

Some current issues in environmental law

1. Climate change “deception” lawsuits against oil companies
2. Climate change lawsuits by states and local governments based on common law
3. Climate change efforts by companies, states and local governments in the absence of federal action
4. Coal ash disposal - RCRA regulatory changes; CWA regulation in light of City of Maui Supreme Court decision; Common law lawsuits (i.e. Suit v. Plant Scherer)
4. COVID-19 and its impact on the environment - What are the air pollution and climate change impacts (i.e. Was there less vehicle traffic, Reduced use of mass transit? Reduced airline travel? More remote work? How did that impact air pollution and climate change?).
5. COVID-19 and waste issues - Was there an increase in the use of single use plastics due to COVID (hygienic and disposable)? Increase in medical waste? What were the effects of that and how were they addressed?
6. COVID-19 and parks - How did COVID-19 and quarantining affect use of national, state and local parks or public sentiments toward those parks? How did it affect fund-raising for parks and the environment?
7. COVID-19 - Federal, state and local enforcement of environmental laws during COVID-19.
8. COVID-19's residual health effects on COVID survivors - How does it impact standard setting under the environmental laws (i.e. need for any changes to assumptions in cba re: exposure based on activities engaged in by the average person (since they are changing?) or impact of exposure on persons who are suffering residual effects from COVID-19.
9. Pandemics and climate change - Are pandemics the new normal in light of climate change? What steps can be taken to plan for, and respond to, pandemics and their impact on the environment and health?
10. NEPA regulation changes - analysis or critique of the changes to NEPA regulations / discussion of the legal challenges to the changes
11. PFAs - Problems and regulatory options
12. EPA's “Data Transparency” Rule and other actions taken by EPA over the past 4 years to de-emphasize the focus on science in environmental decision-making
13. EPA's changes to the rules regarding State 401 Certification of Federal projects under the Clean Water Act - analysis or critique of the changes / discussion of the legal challenges
14. DOI rule limiting protection of migratory birds under the Migratory Bird Treaty Act - analysis or critique of the changes / discussion of the legal challenges
15. Supplemental environmental projects (SEPs) - DOJ's guidance limiting the use of SEPs in enforcement - rationale / criticisms
16. Honeybees - declining populations; environmental stressors; and legal protections
17. Murder hornets and other invasive species
18. The Green New Deal

19. EPA's denial of petitions to ban Chlorpyrifos
20. Toxic tort lawsuits regarding Roundup; Bans and Substitutes for Roundup
21. Bans on Single Use Plastics by State and Local Governments
22. VW Dieselgate- The Uses to Which States Have Put the Settlement Money / Similar CAA violations by other companies
23. Mountaintop mining and reforms
24. Methylene Chloride - EPA's Incomplete Ban; Substitutes
25. Keystone XL Pipeline - permitting efforts and opposition
26. Environmental cleanups due to wildfires in the west
27. Border Wall Construction - Environmental Impacts
28. Reform of the 1872 Mining Law
29. Red Tides
30. Bans on Sunscreens and Other Cosmetics that Contribute to Coral Bleaching and Water Pollution
31. Electric Vehicles
32. Space Waste
33. Fracking - State trespass laws; state and local bans
34. EPA and DOT's efforts to cut back on auto emission standards despite automakers' support for the standards
35. Implementation of the TSCA Amendments
36. EPA's rule on the use of guidance documents
37. Uber, Lyft, GrubHub, DoorDash, InstaCart, online shopping - environmental impacts