

## LAWS70466 US Environmental Law and Policy

<b>Credit Points:</b>	12.50
<b>Level:</b>	7 (Graduate/Postgraduate)
<b>Dates &amp; Locations:</b>	This subject is not offered in 2014.
<b>Time Commitment:</b>	Contact Hours: The total class time is between 24 and 26 hours. Total Time Commitment: Not available
<b>Prerequisites:</b>	None
<b>Corequisites:</b>	None
<b>Recommended Background Knowledge:</b>	Applicants without legal qualifications should note that subjects are offered in the discipline of law at an advanced graduate level. While every effort will be made to meet the needs of students trained in other fields, concessions will not be made in the general level of instruction or assessment. Most subjects assume the knowledge usually acquired in a degree in law (LLB, JD or equivalent). Applicants should note that admission to some subjects in the Melbourne Law Masters will be dependent upon the individual applicant's educational background and professional experience.
<b>Non Allowed Subjects:</b>	None
<b>Core Participation Requirements:</b>	The Melbourne Law Masters welcomes applications from students with disabilities. The inherent academic requirements for study in the Melbourne Law Masters are: The ability to attend a minimum of 75% of classes and actively engage in the analysis and critique of complex materials and debate; The ability to read, analyse and comprehend complex written legal materials and complex interdisciplinary materials; The ability to clearly and independently communicate in writing a knowledge and application of legal principles and interdisciplinary materials and to critically evaluate these; The ability to clearly and independently communicate orally a knowledge and application of legal principles and interdisciplinary materials and critically evaluate these; The ability to work independently and as a part of a group; The ability to present orally and in writing legal analysis to a professional standard. Students who feel their disability will inhibit them from meeting these inherent academic requirements are encouraged to contact the Disability Liaison Unit: <a href="http://www.services.unimelb.edu.au/disability/">www.services.unimelb.edu.au/disability/</a>
<b>Contact:</b>	For more information, contact the Melbourne Law Masters office. Email: <a href="mailto:law-masters@unimelb.edu.au">law-masters@unimelb.edu.au</a> ( <a href="mailto:law-masters@unimelb.edu.au">mailto:law-masters@unimelb.edu.au</a> ) Phone: +61 3 8344 6190 Website: <a href="http://www.law.unimelb.edu.au/masters">www.law.unimelb.edu.au/masters</a> ( <a href="http://www.law.unimelb.edu.au/masters">http://www.law.unimelb.edu.au/masters</a> )
<b>Subject Overview:</b>	<p>This subject focuses on legal and policy issues concerning the regulation of environmental quality. The first part of the subject considers the theoretical foundations of environmental regulation, including economic and non-economic perspectives on environmental degradation; the scientific predicate for environmental regulation; the objectives of environmental regulation; the valuation of environmental benefits; the distributional consequences of environmental policy; and the choice of regulatory tools, such as command-and-control regulation, taxes, marketable permit schemes, liability rules, and informational requirements. The second part analyses the political dimensions of environmental law, including the role of the various institutional actors, the allocation of regulatory authority in a federal system, and public choice explanations for environmental regulation. The third, and major part of the subject analyses, from legal and policy perspectives, the principal United States (US) environmental statutes, particularly the <i>Clean Air Act</i>, the <i>Clean Water Act</i> and the statutes regulating hazardous substances.</p> <p>Principal topics will include:</p> <ul style="list-style-type: none"> <li># Economic and non-economic perspective on environmental degradation</li> <li># Scientific predicate for environmental regulation: Risk assessment</li> <li># Objectives of environmental regulation: Risk management</li> <li># Distributional consequences of environmental policy</li> <li># Choice of regulatory tools: Command-and-control regulation, marketable permit schemes and effluent fees</li> <li># Choice of regulatory tools: Deposit-refund systems, liability rules, informational approaches</li> </ul>

	<ul style="list-style-type: none"> <li># Federalism and environmental regulation</li> <li># Environmental law and public choice</li> <li># <i>US Clean Air Act</i></li> <li># <i>US Clean Water Act</i></li> <li># <i>US Resource Conservation and Recovery Act (RCRA)</i></li> <li># <i>US Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA)</i>: Introduction; potentially responsible parties.</li> </ul>
<b>Learning Outcomes:</b>	<p>A student who has successfully completed this subject will have the following skills:</p> <ul style="list-style-type: none"> <li># Ability to critically analyse choices among environmental policies</li> <li># Sophisticated understanding of the political and institutional backdrop to the design of environmental regulatory programs</li> <li># Facility at interpreting complex environmental statutory schemes</li> <li># Understanding and ability to evaluate and criticize the major strands of the academic literature.</li> </ul>
<b>Assessment:</b>	Take-home examination (100%) (23 – 26 May)
<b>Prescribed Texts:</b>	Core subject materials will be provided free of charge to all students. Some subjects require further texts to be purchased. Details regarding any prescribed texts will be provided prior to the commencement of the subject.
<b>Breadth Options:</b>	This subject is not available as a breadth subject.
<b>Fees Information:</b>	Subject EFTSL, Level, Discipline & Census Date, <a href="http://enrolment.unimelb.edu.au/fees">http://enrolment.unimelb.edu.au/fees</a>
<b>Links to further information:</b>	<a href="http://www.law.unimelb.edu.au/subject/LAWS70466/2014">www.law.unimelb.edu.au/subject/LAWS70466/2014</a>