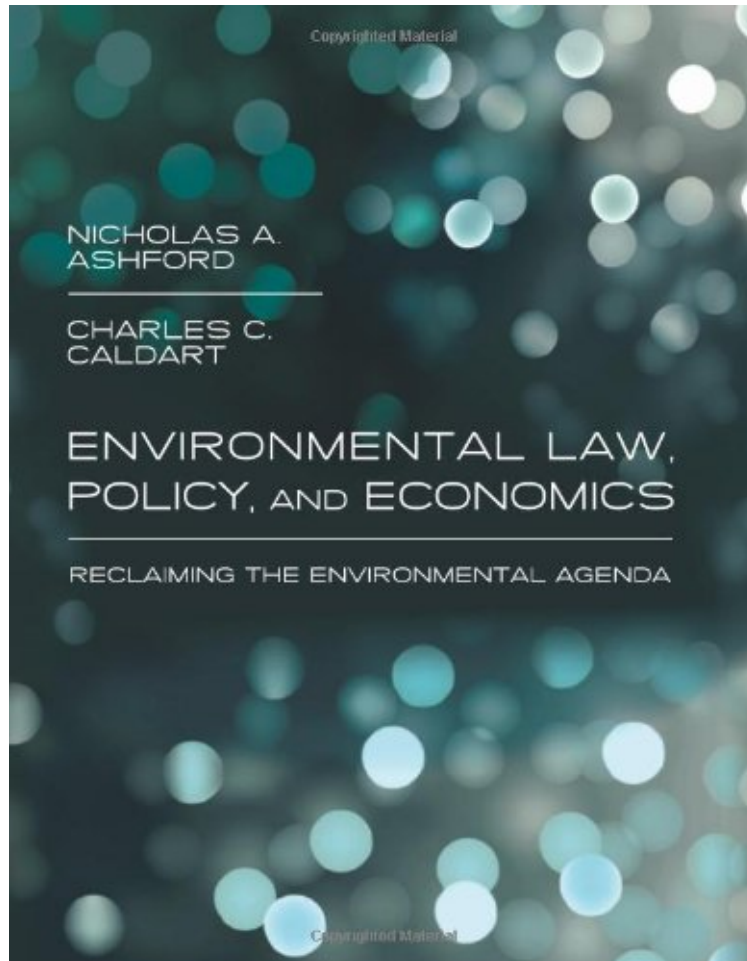


Environmental Law, Policy, and Economics: Reclaiming the Environmental Agenda

Nicholas A. Ashford, Charles C. Caldart
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Traces important legal, economic, and scientific developments in the environmental field through an examination of environmental law cases and commentaries by leading scholars, focusing on pollution prevention and control and emphasizing the evaluation, design, and use of the law to stimulate technological change and industrial transformation. The past twenty-five years have seen a significant evolution in environmental policy, with new environmental legislation and substantive amendments to earlier laws, significant advances in environmental science, and changes in the treatment of science (and scientific uncertainty) by the courts. This book offers a detailed discussion of the important issues in environmental law, policy, and economics, tracing their development over the past few decades through an examination of environmental law cases and commentaries by leading scholars. The authors focus on pollution, addressing both pollution control and prevention, but also emphasize the evaluation, design, and use of the law to stimulate technical change and industrial transformation, arguing that there is a need to address broader issues of sustainable development. Environmental Law, Policy, and Economics, which grew out of courses taught by the authors at MIT, treats the traditional topics covered in most classes in environmental law and policy, including common law and administrative law concepts and the primary federal legislation. But it goes beyond these to address topics not often found in a single volume: the information-based obligations of industry, enforcement of environmental law, market-based and voluntary alternatives to traditional regulation, risk assessment, environmental economics, and technological innovation and diffusion. Countering arguments found in other texts that government should play a reduced role in environmental protection, this book argues that clear, stringent legal requirements -- coupled with flexible means for meeting them -- and meaningful stakeholder participation are necessary for bringing about environmental improvements and technological transformations. This book is regularly updated online at http://mitpress.mit.edu/ashford_environmental_law

A comprehensive and invaluable compendium of two decades of scholarship and jurisprudence on the legal, social, and economic dimensions of pollution regulation, control, and prevention. Written largely from an American perspective, the volume draws important lessons from the comparative, European experience, as well. (David A. Sonnenfeld, Professor and Chair, Department of Environmental Studies, SUNY College of Environmental Science and Forestry) For teachers, students, and active citizens, this comprehensive text clearly and superbly covers the complex subjects of environmental pollution, law, policy, and economics over a broad and dynamic reality. A virtuoso achievement by two seasoned scholars and practitioners. (Ralph Nader) This is an impressive book that covers a broad variety of topics with clarity and authority. Ashford and Caldart provide students with historical context which aids in understanding the purpose and structure of regulatory programs. Moreover, important economic and scientific policy themes are seamlessly woven throughout the text giving a rich understanding of the theory and practice underlying various regulatory programs. (Timothy F. Malloy, UCLA School of Law) Ashford and Caldart offer an extremely thorough and knowledgeable treatment of environmental law and policy. The most important aspect of this book is that it offers prominent coverage of 'next generation' environmental strategies, such as information disclosure, economic incentives, and private certification. (David M. Driesen, Andrea R. Cooney Professor of Law, Syracuse University College of Law) Ashford and Caldart have produced an extraordinary book sweeping across the scientific complexity, legal underpinnings, economic logic, and policy challenges of environmental protection. With its encyclopedic range and valuable detailed analyses of the core statutes addressing air and water pollution, waste, and chemical exposures as well as other issues, this book offers an indispensable foundation for those seeking to understand society's approach to environmental challenges. (Daniel Esty, Hillhouse Professor of Environmental Law and Policy, Yale Law School) This book explores not only the basic environmental pollution control laws but also, and of fundamental importance, the ways in which these laws do or do not lead to cleaner production. Its explanations of various concepts and legal tools will be useful to both students and practitioners. (John C. Dernbach, Professor of Law, Widener University Law School) An excellent, provocative book by two leading scholars that challenges much of the accepted wisdom that has guided public policy. Agree or not, it is thoughtful "must reading" for everyone who is serious about environmental law and policy. (E. Donald Elliott, former General Counsel, U.S. EPA; Adjunct Professor of Law, Yale and Georgetown Law Schools; Partner and Head of Environmental Health and Safety Department, Willkie Farr Gallagher LLP) About the Author Charles C. Caldart is Director of Litigation of the National Environmental Law Center and a Lecturer in the Department of Civil and Environmental Engineering at MIT. Caldart is co-author (with Nicholas A. Ashford) of Technology, Law, and the Working Environment.