

AECN 456/856: Environmental Law

Instructor: Professor Aiken. *Office:* 103D Filley Hall. *Office hours:* by appointment. *Phone:* 402-472-1848 (can leave message 24 hours/day). *Email:* daiken@unl.edu *Prerequisite:* AECN 357 or graduate standing.

Text: Percival, Schroeder, Miller & Leape, *Environmental Regulation: Law, Science & Policy* (ISBN 978-1-4548-2228-8, 7th ed 2013). Percival et al. is a law school text and should give you a general idea of what you are heading into if you are considering going to law school. The text is available in the bookstore. Off-campus students should purchase the text online (Amazon is a good bet). The textbook is expensive so renting is a good option to consider.

Course coverage: to acquaint students with the fundamentals of state and federal pollution control law. Major topics include: air pollution control, water pollution control, toxic substances control, solid waste management and disposal, Superfund, wetlands, endangered species, land use regulation, environmental assessment, environmental law administration and enforcement, and global environmental law.

Course procedures. All the lectures are on Blackboard; all the supplemental materials are on Blackboard, and all the exams will be taken on Blackboard. There are no class meetings.

Exams. Three open-book exams will be given during the semester. The exams will be divided into two parts. The first part will include multiple-choice, fill-in-the-blank and true-false questions, and the second part will include short answer questions. Your semester grade will be based entirely upon your exam average. More information regarding the process for taking the exam will be posted on Blackboard in advance of exam 1. Generally you will have two weekends (around 10 days) available to take each exam.

Exam preparation. The class topics are grouped by exam: unit one culminates in exam one, etc. My recommendation is that you follow the class schedule and (1) listen to any lectures (if you haven't already taken AECN357 or a similar environmental law course), (2) read the lecture notes with the reading assignment, and (3) work through the study questions for each class topic.

Working out the review questions is worth the effort—your exam questions will be taken from the chapter review questions. My recommendation is that you have all the review questions answered and available when you take your exam. If you don't have the review questions worked out in advance, you likely will have difficulty completing the exam in the allowed time. Students have flunked this class (there is no grading curve) so unless you will be satisfied with a D or an F, work out the exam questions in advance.

Blackboard. Course materials are on Blackboard at my.unl.edu Print out the detailed assignments lecture and the review questions for study purposes. The review questions are there for you to study; I don't answer these questions although I will clarify a question if you don't understand what it is asking.

Honors/graduate credit. Students wishing to take the course for honors or graduate credit must prepare a 15+ double spaced page research paper (20+ double spaced page paper for grad students) on a topic proposed by the student and approved by me. You must submit the paper topic by the due date for exam 1, a detailed paper outline by the due date for exam 2 and the honors/graduate paper by the due date for exam 3. Digital submission of your paper as an email attachment is preferred (Word, Word Perfect or PDF acceptable). The paper will be graded and will be figured into your course grade as a fourth hour exam. Each day you are late for any of the deadlines (topic, outline, and paper) will cost you one percentage point from your honors/graduate paper final grade.

Grading policy. Semester grades are awarded as follows:

A+	96.00-100	B+	86.00-88.99	C+	74.00-78.99	D	59.00-63.99	P/NP grading	
A	92.00-95.99	B	82.00-85.99	C	69.00-73.99	D-	50.00-58.99	P	69.00-100
A-	89.00-91.99	B-	79.00-81.99	D+	64.00-68.99	F	0-49.99	NP	0-68.99

Your grade is based on the average of your hour exam scores—**not** on the total number of points that you have earned on those exams.

Email etiquette: I have several classes in addition to this one. PLEASE indicate that you are in AECN456 (or simply 456) in your email subject line. If your email doesn't indicate which class you are in the subject line, I will simply bounce the message back to you and tell you to try again and to indicate the class number in the email subject line. In addition, **please put your name in the email**. Often student email names give no discernible indication of what the student's legal name is HuskerFan1980@hotmail.com. Finally, if you are responding to an email from me please include the original email message that you received in your email to me.

Course Outline & Reading Assignments. Assignments are to Percival et al. Your lecture notes will indicate which cases and notes you can skip, etc., so be sure to print out the lecture notes and take a look at them before you start your reading (unless you are determined to read it all—in which case more power to you!).

week of	assignment
Aug 24-28	1-100: introduction; common law background
Aug 31-Sep 04	101-190: modern environmental regulation
Sep 08-11	191-303: risk and toxic substances regulation
Sep 14-18	303-411: Proposition 65; RCRA
Sep 21-25	exam 1: pp 1-411: you can take exam 1 any time from noon Wed 9/16 to 11:59 pm Sun 9/27.
Sep 28-Oct 02	honors/856 paper topic due 9/28 5pm via email; 411-521: CERCLA
Oct 05-09	523-656: CAA
Oct 12-16	657-778: CWA Note: 10/16 is the last day to change to/from P/NP
Oct 21-23	779-894: wetlands; land use regulation
Oct 26-30	exam 2: pp 411-894: you can take exam 2 any time from noon Wed 10/21 to 11:59 pm Sun 11/1.
Nov 02-06	honors/857 paper topic due 11/2 5pm via email; 895-978: takings; NEPA
Nov 09-13	979-1069: ESA Note: 11/13 is the last day to withdraw from a course
Nov 16-20	1071-1182: enforcement
Nov 30-Dec 04	1187-1394: trade & global environmental law
Dec 07-11	exam 3: 895-1394: you can take exam 3 any time from noon Wed 12/2 to 11:59 pm Sun 12/13. I will post your course grades on Blackboard after exam 3 has been graded. Your letter grade on Blackboard is your course grade.
Dec 14	456 honors/856 term papers are due 5pm Monday Dec 14 via email attachment.