

**Environmental Law**  
**NRM 407, 3 credits**  
**Spring Semester 2015**  
**Tuesday and Thursday 9:45-11:15**  
**Arctic Health 183**

Instructor: Julie Lurman Joly  
Associate Professor of Natural Resources Law and Policy

Office Hours: by appointment  
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### Quizzes:

There will be 4-6 quizzes over the course of the semester. The quizzes will be in class, **open note** (though NOT open book). Quizzes will all be pop quizzes and will take place during the first 15 minutes of a class period. The lowest quiz grade will be dropped. There will be no makeup quizzes, so make sure you always attend class and make sure you always arrive on time. Quizzes will account for a total of 20% of your final grade. You will not be allowed to access notes on a laptop during quizzes.

### Attendance, Preparation, and Class Participation:

Attendance and proper preparation for each class session are mandatory. Classes will be taught using the Socratic Method; this means that students will regularly be called on to answer questions based on the reading material or lectures. If you feel you are unable to properly answer questions on a given day please let me know at the start of the class and I will refrain on calling on you for that day, however, this greatly increases your chances of being called on during the following class session. Additionally, only 2 free passes will be tolerated per student. These three components will make up 10% of your final grade.

### Grades:

This course is graded with a letter grade which corresponds to the numerical score you receive. This class uses +/- grades.

### Extra Help:

|                      |  |                      |
|----------------------|--|----------------------|
| Thursday January 29  | RCRA   | pp. 384- 411         |
|                      | What is hazardous waste under Subtitle C? <i>City of Chicago v. EDF</i>      |                      |
|                      | Subtitle D   |                      |
| Tuesday February 3   | CERCLA   | pp. 411-417, 420-449 |
|                      | Owners: <i>NY v. Shore Realty Corp.</i>                                      |                      |
|                      | Operators: <i>U.S. v. Bestfoods</i>  |                      |
|                      | Arrangers: <i>Burlington Northern and Santa Fe Railway Co. v. US</i>         |                      |
| Thursday February 5  | CERCLA   | pp. 449-466, 472-488 |
|                      | Type of Liability: <i>Burlington Northern and Santa Fe Railway Co. v. US</i> |                      |
|                      | Contribution: <i>U.S. v. Vertac Chemical Corp.</i>                           |                      |
|                      | Settlement: <i>AKZO Nobel Coatings Inc. v. Aigner Corp.</i>                  |                      |
| Tuesday February 10  | Toxics and Uncertainty   | pp. 191-209          |
|                      | <i>Reserve Mining Co. v. EPA</i>   |                      |
|                      | <i>Ethyl Corp. v. EPA</i>  |                      |
| Thursday February 12 | TSCA   | pp. 251-277          |
|                      | <i>Corrosion Proof Fittings v. EPA</i>                                       |                      |
| Tuesday February 17  | FIFRA, Food Safety   | pp. 295-303          |
|                      | Health Based Standards   |                      |
|                      | Delaney Clause: <i>Public Citizen v. Young</i>                               |                      |
| Thursday February 19 | - Alternative Approaches to Toxics   | pp. 327-347          |
|                      | Emergency Planning and Community Right to Know                               |                      |
| Tuesday February 24  | - Questions about distribution   | pp. 15-23, 509-521   |
|                      | NIMBY, LULU  |                      |
|                      | Environmental Justice: <i>In the Matter of Louisiana Energy Services</i>     |                      |

Tuesday March 10 Water Pollution  
Review of CWA

pp. 742-778, 702-707

Thursday April 16 NEPA pp. 918-922, 953-978  
Is the EIS adequate? *Thomas v. Peterson*, *Vermont Yankee v. NRDC*, *Sierra Club v. U.S. ACE*, *Marsh v. OR Natural Resources Council*  
Does NEPA work?

Tuesday April 21 Endangered Species pp. 984-993, 1009-1028  
God Squad: *TVA v. Hill*  
Delisting and Recovery Plans: *Friends of Blackwater v. Salazar*

Thursday April 23 Endangered Species pp. 1029-1034, 1044-1064  
Federal Actions: *Thomas v. Peterson*, *Carson-Truckee Water Conservancy v. Clark*