



TEXAS SOUTHERN UNIVERSITY  
THURGOOD MARSHALL SCHOOL *of* LAW

ENVIRONMENTAL LAW  
COURSE 736 - SPRING 2022  
PROFESSOR THOMAS KLEVEN

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## **THE PROFESSOR**

**NAME:** Thomas Kleven

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**LOCATION:** 221C

**OFFICE HOURS:** MWF 10-1, TR 9-11 During the Coronavirus, individual conferences with students will by phone or online by advance appointment  
(All other times by appointment only)

**NOTE FROM THE PROFESSOR:**

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## **COURSE BOOKS & MATERIAL**

Farber et al, Environmental Law, 10<sup>th</sup> ed, West

## **COURSE DESCRIPTION & OBJECTIVE**

### **DESCRIPTION:**

An overview of how the environmental law process works. The course focuses primarily on federal law, in particular the Endangered Species Act, the Clean Air Act, the National Environmental Policy Act, the Clean Air Act, and statutes regulating hazardous wastes. The course examines the role of and interaction among the various participants in the regulatory process: the legislature, administrative agencies, the judiciary and the public.

### **OBJECTIVE:**

(1) to provide students with an overview of how the environmental law process works; and (2) to help students develop the analytical skills necessary to understand the law-making process and to function as competent practicing attorneys.

## STUDENT LEARNING OUTCOMES

Demonstrate a basic understanding of how the environmental process works and of the roles of the various participants in the process through in-class responses and performance on essay exams. Demonstrate proficiency in analytical ability, meaning the ability to present both sides of legal disputes through competing rules of law and policy justifications for the competing rules.

## GRADING

There will be a three hour essay exam at the end of the semester. One-third of the final grade will be based on class participation and two-thirds of the final grade will be based on the final exam.

## ACCOMMODATIONS

In accordance with TMSL Student Rules and Regulations and Student Accommodations Handbook.



## **PARTICIPATION, ATTENDANCE & PROFESSIONALISM**

Attendance will be taken at the start of each class based on a seating chart or roll call. The Law School's attendance policy will be enforced per the TMSL Student Rules and Regulations.

## ACADEMIC CALENDAR

### SPRING SEMESTER 2022 (SEVENTY DAYS OF CLASSES)

School Opens Monday January 3, 2022  
First Day of Class Monday January 10, 2022  
Last Day to ADD/DROP Friday January 14, 2022  
M L K Holiday (No Classes) Monday January 17, 2022  
Purge of all unpaid course selections Monday February 7, 2022  
Mid Term Examinations Mon – Fri March 7 - 11, 2022  
Spring Break Mon – Fri March 14 - 18, 2022  
Last Day to Drop a Class Monday April 11, 2022  
Good Friday (No Classes) Friday April 15, 2022  
Last Day of Classes Wednesday April 27, 2022  
First Year Professors' Grades Due Wednesday April 27, 2022  
Reading Period (No Classes) Thur – Sun April 28 - May 1, 2022  
Final Examinations Mon- Fri May 2 – May 13, 2022  
Hooding Ceremony Friday May 13, 2022  
Commencement Exercises Saturday May 14, 2022

# **POLICIES & PROCEDURES**

In accordance with TMSL Student Rules and Regulations

# READING ASSIGNMENTS

## ENVIRONMENTAL LAW ASSIGNMENTS

1. Handout Articles
2. 1-25 (introduction)  
Environmental Law Video
3. 26-45 (the commons)
4. Global Warming Video  
Paris/Glasgow handout
5. 117-131, 397-416  
(tort & nuisance law)
6. 282-296, handout cases  
(public trust)
7. 47-77 (risk)
8. 77-100, 476-483  
(benefit-cost analysis)
9. 337-356, 70-72 (Rehnquist)  
(judicial review)
10. 100-117, Environmental  
Justice Videos
11. Endangered Species Videos
12. 133-148  
(endangered species)
13. 148-162, 179-190, 269-274,  
207-211 (endang. spec.)
14. 357-383 (NEPA)
15. 383-396 (NEPA)
16. Air Pollution Videos
17. 416-431 (Clean Air Act)
18. 431-456 (CAA)
19. 456-465, 470-476, 483-484  
(CAA)
20. 465-470, 484-500 (CAA)
21. 500-529 (CAA)
22. 530-559  
(greenhouse gases)
23. 559-575  
(market mechanisms)
24. 711-738, HW Video  
(hazardous wastes)
25. 738-759 (haz. waste)
26. 759-789 (haz. waste)
27. 789-813 (haz. waste)
28. 813-826 (haz. waste)