

**STATE UNIVERSITY OF NEW YORK
COLLEGE OF TECHNOLOGY
CANTON, NEW YORK**



COURSE OUTLINE

LEST 388 – Environmental Law

Last Updated By: Alexander Lesyk

**SCHOOL OF
BUSINESS AND LIBERAL ARTS
MARCH 2015**

- A. **TITLE:** Environmental Law
- B. **COURSE NUMBER:** LEST 388
- C. **CREDIT HOURS:** 3
- D. **WRITING INTENSIVE COURSE:** No
- E. **COURSE LENGTH:** 15 weeks
- F. **SEMESTER(S) OFFERED:** Spring
- G. **HOURS OF LECTURE, LABORATORY, RECITATION, TUTORIAL, ACTIVITY:** 3 lecture hours per week
- H. **CATALOG DESCRIPTION:**

This course introduces students to the many aspects of Environmental Law. Students learn the main structure of the American Legal System: sources of law, classification of law, constitutional principles, and administrative agencies that are involved in environmental issues and concerns. The litigation process for environmental disputes is examined. The evolution of environmental policy is examined and primary national policies are introduced. Environmental laws that relate to air-quality control, water quality control, toxic substance control, waste management and hazardous releases, energy, and natural resources are examined. International environmental laws, particularly those of Canada, are discussed.

- I. **PRE-REQUISITES/CO-REQUISITES:** Junior level status
- J. **GOALS (STUDENT LEARNING OUTCOMES):**
By the end of this course, the student will be able to:

<u>Course Objective</u>	<u>Institutional SLO</u>
1. Understand and explain the structure and function of the American legal system, and sources of Environmental Law.	2. Critical Thinking 3. Professional Competence
2. Identify and differentiate between important agencies affecting environmental law.	2. Critical Thinking 3. Professional Competence
3. Understand and explain environmental regulations and standards regarding control of air quality, water quality, toxic substances, waste management, energy, and other natural resources.	1. Communication 2. Critical Thinking 3. Professional Competence
4. Understand and explain the role of international law in the protection of the environment.	1. Communication Skills 2. Critical Thinking 3. Professional Competence

K. TEXTS:

Kubasek, Nancy K. and Silverman, Gary S. (2014). *Environmental Law*, 8th ed. Upper Saddle River, New Jersey: Pearson

REFERENCES:

Benidickson, Jamie (2002). *Environmental Law*. Toronto, Canada: Irwin Law.

Berry, James F. and Dennison, Mark S. (2000). *The Environmental Law and Compliance Handbook*. New York, NY: McGraw-Hill.

Schroeder, Kathryn L. (2008). *Environmental Law*, 1st edition. Clifton Park, New York: West Legal Studies – Thompson Delmar Learning.

Simonsen, Craig B. (2007). *Essentials of Environmental Law*, 3rd edition. Upper Saddle River, New Jersey: Pearson Prentice Hall.

Vig, Norman J. and Kraft, Michael E.. (2010). *Environmental Policy: New Directions for the Twenty-first Century*. Washington, D.C.: CQ Press

L. EQUIPMENT: None

N. GRADING METHOD: A-F

O. MEASUREMENT CRITERIA/METHODS:

- Exams
- Quizzes
- Papers
- Participation

P. DETAILED COURSE OUTLINE:

- I. An Introduction to the Law
- II. The American Legal System: The Source of Environmental Law
 - a. Sources of Law
 - i. The Legislative Branch as a Source of Statutory Law
 - ii. The Judicial Branch as a Source of Case Law
 - iii. The Executive Branch as a Source of Law
 - iv. Administrative Agencies as a Source of Law
 - b. Classifications of Law
 - c. Constitutional Principles Underlying The American Legal System
- III. The Litigation Process and Other Tools for Resolving Environmental Disputes
 - a. The Adversarial System
 - b. Primary Actors in the Legal System
 - c. Steps in Civil Litigation
 - d. Alternatives to Civil Litigation
- IV. Administrative Law and Its Impact on the Environment
 - a. Senior Executive Service and Executive Branch
 - b. Creation of Administrative Agencies

- c. Functions of Administrative Agencies
- d. Limitations of Agency Powers
- e. Important Agencies Affecting the Environment
- V. The Environmental Laws
- VI. An Introduction to Environmental Law and Policy
 - a. The Need for Regulation
 - b. Alternative Ways to Control Pollution
 - c. Subsidies, Emissions Charges, and Marketable Emissions Permits
 - d. Evolution of Our Environmental Policies
 - e. National Environmental Policy Act
 - f. Pollution Prevention Act of 1990
 - g. Green Initiatives
- VII. Air-Quality Control
 - a. The Major Air Pollutants
 - b. Significant Air-Quality Problems
 - c. Human-Induced Global Climate Changes
 - d. Indoor Air Pollution
 - e. Initial and Current Approaches to Air-Quality
 - f. National Ambient Air-Quality Standards
 - g. The 1990 Clean Air Act Amendments
 - h. Solutions Beyond the Clean Air Act
- VIII. Water-Quality Control
 - a. The Major Water Pollutants
 - b. Significant Water-Quality Problems
 - c. Protecting Water Through Government Actions
 - d. Clean Water Act
 - e. Safe Drinking Water Act
- IX. Controlling Toxic Substances
 - a. Identification of Potentially Toxic Substances
 - b. International Regulation of Toxic Substances
 - c. Toxic Torts
- X. Waste Management and Hazardous Releases
 - a. Waste Control Techniques
 - b. Cercla: An Overview
 - c. Emergency Response Plans and Right To Know
 - d. Federal Response to Contaminated Sites
- XI. Energy
 - a. Energy Policy: A Historical Overview
 - b. Energy Consumption and Production
 - c. Coal, Petroleum, Natural Gas, and Nuclear Energy
 - d. Problems with Nuclear Energy
 - e. Renewable Fuels
- XII. Natural Resources
 - a. Protecting Public Lands
 - b. Regulation of Public Lands
 - c. Protection of the Great Lakes
 - d. Wild & Scenic River Systems
 - e. Endangered Species
 - f. The Global Extinction Crisis
- XIII. International Environmental Law
 - a. The Need for International Environmental Law

- b. The Nature of International Law
- c. Sources of International Environmental Law
- d. Institutions that Effectuate and Influence International Environmental Law
- e. Addressing Specific International Environmental Problems
- f. The Future of International Environmental Law

Q. LABORATORY OUTLINE: NONE