

What is environmental law?

- ◆ Environmental law, which might also be termed “environmental and natural resources law, describes the complex system of treaties, statutes, regulations, and other rules that relate to how human activity affects the natural environment.
- ◆ In practice, environmental law involves environmental permitting, or seeking out the necessary permits and licenses from regulatory agencies when corporate or private entities build, expand, or trade property.
- ◆ The Environmental Protection Agency (“EPA”) is the federal agency designed to protect human health and the environment. The EPA produces the Toxic Release Inventory (“TRI”), which contains information on toxic chemical releases.
- ◆ Another area of environmental law practice involves bringing suit in federal court to cleanup environmentally contaminated properties through the EPA’s Superfund program. A Superfund site is any land in the United States that has been contaminated by hazardous waste and identified by the EPA as a candidate for cleanup because it poses a risk to human health and/or the environment. These sites are placed on the National Priorities List (“NPL”). (Check out <https://toxmap.nlm.nih.gov> for more about our federal laws and the environment.)
- ◆ Property law is hugely important to the practice of environmental law. Most commercial real estate transactions involve environmental assessments or environmental audits. For this track of environmental law practice, attorneys advise clients on how to structure their real estate deals to minimize their liability.

Pro-Industry Careers

- ◆ Environmental lawyers are in a unique position to guide businesses in balancing preservation of nature and our natural resources with economic realities and to help businesses in making better, more sustainable decisions.
- ◆ Many environmental lawyers represent businesses in allocating financial responsibility for environmental harm among responsible parties.
- ◆ Pro-industry lawyers, who still practice within the realm of environmental law, anticipate the risk of future environmental damage and draft contracts that include indemnification terms to protect their client against extensive liabilities for environmental harm.

Where do environmental lawyers work?

- ◆ Government: Environmental lawyers work for the government at the federal, state, and local levels to develop and enforce environmental law statutes and regulations.
- ◆ Law firms: Pro-industry attorneys advise their clients about environmental regulations and seek to reduce their costs. They also represent businesses when they violate environmental protections.
- ◆ Corporations: For in-house counsel, one component of their job may be to advise corporate decision-makers about compliance with environmental laws.
- ◆ Public interest organizations: Lawyers working in nonprofits or other non-governmental organizations work with the community to address environmental problems and hazards.

What law school classes should I take if I want to practice environmental law?

- ◆ Environmental law
- ◆ Contracts I and II
- ◆ Business organizations
- ◆ Realty transactions
- ◆ Administrative law

What are some other areas of practice that relate to environmental law?

- ◆ Real estate law
- ◆ Corporate law
- ◆ Government law
- ◆ Administrative law

American Bar Association's Section of Environment, Energy, and Resources

- ◆ https://www.americanbar.org/groups/environment_energy_resources/about_us.html
- ◆ “The Section of Environment, Energy and Resources (“SEER” or the “Section”) strives to be the premier forum for environmental, energy, and resources lawyers; a meeting place where they can find the most current and sophisticated analyses of the complicated environmental, energy and resource problems facing the United States and the world and where they can learn, teach and contribute to solving those problems while serving the public interest. In practice, environmental law involves environmental permitting, or seeking out the necessary permits and licenses from regulatory agencies when corporate or private entities build, expand, or trade property. “
- ◆ SEER has its own Facebook group: <https://www.facebook.com/ABAEEnvLaw>

Online Resources

- ◆ **Ecolex:** Global source for environmental law information. Includes treaties, international soft-law, judicial decisions, and national legislation
 - <https://www.ecolex.org/>
- ◆ **Environmental Law Net:** Developed by an environmental law practitioner, this website contains list of links to federal, state, and international environmental laws and regulations.
 - <http://lawvianet.com/>
- ◆ **Department of Defense (“DoD”) Environment, Safety and Occupational Health Network and Information Exchange**
 - <http://www.denix.osd.mil/>
- ◆ DoD’s National Defense Center for Energy and Environment
 - <http://www.denix.osd.mil/ndcee/home/>
- ◆ DoD U.S. Army Corp of Engineers
 - <http://www.usace.army.mil/>

University of Memphis Law Library Resources

- ◆ *Environmental Principles and the Evolution of Environmental Law*—Eloise Scotford
eBook
- ◆ *International Environmental Law: A Guide for Judges*—Roger R. Martella
Available at Government Electronic Publications (an eResource, Call No: JU 13.8:EN 8)
- ◆ *Environmental Law*—Periodical published by Northwestern School of Law of Lewis and Clark College
Available in the basement of the library
- ◆ *Environmental Law*—Steven Ferrey
Available on the 1st floor of the law library in open reserve (Call No: KF3775 F45 2013)