



## SPRING 2026 COURSE SYLLABUS

Course Number: **Law 139-001**

Course Title: Current Topics in Environmental Policy

Credit Hours: 2 Credit Hours

Grading Mode: Final Paper

Meeting Time(s): Thursdays 8:10 – 10:10pm

Meeting Mode: In person

Exam Time(s): TBD

Exam Mode: N/A

Prerequisite(s): N/A

Corequisite(s): Administrative Law (Law 116)

Instructor(s): Andrew Wheeler

Contact Information and Office Hours: [Awheel3@gmu.edu](mailto:Awheel3@gmu.edu), Office hours by appointment

Reading(s) & Supplement(s):

There is no textbook for this course. All course materials will be cited and linked in the schedule below and include court cases, regulatory documents and legislation.

### Course Overview:

An examination of environmental policy looking at historical issues and alternating with current topics. Topics may include the role of external influencers, regulatory processes, the Clean Air Act and climate change, the Clean Water Act and water infrastructure programs, chemical legislation and PFAS, waste issues and Brownfields, agriculture policy, and energy policy. Students are required to lead a 10–15-minute presentation on either an environmental case or recent/pending regulatory issue starting in week three. In addition, they are required to draft two one-page advocacy pieces (the pro and con of the same issue) as well as detailed comments for a federal regulatory rulemaking.

### Course Learning Outcomes:

By the end of the course:

- 1) Students will be able to track the natural progression of historic environmental issues to current environmental problems.
- 2) Students will be able to analyze and present both sides of a complex environmental issue in a concise written format.
- 3) Students will be able to define the important components of a regulatory rulemaking comment and draft comments pertaining to a specific regulation.
- 4) Students will be able to identify the applicable roles of the three branches of the federal government and the potential impacts of outside influencers.

#### Grading Policies:

Class Participation 20%:

Short Paper 20%: Two One-page documents

Final Paper 30%: Rulemaking comments document

Classroom Presentation 30%: On case or regulatory issue

#### Classroom Policies:

The use of personal laptops is permitted solely for the purpose of reviewing prepared notes for class and taking notes during class. In the interest of being courteous to fellow students, personal laptops should not be used for messaging and/or other distracting activities during class.

I will be using power point presentations to deliver lectures. Once the section is completed, I will make the presentations available. The plan is that all classes will be presented in person on campus.

Recording any portion of this class is prohibited, except if you have an approved accommodation.

**Attendance:** Per AR 3-1.4, "maintenance of matriculation requires regular class preparation, participation and attendance, registration in the course of study required for the student's program (full-time or part-time), successive registration for each fall and spring term of each academic year until study is completed, and compliance with all other relevant requirements."

**Absences:** Per AR 4-1.1, "if a student is absent for any reason for more than 20 percent of the sessions of a course, the student is not eligible for credit in that course. A student who is not present for at least 75 percent of a session of the course is absent from that session."

### Participation & Preparation:

Class participation consists of attendance, engagement in class discussion, and preparation for the class activities discussed above. Every student is expected to be thoroughly engaged in class discussions about the readings. Each student will be responsible for a 10-15-minute presentation on a case or regulatory issue. Each presentation will be followed by questions from the other students. The student will be graded on their presentation and their response to questions.

The class participation grade will be based on cold calls from the assigned readings, questions asked of the student presenters, and voluntary participation in general class discussion.

### Use of Technology & AI:

Moderate Use Policy: Generative AI tools may be used in this course for the following purposes, and with the following guidelines. Students may use AI in this course to brainstorm, outline, study, or explore the materials during the course but may not use AI as the primary source for text of written assignments or during Socratic dialogue. Students must use AI tools responsibly, verify facts presented by AI, disclose when AI tools are used to create course work product, properly cite any AI tools utilized, and should be prepared to produce the transcript of prompts and responses upon request. Misuse will be treated as a violation of academic standards.

### Use of Electronic Text Books During Exams:

Students are permitted one laptop computer for exam taking purposes. Additional laptop computers or any other electronic data storage devices are not allowed in an exam room, unless permitted by the course instructor's *written* exam instructions. Electronic text books (e-books) may be used during exams that are designated as open book by the instructor, and the instructor allows text books to be used during the exam and allows access to a student's computer files during the exam (open exam). E-books may not be used in exams where the instructor does not allow students to access their computer files during the exam (secure exam) even if the instructor permits access to text books. If the instructor has blocked access to the internet or computer files, you must bring a hard copy of the allowed text book(s) you wish to consult. Students will need to borrow or otherwise locate a hard copy of the e-book or print resources needed from the e-book to take into the exam room. The instructor determines the length of the examination and whether or not it is secure or open and what, if any, study materials are permitted during the exam. Students are responsible for adhering to the instructor's standards for all examinations, which are included in the examination materials.

## Course Schedule & Assignments

### **January 15**

Introduction: The evolution of environmental policy from 1900- 1970 culminating in the first Earth Day and the creation of the EPA.

Role of External Influencers: NGOs, Industry, and the Media

[\*“Social Media and Environmental Activism: Framing Climate Change on Facebook by Global NGOs”\*](#) by Hong Tien Vu, Matthew Blomberg, and Hung Viet Do

### **January 22**

The Regulatory Process

[\*Chevron U.S.A., Inc. v. NRDC\*](#), 467 U.S. 837 (1984)

[\*Loper Bright Enterprises v. Raimondo\*](#), 603 U.S. \_\_\_, 144 S. Ct. 2244

### **January 29**

History: Clean Air Act

[\*Whitman v. American Trucking Associations, Inc.\*](#), 531 U.S. 457 (2001)

[\*Michigan v. Environmental Protection Agency\*](#), 576 U.S. 743 (2015)

### **February 5**

Future: Climate Change

[\*Massachusetts v. Environmental Protection Agency\*](#), 549 U.S. 497 (2007)

[\*Utility Air Regulatory Group v. Environmental Protection Agency\*](#), 573 U.S. 302 (2014)

[\*West Virginia v. Environmental Protection Agency\*](#), 597 U.S. \_\_\_\_ (2022)

### **February 12**

Future Part 2: The Endangerment Finding

[Public Comments filed on the Endangerment Finding by API](#)

[Public Comments filed on the Endangerment Finding by Democratic AGs](#) (pages 29-85)

[Public Comments filed by NACS and EMA](#)

### **February 19**

History: Clean Water Act

[\*Rapanos v. United States\*](#), (2006) 547 U.S. 715 (2006)

[\*Sackett v. Environmental Protection Agency\*](#), 566 U.S. 120 (2012)

[\*Sackett v. Environmental Protection Agency\*](#), 598 U.S. \_\_\_\_ (2023)

**February 26: Writing Assignment Due – Two One-page Advocacy Papers**

Future: Water Infrastructure

[\*EPA WIFIA Program Handbook\*](#)

**March 5**

History: Chemical Regulation

[\*Corrosion Proof Fittings v. EPA\*, 947 F.2d 1201 \(5<sup>th</sup> Cir. 1991\)](#)

**March 12** SPRING BREAK

**March 19**

Future: PFAS

Initial Regulatory Flexibility Analysis and Updated Economic Analysis for TSCA Section 8(a)(7) [\*Reporting and Recordkeeping Requirements for Perfluoroalkyl and Polyfluoroalkyl Substances\*](#)

[“United States: How the PFAS Litigation Landscape is Expanding”](#)

**March 26**

History: Waste Issues and Superfund

[\*United States v. Bestfoods\*, 524 U.S. 51 \(1998\)](#)

[\*United States v. Atlantic Research Corp.\*, 551 U.S. 128 \(2007\)](#)

**April 2: Writing Assignment Due – Regulatory Comments**

Future: Brownfields and Land-use Planning

[“Small Business Liability Relief and Brownfields Revitalization Act”](#)

**April 9**

Environmental Impact on Agriculture Policy

[\*RRVSG Assoc. v. Michael Regan\*, No. 22-1422 \(8<sup>th</sup> Cir. 2023\)](#)

**April 16**

Environmental Impact on Energy Policy

## Student Resources

Antonin Scalia Law School Academic Regulations

GMU Common Course Policies Addendum

Mason Square Services

Mason Square Police

Van Metre Hall, Room 110

Emergency - Dial 911

Escort Services - 703-993-8070

Dispatch – 703-993-2810

Student Support and Advocacy Center (SSAC)

Mason Square Sexual Assault Services:

Van Metre Hall, Room 222D

703-993-8186

Notice of Mandatory Reporting of Sexual Assault, Sexual Harassment, Interpersonal Violence, and Stalking:

As a faculty member, I am designated as a “Non-Confidential Employee,” and must report all disclosures of sexual assault, sexual harassment, interpersonal violence, and stalking to Mason’s Title IX Coordinator per University Policy 1202. If a student wishes to speak with someone confidentially, please contact one of Mason’s confidential resources, such as Student Support and Advocacy Center (SSAC) at 703-380-1434 or Counseling and Psychological Services (CAPS) at 703-993-2380. Students may also seek assistance or support measures from Mason’s Title IX Coordinator by calling 703-993-8730, or emailing [titleix@gmu.edu](mailto:titleix@gmu.edu).

Mason Square Clinic

Van Metre Hall, Room B102

703-991-2831

Counseling and Psychological Services

Student Health Services

Student Disability Services

Student Conduct

University Life