

**AIR POLLUTION
Law 432**

Professor Glicksman

Spring 2010

Course Syllabus and Outline

I. *Introduction to Air Pollution*

389-410

II. *The National Ambient Air Quality Standards*

A. Establishment

411-435

B. Implementation and Achievement

435-450

III. *Nationally Uniform Emission Standards for New Sources*

450-453

IV. *Nonattainment*

453-457, 460-86, *Environmental Defense v. Duke Energy Corp.* (handout available on web portal), 486-507

V. *Prevention of Significant Deterioration and Visibility Protection*

507-522

VI. *Hazardous Air Pollutants*

Hazardous Air Pollutants (handout available on web portal); *NRDC v. EPA* (handout available on web portal)

VII. *Interstate Pollution and Acid Deposition*

525-544

VIII. *Protection of Stratospheric Ozone*

544-549

IX. *Global Climate Change*

549-564, *Massachusetts v. EPA* (handout available on web portal), 571-573; *Connecticut v. American Electric Power Co.* (Handout available on web portal)

X. *Permitting*

573-578

Assigned Materials

Most of the page assignments listed above are to ROBERT L. GLICKSMAN, DAVID L. MARKELL, WILLIAM W. BUZBEE, DANIEL R. MANDELKER, & A. DAN TARLOCK, ENVIRONMENTAL PROTECTION: LAW AND POLICY (Aspen Publishers, 5th ed. 2007). Page references to handouts are to supplementary materials that are available at the law school's web portal for this course. In connection with each of the listed assignments, you should study carefully any statutory provisions cited in the cases, materials, notes, questions, or problems. For that purpose, you should use the 2009-2010 educational edition of Thomson/West's *Selected Environmental Law Statutes*.

Attendance Policy

The American Bar Association's accreditation rules recognize that regular class attendance is a fundamental part of legal education. Failure to attend class regularly may result in the imposition of sanctions in my discretion, including issuance of a failing grade in the course.

Grading

The final grade in this course will be based on a take-home examination that will be handed out at the end of the semester. You may use your casebook, statutory supplement, class notes, any outlines you prepare by yourself or with your classmates to assist you in taking the exam, and the Power Point slides I make available during the semester. You may not do research in the library, on the internet, on Westlaw or LEXIS, or in any other form on computer. I reserve the right to raise a student's grade by one-half grade level for class participation which I consider to be significantly helpful to discussion in class of issues raised by the assignments if a student's exam grade is near the border line of the next highest grade.