



## THE ENVIRONMENTAL LAW AND POLICY ANNUAL REVIEW CONFERENCE

CO-SPONSORED BY THE ENVIRONMENTAL LAW INSTITUTE & VANDERBILT UNIVERSITY LAW  
SCHOOL

April 10, 2015  
9:30 a.m. – 2:00 p.m.  
2168 Rayburn House Office Building (Gold Room)  
Capitol Hill, Washington, DC

### *Agenda*

**9:30-9:45**      **Welcome**

- *Scott Schang*, Acting President, Environmental Law Institute
- *Michael P. Vandenbergh*, David Daniels Allen Distinguished Chair of Law, Vanderbilt University Law School
- *Linda K. Breggin*, Senior Attorney, Environmental Law Institute
- *Clark G. Agre*, Editor-in-Chief, Environmental Law and Policy Annual Review
- *Lorraine J. Baer*, Managing Editor, Environmental Law and Policy Annual Review

**9:45-10:30**      **The Shale Oil and Gas Revolution, Hydraulic Fracturing, and Water Contamination: A Regulatory Strategy**

**Introduction:**

- *Jordan B. Banks*, Articles Editor, Environmental Law and Policy Annual Review

**Co-Author:**

- *Thomas W. Merrill*, Charles Evans Hughes Professor, Columbia Law School

**Commenters:**

- *Bradley M. Campbell*, President, Bradley M. Campbell LLC

- *Susan Packard LeGros*, President and Executive Director, Center for Sustainable Shale Development
- *Peter Robertson*, Senior Vice President for Corporate Affairs, The Pebble Partnership

**10:30-11:15     A Market Approach to Regulating the Energy Revolution: Assurance Bonds, Insurance, and the Certain and the Uncertain Risks of Hydraulic Fracturing**

**Introduction:**

- *Sean C. Ryan*, Articles Editor, Environmental Law and Policy Annual Review

**Co-Author:**

- *David A. Dana*, Kirkland & Ellis Professor of Law, Northwestern University School of Law

**Commenters:**

- *Leslie Carothers*, Visiting Scholar, Environmental Law Institute
- *W. Blaine Early III*, Member, Stites & Harbison PLLC
- *Thomas J. FitzGerald*, Founder & Director, Kentucky Resources Council

**11:15-11:45     Joint Discussion**

**11:45-11:55     Break (Boxed lunch will be served)**

**11:55-12:55     Private Control over Access to Public Law: The Perplexing Federal Regulatory Use of Private Standards**

**Introduction:**

- *Philip L. Lu*, Articles Editor, Environmental Law and Policy Annual Review

**Author:**

- *Nina Mendelson (via video)*, Joseph L. Sax Collegiate Professor of Law, University of Michigan Law School

**Commenters:**

- *Emily Bremer*, Senior Attorney and Research Coordinator, Administrative Conference of the United States
- *Lois Schiffer*, General Counsel, National Oceanic and Atmospheric Administration

**12:55-1:55      The Military-Environmental Complex**

**Introduction:**

- *Leland Frost*, Articles Editor, Environmental Law and Policy Annual Review

**Author:**

- *Sarah E. Light*, Assistant Professor of Legal Studies and Business Ethics, The Wharton School, University of Pennsylvania

**Commenters:**

- *Sharon Burke*, Senior Fellow, New America Foundation
- *John Dukes*, Executive Director of Sales: Federal & Public Sector, Constellation Energy
- *Amanda Simpson*, Executive Director, U.S. Army Office of Energy Initiatives

**1:55-2:00      Closing Remarks**

- *Jonathan Gendzier*, Executive Editor, Environmental Law and Policy Annual Review