



Regulation and the Courts

The Case of the Clean Air Act

R. Shep Melnick

Regulation And The Courts The Case Of The Clean Air Act

Douglas Booth



Regulation And The Courts The Case Of The Clean Air Act:

Regulation and the Courts R. Shep Melnick, 2010-12-01 In recent years federal courts have become increasingly aggressive in shaping regulatory policy abandoning their traditional deference to bureaucratic expertise This new judicial activism has been particular evident in the regulation of air pollution R Shep Melnick analyzes the effects a variety of court decisions have had on federal air pollution control policy and assesses the courts institutional capacity for policymaking in such a complex arena In six cases studies of environmental programs or issues he examines the interplay among the courts the Environmental Protection Agency Congress and the White House The conventional wisdom is that the courts have improved environmental policymaking but Melnick concludes that as a whole the consequences of court action under the Clean Air Act are neither random nor beneficial He finds that court action has encouraged legislators and administrators to establish goals without considering how they can be achieved widening the gap between promise and performance The results he charges have been increased cynicism serious inefficiencies and inequities and a lack of rational debate An analysis of the institutional characteristics of the judicial branch reveals how these problems have come about and why they are likely to afflict other programs as well as environmental regulation The author proposes several reforms to improve the courts ability to handle regulatory cases

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Code of Federal Regulations ,1984 Special edition of the Federal Register containing a codification of documents of general applicability and future effect with ancillaries

Advanced Introduction to U.S. Environmental Law Elliott, E. D., Esty, Daniel C., 2021-10-22 Providing a comprehensive overview of the current and developing state of environmental governance in the United States this Advanced Introduction lays out the foundations of U S environmental law E Donald Elliott and Daniel C Esty explore how federal environmental law is made and how it interacts with state law highlighting the important role that administrative agencies play in the creation implementation and enforcement of U S environmental law

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Regulation by Litigation Andrew P. Morriss, Bruce Yandle, Andrew Dorchak, 2009-01-01 Examines three major cases in which litigation was used to achieve regulatory ends the EPA s suit against heavy duty diesel engine manufacturers asbestos and silica dust litigation by private attorneys and private and state lawsuits against cigarette manufacturers Provided by publisher

The Environmental Consequences of Growth Douglas Booth, 2006-06-28 This book presents a new perspective on the link between economic growth and environmental change All the key issues in environmental economics are covered including industry creation and environmental change air water and toxic pollution economic growth and the limits of environmental regulation ethics and the limits of environmental economics The central thesis is that whilst new

industries are necessary for economic growth their development creates new environmental problems which become difficult to reverse An alternative approach steady state economics based on the concept of ethical commitment is put forward as a possible alternative to a high growth environmentally destructive economy Providing a welcome alternative to conventional neoclassical microeconomic thought on environmental issues this will be vital reading for students of environmental economics and related subjects

The Alabama Power Case James L. Fullin,1979

An Inconvenient Deliberation Miriam Haritz,2011-01-01 This vitally important book asks Can the precautionary principle make uncertainty judiciable in the context of liability for the consequences of climate change and if so to what extent Drawing on the full range of pertinent existing literature and case law the author examines the precautionary principle both in terms of its content and application and in the context of liability law She analyses the indirect means offered by existing legislation being used by environmental groups and affected individuals before the courts to challenge both companies and regulators as responsible agents of climate change damage Page 4 of cover

The Green Building Materials Manual Hannah Rae Roth,Meghan Lewis,Liane Hancock,2021-03-25 Evaluating building materials for environmental sustainability is a complex prospect How do governmental agencies and the design industry actually measure sustainable initiatives and environmental impacts This book breaks down the technical vocabulary and principles that define environmentally sustainable choices across interior and exterior architectural products to help the reader understand Material ingredient selection Energy and water use Emissions including greenhouse gases Human health and toxicity Social accountability assessment This guide explains the structure of green certifications standards and ecolabels life cycle assessment environmental regulations and more It presents a historic timeline for context and a snapshot of current trends and future objectives It is a comprehensive reference for interior designers architects building owners contractors and students enrolled in interior design and architecture

Federal Register ,1991-07-17

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[Annual Report of the Attorney General of the United States](#) United States. Department of Justice,1980

Environmental Court Cases Related to Buildings Kaiman Lee,Lauren L. Koumjian,1979

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