



Book reviews

Environmental Law Handbook, Sixteenth Edition

Thomas F.P. Sullivan, (Editor Emeritus) Government Institutes, Rockville, MD, 2001, US\$ 99.00, 820 pp., ISBN: 0-86587-820-X

Environmental law is complex, pervasive and difficult for laymen to understand. But understanding it is very important. “The key to understanding a system as complex as environmental law is the definition of the subject”.

The environmental law system is an organized way of using all the laws in our legal system to minimize, prevent, punish or remedy the consequences of actions which damage or threaten the environment, public health and safety.

The author notes the expansion of the topic from simply the environment to include the protection of public health and workers’ safety. This topic is fully discussed in separate chapters on Emergency Planning and Community Right-to-Know Act (EPCRA), Occupational Safety and Health Act (OSHA), and a new chapter on ISO and Environmental Law.

The opening chapter of the book describes (or at least tries to describe) what environmental law is (as a system). The authors of this chapter state:

Environmental law is more than simply a collection of statutes on environmental subjects. The field is one that cannot be mastered simply by learning the specific requirements of some individual laws or regulations impacting the environment. Over the past few decades, ‘Environmental Law’ has evolved into a system of statutes, regulations, guidelines, factual conclusions, and case-specific judicial and administrative interpretations which relate one to another. Environmental laws may be adopted not only at the federal, but also, state and local levels of government. The system is complex in itself and is made even more challenging by the difficulty of the interdisciplinary subject matter to be regulated (health, safety and environment) and the problems which the law often has in dealing with the scientific issues and uncertainties nearly always faced in environmental cases.

Understanding this environmental law system, its principles and the ways in which the individual elements work together to achieve the system’s objectives is a challenge for those who try to comply with environmental laws.

The complexity noted above is what makes a book like this so important, as the penalties for not complying with the laws are severe: fines that can exceed 1 million dollars and jail terms of 7 years.

The authors, all lawyers, practicing in the field of environmental law have written in clear, concise and understandable style describing each (with its own chapter) of the major U.S. environmental laws: RCRA, UST, CAA, CWA, OPA, SDWA, CERCLA, NEPA, TSCA, Pesticides, PPA, EPCRA and OSHA (all U.S. laws are listed by their common acronyms).

The information in the chapters is liberally footnoted (usually to the law being discussed itself, the Federal Register or the U.S. Code). One chapter (Safe Drinking Water Act) lists Resource Sources including several web sites.

A new chapter has been added to the book this year, "ISO 14001 and Environmental Law", to reflect the evolution of environmental compliance to a higher level, through a statement initiated by industry:

ISO 14001 is a comprehensive system's standard that calls for organizations to conduct their environmental affairs through a structured management system. The basic tenet of ISO 14001 is: 'say what you do, do what you say, and be able to demonstrate that you did it'. ISO 14001 was designed to assist organizations in systematically identifying and managing their environmental obligations that are established outside of ISO 14001.

Environmental management systems are the application of well-accepted business principles to environmental protection: identify your key issues, establish what you want to do (policy and objectives), determine how you want to do it (programs, procedures and instructions), tell people what you want them to do (communication and training), make sure they do it (implementation, measurement and auditing), and periodically review the entire process to identify opportunities to improve. Management has been applying these 'plan, do, check, act' principles to functions such as inventory, finance, quality and production for decades.

This chapter (and, indeed the book) ends with the following:

ISO 14001 is a voluntary environmental management system's standard that is intended to assist organizations in identifying and meeting their environmental obligations and commitments, including their legal ones. ISO 14001 is based on the concept that better environmental performance can be achieved when environmental obligations are systematically identified and managed. ISO 14001 has become the internationally accepted framework for this approach.

A positive ending to an excellent book. Not only is the law and all its complexities discussed, but also a forward looking approach to compliance is included. Such additions (as the last chapter on ISO), plus continued revisions and updating of the chapters (and each major environmental law) make the book so topical, useful and necessary.

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Hazardous Waste Handbook for Health and Safety

William F. Martin, John M. Lippitt, Paul J. Webb, 3rd edition, Butterworth-Heinemann, Boston, 2000, \$39.95 (8.5" × 11"), 262 pp., ISBN: 0-7506-7135-1