

**ES 6 Environmental Law
Final Study Guide**

1. What is the purpose of RCRA? Why was RCRA enacted?
2. Briefly describe Subtitle C of RCRA. Be sure to include information about waste identification, cradle-to-grave tracking, the manifest system and permitting requirements.
3. What is subtitle D of RCRA?
4. What is the purpose of CERCLA? Why was CERCLA enacted?
5. Response. How are hazardous waste sites prioritized? (Think NPL.) Differentiate between a removal action and a remedial response under CERCLA.
6. Compensation. How does the compensation aspect of CERCLA function? What is an orphan site? How does this differ from a site where PRPs have been identified? How was the Superfund originally funded? How is it currently funded?
7. Liability. Describe each type of liability that CERCLA may impose on Responsible Parties. How does this liability scheme motivate companies that use hazardous materials and dispose of hazardous wastes?
8. Know some basic information about public lands from the matrix that we prepared in class. Not too much detail, but be aware of the different land management agencies, their basic philosophies, levels of restrictions and one or two local examples.
9. What is the Antiquities Act? What is the difference between the creation of a National Park and a National Monument?
10. Why was the ESA enacted? (Think about the biodiversity crisis.) What is the stated purpose of the ESA? In practice, does the ESA address this stated purpose?
11. What is the difference between endangered and threatened species? Describe the listing process under the ESA. Once a species is listed, explain what the ESA prohibits.
12. What does Section 7 of the ESA require? Describe the HCP provisions of the ESA.
13. Briefly describe the overarching themes of energy policy in the United States from 1973 to the present.

14. What do you believe the energy policy of the period between 2020 and 2050 will look like? Justify your answer. (I realize this is a question of policy and opinion that has no true correct answer. The important part of this question is the “justify your answer” part.)
15. Define Environmental Justice. What does Executive Order 12898 require?
16. What conclusions can you derive from sociological studies that address the evidence of environmental injustice?
17. Briefly state drawbacks to making environmental justice claims based on: (1) state and federal statutes, (2) tort law, and (3) Sections 601 and 602 of the Civil Rights Act.
18. Name and describe the two primary sources of international environmental law.
19. Briefly name and describe the international environmental law treaties/protocols/conventions that we discussed in class.
20. What is the UNFCCC? What is the Kyoto Protocol? Is the U.S. a party to either of these? Why?