damages resulting from overly-optimistic cost estimates. These damages are allotted amongst the various liable