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Randall Baker, Environmental Law and Policy in the European Union and the United States

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RANDALL BAKER, ENVIRONMENTAL LAW AND POLICY IN THE EUROPEAN UNION AND THE UNITED STATES, Praeger Publishers, Westport, CT (1997); 269pp; \$65.00; ISBN 0-275-95262-2, hardcover.

Environmental Law and Policy in the European Union and the United States is a thorough comparative analysis of environmental law in the European Union and the United States. Chapter One describes the book's rationale: to fill a "gap in literature comparing the two most economically developed areas on earth and how they go about tackling the wide range of environmental consequences of their rapid development."

Chapters Two and Three analyze the two systems of decision making in the European Union and United States. Chapter Two discusses the European Union's purpose of integrating European communities through the Maastrich Treaty while preserving some autonomy for the individual countries. The author analogizes the European Union system to the United States Constitution and the autonomy of individual states, concluding that the United States (with federalism) and the European Union (with integration) will face similar problems in environmental decision making. Chapter Three discusses the history and purpose behind the European Union.

Chapters Four, Five, and Six describe the role of international law in both the European Union and the United States. Chapter Four examines international environmental law and concludes that it may become influential in the world arena. Chapter Five compares the assumed international environmental obligations of the United States and the Netherlands. It concludes that the United States frequently fails to meet its international obligations, unlike the Netherlands, which has a strong record of compliance. Chapter Six discusses the need for transparency in decision-making when enacting European Union Directives and the individual's ability to bring a citizen suit in the European Union. The chapter concludes that more transparency in the decision-making process is necessary and that the individual's ability to bring a suit should be increased.

Chapters Seven and Eight discuss environmental management and policy. Chapter Seven gives a history and overview of the policy and management of environmental issues in the European Union and describes the various environmental action programs promulgated by European Union governing bodies. Chapter Eight analyzes the United States counterpart and details the history of environmental law development in the United States.

Chapters Nine and Ten describe air quality management. Chapter Nine discusses the problem of air pollution in the European Union and, specifically, acid rain. Chapter Ten analyzes the United States' solution to air pollution and gives an overview of the Clean Air Act. The United States and European Union systems are similar. They both establish that air pollution must be addressed, and both set limits for specific pollutants.

Chapters Eleven through Sixteen address water quality management. Chapter Eleven discusses the European approach to water pollution. The European Union has issued numerous directives regarding water pollution control. These directives address drinking water, bathing water, fish, shellfish, and fresh water. Chapter Twelve describes water pollution control in the United States, giving an overview of the Clean Water Act. Chapter Thirteen analyzes the differences between Indiana and Maryland in their approaches to construction site erosion and sediment control by reviewing historical settlement of the two states. Chapter Fourteen describes various mechanisms for water management in the Netherlands and implementation of those mechanisms. Chapter Fifteen analyzes the issues that arise when attempting to solve water pollution problems in the Great Lakes. The Great Lakes issues are compounded because both Canada and the United States contribute to the pollution and must work together to alleviate it. The chapter suggests various ways these problems could be solved, such as national and international coordination or creation of an autonomous Great Lakes Authority. Chapter Sixteen addresses Rhine River Basin management in the European Union and analogizes the basin to the Great Lakes. The Rhine River is the most important waterway in Western Europe and traverses numerous countries that are European Union members.

Chapters Seventeen and Eighteen address waste management. Chapter Seventeen discusses the European approach to waste management and the European Union directives that address waste management. It describes the issue of waste as a commodity and its unrestricted movement across the borders of member countries. Chapter Eighteen describes the United States' approach to hazardous waste management. It gives an overview of the Resource Conservation and Recovery Act. Both countries agree on the concept of free waste movement. They also agree that there is a rapidly growing need for hazardous waste management.

Christine Wise-Ludban