

Contents

<i>Contents Organized by U.S. Code Title and Section Numbers</i>	xi
INTRODUCTION	xiii
About This Statutory and Case Supplement	xiii
Environmental Legislation in Historical Perspective	xiii
1. ENVIRONMENTAL JUSTICE	1
A Guide to Environmental Justice Materials on the Internet	1
Environmental Justice Legislative History Timeline	1
<i>Title VI of the Civil Rights Act of 1964</i>	3
<i>U.S. Environmental Protection Agency Title VI Regulations</i>	6
<i>Federal Actions to Address Environmental Justice in Minority and Low-Income Populations, Executive Order 12,898</i>	16
<i>Protecting Public Health and the Environment and Restoring Science to Tackle the Climate Crisis, Executive Order 13,990</i>	19
<i>Tackling the Climate Crisis at Home and Abroad, Executive Order 14,008</i>	24
<i>Revitalizing Our Nation's Commitment to Environmental Justice for All, Executive Order 14,096</i>	34
2. THE REGULATORY PROCESS	43
A Guide to Materials Available on the Internet Pertaining to the Regulatory Process	43
Statutes and Executive Orders Governing the Regulatory Process	44
<i>Administrative Procedure Act</i>	46
<i>Regulatory Flexibility Act</i>	75
<i>Information Quality Act</i>	81
<i>OMB, Agency Information Quality Guidelines</i>	82
<i>Congressional Review Act</i>	85
<i>Regulatory Planning and Review, Executive Order 12,866</i>	89
<i>Improving Regulation and Regulatory Review, Executive Order 13,563</i>	96
<i>Regulation and Independent Regulatory Agencies, Executive Order 13,579</i>	98
<i>Revocation of Certain Executive Orders Concerning Federal Regulation, Executive Order 13,992</i>	99
3. REGULATION OF TOXIC SUBSTANCES	101
A. Toxic Substances Control Act	101
A Guide to Materials Available on the Internet Pertaining to the Toxic Substances Control Act	101
TSCA Legislative History Timeline	102
Outline of the Principal Provisions of the Toxic Substances Control Act	102
<i>Toxic Substances Control Act</i>	104
B. Federal Insecticide, Fungicide, and Rodenticide Act	192
A Guide to Materials Available on the Internet Pertaining to the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA)	192
FIFRA Legislative History Timeline	192
Outline of the Principal Provisions of the Federal Insecticide, Fungicide, and Rodenticide Act	193
<i>Federal Insecticide, Fungicide, and Rodenticide Act</i>	194
C. Safe Drinking Water Act	297
A Guide to Materials Available on the Internet Pertaining to the Safe Drinking Water Act	297
Safe Drinking Water Act Legislative History Timeline	297
Outline of the Principal Provisions of the Safe Drinking Water Act	298
<i>Safe Drinking Water Act</i>	299

D. Emergency Planning and Community Right-to-Know Act	395
A Guide to Materials Available on the Internet Pertaining to the Emergency Planning and Community Right-to-Know Act (EPCRA)	395
EPCRA Legislative History Timeline	395
Outline of the Principal Provisions of the Emergency Planning and Community Right-to-Know Act	395
<i>Emergency Planning and Community Right-to-Know Act</i>	397
E. California's Proposition 65	417
A Guide to Materials Pertaining to California's Proposition 65 Available on the Internet	417
Proposition 65 Legislative History Timeline	417
Outline of the Principal Provisions of Proposition 65	417
<i>Safe Drinking Water and Toxic Enforcement Act (Proposition 65)</i>	419
4. WASTE MANAGEMENT AND POLLUTION PREVENTION	427
A. Resource Conservation and Recovery Act (RCRA)	427
A Guide to Materials on RCRA Available on the Internet	427
RCRA Legislative History Timeline	427
Outline of Principal Provisions of the Solid Waste Disposal Act (also known as the Resource Conservation and Recovery Act)	428
<i>Solid Waste Disposal Act (as Amended by the Resource Conservation and Recovery Act)</i>	430
B. Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA)	538
A Guide to CERCLA Materials Available on the Internet	538
CERCLA Legislative History Timeline	538
Outline of Principal Provisions of CERCLA	539
<i>Comprehensive Environmental Response, Compensation, and Liability Act</i>	540
C. Pollution Prevention Act (PPA)	635
A Guide to Materials on Pollution Prevention Available on the Internet	635
Pollution Prevention Act Legislative History Timeline	635
Outline of Principal Provisions of the PPA	635
<i>Pollution Prevention Act</i>	636
5. AIR POLLUTION CONTROL	641
A Guide to Materials on Air Pollution Control Available on the Internet	641
Clean Air Act Legislative History Timeline	642
A Note on the 1990 Amendments to Section 111(d)	642
Outline of the Principal Provisions of the Clean Air Act	643
<i>Clean Air Act</i>	646
6. WATER POLLUTION CONTROL	921
A. The Clean Water Act (CWA)	921
A Guide to Materials on Water Pollution Control Available on the Internet	921
Clean Water Act Legislative History Timeline	922
Principal Provisions of the Clean Water Act	922
<i>Federal Water Pollution Control Act (Clean Water Act [CWA])</i>	924
B. Oil Pollution Act (OPA)	1126
A Guide to Materials on the Control and Prevention of Oil Pollution Available on the Internet	1126
Oil Pollution Act Legislative History Timeline	1126
Principal Provisions of the Oil Pollution Act	1127
<i>Oil Pollution Act</i>	1128

C. Refuse Act of 1899	1167
<i>Refuse Act of 1899</i>	1167
<i>Ocean Policy to Advance the Economic, Security, and Environmental Interests of the United States, Executive Order 13,840</i>	1168
7. LAND USE REGULATION	1171
A Guide to Materials on the Coastal Zone Management Act Available on the Internet	1171
Coastal Zone Management Act Legislative History Timeline	1171
Principal Provisions of the Coastal Zone Management Act	1172
<i>Coastal Zone Management Act</i>	1173
8. ENVIRONMENTAL IMPACT ASSESSMENT	1199
A Guide to Materials on Environmental Impact Assessment Available on the Internet	1199
NEPA Timeline	1199
Principal Provisions of NEPA	1200
<i>National Environmental Policy Act</i>	1201
<i>Chapter V— Council on Environmental Quality</i>	1209
9. BIODIVERSITY PROTECTION	1241
A Guide to Materials on Protection of Biodiversity Available on the Internet	1241
Endangered Species Act Legislative History Timeline	1242
Principal Provisions of the Endangered Species Act	1242
<i>Endangered Species Act</i>	1244
10. PUBLIC LAND MANAGEMENT	1271
A Guide to Materials on Public Lands Available on the Internet	1271
Historical Timeline of Legislation Affecting the Management of the Public Lands	1272
<i>Antiquities Act</i>	1274
<i>Multiple Use Sustained Yield Act</i>	1275
<i>Forest and Rangeland Renewable Resources Planning Act</i>	1276
<i>Federal Land Policy and Management Act</i>	1288
<i>Promoting Active Management of America's Forests, Rangelands, and Other Federal Lands to Improve Conditions and Reduce Wildfire Risk, Executive Order 13,855</i>	1344
11. CASE SUPPLEMENT	1347
<i>Loper Bright Enterprises v. Raimondo</i>	
<i>Relentless v. Department of Commerce</i>	1347
A State Animal Welfare Law Meets the Dormant Commerce Clause	1359
<i>National Pork Producers Council v. Ross</i>	1359
EPA Authority to Use the Clean Air Act to Control Greenhouse Gas Emissions	1373
<i>West Virginia v. EPA</i>	1373
EPA's "Good Neighbor" Rules for Transboundary Air Pollution	1396
<i>Ohio v. EPA</i>	1397
Are "Adjacent Wetlands" Part of the "Waters of the United States"?	1408
<i>Sackett v. EPA</i>	1408

Do Legislated Impact Fees Require Individual Proportionality Assessment	1428
<i>Sheetz v. County of El Dorado, California</i>	1429
State Remedies for Regulatory Takings	1433
<i>Devillier v. Texas</i>	1433