

**EVSC 335 ENVIRONMENTAL LAW
Fall 2017**

Lectures

Time: T, Th 11:30 - 1:00PM
Location: FMH 319
Moodle: <http://moodle.njit.edu>

Instructor: Michael P. Bonchonsky

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Office Hours: T Th 10:11:30 and by appt

I. Introduction and Objectives

This course covers the major features, fundamentals and principles of modern environmental law and is offered from the perspective of a practicing environmental scientist and engineer. The historical development and roots of environmental law are analyzed and described. Topics include for example the major features of the Clean Water Act and related programs for protecting the water environment. These major provisions include for example, the Watershed management program, the dredge and fill provisions, the national pollution discharge elimination system permit program, etc. In a similar manner each of the major environmental laws will be reviewed and synthesized (see syllabus topics below) in the context of their historical development and current implementation.

II. Required Reading

Students in this course should obtain the following materials from the NJIT bookstore or through any of the commercial on-line dealers.

Required Text: in bookstore...Environmental Law Handbook ISBN 978-1-59888-667-2, December 2013, author: Christopher L. Bell, et. al.

The assigned readings are designed to give you background knowledge needed to understand the subject matter covered in class. The readings listed for each topic should be read prior to the class in order to prepare you for participation in class discussions.

I will supplement the readings with handouts and journal articles that will be available on Moodle.

III. Evaluation

The final grade of this course will be determined as shown below:

Final Grade	Overall Academic Performance (100%)
A	Above 90

B+	85-89
B	80-84
C+	75-79
C	70-74
D	60-69
F	Below 60

The evaluation of student performance in this course is based on five components:

1. **Midterm examination (25%):** There will be a midterm exam comprised of multiple-choice or short-answer questions and brief essays. This exam will be based on course lectures, discussion sessions, and assigned readings. The midterm is scheduled on October 28.

2. **Final examination (25%):** There will be a final exam conducted during the end-of-semester exam period. The format of the final exam will be the same as the midterm exam; it will be based only on course material covered during the second half of the semester.

3. **Class participation (5%):** Students are expected to attend all lectures and attendance will be taken at each session. You will be required to sign a daily attendance sheet and late arrival (more than fifteen minutes) will be treated as an absence. Each student will however be granted two “free absences” during the semester.

4. **Quiz (25%):** A quiz will be given in class twice over the semester to assess your familiarity with the weekly lectures and the required readings. There will be no make-up quizzes or late submission under any circumstances. Be aware: Academic Honor Code is applied.

5. **Writing Assignments (20%):** One research paper will be required during the semester. Schedule for the assignment will be determined at the start of the semester . Instructions for the assignment will be posted on the Moodle prior to deadline. All completed assignments must be submitted in class at the start of class on the day of the deadline.

6. **Extra Credit – environmental news bonus work (as much as 5 pts):** You need to collect one piece of environmental news pertaining to environmental law and write down your (reaction) comments in one page. You are required to submit 4 such items (attaching your news) spread throughout the semester – recommend: submit one approx every third week.

IV. Important Notices

1. Students enrolled in this course are forewarned that the consequences of plagiarism or academic misconduct of any kind are severe. Violations will be handled in accordance with the rules outlined in the NJIT Student Handbook (current edition). If you are unfamiliar with these procedures, you should consult the appropriate section of this governing manual.

2. Please arrive to class with the expectation that you will need to remain in place for the scheduled time period. It is also strongly preferred that you not depart the classroom in the middle of a session...for any reason.

3. All cellular telephones and pagers must be turned off during class. Students with ringing phones will be required to leave for the entire class session.

4. Final grades are not subject to post-semester adjustment—with the exception of the amendment of a grading error. Under no circumstances will students be given the opportunity to complete extra-credit papers or other assignments to bolster their final grades.

V. Schedule ...see Moodle for dates

Classes begin first Tuesday of Fall semester: September 3 FMH 205, 10AM.
Read before you come to class the corresponding topic chapter in the text:
Environmental Law Handbook 23rd ed.

Week 1 Sept 5, 6 : Introduction: the nature of environmental rules and regulations

Text: Chap 1

Course outline and synopsis

Syllabus (Moodle)

Study Guide (Moodle)

Week 2 Sept 12, 14: Clean Water Act

Chap 6

Discharge permits, effluent guidelines

Week 3 Sept 19, 21: Clean Water Act: continued

Chap 6

Nonpoint source, spill prevention

Week 4 Sept 26, 28: Clean Air Act

Chap 5 Primary, secondary standards; required technology levels

Week 5 Oct 3, 5: Safe Drinking Water Act

Chap 8

Week 6 Oct 10, 12: National Environmental Policy Act (NEPA)

Chap 10 Environmental Impact Statements

Week 7 Oct 17, 19: Review and Midterm Exam

Week 8 Oct 24, 26: Toxic Substances Control Act

Chap 12

Week 9 Oct 31, Nov 2: Introduction to Hazardous Waste Law: Resource Conservation and Recovery Act (RCRA)

Chap 3

Last day to withdraw from courses (Nov 6) ...see academic calendar, always check.

Week 10, Nov 7, 9: RCRA Part II Chap 3

**Week 11, Nov 14, 16 Superfund law: CERCLA
Chap 9**

Writing Assignment, Due Week 11 or as instructed in class

Week 12, Nov 21 (Tu) , no class Th Nov 23(holiday) CERCLA Superfund continued

Week 13, Nov 28, 30 Occupational Safety and Health Act Chap 16

Week 14, Dec 5, 7 Energy Law

Week 15, Dec 12 Review

Learning Outcomes:

General Environmental law: Compare statutory law with common law, Describe the development and roots of environmental law

Clean Water Act: Compare modern provisions and objectives (CWA) with historic goals for clean water, Understand major provisions (CWA); Relate current water conditions to modern regulatory requirements; Design a water discharge permit; Compare ambient and effluent limits; Apply watershed management approaches to the control of water pollution

Clean Air Act: Describe major provisions and show evolution of regulatory controls; Apply CAA to modern issues: global climate change, acid rain, Know major provisions (CAA); Predict trends in ambient levels of each criteria pollutant; Understand the role of secondary pollutant controls in human society

Safe Drinking Water Act: Describe health implications of and basis for the regulation of major parameters controlled; Identify changes in potable water treatment resulting from regulatory provisions; Know the technical system of selecting (by regulatory agency) parameters for control; Compare the roles of the levels of government involved in drinking water controls

Hazardous Waste regulation, Resource Conservation and Recovery Act and CERCLA Superfund program: Apply the legal definition of hazardous waste and hazardous materials, compare; Apply the major provisions to an industrial manufacturing facility; Describe the required major features of remediation of a historically contaminated industrial site.