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*This newsletter is published by the University of Maryland Environmental Law Program.*  
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## Reunion, Global Clinical Conference to Highlight Program's 20<sup>th</sup> Anniversary Celebration



*Environmental clinic students at the China University of Political Science and Law in Beijing.*

Maryland’s Environmental Law Program will celebrate its 20<sup>th</sup> anniversary in April 2007 by hosting an international conference on the work of environmental law clinics throughout the world. Clinicians from virtually every continent will gather to discuss their work and to explore ways of improving global collaboration. Among the participants will be China’s top environmental clinicians, Wang Canfa and Xu Kedzhu, and Maria Nora Gonzalez, the director of South America’s first environmental law clinic at the University of Chile (see p. 3 for details). The 20<sup>th</sup> Anniversary celebration also will include an environmental alumni reunion, a gala dinner at the National Aquarium at the Inner Harbor, and the program’s signature winetasting party (see pages 2-3).

*The Environmental Law Program Presents*  
**The 2007 Ward Kershaw Environmental Law Conference**  
**Globalizing Clinical Education to Protect**  
**the World's Health and Environment**  
*April 11-13, 2007*

The 2007 Ward Kershaw Environmental Law Conference will assemble environmental and public health clinicians and top public interest lawyers from around the world for a dialogue about how clinical education can be used as a tool for protecting public health and the environment. The conference seeks to address a broad array of global environmental and public health issues including urban redevelopment, sanitation, infectious disease, global air and water pollution, biodiversity, and enforcement.

The conference will open with an address by our keynote speaker, Professor Wang Canfa, China's top public interest environmental lawyer. The first day of the conference will feature seminars delivered by internationally recognized experts in the fields of environmental and public health law and policy. During the second and third days of the conference, panels of clinicians and public interest lawyers from around the world will participate in working sessions that will explore the various problems currently plaguing public health and the environment and the various means of combating those problems through clinical education. The information shared will then be used to initiate cooperative projects among clinics around the world, including the creation of environmental law clinics in countries that do not yet have such programs.

This conference comes at a crucial time. The world is experiencing unprecedented industrial and urban growth accompanied by increasing threats to the environment and public health. Some of the impacts of global warming already are becoming evident. In June of 2006, the National Research Council of the National Academy of Sciences issued a new report concluding that there was "sufficient evidence to say with a high level of confidence that the last few decades of the 20th century were warmer than any comparable period in the last 400 years." The report also notes that there are "multiple lines of evidence . . . supporting the conclusion that

climatic warming is occurring in response to human activities . . . ." Habitat destruction across the globe continues to threaten the world's biodiversity. Vehicle and industrial emissions are creating severe air pollution problems in many countries, and a lack of enforcement of existing environmental laws and a lack of penalties that deter violators has led to deteriorating environmental conditions. Throughout the world, communities are experiencing severe water shortages. Population growth has placed tremendous pressures on urban communities making it difficult for some communities to provide basic sanitation. This growth is also placing pressures on natural resources, straining ecosystems that are already in peril.

Despite these challenges there is hope that progress can be made in combating environmental and public health problems. Clinical legal education is growing rapidly around the world, creating an important vehicle for delivering global responses to these global environmental and public health problems. International cooperation is essential to ensuring that proposed solutions become a reality. A recent example from China illustrates this point. The need for some form of national hazardous waste reporting and response legislation was illustrated in late November 2005 when a chemical factory in Jilin, China, released massive quantities of benzene into the Songhua River. This spill forced Chinese authorities to shut off for four days public supplies of drinking water to the downstream town of Harbin with nearly four million inhabitants. As the spill approached Russia's border with China, it became a major international incident. As a result of the spill, the Chinese government established national reporting requirements for chemical spills and it has pledged to spend more than \$1 billion to clean up contamination of the Songhua River and to improve the responsiveness of government agencies to environmental concerns.

This conference will provide a forum for such international cooperation, with the goal of creating partnerships and cooperative projects among countries throughout the world.

## SPOTLIGHT ON CONFERENCE KEYNOTE SPEAKER

*Professor Wang Canfa*

*Director of the Center for*

*Legal Assistance to Pollution Victims*



A pioneer of legal aid in China, Wang Canfa is referred to as a “folk hero” in a new American television documentary, *China Rises*. He is a Professor of Law at the China University of Political Science and Law in Beijing and a founder of The Center for Legal Assistance for Victims of Pollution (CLAPV). Recently, Professor Wang was honored by the Chinese government as one of five “Figures of Green China in 2005” in recognition of his efforts to protect the environment. This award is the first to be given by the Chinese government to environmentalists, and is supported by the United Nations Environmental Program.

Professor Wang is an expert on environmental litigation in China and has given presentations and trainings to numerous organizations including the U.S. Congressional - Executive Committee on China. He has presided over or taken part in the drafting and discussion of nine laws and regulations on environmental protection, including the Law on the Protection of Nature Reserves, the Law on the Prevention and Control of Water Pollution (Revised Draft), and Regulations on Public Participation in Environmental Protection. In 1998, he established the Center for Legal Assistance for Pollution Victims in Beijing and a hotline providing free legal advice to pollution victims, a first for non-governmental operations in the legal field. In the past six years, the center has handled 8,490 phone calls, received 477 visitors and won nearly 80 pollution cases. Since 2001, the center has trained 269 lawyers and 170 judges and established a nationwide network of lawyers working for the protection of the environment. His work is supported by partnerships with organizations such as the National Resources Defense Council (NRDC) and the Ford Foundation.

### **20<sup>th</sup> ANNIVERSARY CELEBRATION TO HAVE GLOBAL FOCUS**

Maryland’s Environmental Law Program was founded in spring 1987 as the result of a determined group of students who persuaded Professor Michael Millemann (now the Jacob A. France Professor of Public Interest Law) to teach environmental law and to lobby for the creation of an environmental law clinic. A visionary and experienced coalition-builder, Millemann developed the idea for a multi-disciplinary environmental law program and successfully lobbied for it with university administration and the Maryland General Assembly. The law school hired Professor Robert Percival, who had been an attorney for the Environmental Defense Fund, to direct the program and to create an environmental law clinic. The clinic opened in fall 1987. Among its first cases was a successful challenge in the U.S. Court of Appeals for the D.C. Circuit to EPA’s failure to regulate hazardous waste from an aluminum smelter in Adamstown, Maryland.

During the nearly two decades since it was launched, Maryland’s Environmental Law Program has expanded its focus considerably, as reflected in the plans for its 20<sup>th</sup> anniversary celebration. On April 11-13, 2007, the program will host a global conference focusing on the development of clinical law programs to protect the environment and public health around the world. It is hoped that the conference will help spur increased collaboration between environmental clinicians in the U.S. and those who are launching clinics to assist public interest movements in developing countries. Robert Percival, director of Maryland’s program, notes that many of the conference participants will be professionals who are not members of existing global environmental networks. “Anything we can do to expand assistance to environmental clinics in developing countries would be a welcome addition to the great work being done by existing global networks, such as the IUCN’s Academy of Environmental Law.”

During the 20<sup>th</sup> anniversary celebration, Maryland will welcome back many of the alumni of its environmental law program for a reunion that will include alumni who are working on environmental issues domestically and internationally. (For an update on the activities of our environmental alumni see p. 23.) The reunion will include the program’s annual alumni/student winetasting party, now in its fifteenth year, and a gala dinner at the National Aquarium in Baltimore.

*More information will be available in the coming months. If you would like to be placed on the mailing list for a brochure, please email Laura Mrozek at [lmrozek@law.umaryland.edu](mailto:lmrozek@law.umaryland.edu). It will also be available on the web at <http://www.law.umaryland.edu/conferences.asp>.*

## MARYLAND LAW STUDENT WINS ELI'S FIRST "ENDANGERED ENVIRONMENTAL LAWS" WRITING COMPETITION



*Jay Austin, Senior Attorney and Director of ELI's Endangered Environmental Law Program and Leslie Carothers, ELI's President, present award to Amy Major.*

Amy Major, a second-year student at the University of Maryland School of Law, has been named the winner of the Environmental Law Institute's inaugural law student writing competition. The topic of the competition was "Endangered Environmental Laws." Amy received a \$2000 award for her essay, which will be published in ELI's flagship journal *The Environmental Law Reporter* (ELR), the only attorney-edited law review covering environmental and natural resource issues.

Amy's winning entry, "Foxes Guarding the Henhouse: How to Protect Environmental Standing from a Conservative Supreme Court," traces the evolution of environmental standing in the Supreme Court. It proposes the use of "informational injury" to establish standing under the Endangered Species Act in the wake of restrictions imposed by recent Court decisions. "Her article does a superlative job of examining developments in standing law in light of recent changes on the Supreme Court, and in putting

forth a creative proposal for securing standing under the ESA," noted Jay Austin, Director of ELI's Endangered Environmental Laws Program.

The competition, sponsored by the Endangered Environmental Laws Program, encourages law students to explore issues at the intersection of constitutional and environmental law. "Each of these papers helps advance our understanding of the constitutional foundation of modern environmental law," explained Leslie Carothers, President of the Institute. "Their authors are part of the next generation of legal scholars and practitioners."

Amy's award continues a tradition of outstanding research and writing by Maryland environmental law students. In 2005, Maryland law student Candace Howard won the national Roscoe Hogan Environmental Law Essay Contest, a contest that was won in 2004 by Maryland law student Sarah Brull. Maryland law student Natalie Havlina was the winner of the 2005 National Wildlife and Conservation Writing Contest sponsored by the Southeastern Association of Fish and Wildlife Agencies (SEAFWA).

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# Environmental Law Clinic Report Finds Challenges in Protecting Maryland's "Critical Area"

by Kerry Rodgers\*

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*Professor Rodgers takes environmental clinic students on tour of the National Wildlife Visitor Center at the Patuxent Research Refuge in Laurel, Maryland.*

In a recent report commissioned by the West/Rhode Riverkeeper, the Environmental Law Clinic found that changes to the Maryland Critical Area Act and improvements in the way local governments and the State enforce its requirements could benefit Maryland's shoreline environment. The May 2006 report, *Enforcement in Maryland's Critical Area: Perception and Practice*, addressed the Act's objectives and its implementation and enforcement, particularly in three counties: Anne Arundel, Queen Anne's, and St. Mary's Counties.

The Critical Area Act, a 1984 law intended to preserve the shoreline environment and protect the Chesapeake Bay while accommodating growth, governs land use policies for land within 1,000 feet of tidal waters known as the "Critical Area." More than 50 local governments – including small rural towns and large urban counties – are responsible for implementing and enforcing Critical Area Act programs consistent with statewide criteria developed by the state Critical Area Commission. The programs are resource-intensive. Local governments have authority to approve development in the Critical Area, and they typically review and make decisions on development proposals such as site plans, variance and permit applications, and subdivision plats on a case-by-case basis. The Commission may review and comment on such proposals, but it need not approve them.

The Clinic identified a number of aspects of the Act itself that favor development in the Critical Area. First, the Act explicitly allows for development in the Critical Area to accommodate growth, although the Act seeks to minimize the environmental impacts of such

development. In addition, the Act allows for flexibility in its implementation and enforcement. Many parties responsible for enforcing the Act use their discretion to interpret it in ways that minimize restrictions on private property owners, instead of imposing standards more protective of the environment. Moreover, the Act does not contain strict enforcement provisions. Critical Area Act violations are subject to prosecution by local governments, and the State's role in enforcement is largely advisory and discretionary. If a local government is unable to enforce the Act, it may seek assistance from the Commission or refer the matter to the State Attorney General. If a local government fails to enforce the Act, interested parties may notify the Commission, but in such circumstances, the Commission is only required to notify the local government of its failure to enforce. The Commission has no express obligation to pursue the case. If the Commission chooses to refer the case to the Attorney General, the Attorney General has discretion to decide whether to pursue it. The Act contains no citizen suit provision, and interested parties are unable to enforce the act themselves.

Furthermore, the Critical Area Act does not require any analysis of the cumulative impacts associated with development in the Critical Area. Site plans, permits, variances, and other applications for development in the Critical Area are reviewed and approved on an individual basis. This means that when a local government approves a project such as an addition to a house as consistent with the Act, no one is tracking the potential impacts of the addition along with the impacts of similar additions down the road and other developments along the shoreline.

The Clinic also found that local enforcement is almost always reactive, as opposed to proactive, because many local governments lack sufficient resources to identify Critical Area Act violations on their own. For instance, the Clinic's research did not identify any local government that owns a boat to use in viewing potential violations at the water's edge. The Critical Area Commission indicated that many large local jurisdictions do not have enough inspectors to identify and address violations of the Act. As a result, many violations are never even noticed. The cost of litigation associated with issuing fines for violations of the Act also influences local governments' approaches to enforcement. Except in Anne Arundel County, few fines are issued, and most local governments cannot manage the costs of defending their decisions to issue fines in court. Many local governments

## Environmental Clinic (continued)

also find that requiring violators to mitigate the impacts of development is more productive than issuing fines. Finally, education and public participation are important to effective enforcement of the Critical Area Act, and promoting a better understanding of the relationship between private development and adverse impacts on the Chesapeake Bay could help to prevent violations. Routine, small-scale violations as well as less frequent, large-scale violations threaten the Bay.

The Clinic's report was commissioned by the West/Rhode Riverkeeper, Bob Gallagher, on behalf of a group of Maryland Waterkeepers. In their patrols of area waters to identify illegal sources of pollution, the Waterkeepers had observed possible violations of the Act such as the clearing of trees along the shoreline and residential construction without appropriate permits. The Waterkeepers also were concerned that some counties did not follow up on possible violations, and they asked the Clinic to investigate whether violations of the Act occur due to weaknesses in its text or because the Act is not enforced as it is written. The West/Rhode Riverkeeper chose the focus counties because each has diverse characteristics and faces different Critical Area Act problems, and each has a Riverkeeper.

After reviewing the Act and the Commission's regulations, the Clinic used data surveys to gather information from local governments with Critical Area Act programs. The Clinic used opinion surveys to seek the views of public interest advocates, government officials developers, landowners, and others who work with the Act. For the three focus counties, the Clinic reviewed the Commission's 2005 files on site plans, variances, and permits to determine what types of development are occurring, the sections of the Critical Area in which developments are proposed, and the Commission's response to particular proposals. The Clinic also reviewed data from the Commission for all Critical Area Act programs and conducted interviews with focus county officials and other stakeholders.

Given the diversity of local Critical Area Act programs, the Clinic's findings may not apply to every jurisdiction in the Critical Area. Nonetheless, the findings illustrate several challenges in protecting the shoreline in the face of development. Hopefully, the report will educate Marylanders who work with the Act and care about the Critical Area and will inform any discussions of possible legislative or other reforms in the months ahead.

Student attorneys Megan Moeller, J. Samuel Hawkins, Anne Merwin, and Sriram Gopal conducted the study and wrote the report under the direction of Professor Kerry Rodgers. The report is available at: <http://www.law.umaryland.edu/environment/clinic.asp>

**\*Professor Kerry Rodgers teaches the Environmental Law Clinic.**

## Fifth Edition of *Environmental Regulation* Casebook Published



***Professor Percival presents one of the first copies of the new 5<sup>th</sup> edition of his Environmental Regulation casebook to Professor Xu Kezhu of the China University of Political Science and Law in Beijing during her recent visit to Washington. Professor Xu is the deputy director of the Center for Legal Assistance to Pollution Victims (CLAPV), China's top public interest environmental law organization.***

In August 2006 Aspen Publishers released the fifth edition of Professor Percival's highly influential environmental law casebook *Environmental Regulation: Law, Science & Policy*. Released initially in 1992, the casebook has been widely adopted in law schools throughout the United States and now is increasingly encountered outside the country. Percival's co-authors include Professor Chris Schroeder of Duke, Alan Miller of the International Finance Corporation who teaches a green energy seminar at Maryland, and James P. Leape, Director General of WWF. The authors are particularly pleased that they were able to include the U.S. Supreme Court's important June 2006 Clean Water Act decision (*Rapanos v. United States*) in the new edition of the casebook, even though the case was not decided until just weeks before the book's final publication. Aspen also has released the 2006-2007 edition of Professor Percival and Schroeder's *Environmental Law: Statutory and Case Supplement with Internet Guide*, which has become an essential companion to the casebook.

# The Sabotage of Superfund: Tax Breaks, Compassion Fatigue, and Your Not-So-Friendly Local Dump

by Rena Steinzor\*

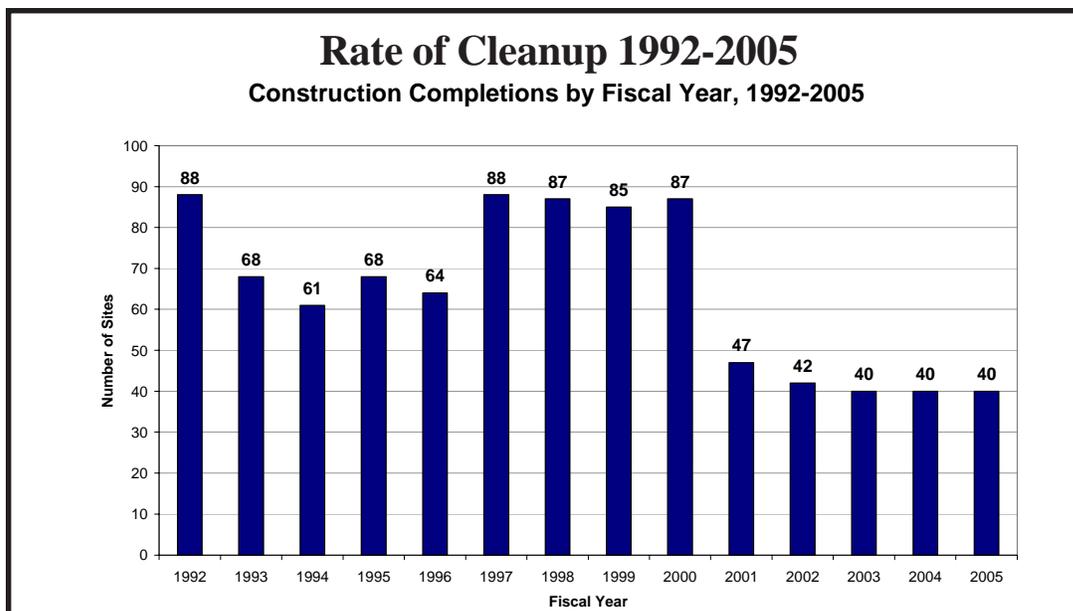
Once upon a time, not so very long ago, Congress authorized a multi-billion dollar cleanup of the thousands of abandoned toxic waste sites that mar the nation's landscape. Despite high hopes and soaring expectations, Superfund had a difficult birth and a fretful childhood. Its dual tracks – industry taxes to raise seed money for cleanup and stringent liability for site owners, operators, transporters, and generators – produced at least three waves of litigation, frustrating everyone but the lawyers and engineers who did this work.

Today, the program, barely out of its teens, is on full-fledged life support. The Superfund National Priorities List (NPL) includes 1,244 sites awaiting cleanup. Many have languished on the List for well over a decade and some have been on the list for almost a quarter century. Although it is fashionable for Washington insiders to roll their eyes at the very mention of the program, the uncomfortable fact remains that one in four Americans live within three miles of a Superfund site, including approximately three to four million children who live within one mile and are at greater risk from the developmental effects of exposure to the neurotoxins common at such facilities. Nevertheless, construction completions under the Bush Administration have slowed to half of what they were under the previous Administration, in part because enforcement is a low priority and in part because the taxes that support the program ran out in 1995 and have never been extended.

In a short life filled with irony, the most stunning paradox is that Superfund faces this stark future not because it finally succumbed to the very noisy, very public

campaign by its opponents to repeal its joint and several liability scheme. Nor did opponents manage to gut its cleanup standards. Liability and relatively rigorous standards remain on the book, in theory requiring responsible parties not only to implement cleanups but to do much more than build a chain link fence around the dumps. (A recent example of what gutting standards can achieve is the revelation that a day care center in New Jersey, called "Kiddie Kollege," was built on top of soil laced with mercury because the site, a former thermometer factory, was removed from the state's list of brownfield sites without ever being remediated.)

Yet, while the statute is intact, the Superfund program is succumbing to a wasting illness, a victim of compassion fatigue and political doublespeak. Government and industry have dragged their feet on cleanup for so long that it has been impossible for the public at large to maintain the level of concern that propelled the birth of the program in 1980 and Congress' decision to increase it six-fold in 1986. As everyone's attention shifted to other problems, the fund slowly ran down, leaving very little money for either lawsuits or cleanup. Adding insult to injury, the 1995 expiration of the taxes that supported the program granted a handy tax break to the two American industries that are least deserving of this windfall: oil refiners and petrochemical manufacturers. Superfund taxes generated \$1.5 billion/year – or \$4 million/day. These amounts represent *two percent* of the 2005 profits earned by just *six* of the nation's top petroleum and petrochemical producing companies, and the compensation paid to the six companies' Chief Executive Officers would cover over a month's worth of lost tax revenue.



## The Oil and Chemical Industries' Ability to Pay

Fortune 500 Rank	Company Name	2005 Profits (as in millions)	CEO	CEO Compensation
1	Exxon Mobil	\$36,130	Lee Raymond	\$22,773,000
4	Chevron	\$14,099	David O'Reilly	\$8,170,000
6	ConocoPhillips	\$13,529	James Mulva	\$16,789,000
15	Valero Energy	\$3,590	William Greehey	\$44,875,000
23	Marathon Oil	\$3,032	Clarence Cazalot	\$4,839,000
66	Sunoco	\$974	John Drosdick	\$33,436,000
<b>Total: \$71,354 billion</b>			<b>Total: \$133,882,000 billion</b>	

If the past is any prologue for the future, out of mind does not mean buried forever. Sooner or later, a crisis at one of the sites moldering on the list will bring the problem back to center stage. In a recent study of the five worst sites in the ten most populous states (California, Texas, New York, Florida, Illinois, Pennsylvania, Ohio, Michigan, New Jersey and Georgia), the Center for Progressive Reform found that:

- **Large numbers of people, including children and the elderly, live near these sites.** Most of the 50 profiled sites are located in heavily populated urban or suburban neighborhoods. According to EPA, between 205,349 and 803,100 people live within one mile of these sites. As of 2000, some 235,000 people lived in the census tracts where they are located, including 34,127 children aged nine and younger and 14,068 persons aged 75 and older.
- **Lower-income Americans disproportionately reside around these sites.** In stark contrast to the wealthy corporate beneficiaries of the Superfund tax windfall detailed in this report, residents of 30 of the 50 census tracts reported a median household income for 1999 (the most recent tabulation of data available at the tract level, for Census 2000) below that of the nation as a whole, that is, below \$41,994.
- **People of color were disproportionately represented around a significant number of sites.** Thirteen of the profiled sites are located in census tracts where the population is at least 40 percent racial or ethnic minority, including four sites where the percentage is greater than 70. These findings are not the product of a statistically valid examination of Superfund sites on the whole, and

the 50 sites profiled in this report make clear that Superfund sites endanger communities of all types. However, on a site-specific basis, these findings echo concerns long expressed by scholars and other commentators that hazardous waste sites disproportionately affect minority and low-income populations.

- **Some of the sites that have waited longest for cleanup are owned by viable, profitable companies.** Sites sometimes lack a “responsible party”; for example, the company responsible for contamination may be out of business. These sites are to be cleaned up using Superfund dollars. Where there is a responsible party, the company is supposed to pay for cleanup. Yet in a number of cases, sites have languished on the NPL even though a responsible party has been identified. This includes, for example, a New Jersey site owned by Honeywell, which in 2005 ranked number 75 on the Fortune 500, with profits topping \$1.2 billion. This site was among the first Superfund sites listed in 1983.

In the existing, polarized political climate, it is hard to imagine that Superfund will be rescued any time soon. If and when Congress chooses – or is compelled – to cope with the issue, though, the good news is that the initial fix is incredibly simple. Reinstating Superfund taxes would take perhaps three or four lines of legislation, throwing the existing statutory provision back into an “on” position. Finding the political will to implement the program aggressively and wisely is a more complicated matter, but giving it the resources to get started again would be quite a good start.

*\*Maryland graduate Margaret Clune (class of 2002) did the bulk of the work on which this article is based, in her capacity as policy analyst for the Center for Progressive Reform, which Professor Steinzor and other colleagues founded in 2001. A story about the group appears at page 13 of this issue. The full text of the report, *The Toll of Superfund Neglect*, appears at [http://www.progressiveregulation.org/articles/Superfund\\_061506.pdf](http://www.progressiveregulation.org/articles/Superfund_061506.pdf).*

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# My Impressions of the United States

by Professor Hu Jing\*



pressure of life is so great in China that each person has to work hard and has no strength to smile to a stranger.

I will never forget the first time I took public transportation in America. In September, 2005, I planned to go to Lutherville by public transportation in order to shop. When I was at the university center light rail station wondering how to reach Lutherville, a gentleman, who seemed to be a blue collar worker, walked toward me to ask me whether I needed his help. He gave me instructions and led me to take the light rail to the culture center with him, and then to a bus stop where he asked the driver of the bus to take me to the right destination. These average American strangers made me feel their hospitality and kindness.

*Visiting Scholar Hu Jing stands with Professor Percival on his last day before leaving to return to China.*

During the 2005-2006 academic year I had the honor of serving as a visiting scholar in the Environmental Law Program of the University of Maryland School of Law. While I learned much about environmental law during my year at Maryland, as I prepare to return to China, I would like to reflect instead on the question most asked of me during my year here: "What do you think of America?"

First, I was very impressed with how hospitable and kind everyone was to me. Soon after I arrived in Baltimore, Prof. Robert Percival invited me to attend a baseball game in Washington, D.C. He seems obsessed with baseball. He explained to me that "baseball provides a unique window on American culture." Although Chinese are very hospitable to our visitors, we nearly always invite foreign friends to a Chinese restaurant. Maybe we are proud of our delicious food. On the other hand, to some extent it may reflect the fact that Chinese seem reluctant to show our life. We are more introverted. Americans, by contrast, are very open. They are pleased to let visitors see exactly how they live. Maybe they are proud of their life styles.

I also noticed that strangers react differently in America. When I walk on the streets, some strangers smile and greet me with "good morning" or "have a good day." I feel very good about this and it puts me in a good mood all day. This rarely happens in China. However, it does not mean that Chinese are not friendly. The population of China is so large, the competition for work is so intense, and the

Education in the United States is different from Chinese education. Chinese complain about our strict examination system and great study pressure, and we often are jealous of American students for feeling less pressure than Chinese students. But now I think this is probably not true, at least for university students. After attending most all of the courses of the environmental law program, I understand that J.D. students have to finish a large amount of reading each day. They often go to bed after midnight and the only thing they want to do during the weekend is to sleep.

Teaching methods in the seminars and in the environmental clinic are especially interesting. In the seminars, students make presentations, express their opinions, and discuss any related topic. At times it seems as though the professors' favorite comment to their students is "good point." I once told Prof. Kerry Rodgers, director of the Environmental Law Clinic, that "your teaching method seems like you are training each student to be a congressman." Only recently in China have seminars become a more popular teaching method, especially in postgraduate education. However, our students feel a little nervous. I believe that in the near future Chinese students will enjoy the seminar method as they become more accustomed to it.

I also noticed that the atmosphere in the classroom is more relaxed in America. In America, students can bring food and drink into the classroom,

**Continue on next page**

though alcohol is forbidden. On special occasions professors bring food into the classroom to share with students. At least until now, I have never had the courage to take food into my classrooms in China to share with my students. It would be considered highly unusual.

I heard a story comparing Chinese education and American education. Twenty years ago, Chinese education officials investigated American courses, and they observed the more relaxed atmosphere in American courses. In the mean time, American education officials investigated Chinese courses and found that each student stiffly sat, with their hands behind their backs, listening seriously to the teachers. Both parties predicted that Chinese education would pass American education in twenty years. But, both parties are wrong. American education is number one in the world.

Chinese education recently has been learning a lot from America. I think the more relaxed atmosphere in American classrooms helps to promote free exchange of ideas. Maybe that is why American students seem to be full of creativity while Chinese students seem to be full of knowledge. Many children from poor families do not have equal access to education in America, but the U.S. educational system should ensure that America maintains its strong position in the future. I believe that improvements in Chinese education will help strengthen China as well.

America is the only superpower in the international community. Why has the U.S become such a strong country within 230 years of its birth even though China has a much longer history? This is the question my son asks me. I think the answer lies in the openness of the American political system and the importance of the rule of law. Even a “C” student can become president in America and people are free to criticize their government. Many politicians already are launching their campaigns for the White House even though the election is not until 2008. So long as America maintains an open political system where even an ordinary person can become president, she will never be in danger due to its open political systems and strong rule of law. However, I still hope the next American president is a “green” president who will protect the environment. After I return to China, I will tell my son, “The strength of America is the product of its rule of law, this is my answer. My son, I hope you have a chance to study in America in the future. When you return, please tell me *your* answer.”

My experience at Maryland has left me with so very many thoughts on America that I cannot begin to exhaust

them in this limited space. However, I am certain that I will benefit greatly from the experience in America in my work in China and during all the rest of my life.

My time in America has passed so fast. Today, I miss my family, colleagues, students, and Chinese hot pot. When I return, I will miss Bob, Laura, Kerry, Lewis, Hideo, ordinary American people, corned beef sandwiches, and hearing constantly about President Bush.

*\*Hu Jing is a professor at China University of Law and Politics in Beijing. Professor Hu is one of the leaders of the Center for Legal Assistance to Pollution Victims (CLAPV), the top public interest environmental law organization in China.*

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## VISITING CHINESE SCHOLAR ARRIVES IN MARYLAND



*Professor Li Yanfang*

On August 29, environmental law professor Li Yanfang, an environmental law professor, arrived from Renmin University School of Law. Professor Li is an expert on environmental impact assessment and she has written a book on public participation in China's environmental impact assessment process.

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# WORKING AT THE CENTER FOR PROGRESSIVE REFORM

by Jennifer Marshall\*

Just recently my son celebrated his seventh birthday. In telling him stories about when he was a baby, I naturally told him about my time in law school because I was pregnant with him in my third year. I chose to earn my juris doctor from the University of Maryland's School of Law because of its outstanding Environmental Law Program. It was during my third year that I participated in the Environmental Law Clinic — a year that I have found to be the most memorable; memorable because I was not only learning environmental law, but actually practicing it in “the real world.” Like most of my fellow evening students, “working in the real world” was not just a concept that one speculated about, but an enterprise in which we had already undertaken. While a few were seeking a career change, many of us sought to enhance and build upon the careers we had already started. With Maryland's exceptional evening program, I was able to continue working and pay my way through school.

Today, I have the unique opportunity to combine my law degree with the government administration career I had prior to law school. I'm doing this in the non-profit field with an innovative organization called the Center for Progressive Reform (CPR). CPR is a network of approximately 44 academics across the nation; many are law professors, often with particular expertise in the environment, health or safety; others are professors of economics, philosophy or political science. We work to advance progressive ideals and values in critical policy debates about public health, safety and the environment. Though much of CPR's work focuses on regulatory and enforcement issues, we also address corporate accountability and access to the courts.

CPR, like many other non-profits, succeeds through its members, who are not paid for their work, but donate their considerable time and expertise. CPR was founded in 2002 at the behest of progressive advocacy groups, including Environmental Defense (ED) the National Resources Defense Council (NRDC), OMB Watch, Public Citizen, and industrial labor unions, to address the urgency and importance of countering the highly active efforts of conservative think tanks to cripple government

programs. With the commitment of its founders – Professor Thomas McGarity (University of Texas), Professor Rena Steinzor (University of Maryland), and Professor Sidney Shapiro (Wake Forest University) – CPR has grown into a organization in which its member scholars regularly testify before Congress, file comments with agencies, present staff briefings on Capitol Hill, and participate in policy forums sponsored by groups such as the American Bar Association and the Center for American Progress. CPR also provides information on-the-record and as background for national reporters who cover policy issues, and is quoted in such nationally prominent newspapers and magazines as *The American Prospect*, *Baltimore Sun*, the *Boston Globe*, *Business Week*, *Dallas Morning News*, the *Denver Post*, *Greenwire*, *Inside EPA*, *National Journal*, *New York Times*, *Wall Street Journal*, *Washington Post*, and *Washington Monthly*.

As the Executive Director, I rely on my legal training as well as my skills and experience from my years of government service. I am a person who works best with several things on my plate and a constant supply of new and different challenges. Running a small nonprofit provides me with such an environment. And, under CPR's mission, my plate can include everything from contemplating state enforcement of the Clean Air Act to organizing a briefing for congressional staffers on the regulatory role of science – all in one day! My position affords me the opportunity to expand my knowledge with the extraordinary advantage of learning from some of the best in their field. Additionally, I have the pleasure of working with a small staff of excellent attorneys — two, Margaret Clune and Matthew Shudtz, are University of Maryland School of Law alumni — who support CPR in its work.

We are proud of our work and the success we have had in moving academic literature to the policy arena. CPR does this through studies, reports, articles, and other analyses for public release, as well as comments on regulatory proposals, and congressional testimony and briefings. In the recent months, CPR jointly issued the report, *The Toll of Superfund Neglect*, with the Center for American Progress, examining the impact of Congress's Super-de-funding, focusing in on five of the worst sites in the nation's ten most populous states. In the corporate accountability arena, CPR issued the

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# SCHOOL HOSTS CONFERENCE ON "ECOSYSTEMS, INFRASTRUCTURE & THE ENVIRONMENT"

by Lauren Charney and Amalia Fenton\*

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*Former Secretary of the Interior Bruce Babbitt presents opening keynote address.*

On June 9, 2006, the University of Maryland School of Law hosted the American Bar Association's 34<sup>th</sup> National Spring Conference on the Environment, entitled "Ecosystems, Infrastructure and the Environment: Reconciling Law, Policy and Nature." The conference attracted environmental professionals, policy-makers, and business leaders from all over the country to examine the growing concern in the wake of hurricane Katrina over our nation's enormous infrastructure needs as a context for the discussion of a new generation of environmental law that can address both ecological and infrastructural demands.

The conference opened with a brief introduction by Kinnan Golemon of Brown McCarroll, LLP, and a word of greeting from Professor Robert V. Percival. David R. Hodas, Professor of Law at Widener University School of Law, introduced the Keynote Speaker, Former Secretary of the Interior, Bruce Babbitt.

Bruce Babbitt began his keynote address with a discussion of the Louisiana Delta as an example of how American infrastructure projects often ignore the realities and constraints of the ecosystems in which they are built. He emphasized that the rebuilding process in the wake of hurricanes Katrina and Rita requires a reassessment of prior policies against the backdrop of scientific realities; namely, rising sea levels and more realistic land-loss projections. The thrust of Babbitt's argument highlighted the roles of Congress and the Army Corps of Engineers in the rebuilding process, and suggested that citizens demand up-to-date maps to accomplish more realistic and comprehensive land use planning in all infrastructure projects.

Following Secretary Babbitt's remarks, the first panel discussion commenced, focusing on the 2005 hurricane season. Cynthia Drew, Associate Professor of Law at the University of Miami School of Law, began the discussion by reiterating the need for a realistic, comprehensive rebuilding map, and highlighting the political problems underlying the failures of the agencies implicated in the Katrina disaster. After emphasizing the need for stronger political leadership in dealing with infrastructures and natural disasters, Ms. Drew concluded with a visual presentation of the events leading up to the flooding of New Orleans during and after Hurricane Katrina.

Next, Monique Edwards, Executive Counsel to the Secretary at the Louisiana Department of Natural Resources, gave the Louisiana perspective on the Katrina disaster. Ms. Edwards opened her talk with a brief discussion of the importance of Louisiana to the economy of the rest of the country; both as a top refiner of oil and gas, and as a major hub for transporting goods down the Mississippi River. Ms. Edwards discussed the challenges of rebuilding Louisiana, both in terms of ecological landscapes, and human infrastructure. She emphasized the need to move past parochialism and establish a more regional plan for rebuilding and restoring the area.

The panel concluded with a discussion of some important considerations to move forward with restoration in the Louisiana Delta by Leslie Carothers, President of the Environmental Law Institute. Ms. Carothers outlined some of the mistakes of the past, and the impact of those mistakes on ecosystems and the human population. Similar to the speakers before her, Ms. Carothers emphasized a need to rebuild on a more sustainable basis by working with the realities of the area's natural systems. She closed her remarks with a call to lawyers, policy makers, and those private sectors which affect the area to participate in the creation of a coherent plan with realistic goals and risk management.

The second panel moved away from focusing on the hurricanes of 2005, and dealt more particularly with the energy infrastructure. Susan F. Tierney, Managing Principal at Analysis Group in Boston, MA, opened the discussion with a presentation on electric and gas infrastructures. Ms. Tierney, a member of the National Commission on Energy Policy, articulated what the Commission considers to be the two core energy

challenges today: economic dependence on oil, and a failure to address global warming. She discussed the implications of growing demand for electricity and gas in America, and concluded with suggestions of some best practices in siting energy facilities, echoing the previous panel's call for a comprehensive plan for nationwide infrastructure solutions.

Next, Lawrence Kumins, Energy Economist at the Congressional Research Service in the U.S. Congress, gave an economists' perspective on the energy infrastructure, dealing mainly with refinery policy issues. He gave a brief outline of historic refining capacity and U.S. demand, and the outlook for the future, emphasizing the need for new domestic capacity in order to avoid further reliance on offshore fuel supply. He noted the significant percentage of refineries on the Gulf Coast, and the vulnerability of those refineries. Mr. Kumins concluded by discussing the legislative reaction to the capacity shortage; focusing on agency coordination to expedite permitting of new refineries.

Robert Slaughter, President of National Petrochemical and Refiners Association, ended the discussion with the industry's perspective on the energy infrastructure. Mr. Slaughter focused on the negative public perception of the oil and gas industries, and how those perceptions influence policymaking. Outlining some of the barriers to expansion of existing capacity (complex permitting requirements, limited crude supply, and compliance costs), he concluded with an energy outlook; suggesting that continuing U.S. reliance on petroleum products will require policy makers to resolve the challenges of complying with environmental requirements while at the same time allowing the industry to meet the increased demand for its products.

The afternoon session began with a keynote address by Claudia McMurray, Assistant Secretary of State, Bureau of Oceans and International Environmental and Scientific Affairs. Secretary McMurray highlighted the Bush Administration's achievements in environmental protection, emphasizing the role the United States played during the Monterrey and Johannesburg Summits of 2002. She also discussed the U.S. government's commitment to such conservation programs as the Congo Basin Forest Partnership and the Liberia Forest Initiative.

The conference's third panel was entitled, "Ecosystems, Infrastructure, and Risk," and was moderated by Robert L. Brubaker of Porter Wright



*Assistant Secretary of State Claudia McMurray is greeted by Professor David Hodas.*

Morris & Arthur LLP. The panel began with a presentation by David Conrad, a senior water resources policy specialist at the National Wildlife Federation. Dr. Conrad's presentation focused on the state of the National Flood Insurance Program (NFIP). He noted that the NFIP is "in its most serious crisis in history," as the program faces a huge debt and is under-funded. Although the NFIP was originally established under the premise that state and local governments would steer future developments away from flood plains, this never actually occurred. He called for a reassessment of the NFIP policies and implementation.

Following Dr. Conrad, Nicholas Targ, from the EPA's Office of Environmental Justice, provided an environmental justice perspective on identifying environmental and infrastructure risks. He spoke about the EPA's efforts to help vulnerable communities prevent and recover from environmental contamination and natural disasters.

Peter Steenland, of Sidley Austin Brown & Wood, LLP, was the third panel's final speaker. After telling an amusing story involving a gorilla costume, his presentation centered upon the idea that, "historically, legally, and politically our nation has always ignored risk in favor of growth." He remarked that growth and development are in our "national genes" and called for more transparent and up-to-date environmental policies.

The fourth and final panel of the day, "Thinking Outside the Box: Strengthening our Infrastructure by Enhancing and Using Ecosystem Services," began with a presentation by Motoko Aizawa, a corporate policy advisor and program manager from the International Finance Corporation's (IFC) Environment and Social Development

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## ABA Conference continued



**Panelist Monique Edwards, with the Louisiana Department of Natural Resources, speaks with Jennifer Marshall, with the Center for Progressive Reform.**

Department. Ms. Aizawa outlined the IFC's procedure for considering environmental and social costs when evaluating the creditworthiness of potential borrowers.

Robert Costanza, director of the Gund Institute of Ecological Economics at the University of Vermont, followed Ms. Aizawa and argued that, when considering economic goals, society should promote sustainable human well-being, not just the consumption of goods and services. Dr. Costanza called for an internalization of the value of the loss of ecosystem services and the implementation of an alternative index, such as the Index of Sustainable Economic Welfare, to measure economic growth.

The final speaker of the conference was Dan Farber, professor and director of the Environmental Law Program at the University of California, Berkeley, Boalt Hall School of Law. Professor Farber's presentation highlighted the inadequacies and limitations of the Army Corps of Engineers. He called for interagency cooperation to promote changes to the Corps' organization, budget, and reward structure.

After the final panel concluded, Oliver Houck, professor of law at Tulane University, was presented with the 2006 ABA Award for Distinguished Achievement in Environmental Law and Policy. Professor Houck spoke briefly about the devastation wrought by Hurricane Katrina in New Orleans. His eloquent remarks served as a reminder to the conference participants of the need for sustainable infrastructure development and of the real world impact that environmental policies have on our communities.

**\*Lauren Charney and Amalia Fenton are second year law students and research assistants for Professor Percival.**

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second piece in its "Truth about Torts" series, *Truth & Torts: Lawyers, Guns, Money*, examining industry's efforts to escape liability through federal legislation that gives it blanket immunity by preempting state common law protections. CPR is also proud to announce the release of its book published by Cambridge Press, *Rescuing Science from Politics*, which compiles essays from several scholars detailing how regulatory science is under siege.

Additionally, CPR is bringing its work directly to our communities. Near the one-year anniversary of Hurricane Katrina and as a follow-up to CPR's September 2005 report, *An Unnatural Disaster: The Aftermath of Hurricane Katrina*, CPR is co-hosting a conference with Loyola University College of Law, to examine the progress made on protecting and rebuilding New Orleans. In September, CPR will release its report on the effects of the Houston petrochemical complex on air quality at a community briefing in East Houston.

To see more of CPR's work, please visit our Web site at [www.progressivereform.org](http://www.progressivereform.org). A useful reference source on our site is our organization's Perspectives series, a Web-based collection of 29 monographs by CPR scholars on timely and important regulatory debates. Each Perspective provides a thumbnail sketch of the competing arguments on a substantive or procedural principle for developing appropriate health, safety and environmental policies, and each closes with a statement of CPR's proposed approach to the issue. Also at our Web Site, you may sign up to receive CPR's *Quarterly News* and other publications.

CPR has accomplished much since its start and continues to make gains concerning public health, safety and environmental protections. I feel very fortunate to have a position that I both enjoy and believe to be improving and safeguarding our world. My son asked me why I didn't work in a courthouse anymore (as I did when I clerked). I answered him by explaining that being a lawyer allows you to do many different things and fortunately for me, I found just the right fit.

**\*Jennifer Marshall is the Executive Director of the Center for Progressive Reform.**

# FROM THE BOARDROOM TO THE BALKANS

by Melissa A. Hearne\*



*Melissa (center) with other Peace Corp Volunteers (PCV) and members of her practicum organization at the swearing in of new PCVs last December.*

A little over a year ago, I made some drastic changes in my life and career. I moved to the other side of the world to begin a new adventure as a Peace Corps Volunteer (PCV) in Macedonia. So how did I end up in the Balkans? It's not as crazy as you might think.

I had actually been thinking about the Peace Corps for years. I had thought about doing it in between college and law school but was concerned I might not be qualified at that point in my life and might be tempted from returning to law school. So I trudged off to law school right after college, figuring I would get my degrees out of the way first and then revisit the idea. With law school though, suddenly it seemed like my life was taking off in one direction and I was running to keep up. I summered with what was then Piper & Marbury, a regional corporate law firm. I had never even thought about corporate environmental law in a big law firm, and was looking at the summer as an opportunity to prove once and for all that it really was not what I wanted. Instead though, I fell in love with the work and the people and realized the lawyers there could be the best mentors I would ever have. So instead of turning down their offer of a permanent position, I accepted it without reservation. And over the next five years, I worked side by side with some amazing lawyers, learning the craft and working on interesting and challenging issues in environmental law. During that time, the regional law firm grew to become DLA Piper Rudnick Gray Cary, one of the largest and most respected in the world. Without even really trying, I had a career most lawyers would kill for.

But after five years, I suddenly looked around and realized I had to make some tough decisions about my life. I was extremely happy at my law firm. I enjoyed the work immensely, loved the people I worked with, and had great relationships with my clients. Professionally, everything seemed to be clicking along seamlessly, right on schedule. Another couple of years I'd make partner probably and then my career would be set. But the more I thought about the partnership track, the more I wondered if I was personally ready to take that step. At the back of my head, I kept having that nagging feeling about the things I might have to give up if I kept going on the track I was on. And foremost among them was the Peace Corps and the opportunity to live abroad. Sure I could think about pushing it off until after retirement. But deep down, I really didn't want to. And I kept thinking that waiting might make it more difficult personally – if in a few more years I might find myself married, with kids and a dog and a mortgage payment. Although I knew it was a risk to walk away from my career – albeit temporarily – I was more worried about the regrets I would have if I did not take the chance and soon. And so I filed the application for Peace Corps, attended the interviews and filed the medical reports required *ad nauseum*. The whole process took months and months – but at the end of it I was offered the opportunity to be a community development volunteer in Macedonia. And I jumped at the offer.

When I finally started telling people I was leaving for Peace Corps, I think it's fair to say most people were stunned (although ironically one of my clients guessed that I was joining Peace Corps when I called to tell him I was moving overseas!). Reactions were either full support and "I've always wanted to join Peace Corps" – or the rare statements with barely concealed negativism of "Why would you want to go do something like that?" There was never a lukewarm reaction. So many people said to me, "But you're putting your life on hold for two years!" I don't see Peace Corps as putting my life on hold. This will probably be the most exciting two years of my life – so how could it be putting anything "on hold?" But on the whole, most of the people I knew and loved were supportive and understood me well enough to know I wasn't doing this lightly – even if they did not entirely understand why I was so driven to join the Peace Corps.

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***Melissa attends a meeting of sheep breeders and consultants in Sloeshtica.***

After I quit my job, the practical difficulties of moving abroad hit: selling most of my furniture and personal belongings, moving the rest into storage, selling my car, having a sibling take my cat, and then moving back into the folks' place for the month before I moved overseas. And having to say my goodbyes to family and friends, which proved the most difficult. It was at this point, I'm not proud to admit, that I may have gone a little crazy. I started waking up in the middle of the night and packing and repacking at 4 in the morning the two bags I was allowed to take for two years of service. I weighed and reweighed my bags to make sure they fit the airline requirements. I didn't get a good night's sleep for about three weeks leading up to my departure as I obsessed over what I could bring and what it would be like to be away from friends and family for two years! I couldn't eat, couldn't sleep and took on the strange look of a frightened deer caught in a spotlight.

But the funny thing was – when I went to Washington to meet the 30 other volunteers that were heading over to Macedonia with me, we had all been going through the same thing. It felt good to know I wasn't the only freak who had been fielding the questions about why I wanted to go and worrying over what to pack. After two days in Washington, we then boarded our flight to the capital city of Skopje and then onto the town where our first week of training was to be.

The first three months of our training were spent with host families in communities around the main hub of Veles, an industrial town in the center of Macedonia. A group of 6 volunteers were in my training group to learn Albanian and Macedonian, as opposed to just Macedonian, so we went to live in an ethnically Albanian village just west of Veles called Buzalkovo. Buzalkovo is a fairly conservative and traditional village – and for that reason cannot be considered indicative of Macedonia as a whole.

So this, like all of this article, can only be considered a snapshot of my personal experiences here. Because most Albanians in Macedonia are Muslim and single men are not permitted to live in the families in villages where people practice traditional norms, there were four single women and one married couple in our group. I lived with a wonderful family that consisted of a married couple about five years older than myself and their two sons: Bujar who is 14 and goes to a boarding school in the capital of Skopje and Sadam who is 11 and attends school in the village. Sadam and I became fast friends. He even helped with my language skills by teaching me the numbers by playing cards and hide and seek with the local village kids.

The village was tiny compared to my home in Baltimore, consisting of two main dirt roads with about 1000 people living there. The area was mostly agricultural and anyone who did not make their living off the land had to commute into Veles for their jobs. Most families still do not have indoor or flush toilets, although most have at least running water and showers in the home. There are only a few really small stores selling only the most basic of provisions – there were no other businesses in the village. There is no doctor or clinic, although the village has an ambulance that is a converted old Yugo. Power was an issue as well. Due to an aging transformer and some issues with the power authority, Buzalkovo lost power quite often and sometimes for days at a time. There was one period where after three days of being without power I just couldn't stand the thought of not being able to wash my hair – in the village no power means no water! – so I managed with less than a liter of my distilled water. Sadam teased me about it mercilessly for weeks, but it was worth the effort.

Other things were noticeably different as well. The PCVs in my training group had what we could only describe as the “rock star” entourage – kids followed us everywhere because we were Americans, new and different. Families are very close here so you hardly spend any time alone. In the village, it was not culturally acceptable for women to venture out on their own. Sometimes your chaperone may be under the age of ten, but you are still supposed to have someone with you at all times. I found it funny that I used to work on million dollar deals and travel alone on business trips across the country, but couldn't walk outside without a chaperone in the village. A couple of weeks after I arrived, I wanted to go for a walk just to clear my head – and it backfired completely. I didn't get 30 meters before I was swarmed by kids, which was not that unusual and it usually took a couple of minutes to say hello, answer their questions and get past them. But, one man who saw me got so worried about me being lost (despite the fact that I was only 30

meters from my host family's house and there are only two roads in the whole village) that he found my host father's brother so he could save me. He took me to the grandmother's house and an all points bulletin was put out for Saddam to come escort me home. While they were out looking for him I kept wondering if he was getting the lecture that most kids back in America get when they lose the family dog. You know something along the lines of: "You know Saddam, having an American is a big responsibility. You have to take care of it. You have to water it and feed it and take it on walks. And you can never let it out of your sight or off its leash. Because if you lose your American we're not going to get you another one!" Apparently Saddam got the message because I did manage to survive training without getting lost or disappearing again. And I learned to take another volunteer with me if I ever tried to go out hiking – it was just so much easier.

While living in Buzalkovo, training consisted of daily sessions learning Albanian and Macedonian, and then weekly technical sessions regarding NGO development in the country, funding options, and grant writing. In addition all volunteers had practicum, which afforded community development volunteers like myself the opportunity to work at local NGOs in Veles and learn hands on the work culture and customs at NGOs in Macedonia. My practicum was at an environmental organization. The organization was started when a group of graffiti artists headed by the man who is now the head of the NGO decided to start an illegal campaign against the local lead smelter. They spray painted all over the city "the Smelter Kills" "the Smelter is Death", and "the Smelter is Evil" all over Veles. So a couple of years ago, the police called all of them in for an "informational meeting." What I wouldn't have given to be a fly on the wall at the "informational meeting"! Apparently the police strongly counseled them against any further activity – so instead the graffiti artists and their compatriots decided perhaps it was time to go legitimate. So they registered the organization as an NGO under the law, acquired office space, and started a legal campaign against the smelter. With the current economy of Macedonia, the smelter is now inactive, but there are rumors that it may be purchased and restarted. In the meantime the organization has shifted focus and is trying to get the youth of Macedonia to appreciate and protect nature. So they have renovated a hiking house up in the mountains that they use to take kids and artists on hiking trips to teach them about nature.

The environmental NGO was an interesting place to intern for the 3 months of training and opened my eyes to the nature of work here in Macedonia. In this country, no one will really work with you until they know you and trust you. So you spend lots of time initially having coffee



*Melissa assists in cataloging and documenting samples of parasite control from sheep herds near Makedonski Brod.*

with colleagues and discussing your family life and other issues until there is a foundation of trust laid. I once was talking with a Macedonian colleague about how at the law firm I worked with clients across the country and we had never met in person – we had worked mostly by phone, fax and email. He was stunned. "But how do they know they can trust you, if they don't know you and who your family is and who you are friends with?" he asked incredulously. I didn't have a ready answer for that - I could only respond that they trusted the firm I worked for and that they wouldn't do business with me for long if I let them down so they trusted me to do the job until I proved them wrong. But I have learned in Macedonia that having coffee with colleagues is not a distraction but is rather an important part of your job – it is the only way to truly integrate into your organization and lay the basic framework of trust and relationships that will ultimately be the foundation of your work here. It may sound quaint compared to America's fast paced and sometimes impersonal workplace – but it is actually one of the many things I have grown to admire about the culture in Macedonia.

As I mentioned above, I lived in an ethnic Albanian village during training and I currently live in a majority Albanian town. I should probably mention at this point that the Muslim culture here is a far cry from the oppressive regimes Americans often think of – women wearing full burqas in Afghanistan and ultraconservative sects in the Middle East. I can tell you that my experience with the Albanian Muslim communities here is very different from those stereotypes. Although the Albanian communities here may be somewhat more conservative than American standards, they are exceedingly forward thinking on economic issues and are fairly liberal compared to the Middle East on women's issues and education. While older women and women in smaller traditional villages tend to wear head scarves, many younger women are

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*Melissa and other PCVs hiking in the mountains of Gostivar.*

choosing not to follow this practice. Although the progress is somewhat slow, more women are getting university and advanced degrees and an increasing number are finding jobs in their chosen fields (even in Macedonia's difficult economy) and continuing to work after they marry and have children. Although the Muslims here are faithful to their religion and ethnic culture, they tend to be very tolerant of other cultures. As I have described below, I now work for an agricultural organization – which happens to be made up entirely of men. These men have been incredibly respectful to me and - although they are not entirely used to women working in the agricultural sector – have treated me as an equal partner in the organization.

Living in Macedonia has afforded an uncommon opportunity to live and work within a Muslim community and to understand both the religion and culture surrounding it. I was living with an Albanian family during the holy month of Ramadan and able to participate in the feasts of Bajram, when alms are given to the poor and the patriarch of the family is honored. I have toured some of the most beautiful mosques in the country and had discussions with Muslims on religious doctrine versus the culture of Islam and the differences between the Q'uran (as the word of Allah, which can never change) and the teachings of certain elders and sects (as the word of man, which can evolve over time). I have attended a Muslim wedding in a village, which bridged the gulf of laughter and tears in a moving ceremony – and where even the bride's father wept publicly tears of joy and sorrow as his daughter left her home to meet her groom. Although my education and experiences on Islam and the culture here in Macedonia are far from complete, I thought it was important to at least illuminate how the Albanian Muslim community in Macedonia in which I have lived is distinctly different than the

stereotypes of Muslims that were percolating in America when I left.

After training and swearing in as a full-fledged Peace Corps Volunteers last December, I moved to a larger town on the western side of Macedonia called Gostivar. Gostivar is a mixed ethnic community settled in the valley between two mountain ranges. The two official languages in the community are Albanian and Macedonian so I get to use and practice my Albanian and Macedonian language skills often, although I focus on Albanian as both Gostivar and my assigned organization are made up of mostly ethnic Albanians.

I have been assigned to assist the Regional Organization of Sheep Breeders of Western Macedonia. The sheep breeders here produce a feta-like type of salty soft cheese and lamb meat and are working to better organize themselves in the market to buy supplies and sell their products at better prices. It is difficult to describe my role in the organization because I actually don't have any sort of "typical" day. But my primary job here is to provide business, marketing, and other general assistance to the organization and offer new ideas for operating the organization. The wonderful thing about my organization is that although we technically have an office in town, we almost never work out of the office. Ninety-five percent of my job is traveling with my assigned colleague all over western Macedonia, visiting members of the organization, organizing festivals for the sheep breeders and for cheese markets, and training the members in business planning and marketing, among other things. Talk about a change for a lawyer who routinely spent all of her working hours in her office and "met" some clients only by phone, email or fax! One day recently, for example, my colleague and I actually spent 2 hours off-roading in a 4WD jeep to reach a mountain where sheep herds were being pastured for the summer to talk with the sheep breeders about a project related to the Kyoto Protocol that would bring biomass energy production techniques to some agricultural operations in Macedonia. We spent the whole day up in the mountains and the pastures learning about the operation, having lunch with the men doing the milking and taking care of the herd, and hiking around the stunning pastures and mountains surrounding the facility. It was only one of the many amazing days I've spent with the sheep breeder association thus far. I can't wait to see what other interesting days the coming year will bring as I continue my work with the organization.

As a secondary project to my work with the sheep breeders, I work with another PCV in Gostivar on Club G.L.O.W. (Girls Leading Our World) for local teenage girls. With the club, we have moderated sessions and

## AN EXTERN'S PERSPECTIVE

# LAW AND ORDER MEETS THE WEST WING

by April Birnbaum\*



*Extern April Birnbaum with her supervisor, DOJ attorney Thomas Ballantine, and seized endangered species skins.*

Chock full of federal agencies and NGOs that address a wide variety of environmental issues, Washington, D.C. is a mecca for the practice of environmental law. Accordingly, one factor in my decision to attend Maryland Law was the school's proximity to the vast array of environmental employment options that D.C. has to offer. Prior to attending law school, I anticipated working in Washington for a summer and/or part time during a semester of my second or third year. However, I never expected to commute five days a week for four months from Baltimore to D.C., logging over three-hundred hours of transit time. Despite my newly acquired revulsion toward the MARC train, the D.C. METRO, and the sound of my alarm clock ringing before 6 AM, my experiences externing full time in Washington this past semester have yielded some of the most poignant life-lessons and memories of my short career as a budding environmental attorney.

### **Background**

My self made "Washington Semester" was comprised of two distinct, yet complementary externships: an Environmental Extern position with the Minority Staff of the House Committee on Government Reform (Government Reform) and a Law Clerk position in the Environmental Crimes Section of the United States Department of Justice (Environmental Crimes).

Government Reform is the main investigative committee in the U.S. House of Representatives and can probe into any federal program or matter with federal policy implications. The Committee conducts investigations by requesting hearings, drafting letters, and publishing reports on topics like prescription drugs, terrorism, and the environment. Examples of prior environmental investigations include the potential weaknesses of EPA's regulations for lead in drinking water and mercury emissions from power plants.

Like any committee in the House or Senate, Government Reform is represented by two sets of members; currently, Democrats occupy the Minority and Republicans represent the Majority. Therefore, any experience externing in Government Reform is inherently shaped by which side you are employed by. As a legal extern to Alexandra Teitz, a Minority counsel with Government Reform, I represented the committee staff of Rep. Henry Waxman, a brilliant Democrat from Southern California who, among other accomplishments, helped to draft the 1990 Clean Air Act Amendments. Because of its strategic position, however, the Majority, lead by Chairman Tom Davis (R-VA), ultimately sets the agenda that Rep. Waxman must follow.

In contrast to Government Reform, Environmental Crimes prosecutes individuals and corporations that violate environmental laws like the Clean Water Act and the Endangered Species Act. Environmental Crimes is one of nine sections in the larger Environment and Natural Resources Division of the Department of Justice (DOJ) and works closely with prosecutors and criminal investigators from the Office of the U.S. Attorneys, the Environmental Protection Agency, the Federal Bureau of Investigation, the Coast Guard, and the Fish and Wildlife Service. Unlike the majority of environmental cases litigated by the Environment and Natural Resources Division, Environmental Crimes has the distinct capacity to convict and sentence polluters for their actions. For example, in a recent Resource Conservation and Recovery Act case prosecuted by Environmental Crimes, a jury sentenced the owner of a company to serve seventeen years in prison and pay sixteen million dollars in restitution.

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## *Experiences*

Needless to say, there is no doubt in my mind that I learned more by externing at Government Reform and Environmental Crimes than in any classroom-based legal course. Over four months, I participated in events as diverse as a briefing by the steel industry on their environmentally responsible practices to a prosecution review for a pending case involving a cruise ship that illegally dumped hazardous waste. Ultimately, I credit the variety of these experiences to my enthusiastic and supportive supervisors, who were always searching for interesting meetings for me to attend and exciting cases for me to work on. In retrospect, I believe that it is largely because of their commitment to the externships that I was able to thoroughly enjoy my externship experiences.

Due to the confidential nature of my work at both venues, I am unable to talk in detail about the majority of my externship assignments. Generally speaking, these projects included researching case law, statutes, and legislative history; drafting letters and memos; aiding in hearing preparation; and evaluating Administration proposals and policies. However, a few long term projects stand out as particularly significant learning experiences.

On my first day at Government Reform, I was assigned the task of drafting a letter regarding the regulatory implications of the United States' recent participation in the Doha Round trade negotiations for the GATS (General Agreement on Trade in Services). Although I had taken International Law and was preparing to compete in the Jessup International Law Moot Court Competition, I soon realized that the body of international trade law and principles of treaty interpretation governing the GATS are far from transparent. Each time I attended a briefing on the Doha Round or consulted with a GATS expert, I became increasingly confused. After a series of eight or so drafts over the course of three months, I managed to produce a simple letter that brings the nexus between the GATS and our domestic regulations into the limelight. While it may not have the force of the highly persuasive, brilliant piece of legal writing that I originally envisioned, I now recognize that a true understanding of these complex areas of international law can take years and that many of the legal writing skills learned in law school have little relevance in these types of policy assignments. Additionally, this project truly taught me that oftentimes on the Hill, an extern or staffer is forced to quickly become a self-made expert on a narrow and complex issue that few others may clearly understand. Thus, despite who may read this letter, I can arguably say that I now know more about the intricacies of the Doha negotiations than, well, most people would ever want or need to know. Although calling myself an expert on the Doha negotiations would likely be a stretch, perhaps, at the very

least, I can now refer to myself as "highly knowledgeable" on something that I knew virtually nothing about just four months ago.

Another meaningful long-term project that I completed during my externships was writing a Motion in Opposition to a Defendant's Motion for Summary Judgment on a wildlife trafficking case at Environmental Crimes. After receiving this assignment, I quickly learned that the motion dealt with a case of first impression in the federal circuit where it was considered. This meant that the federal district court hearing the case had never before dealt with a fact pattern substantially similar to this case. While I had a sample brief to refer to, much of the research and ideas that I included in the motion were original. Moreover, considering my then status as a relatively inexperienced 2L, I also recognized that these ideas were potentially incorrect. Three days after handing in the assignment, I received a copy of the final motion that was submitted to a federal district court. To my surprise, only a few sentences had been added and little had been changed. When I mentioned this to my supervisor, he seemed far from astonished. Apparently, Environmental Crimes frequently submit documents to court that are almost identical to the original documents submitted by its law clerks. In a nutshell, this experience taught me that the attorneys of Environmental Crimes demand a high level of legal research and writing skills from their externs, but in return, the externs have the unique privilege of drafting core pleadings that can help make or break the Justice Department's success in integral cases.

While trying to capture the essence of four months of externship experiences in a few pages is more or less impossible, I hope that I have managed to convince any aspiring extern to pursue an environmental externship at either (or both ☺) Government Reform or Environmental Crimes. Although the intricacies of the assignments I completed may eventually fade, I will surely never forget the relationships that I forged with my supervisors and other externs. Regardless of its approach, both of these experiences have taught me that environmental violations are serious infractions that demand public awareness and legal assistance. Inspired and now able to navigate downtown Washington, I hope to continue to advocate on behalf of all of the people, plants, and animals, which would otherwise go unrepresented.

*\*April Birnbaum is a third year law student pursuing a Concentration in Environmental Law.*

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# Environmental Law Students

## Summer Job Report

### *CLASS OF 2007*

**April Birnbaum** – summer associate for Rich and Henderson in Annapolis, MD  
**Lauren Bregman** – summer associate for Paley, Rothman in Bethesda, MD  
**Vaughn Comeau** – summer associate for McGuire Woods in Washington, DC  
**Khushi Desai** – summer associate for Mason Law Firm in Washington, DC  
**Mark DeVry** – legal intern for the National League of Cities in Washington, DC  
**James Goodwin** – law clerk for Ecologix Group in Annapolis, MD  
**Corianne Iacovelli** – summer associate for Kramon & Graham in Baltimore, MD  
**Evan Isaacson** – law clerk for U.S. EPA, Office of Enforcement and Compliance Assurance in Washington, DC  
**Jeannette Lee** – summer associate for Linowes & Blocher in Silver Spring, MD  
**Amy Major** – full-time summer student  
**Jesse Martin** – summer associate for Kegel, Kelin, Almy and Grimm in Lancaster, PA  
**Winston Martindale** – law clerk for U.S. EPA, Region 2 in New York.  
**David McMurray** – law clerk for Center for Progressive Reform in Washington, DC  
**Marissa Merrick** – research assistant for Professor Kerry Rodgers, Environmental Law Clinic  
**Jill Morotchie** - law clerk for U.S. EPA, Office of Enforcement and Compliance Assurance, Water Enforcement Division, in Washington, DC  
**Daniel Orlaskey** – summer associate for Reese and Carney in Columbia, MD  
**Laura Pacanowsky** – summer associate for Venable Baetjer in Baltimore, MD  
**Karla Schaffer** – law clerk for Chesapeake Bay Foundation in Annapolis, MD  
**Jason Smith** – law clerk for the Department of Justice in Washington, DC  
**Amber Widmayer** – law clerk for U.S. EPA, Office of Enforcement and Compliance Assurance in Washington, DC  
**Lauren Willis** – law clerk in the summer EPA Honors Program with U.S. EPA, Office of General Counsel, in Washington, DC  
**Alva Wright** – law clerk for U.S. EPA, Office of Enforcement and Compliance Assurance in Washington, DC

### *CLASS OF 2008*

**Lauren Charney** – research assistant for Professor Robert Percival, Director, Environmental Law Program  
**Jonathan Cheng** - research assistant for Professor Mark Graber, University of Maryland School of Law  
**Tokesha Collins** - research assistant for Professor Rena Steinzor, Director, Environmental Clinic  
**Brendan Fitzpatrick** – law clerk for U.S. EPA, Office of Enforcement and Compliance Assurance in Washington, DC  
**Van Hilderbrand** – law clerk with U.S. Navy, JAG Corp in Washington, DC  
**Christine Jochim** – summer associate with the U.S. Nuclear Regulatory Commission in Rockville, MD  
**Anna Kuperstein** – research assistant for Professor Rena Steinzor, Director, Environmental Law Clinic  
**Michael McKeefrey** - law clerk for University of Maryland Center for Health and Homeland Security  
**Lauren Morris**, research assistant for Professor Kerry Rodgers, Environmental Law Clinic  
**George O'Brien** – judicial intern for the Honorable Judge Peter J. Messitte in the U.S. District Court for the District of Maryland.  
**Heidi Price** – summer associate for Beveridge & Diamond in Baltimore, MD  
**David Rosen** – summer intern for Prosperity and Democracy in Washington, DC  
**Joshua Schultz** – law clerk for U.S. EPA, Office of Enforcement and Compliance Assurance in Washington, DC  
**Jayne Shah** – law clerk for State Highway Administration in Baltimore, MD  
**Thaila Sundaresan** – summer associate for Gallagher, Evelius and Jones in Baltimore, MD  
**Jennifer Sweigart** – research assistant for Professor Michael VanAlstine, University of MD School of Law  
**Lewis Taylor** - research assistant for Professor Robert Percival, Director, Environmental Law Program  
**Ian Ullman** - research assistant for Professor Robert Percival, Director, Environmental Law Program  
**Michael Wright** - research assistant for Professor Rena Steinzor, Director, Environmental Law Clinic  
**Ailleen Yu** – law clerk for Maryland Environmental Service in Millersville, MD

### *Evening Student*

**Mayumi Sakoh** – State Legislative Specialist at The Humane Society of the U.S.

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# WORKING THE HALLS OF ANNAPOLIS: DEFENDING THE ENVIRONMENT BEFORE THE MARYLAND GENERAL ASSEMBLY

Whether defending the rights of a client or working for broader social change, when most people graduate from law school the courts become the stage upon which they perform. Not so for three Maryland Law graduates. They work to protect Maryland's environment in a much larger arena – the halls and hearing rooms of Annapolis.

Erin Fitzsimmons (1991), Terry Harris (2001), and Jennifer Bevan-Dangel (2005) all graduated from Maryland Law with a focus on environmental law. But their paths took them to Annapolis in different ways.

Fitzsimmons taught Environmental Law and Policy as an Assistant Professor at Salisbury University and was an elected Councilwoman for the Town of Ocean City before accepting a position as the Chesapeake Regional Director for Waterkeeper Alliance. Harris started his own solo practice upon graduation and founded a non-profit organization, the Cleanup Coalition. Fitzsimmons and Harris also work with the Maryland League of Conservation Voters, where Harris most recently served as their interim executive director. Bevan-Dangel started working with Maryland PIRG (now Environment Maryland) directly upon graduation.

Whichever path led them to Annapolis, all three love fighting for the environment in the legislative arena. “Lawmaking is usually where the biggest impact can be made,” said Terry Harris, “Maryland’s reputation for environmental progress, on Critical Areas protection and Smart Growth for example, are the results of hard-fought legislative battles.”

“I kept trying to practice law and every time I found myself in the Statehouse instead of the Courthouse. There is a certain instinct to legislative work and you either have it or you don’t. When you help pass a good bill or kill a bad bill, you know you have done your part and the environment is the true winner,” said Fitzsimmons.

Working the legislature is different than working a courtroom, but the principles of environmental law learned in the classroom prove invaluable when working to improve those laws. And, perhaps more important, the instincts and talents honed in law school are essential for winning in Annapolis. For while there is a relatively simple formula for how a bill becomes a law, a legislative practice requires a diverse set of skills and a special type of feel.

At its heart, passing legislation in Maryland’s bicameral legislature is simple. A bill must pass both the House and the Senate — in both committee and on the floor. If the bill passes it is sent to the Governor’s desk for his signature. In Maryland, the Governor can sign the bill, veto the bill, or allow the bill to pass into law without his signature. But this simple process belies a fight that lasts not just for the three months that the legislature is in session, but for the three years that it often takes to get good legislation passed.

Winning in this arena requires the support of champions in the legislature to work the bill, committee chairs and half the committee members to get the bill to the floor, at least 71 Delegates and 24 Senators to get the bill to the Governor’s desk, and finally the support – or at least acceptance – of the Governor himself. That takes skills not taught in any classroom. You have to build relationships, think on your feet, know the facts, argue your case, and be able to count votes – and keep them.

But the knowledge learned in law school is an invaluable help in Annapolis. Knowing procedure, so invaluable in the courtroom, also gives you a huge advantage in the statehouse. And having a solid legal background helps you to draft legislation, and to defend it, and to identify any loopholes in legislative language.

Passing a bill also takes work in the larger world beyond Annapolis. Without media attention, the help of other organizations, and grassroots support, you cannot build the momentum you need to make meaningful change.

There are many ways to fight for a better future, but lobbying is often the most direct way to make that change. It is an arena that is fast-paced, exciting, and always full of surprises. If you are interested in learning more about opportunities in Annapolis, talk to Laura Mrozek about internship opportunities.

In an arena where there are many opportunities for failure, these three have fought and won. They are particularly proud of their work on the Healthy Air Act, Critical Areas Act, Water Quality Improvement Act, and legislation dealing with brownfields, smart growth, wetlands, environmental standing, lead and mercury poisoning, and environmental enforcement.

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# ENVIRONMENTAL ALUMNI UPDATE

*As we approach the 20<sup>th</sup> anniversary of the founding of the Maryland Environmental Law Program, this listing of the activities of our environmental alumni is a particular source of pride for everyone associated with the program.*

## 1969

**Gerald Winegrad** continues to work for American Bird Conservancy on wildlife conservation issues as a consultant and has a Maryland Law School Environmental Law Program intern dedicated to a project to resolve the mortality of millions of migratory birds at communication towers. He is also an Adjunct Professor at the University of Maryland Graduate School of Public Policy where he teaches courses he developed on Chesapeake Bay Restoration and on Wildlife Management and Policy. As a former State Senator, Gerald continues his involvement in politics as a Board member of the Maryland League of Conservation Voters and as an advisor to current elected officials and others seeking higher office.

## 1974

**S. Jacob Scherr** is Director, International Programs, Natural Resources Defense Council (NRDC) in Washington, DC.

## 1976

**Jane Barrett** is a partner with Blank Rome LLP in the Washington, DC office and is co-chair of its white-collar, internal and government investigations practice group. Her practice emphasizes the defense of environmental crimes and complex fraud cases throughout the United States. Ms. Barrett is a member of the American Bar Association's Task Force on Gatekeeper Regulation and the Profession.

## 1978

**Jonathan Libber** is an attorney with the U. S. EPA, Office of Enforcement and Compliance Assurance in Washington, DC. Jonathan is responsible for issues relating to the recapture of economic benefit from violators and violator claims of inability to afford compliance, clean-up and civil penalties.

## 1982

**Scott Burns** is Director of the Marine Conservation Program at World Wildlife Fund in Washington, DC. Scott has been with WWF for over ten years and continues to work on ocean conservation issues. His portfolio includes representing WWF in a number of international organizations, leading the work on fisheries conservation with the private sector, and overseeing a major project with the World Bank.

## 1985

**Sean Coleman** is an Assistant Attorney General with the Office of the Attorney General and principal counsel to Maryland Environmental Service in Millersville, MD.

**Midgett Parker** is a partner with Linowes and Blocher in Annapolis, MD. He is Chairman of the Board of Trustees for the Chesapeake Bay Trust and a member of the Governor's Commission for Protecting the Chesapeake Bay through Sustainable Forestry. He was elected by the Smithsonian Institutes' Regents to the Advisory Board of the Smithsonian Environmental Research Center (SERC).

**David Roth** is a partner with Greenbaum, Rowe, Smith & Davis LLP in Woodbridge, NJ.

## 1986

**John Dugdale** is a partner with Andrews Kurth LLP in Dallas, Texas, practicing environmental law.

**Stephen Stec** is Head of the Environmental Law Programme, Senior Legal Specialist, the Regional Environmental Center for Central and Eastern Europe in Hungary.

## 1987

**Crystal Chissell** is Assistant Attorney General with Maryland Environmental Service in Millersville, MD.

**Antoinette Sebastian** is Director, Environmental Planning Division, U.S. Department of Housing and Urban Development. Her focus is on international multilateral environmental agreements, especially those about shared water resources, and environmental politics in general.

## 1989

**Eric Easton** is Professor of Law and co-director of the Legal Skills Program at the University of Baltimore School of Law.

**Scott Garrison** is an attorney with the U.S. EPA, Office of General Counsel, Pesticides and Toxic Substances Law Office in Washington, DC.

# NINETEEN STUDENTS QUALIFY FOR ENVIRONMENTAL CONCENTRATION AT MAY 2006 GRADUATION



*Back row left to right: Jeremiah Chiappelli and daughter, Erica Zilioli, Mike McCarthy, Sriram Gopal, Professor Rena Steinzor, Professor Kerry Rodgers, Professor Robert Percival, Karlene Fischer.  
First row: Erin Holbrook, Andrea Curatola, Katie Wainwright, Megan Moeller, Matt Shudtz, Candace Howard, Natalie Havlina, and Program Coordinator, Laura Mrozek.  
Not Shown: Mindy Goldstein, Sam Hawkins, Min Kho, Anne Merwin, Amy Roth, Briena Strippoli, Ali Tysor, and Jee Kim.*

## *Environmental Alumni Reunion & Winetasting*

### *Come Celebrate the 20<sup>th</sup> Anniversary of The Environmental Law Program*

The Environmental Law Program will be celebrating its 20<sup>th</sup> anniversary in 2007. We are planning a three-day conference on April 11-13 (see pages 2-3 for information regarding the conference). On Friday, April 13, we plan to conclude the conference with our Annual Alumni winetasting. We hope to see many of our friends and alumni at the celebration!

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**Julie Smith** is Executive Director, Development and Environmental Services, with the town of Flower Mound, Texas. Her department includes planning services, building inspections, environmental health services/code enforcement, economic development, and environmental resources. Julie has been an adjunct professor teaching graduate-level environmental law and policy classes in the Department of Geography at the University of North Texas.

**Pamela Wexler** is an associate with The Cadmus Group, Inc., an energy and environmental consulting firm in Rosslyn, VA. Pamela recently completed a report which evaluates the initial phase of a three-year old international agreement, the Kimberley Process Certification Scheme, designed to eliminate the trade of “conflict” (or “blood”) diamonds. Illicit proceeds from these diamonds— mined in areas outside government control — captured public attention in the late 1990’s and an agreement was negotiated in 2003 (blazing speed for the UN). A group of NGOs commissioned Pamela to conduct an independent assessment of its inaugural phase. Many of her recommendations have been championed by various governments and are currently in front of the Participants to the Agreement for consideration. She is “enthusiastic about the work and the topic – it was fulfilling to learn about/be able to promote a real success out of Africa for a change. Working mostly for NGOs, I have not always been on the winning side, and as to Africa, well, the news is more often bad than good. Yet Kimberley offers new models for international cooperation, no treaty, just principles implemented through national legislation. It’s a fresh example of how civil society and industry are cooperatively participating in international policymaking, and it has had indirect benefits to the local environment, development goals, and worker safety (most miners typically are poor or children, so cleaning up the diamond sector has greatly improved working conditions).” Here is the link: <http://www.globalwitness.org/reports/show.php/en.00090.html>.

**Kerry C. Williams** is a partner at Chamberlain, Hrdlicka, White, Williams & Martin in Houston, Texas. Kerry’s practice is primarily in international oil and gas construction law. He is also a faculty member at Texas A&M, teaching construction law in the Department of Architecture.

## 1990

**Margaret (Maggie) Carson** is Chief, Administrative Services, Employment and Training Administration, U.S. Department of Labor. Margaret is very active in the areas of environmentally preferable procurement and energy management.

**Susan Chang** is an attorney-advisor with the Social Security Administration in San Francisco, CA.

**Elizabeth Donley** was appointed in November 2005 Regional Counsel for the Southwest Florida Regional Planning Council ([www.swfrpc.org](http://www.swfrpc.org)). She continues as the Grants & Contracts Manager for the Charlotte Harbor National Estuary Program ([www.chnep.org](http://www.chnep.org)). For the past two years, she has served as Coordinator for the Babcock Preservation Partnership, which facilitated the purchase of over 72,000 acres of Babcock Ranch for preservation and conservation by the State of Florida and Lee County.

**Joe Espo** is a partner with the law firm of Brown, Goldstein & Levy in Baltimore, MD.

**Steven Rollin** serves as Gifted and Talented Program Coordinator for Eden Prairie High School in Minneapolis, MN.

## 1991

**Stephanie P. Brown** is Branch Chief, U.S. EPA, Office of Enforcement & Compliance Assurance, in Washington, DC.

**Lou D’Angelo** is a financial planner and lives in Wexford, PA.

**David Fischer** is an attorney with Bergeson & Campbell, P.C. in Washington, DC.

**Erin Fitzsimmons** is the Chesapeake Region Coordinator for the Waterkeeper Alliance in Annapolis, MD. Erin works with waterkeeper programs in the Chesapeake and Delmarva Coastal Bays Watersheds.

**Lisa Gladden** is a Member of the Maryland State Senate (D), 41<sup>st</sup> District.

**Cynthia Golomb** is a sole practitioner in Columbia, MD.

**Joshua Gordon** is an appellate attorney and practices before the New Hampshire Supreme Court and in the U.S. Court of Appeals for the 1<sup>st</sup> Circuit. His website is [www.appealslawyer.net](http://www.appealslawyer.net).

**Ann Hobbs** is a partner with Venable LLP in Washington, DC.

**Safia Mohammadally Kadir** is an attorney with Heise Jorgensen & Stefanelli in Gaithersburg, MD.

**John Kalas** is Vice President at JP Morgan Chase in New York.

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**Peggy Rodgers Kalas** is the UN Coordinator for the Deep Sea Conservation Coalition (DSCC). The DSCC is an alliance of over 30 international organizations calling for a moratorium on high seas bottom trawling.

**Kyriakos Marudas** is Assistant City Solicitor for the City of Baltimore.

## 1992

**Linda Bailey** is Executive Director of the North American Quitline Consortium at the American Legacy Foundation in Phoenix, AZ.

**Margaret Curtin Begley** is Senior Counsel with Pioneer Group, Inc., in Boston, MA.

**Kathleen Hoke Dachille** is Director of the Center for Tobacco Regulation, Litigation and Advocacy at the University of Maryland School of Law.

**Christopher Hamaty** is Assistant General Counsel for Intellectual Property for McAfee, Inc., in Plano, TX.

**Carol Iancu** is an Assistant Attorney General at the Massachusetts Attorney General's Office, in Boston. She has been working on national climate change litigation and LNG facility siting litigation in addition to a broad range of other environmental issues.

**Thomas Lavelle** is an environmental consultant with Versar. His focus is to support Army programs to manage and maintain Army training and testing lands through integration of mission requirements, environmental compliance, and sustainable land and habitat management practices.

**Kenda Layne** is a Special Assistant at the U.S. Attorney's Office in Washington, DC.

**Frank Levi** is an environmental attorney with the U.S. Army focusing on Base Realignment and Closure (BRAC). He is the Deputy Chief Counsel for the Army's Installation Management Agency in Crystal City, Virginia. Frank handles all aspects of environmental law arising out of the operation of Army installations as well as other legal issues facing the Army. He continues his affiliation with the Air Force Reserves, serving as a reserve judge advocate at Andrews Air Force Base.

**Emily Vaias** is a partner at Linowes & Blocher, LLP.

## 1993

**Ali Alavi** is Vice President-Corporate Administration, General Counsel & Secretary of Horsehead Corp. in

Monaca, PA. His responsibilities include legal affairs, government and public affairs and corporate secretary. He's been appointed to oversee human resources, which includes all employment and labor relations for the company, which is the largest domestic producer of zinc and value-added zinc products, and among the world's largest recyclers of zinc-bearing materials.

**Wib Chesser** is a partner at Arent Fox in Washington, DC.

**Lisa Satterfield Daly** is Assistant Legislative Counsel to the United States House of Representatives. Lisa assists Congress by drafting legislation related to American Indians, territories, natural resources, and agriculture and by analyzing policy related to such legislation.

**Catherine Faint** is a trademark attorney for the U.S. Patent and Trademark Office in Washington, DC.

**Lorraine Ebert Fraser** is an Administrative Law Judge for the Maryland Office of Administrative Hearings located in Hunt Valley, MD.

**Pamela Metz Kasemeyer** is a partner with Schwartz & Metz, P.A., in Baltimore, MD. The firm represents multiple interests before the Maryland General Assembly and State regulatory agencies.

**Karin Krchnak** is Director of International Water Policy with the Nature Conservancy's Sustainable Waters Program at the Worldwide Office in Arlington, VA.

**Jackie McNamara** is a Research Fellow with the Legal Resource Center for Tobacco Regulation, Litigation & Advocacy at the University of Maryland School of Law. Her duties include assisting director Kathleen Hoke Dachille '92 with students in her tobacco seminar and LTP class.

**Melisa Moonan** is a junior partner at Wilmer Cutler Pickering Hale and Dorr in Washington, D.C. where she focuses on FDA law.

**Maureen O'Doherty** is a sole practitioner in Torrington, Connecticut.

**Colleen Ottoson** is an attorney with P.A.T.H. (Program for Appropriate Technology in Health) in Seattle, WA.

**Mary Raivel** is an attorney on the environmental litigation team at the Navy Office of General Counsel in Washington, DC.

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**James Smiley** is an attorney with the Law Offices of Joseph M. Jagielski in Baltimore, MD.

**Ruth Waxter** is a partner with her husband Scott Waxter, '93, at Waxter & Waxter in Frederick, MD.

**Scott Waxter** has his own practice, Waxter & Waxter in Frederick, MD.

## 1994

**Lori Bruun** is an Administrative Appeals Officer, INS, Citizenship and Immigration Services in Washington, DC.

**Lauren Calia** is Assistant Attorney General for the Consumer Protection Division, State of Maryland.

**Carrie Capuco** has her own consulting firm, providing program management and communications services in three major areas – government, non-profit, and private sector clients. Her office is in Annapolis, MD.

**Kathryn Delahanty** teaches full-time at Towson University in the College of Business and Economics.

**Jeanne Grasso** is partner with Blank Rome LLP in Washington, DC, specializing in maritime and environmental law, including white collar defense, internal investigations, and compliance audits.

**Steven Groseclose** is Global EHS Director with Advanced Micro Devices in Austin, TX.

**John Knight** is a partner at Richards, Layton & Finger in Wilmington, Delaware.

**Jennifer Miller Masuret** is a stay-at-home mom with four children and resides in Scituate, MA .

**Dave McRae** is a partner at Offit Kurman in Rockville, MD.

**Shannon Miller** is a sole practitioner, practicing elder law and estate planning in Gainesville, Florida.

**Douglas Moorhead** is assistant regional counsel with the Pennsylvania Department of Environmental Protection in Meadville, PA.

**K.C. Murphy** is a part-time attorney for DeLeonardo & Associates in Reisterstown, MD, with a concentration on criminal defense cases.

**Jael Polnac** serves on the Board of Directors for Primavera Montessori School in Austin, TX.

**Carol Rowan** is Supervisory Economist with the U.S. Dept. of Labor, Bureau of Labor Statistics.

**Kim Strasser** is a collegiate faculty professor at the University of Maryland University College teaching Legal Research and Legal Writing in the Legal Studies Program.

**Rob Wing** is an attorney with the U.S. EPA, Office of General Counsel, Pesticides and Toxic Substances Law Office, in Washington, DC.

## 1995

**Natalie Anderson** is doing contract attorney work.

**Steven Anderson** is Director of the Maryland State Law Library in Annapolis, MD.

**Theresa Boutchyard** is a sole practitioner in Harford County, MD, practicing mostly estate law.

**Lauren Buehler** is Assistant General Counsel at Xcel Energy in Denver, CO.

**Jake Caldwell** is the Program Director for Trade, Agriculture, and Energy at the Center for American Progress in Washington, DC.

**Michael Caplan** is an environmental associate with Willkie, Farr & Gallagher in Washington, DC. Mike teaches Advanced Environmental Law Seminar: US & EU Approaches to Regulating Chemicals, Biotechnology and Nanotechnology at Georgetown University Law Center.

**Stephen Dolan** is a senior associate with Norton Rose in Brussels, Belgium.

**Catherine Giovannani** is of counsel at Steptoe & Johnson, LLP. Catherine represents Southern California Edison Company in its efforts to get the federal government to ensure just and reasonable rates for electricity in the West.

**John Kang** is partner with Harrington & Kang, LLP in Newport Beach, CA. In addition to corporate and real estate transactions, they are expanding the practice areas into litigation and wills and trusts.

**John Kelly** is a senior associate practicing commercial real estate law for the law firm of Willcox & Savage in Norfolk, Virginia.

**Michael Levy** is an associate with Kenyon & Kenyon in New York.

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**Fred Schoenbrodt** started his new firm, Mirzaian Schoenbrodt, LLP, located in Morristown, NJ. His practice focuses on estate planning and administration, taxation, business law, charitable giving and charitable organizations law.

**Linda Jenner Shevlin** resides in Pennsylvania with her husband and three children.

**Jean-Cyril Walker** is an associate with Keller & Heckman, LLP practicing environmental law and representing industry and trade associations at the federal and state level.

**John Woolums** is Director of Governmental Relations, Maryland Association of Boards of Education.

## 1996

**Jocelyn Adkins** is an attorney with the U.S. EPA, Office of General Counsel, International Environmental Law Office. She is currently on detail to the Office of Regional Counsel in EPA's Region 9 Office in San Francisco, CA.

**Jennifer Bragg** is an attorney with King and Spalding in Washington, DC. Jen is a member of the food and drug group and does litigation and regulatory work, mostly for pharmaceutical manufacturers.

**Michael Carlson** is a senior associate with Anderson, Coe and King in Baltimore, MD.

**Fei Fei Chao** is an attorney with Bingham McCutchen in Washington, DC, practicing patent law.

**Richard J. Facciolo** has been a Director in the Business Department of Richards, Layton & Finger, P.A. in Wilmington, Delaware since 2004. His practice focuses on transactional matters involving Delaware statutory trusts, limited liability companies and other alternative business entities.

**Robert Hogan** is an Enforcement Attorney in the NOAA, Office of the Assistant General Counsel for Enforcement and Litigation. His responsibilities include enforcement of our nation's natural resources laws in the marine environment.

**Elizabeth Gaudio Milito** is a senior attorney with the National Federation of Independent Business in Washington, DC.

**Kevin Robertson** is Principal with Ober, Kaler, Grimes & Shriver in Baltimore, MD.

**Chris Van de Verg** is General Counsel for Core Communications, Inc., in Annapolis, MD.

**Susan Winchurch** is an associate with Mulrenini Frances, P.A. in Annapolis, Maryland, practicing in the area of commercial real estate, with a concentration on leasing and development work.

## 1997

**Carrie Bland** is an Assistant State's Attorney for Baltimore City's State's Attorney Office in the Felony Narcotics Division.

**Pat Deem** is an attorney for the Federal Aviation Administration in their Airports and Environmental Law Division in Oregon.

**John Favazza** is Legislative Counsel to Michael E. Busch, Speaker of the Maryland House of Delegates.

**Mike Gieryic** is an environmental attorney with the U.S. Army's Office of the Staff Judge Advocate in Fort Richardson, AK.

**Rachel Jean-Baptiste** is Senior Staff Attorney with the Environmental Law Institute in Washington, DC, and Editor of the *National Wetlands Newsletter*.

**Ray Kempisty** is an outreach coordinator with the National Cemetery Administration.

**Jennifer Lundgren Lewis** is Chief Legal Counsel, Spectera United Healthcare Dental, headquartered in Baltimore, MD.

**Robin Schoeps Lewis** has recently moved to New York from London with her husband and will be resuming her legal career this fall.

**Jennifer McGee** is an associate with Shook, Hardy & Bacon, in Washington, DC, focusing on commercial litigation and white collar crimes.

**Brian Perlberg** is Senior Counsel, Construction Law, Contract Documents Program, Associated General Contractors of America (AGC) located in Arlington, VA. AGC is the largest and oldest trade association of construction contractors in America.

**Mark Petrauskas** is an assistant attorney with the Maryland Department of Housing and Community Development and with the Maryland Historical Trust. Practice areas include real estate, government housing loans/grants, historic preservation, and general government law.

**Jane O'Leary Ruckdeschel** lives in Miami, FL, with her husband John Ruckdeschel ('97) and their two children.

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**Howard Stevens** is a partner with the Baltimore law firm of Wright, Constable & Skeen, LLP, where he is one of three partners in the firm's Construction Law Group. Steve's primary practice area is construction litigation, representing a wide range of construction participants including contractors and design professionals.

**Geoffrey Washington** is an associate with Wagonheim & Associates in Towson, MD, specializing in general business and commercial litigation.

**Cheryle Wilson** is a land use attorney for Bechtel Corporation's Telecommunications and Industrial Global Business Unit in Frederick, MD.

## 1998

**Curtis Borland** is Deputy Chief, Office of Environmental and Real Property Law for the U.S. Coast Guard.

**Michele LeFavre** is a zoning hearing examiner for the City of Havre de Grace. She also maintains a solo land use and menial law practice, and published extensively on these topics for several associations. She has written three Westlaw/Thomson American Law Reports on adequate public facilities ordinances, school impact fee ordinances, and the exclusion or inclusion of religious use/places of worship in single-family zoning districts.

**Loan Phan Nguyen** is an attorney with the U.S. EPA in Washington, DC.

**Joseph Pelletier** is Deputy Assistant General Counsel Fair Housing Enforcement Division, Office of General Counsel, U.S. Department of Housing and Urban Development (HUD) in Washington, DC.

**Jerrold Poslusny, Jr.** is a junior member with Cozen O'Connor in Cherry Hill, NJ.

**David Thomas** is an associate with Preston Gates Ellis & Rouvelas Meeds, LLP in Washington, DC. David lobbies for and advises clients on a range of federal legislative and regulatory matters before Congress and various agencies.

## 1999

**Stuart Barr** is an attorney with Lerch Early & Brewer in Bethesda, MD. Stuart focuses on a wide range of land use, planning and zoning matters primarily in Montgomery County, Maryland.

**Katy Byrne** is a Civilian Attorney Advisor with the Office of the Staff Judge Advocate at Fort Meade focusing on land use and environmental law.

**Apple Chapman** is a Staff Attorney at the U.S. EPA, Office of General Counsel, Air and Radiation Law Office, in Washington, DC.

**Linda Coco** is finishing her Ph.D. in Legal Anthropology at the University of California, Berkeley.

**Philip Diamond** is an attorney with Gallagher, Evelius and Jones in Baltimore, MD.

**Kimberle Dodd** is an associate with Sidley Austin Brown & Wood in Washington, DC, practicing in the environmental, civil litigation and government contracts areas.

**Chuck Dodge** is an associate with Hudson Cook, LLP in Linthicum, MD.

**Tom Fort** is an associate counsel at Naval Air Systems Command in Patuxent River advising several Marine Corps aviation programs. In his Marine Corps Reserve capacity, Tom has been mobilized in support of the global war on terrorism.

**Pete Johnson** is an Assistant Federal Public Defender with the Office of the Federal Public Defender for the District of Maryland in Greenbelt, MD.

**Nicole Lacoste** is an associate in the Real Estate and Land Use Sections of Ballard Spahr Andrews & Ingersoll, LLP in Baltimore, MD. She is currently serving as national chair of the American Planning Association's Planning & Law Division and chair of the Planning Committee for the MBSA Section of Real Property, Planning & Zoning.

**Mila Leonard Neubert** is a sole practitioner in Fairbanks, Alaska practicing mostly family law.

**Bill Piermattei**, an attorney with Venable, LLP in Baltimore, MD, helped his firm's softball team win the 2006 IPAC championship.

**Teju Rau** is a sole practitioner in Annapolis, Maryland, providing representation in family law, adoption, and estates and trusts cases.

**Alison Rosso** is Legislative Director with Congressman Silvestre Reyes (D-TX) in Washington, DC.

**Lori Schectel** is a Regulatory Specialist with the San Francisco Public Utilities Commission.

**Daniel Schreier** is Director of Special Education in the Chicopee Public Schools in Springfield, MA.

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**Yosefi Seltzer** is the legislative aide for Maryland Senator Ida G. Ruben (District 20, Montgomery). Senator Ruben is the President Pro Tem and the chair of the Montgomery County Senate delegation. Yosefi conducts legislative research on a wide variety of issues including transportation, land use and environmental matters, drafts speeches and other statements and assists with constituent services.

**John Shoaff** is an attorney with the U.S. EPA, Environmental Assistance Division, Office of Pollution Prevention and Toxics.

**Jennifer Brune Speargas** is in-house Counsel with NRT Incorporated, which owns and operates Coldwell Banker Residential Brokerage.

**Paul Versace** is a Staff Attorney with U.S. EPA, Finance and Operations Law Office in Washington, DC.

**Charlie Wagner** is an attorney with Blank Rome LLP in Washington, DC. He practices in the areas of environmental law, hazardous materials transportation law, explosives regulation and white collar crime defense.

**Michael Woodruff** is an associate with Drinker Biddle & Shanley LLP, practicing commercial real estate, including conveyancing, leasing, financing, and land use.

## 2000

**Brian Anderson** is a real estate/business associate with Axley Brynson, LLP in Madison, Wisconsin.

**Tracy Spriggs Barr** works part-time from her home office for the law firm of Campbell, Miller and Zimmerman.

**Jennifer Marie Bushman** is Assistant Public Defender in District Two, Salisbury, MD.

**John Cannan** is an associate with The Law Offices of John C. Murphy in Baltimore, working on historic preservation, condemnation, land use and community rights cases.

**Valerie Csizmadia** is an attorney with the Delaware Department of Justice representing the Delaware Department of Natural Resources & Environmental Control.

**Paul DeSantis** has his own appellate law practice in Bel Air, MD, handling both state and federal appeals from all over Maryland and also general litigation.

**Kevin Flynn** is an associate with Van Ness Feldman in Washington, DC. His firm specializes in energy, environmental and natural resource law.

**Joanna Goger** is adjunct professor at the University of Maryland Law School where she teaches Biodiversity

Protection. She is also helping to coordinate the Ward, Kershaw Environmental Law Conference to be held in spring 2007.

**Melissa Hearne** currently resides in the Republic of Macedonia and is a Peace Corps Volunteer assigned to the Regional Association of Sheep Breeders of Western Macedonia.(see article on page 15).

**Bridget Littlefield** is a part-time attorney at Crowell & Moring LLP. Her practice primarily involves representation of mining companies in environmental and health & safety matters.

**Jennifer Marshall** is the Executive Director of the Center for Progressive Reform, a 501©(3) nonprofit that has assembled 40 university-affiliated academics with expertise in the legal, economic, philosophical, and scientific issues related to regulatory and common law protection of health, safety, and the environment.

**Mark Matulef** works at HUD headquarters as an attorney to FHA's single-family housing programs.

**Marvin Muller III** joined the law firm of Segal McCambridge Singer & Mahoney in January, 2006, to head the immigration practice group.

**Quang Nguyen** is the Special Assistant to the Deputy Administrator of Transportation Security Administration (TSA), within the Department of Homeland Security in Arlington, VA.

**Lee Ann Lezzer Richardson** is an attorney-advisor for the U.S. Department of Housing and Urban Development (HUD), Office of General Counsel, in Washington, DC. Her work includes enforcement of the Residential Lead-Based Paint Hazard Reduction Act of 1992 as well as the Real Estate Settlement Procedures Act (RESPA) and the Interstate Land Sales Full Disclosure Act.

**Claudia Rozenberg** is Strategic Research Coordinator with the Teamsters Union in Washington, DC.

**Kerstin Schuster** is a budget analyst with the Social Security Administration in Baltimore, MD.

**Melanie Shepherdson** is a Staff Attorney with the Natural Resources Defense Council's Water and Coastal Program in Washington, DC. Melanie focuses on Clean Water Act litigation and policy.

**Lisa Shipley** lives in Venice, California and works in broadcasting for Direct TV. She also is a volunteer attorney for the Legal Aid Foundation of Los Angeles (LAFLA) at their Inglewood location.

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**Evan Wolff** is an attorney with Mitre Corporation working with the Department of Homeland Security on infrastructure protection issues.

## 2001

**James Benjamin, Jr.**, is Assistant City Solicitor with the Baltimore City Department of Law's Litigation Division. James was named one of the Baltimore Business Journal's 40 under 40 in the Fall of 2005. The BBJ listed 40 up and coming professionals who are under the age of 40. In June 2006, he argued on behalf of the City in the case of College Bowl, Inc. v. Mayor and City Council of Baltimore, an inverse condemnation/relocation benefits case before the Maryland Court of Appeals.

**Emily A. Berger** is an associate with the Intellectual Property law firm of Lowrie, Lando & Anastasi in Cambridge, MA.

**Jon Cardin** is a State Delegate, (D), District 11, Baltimore County. Jon has been endorsed by the League of Conservation Voters, Sierra Club, Progressive MD, MaryPirg and received a 100% rating on environmental votes. He is running for reelection and excited to hopefully be sent back to finish the work he started last term – to fight for smoke free legislation inside restaurants, tax credits for green building, solar power, hybrid technology and other environmentally friendly behavior to reduce dependence on oil.

**John Celeste** is an associate with Miles and Stockbridge in Baltimore, MD.

**Jonathan Cusson** is an associate with Anderson, Coe & King, LLP, in Baltimore, MD.

**Sara Cohen Fidler** is senior policy analyst with the Department of Legislative Services in Annapolis, MD. She is also committee counsel for the State Senate Education, Health, and Environmental Affairs Committee.

**Terry Harris** has a general and environmental practice in Baltimore. Terry is President of the Cleanup Coalition, a small Baltimore-based non-profit, working with communities on issues involving brownfield redevelopment, emergency response, and air, waste and water permitting.

**Jeffrey Herrema** is an attorney at the U.S. EPA, Office of General Counsel in Washington, DC.

**Leslie Hill** is a patent litigation associate with Arnold & Porter LLP in Washington, DC.

**Gregory Hope** is Staff Counsel with the D.C. Water and Sewer Authority in Washington, DC. Gregory practices in the environmental and intellectual property law areas.

**Melinda Kramer** is an attorney-advisor with the U.S. Securities & Exchange Commission in Washington, DC.

**Eric Letvin** is Department Head, Natural Hazards Engineering, Greenhorne & O'Mara, in Greenbelt, MD.

**James Lichty** is an attorney for McAngus Goudelock & Courie in Columbia, S.C.

**Chad Littleton** is an attorney-advisor with the Office of Environmental Enforcement at the U.S. EPA, in Washington, DC.

**Gail Orendorff** is an attorney with the Federal Aviation Administration in their Airports and Environmental Law Division.

**Michele Dunlop Rath** is General Counsel of OnPoint Consulting, Inc., an IT services government contractor.

**Michael Strande** is Deputy Director for the Center for Tobacco Regulation at the University of Maryland School of Law.

**Michelle Vanyo** is an associate with Wharton, Levin, Ehrmantraut, Klein, Nash in Annapolis, MD.

**Catherine Delorey Whittle** is an attorney with the Law Offices of Jonathan Brand in Walnut Creek, CA.

**Wade Wilson** is an associate in the litigation section of Morgan, Lewis & Bockius in Washington, DC.

## 2002

**Andrew Brought** is an environmental associate with Baker Botts LLP in Houston, TX.

**Rob Cage** is an Economist with the Bureau of Labor Statistics in Washington, DC.

**Ariel Close** is an attorney with DeHay & Elliston in Baltimore, MD.

**Margaret Clune** is a Policy Analyst at the Center for Progressive Reform in Washington, DC. This fall, she will be teaching "Introduction to Environmental Law" at the University of Maryland, College Park.

**Chris Corzine** is an assistant attorney general for the Maryland Department of the Environment in Baltimore, MD.

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**Quentin Kent** is working for the Department of Homeland Security as a Judge Advocate General (JAG) officer in the U.S. Coast Guard's Office of Legislation.

**Jeanny Kim** is an assistant attorney general for the Maryland Department of the Environment in Baltimore, MD.

**Jani Laskaris** is an associate with Hartel, Kane, DeSantis, MacDonald & Howie, L.L.P. in Greenbelt, MD.

**Brooks Morton** is with ADI Technology, Inc./PerotSystems Government Services. Brooks works on environmental policy for the Naval Sea System Command.

**Greg Schaner** is an attorney-advisor with the U.S. EPA, Office of Water in Washington, DC.

**Daniel Smith** is an attorney with the Department of Justice, Environment and Natural Resources Division in Washington, DC.

**Jessica Stuart Steinhilber** is Senior Manager of Environmental Affairs at Airports Council International-North America (ACI-NA) in Washington, DC.

**Mark Sullivan** is an associate in the Intellectual Property-Patent Law section at Morgan, Lewis & Bockius LLP in Washington, DC.

## 2003

**Jeffrey Barmach** is an assistant county attorney with Baltimore County.

**Karyn Bergmann** is an attorney with the Law Office of Peter Angelos in Baltimore.

**Andi Thomas Bernat** is Director of State Legislation, Humane Society of the U.S. in Washington, DC.

**Andrew Bokan** is an attorney with Henderson, Franklin, Starnes & Holt, P.A. in Fort Myers, FL.

**Michael Collins** is an associate with Richards, Layton and Finger, P.A., in Wilmington, DE.

**Katherine Eller** is an associate with Beveridge & Diamond in Baltimore, MD.

**Amy Garvin** is an associate with Maslan Brown & Associates LLP in Darien, CT., specializing in real estate, land use and development, in Fairfield County.

**Christopher Gozdor** is a staff attorney with Maryland's Office of the Attorney General, Department of Health and Mental Hygiene.

**Shana Jones** is an associate with McGuire Woods in Norfolk, VA.

**Jon Kallen** is Chief of Environmental Affairs and Compliance for Maryland Environmental Services (MES). MES is a public, not-for-profit company which is also an independent state agency. John was reappointed to a second term on the Board of the Fredericksburg-Stafford County Virginia Park Authority.

**Tracy Kulikowski** lives in Redding and works part-time for the Town of Weston, CT.

**Jomar Maldonado** is with the Federal Emergency Management Agency's Environmental and Historic Preservation Team at the Department of Homeland Security. He is an environmental program specialist assisting FEMA's environmental officer in the preparation and execution of the agency's environmental regulations and policies and making sure that the agency complies with the appropriate environmental laws and requirements as they relate to its mission.

**Christina McGarvey** is an associate with Vinson & Elkins LLP in Washington, DC.

**Amanda Neidert** is an associate with Miles & Stockbridge in Baltimore, MD.

**Alan Sachs** is an associate with Beveridge & Diamond in Baltimore, MD.

**Lauren Silverman** is a Federal Legislative Specialist with the Humane Society of the U.S., in Washington, DC.

**Heather Spurrier** is an associate with Shulman, Rogers, Gandal, Pordy & Ecker, P.A., in Rockville, MD.

**Tracy Steedman** is an associate with Harrison Law Group in Towson, MD.

**Matthew Steinhilber** is an associate with Ballard Spahr Andrews & Ingersoll in Baltimore, MD.

**Marcia Tannian** is a policy analyst with the Department of Legislative Services in Annapolis, MD.

**Gemma Vestal** is Legal Officer/Scientist with the World Health Organization in Geneva, Switzerland.

**Kristen Klick White** is an associate in the environmental practice group at Arnold & Porter in Washington, DC.

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## 2004

**Katherine Baer** is Director, River Advocacy, American Rivers in Washington, DC.

**Emily Baine** is with the Office of Counsel, Humphreys Engineering Center Support Activity, U.S. Army Corps of Engineers in Alexandria, VA. Emily was recently interviewed by the *Bulletin of Atomic Scientists* as part of an article on ocean dumping of chemical weapons. The article will be published in the near future.

**Ryane Bellarin Necessary** is a policy analyst with the Department of Legislative Services in Annapolis, MD.

**Christie Biggs** is assistant state attorney with the Pinellas County State Attorney's Office in Clearwater, Florida.

**Jonathan Dowling** is an attorney with the U.S. Navy JAG Corps.

**Jaclyn Ford** is an attorney with the Department of State in the Bureau of Oceans and International Environmental and Scientific Affairs, Office of Climate Change. She works on global climate change issues, both the legal and policy aspects. Jackie spent five weeks this summer teaching students from the U.S., Canada, and the UK, in Costa Rica. The curriculum included comparative endangered species law & policy; and sustainable tourism (eco-tourism).

**Dan Fruchter** has completed the Honors Law Graduate Program at the U.S. Nuclear Regulatory Commission and accepted a permanent position with the Office of General Counsel.

**Mary Kelley** is an attorney with the Board of Veterans' Appeals in Washington, DC.

**Lonnie Kishiyama** is a Coast Guard JAG attorney working at the Department of Homeland Security's Office of the General Counsel in Washington, DC.

**Richard Mattick** is an environmental scientist with the U.S. EPA, Office of Underground Storage Tanks in Washington, DC.

**Evyann Overton** is an associate with Beveridge & Diamond in Baltimore, MD.

**Kelly Pfeifer** is a staff attorney for the Pro Bono, Small Business, and Environmental Justice Projects with the Community Law Center in Baltimore.

**Brian Pinkham** has been accepted to the University of Texas at Dallas MBA program where he was named a Cohort Scholar.

**Paige Pochmann** is an associate with a general civil litigation firm, Poole & Poole, P.A., in Fernandina Beach, FL, focusing on family law, estate planning, and land use issues.

**Alison Probst** is an attorney with Coalition to End Childhood Lead Poisoning in Baltimore, MD.

**Stephen Pyle** is an associate with Dyer & Associates in McAllen, Texas.

**Ray Schlee** is a civilian attorney with the U.S. Army Corp of Engineers in Tulsa, Oklahoma.

**Greg Schwab** is an attorney with Saul Ewing LLP in Philadelphia, PA.

**Paul Sorisio** is an attorney with the Board of Veterans' Appeals in Washington, DC.

**Zhen Zhang** is an environmental associate with Rich and Henderson in Annapolis, MD.

## 2005

**Lauren Axley** is an attorney with the U.S. Department of Agriculture in their regulatory division working with the Food Safety Inspection Service and the Animal and Plant Health Inspection Service.

**Russell Bowman** currently serves as Assistant District Legal Officer for the First Coast Guard District, headquartered in Boston, Massachusetts. He is responsible for providing legal counsel to Coast Guard units throughout New England on a wide variety of issues, including: maritime homeland security, maritime law enforcement, environmental protection, and military justice.

**Sarah Brull** is an associate with Beveridge & Diamond in Baltimore, MD.

**Jennifer Bevan-Dangel** is a staff attorney/advocate for Environmental Maryland, the new home of Maryland Public Interest Research Group environmental work.

**Zara Friedman** is an attorney with McDonnell and Adels in New York practicing insurance defense.

**Ami Grace** is an associate with Beveridge & Diamond in Washington, DC.

**Cortney Madea** is an associate in the energy department with Dickstein Shapiro in Washington, DC.

**Jonathan Nwagbaraocha** is a law clerk for the Honorable Vicki Ballou-Watts of the Baltimore County Circuit Court. Jonathan received his Masters degree in Public Policy-Concentration in Environmental Policy from the University of Maryland, School of Public Policy, in May 2006.

**Ulka Patel** is a law fellow with the University of Maryland Center for Health and Homeland Security.

**Michelle Stanfield** is an associate at Robinson Woolson, P.A., in Baltimore, MD, with focus on asbestos exposure cases.

**Vanessa Stiffler-Claus** is Legislative Counsel, CH2M HILL, in Washington, DC.

## 2006

**Andrea Curatola** has been accepted to the Honors Law Graduate Program at the U.S. Nuclear Regulatory Commission in Rockville, MD.

**Karlene Fischer** is an associate with Ryley Carlock and Applewhite in Phoenix, AZ.

**Mindy Goldstein** is an associate with Kilpatrick Stockton in Atlanta, GA. She is practicing in the real estate section.

**Natalie Havlina** is a law clerk for the Honorable Fred Van Sickle, U.S District, Eastern District of Washington.

**Candace Howard** is a Presidential Management Fellow for the Social Security Administration in Baltimore, MD.

**Jee Kim** is Program Analyst for the U. S. EPA Office of Inspector General/Office of Program Evaluations - Hazardous Waste Issues in Washington, DC.

**Anne Merwin** is Planning and Policy Manager for the Potomac Conservancy in Silver Spring, MD.

**Amy Roth** is a law clerk for the Honorable Thomas Stansfield of the Carroll County Circuit Court.

**Matt Shudtz** is a policy analyst for the Center for Progressive Reform in Washington, DC.

**Briena Strippoli** has a clerkship with the Honorable Kaye Allison of the Circuit Court of Baltimore City.

**Ali Tysor** is a legal fellow with the Environmental Defense Center in Santa Barbara, CA.

**Katherine Wainwright** has a clerkship with the Honorable James Eyler on the Maryland Court of Special Appeals.

**Erica Zilioli** is a law clerk for the Honorable Richard Bennett of the U.S. District Court for the District of Maryland in Baltimore.

## Boardroom to the Balkins continued from page 18

projects on self-esteem, media perceptions of women, body image and domestic violence and we recently hiked into the mountains surrounding Gostivar to discuss ecology. The club has turned into one of my favorite activities – and at every meeting these young women, who are indeed the future of their country, inspire me with their optimism and energy.

I am now approaching the end of my first year since I left the law firm and started living in the Balkans. In some ways, the time seems so short and in other ways it seems longer than a mere twelve months. I have been away from my family and friends a year – missing holidays and birthdays, weddings and births along the way - and that seems interminably long. But at times, it seems like I just arrived – like when I try to navigate the incomprehensible bus system here and still feel like a novice. There are still times that I have to pinch myself that I am here – when I hear the call to prayer wafting in harmony from the Muslim mosques surrounding my apartment or when an Albanian woman in her head scarf chats with me in her native tongue as I wander the stalls at our local bazaar. All that is Macedonia – the mix of cultures and languages, the mountains and valleys, the aged and the modern, the Eastern Bloc heritage confronting the inevitable march towards the West – seems so much a part of my “normality” now. I catch myself sometimes: here, when I talk about home, I am now referring to Gostivar and Macedonia.

And yet this home is an achingly temporary one. So what will happen when I return to America next year? Will I be able to pick up my legal career seamlessly again – or will I head off in some other new and unexpected direction? It is difficult to say – I cannot even see my post-Peace Corps life on the horizon. All I can tell you is that, here and at this moment, I am indeed living the adventure of my life. And I am glad I didn't put it off any longer. Sometimes those crazy decisions that we make, that even those we love and respect cannot understand, are the best decisions in our lives. And the Peace Corps is definitely one, if not the most important, of those decisions for me.

*\*Melissa Hearne is a 2000 graduate of the University of Maryland School of Law. She currently resides in the Republic of Macedonia and is a Peace Corps Volunteer assigned to the Regional Association of Sheep Breeders of Western Macedonia.*

# FACULTY ACTIVITIES



**Professor Robert Percival**

“Making Movies in the Classroom,” Conference on the Impact of Film on Law, Lawyers and Society, University of Maryland School of Law, Baltimore, Maryland, March 31, 2006.

“New Directions in Environmental Law,” Virginia Environmental Law Journal 25th Anniversary Celebration, University of Virginia School of Law, Charlottesville, Virginia, March 29, 2006.

“Can the Common Law Protect the Global Commons?,” Institute for Policy Research and Environmental Law Society, Boalt Hall School of Law, Berkeley, California, March 22, 2006.

“The Roots of Justice: Reflections on its 25th Anniversary,” American Legal History Seminar, Boalt Hall School of Law, Berkeley, California, March 21, 2006.

“Wetlands Regulation: What Are the Limitations of the Commerce Clause?” Federalist Society, Washington, D.C. Lawyers Conference on Endangered Species Act Reform and Wetlands Regulation, National Press Club, Washington, D.C., February 16, 2006.

“Preventing and Responding to Environmental Emergencies,” China Council for International Cooperation on Environment and Development, Environmental Governance Task Force, Beijing, China, December 20, 2005.

“Becoming Justice Blackmun,” University of Maryland School of Law, Baltimore, Maryland, December 1, 2005.

“Regulation of Hazardous and Toxic Wastes in the United States,” International Forum on Environmental Legislation and Sustainable Development sponsored by the Environment and Resources Conservation Committee of the National People’s Congress, Beijing, China, November 21, 2005.

“Risk Regulation, Globalization and the Precautionary Principle,” Bloomberg School of Public Health, Johns Hopkins University, Baltimore, Maryland, November 16, 2005.

“Managing Environmental Conflicts: Prevention and Solutions,” Environmental Speaker Series, Michigan State University College of Law, East Lansing, Michigan, November 10, 2005.

“Environmental Law in the Supreme Court: Highlights from the Blackmun Papers,” Environmental Law Institute, President’s Council Luncheon, Washington, D.C., October 19, 2005.

**Continue on next page**

## PUBLICATIONS

Environmental Regulation: Law, Science and Policy (5<sup>th</sup> ed. Aspen Publishers 2006) (with Schroeder, Miller and Leape).

Environmental Law: Statutory and Case Supplement 2006-2007 Edition (Aspen Publishers 2006) (with Schroeder).

“Who Is Afraid of the Precautionary Principle?” 23 Pace Environmental Law Review 801 (2006).

Percival, Forum: Is Chinese Environmental Law Up to the Task? 22 The Environmental Forum, September/October, 2005, at 44.

Percival, Environmental Law in the Supreme Court: Highlights from the Blackmun Papers, 35 Env. L. Rep. 10637 (2005).

Percival and Schroeder, *Environmental Law: Statutory and Case Supplement with Internet Guide 2005-2006* (Aspen Publishers 2005).

Percival, *Resolución de Conflictos Ambientales: Lecciones Aprendidas de la Historia de la Contaminación de las Fundiciones de Minerales, in Prevención y Solución de Conflictos Ambientales: Vías Administrativas, Jurisdiccionales y Alternativas* 399 (Lexis Nexis 2004).

## PRESENTATIONS

“Federal Environmental Law,” National Workshop for District Judges, Federal Judicial Center, San Diego, California, June 21, 2006.

“Environmental Law in the Supreme Court,” The Federal Seminar 2006, Supreme Court of the U.S., Washington, D.C., April 19, 2006.

## Percival (continued)

“First Monday in October: Examining the Supreme Court’s Environmental Docket,” Environmental Law Institute Associates Seminar, Washington, D.C. October 5, 2005.

“Law, Society and the Environment,” Conference and Festschrift in Honor of Lawrence Friedman, Stanford Law School, Stanford, California, October 1, 2005.

“Who’s Afraid of the Precautionary Principle?,” Georgetown Environmental Research Workshop, Georgetown University Law Center, Washington, D.C., September 19, 2005.

“Federal Power to Preserve Biodiversity: A Cross-National Comparison,” IUCN Academy of Environmental Law Colloquium, Macquarie University School of Law, Sydney, Australia, July 15, 2005.

“A Court in Transition: Tracing the Roots of the Rehnquist Court through the Papers of Justice Blackmun,” Widener University School of Law, Wilmington, Delaware, April 27, 2005.

“The State of Environmental Law in the Twenty-First Century,” Inaugural Robert F. Stanton Distinguished Professorship Lecture, University of Maryland School of Law, April 21, 2005.

“Environmental Law in the Twenty-First Century,” Seminar on Environmental Law and Governance, University of Nanjing Center for Environmental Management and Policy, Nanjing, China, March 11, 2005.

“The Influence of NGOs on the Development of U.S. Environmental Law,” Shanghai Jiao Tong University School of Law, Shanghai, China, March 7, 2005.

“Standards of Proof, Scientific Uncertainty and the Precautionary Principle,” Symposium on “The Judiciary and Environmental Law,” New York State Judicial Institute, Pace University School of Law, White Plains, New York, December 7, 2004.

“Managing Environmental Conflicts: Lessons from the History of Smelter Pollution,” Conference on “Prevention and Solution of Environmental Conflicts,” University of Chile School of Law, Santiago, Chile, December 1, 2004.

“Environmental Law in the Supreme Court: Highlights from the Blackmun Papers,” University of Maryland School of Law Faculty Forum, November 3, 2004.

“Mining Wastes: Historical Perspective and Existing Regulatory Framework,” Committee on Mine Placement of Coal Combustion Wastes, National Research Council, National Academy of Sciences, Washington, D.C., October 27, 2004.

## NEW BOOKS BY PROFESSOR RENA STEINZOR



**Professor Rena Steinzor**

### PUBLICATIONS

MOTHER EARTH AND UNCLE SAM: HOW POLLUTION AND HOLLOW GOVERNMENT HURT OUR KIDS (University of Texas Press, forthcoming Fall/Winter 2007).

RESCUING SCIENCE FROM POLITICS: REGULATION AND THE DISTORTION OF SCIENTIFIC RESEARCH (with Wendy Wagner) (Cambridge University Press, 2006).

*The Legacy of John Graham: Strait-Jacketing Risk Assessment*, RISK POLICY ALERT, May 23, 2006.

THE NEW PROGRESSIVE AGENDA FOR PROTECTING PUBLIC HEALTH AND THE ENVIRONMENT (with Christopher Schroeder) (Carolina Academic Press, 2004).

### PRESENTATIONS

“E-Rulemaking in the 21st Century,” roundtable participant, U.S. House of Representatives Judiciary Committee, Washington, DC (December 5, 2005).

“Scientific Integrity in Regulation,” Annual Conference, American Public Health Association, Washington, DC (November 7, 2004)