

LIABILITY PREVENTION SERIES

State & Local Government Environmental Liability

By

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Highlights of the 2026–2027 Edition

This 2026–2027 Edition of *State and Local Government Environmental Liability* includes updated coverage throughout the treatise of recent legislative and regulatory actions. The new 2026–2027 Edition includes:

- Updated information regarding the EPA’s proposed rule further redefining “waters of the United States” to clarify applicability to ditches, wastewater treatment systems and cropland as well as creating a new test for jurisdictional waters, excluding groundwater;
- Update on the EPA issuance of a revised final NPDES general permit for stormwater discharges associated with construction activities;
- Update on the EPA’s advance notice of proposed rulemaking to seek feedback on potential amendments to the 2024 implementing regulations for Clean Water Act Hazardous Substance Facility Response Plans;
- Update on the EPA Office of Land and Emergency Management’s new guidance for lead contamination at residential properties at CERCLA sites and RCRA Hazardous Waste Cleanup Program Facilities;
- Update on an Executive Order issued on Jan. 20, 2025, freezing all pending regulations, including those associated with new standards for per- and polyfluoroalkyl substances;
- As well as many other important changes to case law, environmental regulations and enforcement proceedings.

Dedication

This book is dedicated to my children, Danny and Serafima,
and my grandsons, Sam and Karl.

About the Author

Joel A. Mintz is a Professor of Law Emeritus and the C. William Trout Senior Fellow at Nova Southeastern University Shepard L. Broad College of Law where he has taught Environmental Law and related subjects, beginning in 1982. Before entering academia, Professor Mintz spent six years as an attorney and chief attorney with the United States Environmental Protection Agency in Chicago and Washington, D.C. He has authored a number of books, and numerous law review articles, on aspects of Environmental Law, and he is an elected member of the American Law Institute, a fellow of the American Bar Foundation, and the editor of the annual newsletter of the Section on State and Local Government Law of the Association of American Law Schools. Professor Mintz earned J.S.D and LL.M. degrees from Columbia University Law School, a J.D. from New York University School of Law, and a B.A. from Columbia College, Columbia University.

2026–27 Update Author

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