

Fall 2012
Professor Patel
5390 Environmental Law
Course No. 34470

Date	Topic	Reading Assignments	Comments
Monday August 27	Introduction: Foundations of Environmental Law/Economic Approaches to Environmental Law	Percival, et al. (PSML) 1-14 (to end of first paragraph), 26- 38, 49-60	Be prepared to discuss ANWR problem exercise on page 53.
Wednesday August 29	Common Law – Private Nuisance and Public Nuisance	PSML 61-76	
Monday September 3	Labor Day – No Class		
Wednesday September 5	Common Law – Public and Private Nuisance	PSML 76-88, 99- 104, 104n.7	
Monday September 10	Commerce Clause, Standing to Sue,	PSML 125-129, 104-115	
Wednesday September 12	Overview of Regulatory Process	PSML 91-99, 139-148, 159- 180	
Monday September 17	Overview of Regulatory Process: Public Participation, Standing	Case Study: City of Waco v. TCEQ, 346 S.W.3d 781 (Tex. App. –	Optional reading of entire case for a good overview and key concepts:

		Austin 2011, pet. filed).	Coalition for Responsible Regulation, et al v. EPA. No. 09-1322 (D.C. Cir., Jun. 26, 2012). Key concepts to be discussed throughout the Clean Air Act and Climate Change modules.
Wednesday September 19	Clean Air Act: Basics, Mobile Source Controls	PSML 502-508, 517-525	
Monday September 24	Clean Air Act: NAAQS, PSD, SIPs	PSML 551-559, 573-581 (through n. 3), 588-591 NAAQS Summary Table	
Wednesday September 26	Clean Air Act: New Source Review Permitting	PSML 591-603, 607-613 (through n. 11)	
Monday October 1	Clean Air Act: Multi-State Air Quality Problems	PSML 616-635 Reading to be Supplemented	
Wednesday October 3	Climate Change Guest Lecturer Prof. Hester	PSML 508-517, 532-533, 546- 551, 1154-57	
Monday October 8	Climate Change Guest Lecturer Prof. Hester	PMSL 1136- 1150	
Wednesday October 10	Water Rights: Guest Lecturer Prof. Brown	Materials to be provided	

Monday October 15	RCRA - Solid Waste, Hazardous Waste, TSDs, Generators and Transporters	PSML 333-366 Solid Waste Handout available online	Read the solid waste statutory definition and regulatory definition at 40 CFR 261.2, but <i>skim only</i> the lengthy exemptions from the solid waste definition in 40 CFR 261.4
Wednesday October 17	RCRA - Solid Waste, Hazardous Waste, TSDs, Generators and Transporters	PSML 366-381, 381-393	We will have a pre-briefing on the Philbern case study.
Monday October 22	Philbern Case Study	Materials available online	Please be prepared to participate in case study.
Wednesday October 24	CERCLA - Overview, Potentially Responsible Parties, Defenses, Liability and Allocation	PSML 393-397, 401-408, 411-418 Statutory definitions handout available online.	
Monday October 29	CERCLA - Liability and Allocation	PSML 418-437	
Wednesday October 31	CERCLA - Liability and Allocation. Has Superfund Worked?	PSML 437-461, 462-466	<i>Superfund Cleanup Stirs Troubled Waters</i> , New York Times, August 13, 2012
Monday	Mid-Semester		

November 5	Review		
Wednesday November 7	Clean Water Act – Overview, Definition of Navigable Waters, Key Cases	PSML 645-670	
Monday November 12	Clean Water Act – Point Source Discharges	PSML 671-698	
Wednesday November 14	Clean Water Act- Technology Based Effluent Standards/Water Quality Standards	PSML 698-719	
Friday November 16			Tentative Field Trip to Valero Refinery – Optional
Monday November 19	Clean Water Act – TMDLs, Wetlands	PSML 739-762	
November 21-23	Thanksgiving Vacation – No Class		
Monday November 26	Endangered Species Act – An Overview, Listing, Endangerment	PSML 940-949, 964-984	
Monday November 28	Endangered Species Act – Consultation, Private Takings/Brief Introduction to NEPA	PSML 988-1004, 857-859, 867- 873	
Monday	Environmental	PSML 15-23,	

December 3	Justice	487-498	
Wednesday December 5	Last Day of Class- Final Review		