

Bibliography

38 M.R.S. § 2142 (2005)

AES Corporation Securities Litigation, In re 825 F. Supp. 578 (S.D.N.Y. 1993)

Alberini, Anna and Kathleen Segerson, 'Assessing Voluntary Programs to Improve Environmental Quality' (2002) 22 *Env. & Res. Econ.* 157

American Bar Association, *Consumer Protection Handbook* (2004)

Ammenberg, Jonas and Olof Hjelm, 'Tracing Business and Environmental Effects of Environmental Management Systems – A study of Networking Small and Medium-sized Enterprises Using a Joint Environmental Management System' (2003) 12 *Bus. Strat. Env.* 163

Andrews, R.N.L., A.M. Hutson and D. Edwards, Jr, *Environmental Mandates Under Pressure; How do Mandates Affect Performance*, in Coglianesi and Nash (eds), *Leveraging the Private Sector: Management-Based Strategies for Improving Environmental Performance* (Resources for the Future 2006)

Anton, Wilma Rose, George Deltas and Madhu Khanna, 'Incentives for Environmental Self-Regulation and Implications for Environmental Performance' (2004) 48 *J. Env. Econ. & Mgmt.* 632

Ashford, Nicholas A., 'An Innovation-Based Strategy for the Environment', in Finkel and Golding (eds), *Worst Things First: The Debate over Risk-Based National Environmental Policies* (Resources for the Future 1994) 303

Ashford, Nicholas A. and George Heaton, 'Regulation and Technological Innovation in the Chemical Industry' (1983) 46 *Law & Contemp. Probs.* 109

Ashford, Nicholas A. et al., 'Using Regulation to Change the Market for Innovation' (1985) 9 *Harv. Envtl. L. Rev.* 419

Ashford, Nicholas A. and C.C. Caldart, 'Negotiated Regulation, Implementation and Compliance in the United States', in Croci (ed.), *The Handbook of Environmental Voluntary Agreements* (Springer 2005)

Assadourian, Eric, 'The State of Corporate Responsibility and the Environment' (2006) 18 *Geo. Int. Env. L. Rev.* 571

Avallone, Lauren, 'Green Marketing: the Urgent Need for Federal Regulation' (2006) 14 *Penn St. Env. L. Rev.* 685

Aw, Yong Ting, Robyn A. Moroney and Carolyn A. Windsor, *The Impact of Assurance on the Quality of Voluntary Environmental Disclosures: An Empirical Analysis* (2009), available at: <http://ssrn.com/abstract=1340227> (accessed 4 January 2011)

- Backer, Larry Cata, 'From Moral Obligation to International Law: Disclosure Systems, Markets and the Regulation of Multinational Corporations' (2008) 39 *Geo J. Int'l L.* 591
- Bagby, John, Paula Murray and Eric Andrews, 'How Green Was My Balance Sheet? Corporate Liability and Environmental Disclosure' (1995) 14 *Va. Env'tl. L. J.* 225
- Barth, Regine and Franziska Wolff, 'Corporate Social Responsibility and Sustainability Impact: Opening Up the Arena', in Barth and Wolff (eds), *Corporate Social Responsibility in Europe: Rhetoric and Realities* (Edward Elgar Publishing 2009)
- Basic v Levinson* 483 U.S. 224 (1988)
- Bertholet, Sylvie, Denis Cormier and Michel Magnan, *Environmental Disclosure Research: Review & Synthesis* (2003) 22 *J. Accounting Lit.* 1
- Blazovich, Janet, and L. Murphy Smith, *Ethical Corporate Citizenship: Does it Pay?* (2010), available at: http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1125067 (accessed 4 January 2011)
- Bloom, Nicholas, Christos Genakos, Ralf Martin and Raffaella Sadun, *Modern Management: Good for the Environment or Just Hot Air?* (2008), available at: <http://www.nber.org/papers/w14394> (accessed 4 January 2011)
- BNA, 'Push for Disclosure of Environmental Risks Expected to Lead to New SEC Requirements' (24 July 2009) 40 *Env'tl. Rep.* 1800
- Bolstein, Joel, 'EPA Ends Performance Track Program' (18 March 2009) *Pennsylvania Brownfields & Env'tl. L.* 1, available at: <http://pabrownfieldsenvironmentallaw.foxrothschild.com/2009/03/articles/epa-ends-performance-track-program/> (accessed 2 January 2011)
- Borck, Jonathan, Cary Coglianese and Jennifer Nash, *Environmental Leadership Programs: Toward an Initial Assessment* (John F. Kennedy School of Government, Harvard University, Corporate Social Responsibility Initiative Working Paper No. 49, 2008) [forthcoming in *Ecology Law Quarterly*].
- Börkey, Peter and François Lévêque, 'Voluntary Approaches for Environmental Protection in the European Union – A Survey' (2000) 10 *Eur. Env.* 35
- Börkey, Peter, Matthieu Glachant and François Lévêque, *Voluntary Approaches for Environmental Policy in OECD Countries: An Assessment* (CERNA 1999) 69
- BP, *About BP*, available at: <http://www.bp.com/sectiongenericarticle.do?categoryId=9028308&contentId=7019491> (accessed 2 January 2011)
- , *Sustainability Review 2009*, available at: <http://www.bp.com/section-genericarticle.do?categoryId=9032632&contentId=7060200> (accessed 2 January 2011)

- Bressers, Hans and Theo de Bruijn, 'Conditions for the Success of Negotiated Agreements: Partnerships for Environmental Improvement in the Netherlands' (2003) 14 *Bus. Strat. & Env.* 241
- , 'Environmental Voluntary Agreements in the Dutch Context', in Croci (ed.), *The Handbook of Environmental Voluntary Agreements* (Springer 2005)
- Brickman, Chris and Drew Ungerman, 'Climate Change and Supply Chain Management' (2008) *McKinsey Q.*
- Brouhle, Keith, Charles Griffiths and Ann Wolverton, *The Use of Voluntary Approaches for Environmental Policy Making in the US*, in Croci (ed.), *The Handbook of Environmental Voluntary Agreements* (Springer 2005) 114
- Brown, Halina, Martin de Jong and Teodorina Lessindrenka, *The Rise of the Global Reporting Initiative as a Case of Institutional Entrepreneurship* (Corporate Social Responsibility Initiative, John F. Kennedy School of Government, Harvard University, Working Paper No. 36, 2007)
- Brown, Lester R., *Plan B 4.0: Mobilizing to Save Civilization* (2009)
- Burns Ind. Code Ann. § 24-5-17-2 (2006)
- Burris, Scott, Michael Kempa and Clifford Shearing, *Changes in Governance: A Cross-Disciplinary Review of Current Scholarship* (2008) 41 *Akron L. Rev.* 1.
- Cal. Bus. & Prof. Code §§ 17580, 17580.5 (2006)
- California Public Employees' Retirement System et al. *Petition for Interpretative Guidance on Climate Risk Disclosure*, Before the United States Securities and Exchange Commission, available at: <http://www.sec.gov/rules/petitions/2007/Petn4-547.pdf> (accessed 16 December 2010)
- Cannon, Jon, 'Bargaining, Politics and Law in Environmental Regulation', in Orts and Deketelaere (eds), *Environmental Contracts: Comparative Approaches to Regulatory Innovation in the United States and Europe* (Kluwer Law International 2001)
- Carbon Disclosure Project: *The Carbon Chasm* (2008), available at: <http://www.greenbiz.com/business/research/report/2009/08/25/carbon-chasm> (accessed 4 January 2011)
- Case, David 'Corporate Environmental Reporting as Informational Regulation: A Law and Economics Perspective' (2005) 76 *U. Colo. L. Rev.* 379
- Cavanaugh, Kimberly, 'Comment: It's a Lorax Kind of Market! But Is It a Sneeches Kind of Solution?: A Critical Review of Current Laissez-Faire Environmental Marketing Regulation' (1998) 9 *Vill. Envtl. L. J.* 133, 209
- CCB Standards: The Climate, Community and Biodiversity Alliance, *Landmark Certification of Forestry Projects that Combat Climate Change*, 26 February 2007, available at: http://www.climate-standards.org/news/news_feb2007.html

- Central Hudson Gas & Elect. Corp. v Pub. Serv. Comm'n* 447 U.S. 557 (1980)
- Central Hudson Gas & Bolger v Young's Drug Products Co.* 463 U.S. 60 (1983)
- Ceres, *Climate Risk Disclosure in SEC Filings* (June 2009)
- Cherington, Rachel, 'Securities Laws and Corporate Social Responsibility: Toward an Expanded Use of Rule 10B-5' (2004) 25 U. Pa. J. Int'l Econ. L. 1439
- Childers, Angela, *Debate Over NAIC Climate Risk Disclosure Heating Up* (Risk and Insurance Online 8 February 2010), available at: <http://www.riskandinsurance.com/story.jsp?storyId=334828270> (accessed 4 January 2011)
- CIA, *CIA World Fact Book 2007*, available at: www.freeinfosociety.com/media/pdf/4767.pdf (accessed 2 January 2011)
- Clark, Gordon and Eric R.W. Knight, 'Implications of the UK Companies Act 2006 for Institutional Investors and the Market for Corporate Social Responsibility' (2009) 11 U. Pa. J. Bus. L. 259
- Clarkson, Peter, Yue Li, Gordon D. Richardson and Florin P. Vasvari, 'Revisiting the Relations between Environmental Performance and Environmental Disclosure: An Empirical Analysis' (2007) 33 Accounting, Orgs. and Soc'y 303
- Clean Air Act, 42 U.S.C.A. § 7401 *et seq.* (2006)
- Clean Water Act, 33 U.S.C.A. § 1251 *et seq.* (2006)
- Climate Change: Shareholders Push for Corporate Action Said to Gain Strength, Effectiveness in 2008* (22 August 2008) 39 Env. Reporter No. 34
- Climate Disclosure Standards Board: <http://www.cdsb-global.org/> (accessed 20 July 2010)
- ClimateBiz, *Companies Show Little Awareness of Climate Change Risks, Report Finds* (3 June 2009), available at: <http://www.climatebiz.com/print/25557>
- , *Finance Giants Adopt 'Climate Principles'* (3 December 2008) available at: <http://www.greenbiz.com/news/2008/12/02/finance-giants-adopt-climate-principles> (accessed 4 January 2011)
- , *Insurers Must Reveal Climate Change Risks* (19 March 2009) available at: <http://www.climatebiz.com/news/2009/03/19/insurers-must-reveal-climate-change-risks>
- Cogan, Doug, Megan Good, Geri Kantor and Emily McAteer, *Corporate Governance and Climate Change: Consumer and Technology Companies*. (Ceres 2008)
- Coglianesse, Cary and David Lazer, 'Management-Based Regulation: Prescribing Private Management to Achieve Public Goals' (2003) 37 L. & Soc. Rev. 691
- Coglianesse, Cary and Jennifer Nash, 'Management-Based Strategies: An

- Emerging Approach to Environmental Protection', in Coglianesi and Nash (eds), *Leveraging the Private Sector: Management-Based Strategies for Improving Environmental Performance* (Resources for the Future 2006) 3
- , *Government Clubs: Theory and Evidence from Voluntary Programs* (John F. Kennedy School of Government, Harvard University, Corporate Social Responsibility Initiative, Working Paper No. 50, 2008)
- Commission Guidance Regarding Disclosure Related to Climate Change*, SEC Release Nos. 33-9106, 34-61469, FR-82, 17 CFR Parts 211, 231 & 241 (8 February 2010)
- Commission of the European Communities, *Financial Services: Implementing the Framework for Financial Markets: Action Plan* COM (99) 232 (11 May 1999)
- , *Report from the Commission to the Council and the European Parliament On Incentives for EMAS Registered Organizations*, Commission Staff Working Document Annex to the Report, SEC (2004) 1375, COM (04) 745 final (Brussels, 11 September 2004)
- , Decision 2005/166/EC [2005] O.J. L55/57 (10 February 2005)
- Committee on Environment and Natural Resources, National Science and Technology Council, *Scientific Assessment of the Effects of Global Change on the United States* (May 2007)
- Corporate Register.com, *Assure View: The CSR Assurance Statement Report* (2008)
- , *CRRA Reporting Awards '07: Global Winners and Reporting Trends* (March 2008)
- Croci, Edoardo, *The Handbook of Environmental Voluntary Agreements: Design, Implementation and Evaluation Issues* (2005)
- Cseres, Katalin Judit, *Competition Law and Consumer Protection* (2005)
- Dahlström, Kristina, Chris Howes, Paul Leinster and Jim Skea, 'Environmental Management Systems and Company Performance: Assessing the Case for Risk-Based Regulation' (2003) 13 *Eur. Env.* 187
- Darnall, Nicole and Stephen Sides, 'Assessing the Performance of Voluntary Environmental Programs: Does Certification Matter?' (2008) 36 *Pol'y Studies J.* 95
- Darnall, Nicole and JoAnn Carmin, *Greener and Cleaner? The Signaling Accuracy of the U.S. Voluntary Environmental Program* (2005) 38 *Pol'y Sci* 71
- Decker, R.S., 'Do Regulators Respond to Voluntary Pollution Control Efforts? A Count Data Analysis' (2005) 23 *Contemp. Econ. Pol'y* 180
- Delmas, Magali and Arturo Keller, 'Free Riding in Voluntary Environmental Programs: The Case of U.S. EPA WasteWise Program' (2005) 38 *Pol'y Sci* 91
- Delmas, Magali and Maria Montes-Sancho, *Voluntary Agreements to Improve*

- Environmental Quality: Are Late Joiners Free Riders* (Institute for Social, Behavioral and Economic Research, U.C. Santa Barbara, Working Paper No. 7, 2007)
- Dilling, Olaf, 'Proactive Compliance? Repercussions of National Product Regulation in Standards of Transnational Business Networks', in Dilling et al. (eds), *Responsible Business: Self-Governance and Law in Transnational Economic Transactions* (Hart Publishing 2008)
- Doran, Kevin and Elias L. Quinn, 'Climate Change Risk Disclosure: A Sector by Sector Analysis of SEC 10-K Filings From 1995–2009' (2009) 34 N.C.J. Int'l L. & Com. Reg. 721
- Doran, Kevin L., Elias L. Quinn and Martha G. Roberts, *Reclaiming Transparency in a Changing Climate: Trends in Climate Risk Disclosure by the S&P 500 from 1995 to 2008* (Ceres/EDF 2008)
- Dasgupta, Susmita, HemamalaHettige and David Wheeler, 'What Improves Environmental Compliance? Evidence from the Mexican Industry' (2000) 39 J. Env. Econ. & Mgmt. 39
- EcoSecurities, *The Carbon Management and Offsetting Trends Survey Results 2009* (2009), available at: http://www.ecosecurities.com/Standalone/Carbon_Management_and_Offsetting_Trends_Survey_Results_2009/default.aspx
- Emergency Planning and Community Right to Know Act of 1986, 42 U.S.C. §§ 11001-11050 (2006)
- Endangerment and Cause or Contribute Findings for Greenhouse Gases Under Section 202(a) of the Clean Air Act: Final Rule* 74 Fed. Reg. 66496 (15 December 2009)
- Endo v Albertine* 812 F. Supp. 1479 (N.D. Ill 1993)
- Energy Information Administration, Office of Integrated Analysis and Forecasting, U.S. Department of Energy. *Voluntary Reporting of Greenhouse Gases 2005* (December 2006), available at: <http://www.eia.doe.gov/oiaf/1605/vrrpt/summary/index.html>
- Enriques, Luca and Matteo Gatti, 'Is There a Uniform EU Securities Law After the Financial Services Action Plan?' (2008) 14 Stan. J. of L. & Bus. 43
- International Organization for Standardization, *Environmental Management: The ISO 14000 Family of International Standards*, (ISO 2009)
- EPA to End National Performance Track Amid Review of Industry Leadership Programs* (2009) 40 Env'tl. Rep. 639
- EPA, *Identification of Evaluation Criteria for EPA's Reinvention Programs, Final Report and Recommendations of the Reinvention Criteria Committee*, NACEPT (September 1999), available at: <http://www.epa.gov/ocem/nacept/pdf/rccrpt1.pdf>
- , *Incentives for Self-Policing: Discovery, Disclosure, Correction and*

- Prevention of Violations* (2000), available at: <http://www.epa.gov/compliance/resources/policies/incentives/auditing/auditpolicy51100.pdf> (accessed 4 January 2011)
- , *National Environmental Performance Track*, available at: <http://www.epa.gov/performance/track/> (accessed 2 January 2011)
- , *EPA's Strategy for Determining the Role of Environmental Management Systems in Regulatory Programs* (12 April 2004), available at: www.epa.gov/innovation/ems/emsstrategyfact.pdf
- , *United States Environmental Protection Agency Position Statement on Environmental Management Systems* (13 December 2005); 71 FR 5664-02 (2 February 2006)
- , Office of Inspector General, *Performance Track Could Improve Program Design and Management to Ensure Value*, Report No. 2007-P-00013 (29 March 2007)
- , News Release, *United States Environmental Protection Agency, EPA finalizes the nation's First Greenhouse Gas Reporting System/Monitoring to Begin in 2010* (22 September 2009), available at: <http://yosemite.epa.gov/opa/admpress.nsf/d985312f6895893b852574ac005f1e40/194e412153fcffea8525763900530d75!OpenDocument> (accessed 4 January 2011)
- , *Frequently Asked Questions: Mandatory Reporting of Greenhouse Gases Rule* (22 September 2009), available at: http://www.epa.gov/climatechange/emissions/ghg_faq.html
- , *Mandatory Reporting of Greenhouse Gases: Final Rule*, 74 Fed. Reg. 58260, (30 October 2009)
- , *EPA and NHTSA Finalize Historic National Program to Reduce Greenhouse Gases and Improve Fuel Economy for Cars and Trucks* (April 2010), available at: <http://www.epa.gov/oms/climate/regulations/420f10014.htm> (accessed 4 January 2011)
- , *Prevention of Significant Deterioration and Title V. Greenhouse Gas Tailoring Rule* EPA 6560-50-P (13 May 2010), available at: <http://yosemite.epa.gov/oepi/rulegate.nsf/byRIN/2060-AP86>
- , *Mandatory Reporting of Greenhouse Gases From Magnesium Production, Underground Coal Mines, Industrial Wastewater Treatment and Industrial Waste Landfills*, 75 Fed. Reg. 39736 (12 July 2010)
- The Equator Principles, <http://www.equator-principles.com/index.shtml> (accessed 3 October 2008)
- EIRIS, *Climate Change Compass: The Road to Copenhagen* (2009), available at: <http://www.greenbiz.com/business/research/report/2009/08/11/climate-change-compass-road-copenhagen> (accessed 4 January 2011)
- Ernst & Ernst v Hochfelder* 425 U.S. 185 (1976)
- European Commission, *The State of Sustainability Reporting in Europe: Commission Statement* (March 2009)

- , Commission Recommendation of May 2001 *on the recognition, measurement and disclosure of environmental issues in the annual accounts and annual reports of companies*, 2001/453/EC, [2001] OJ L156 33 (May 2001)
- , Directive 2003/6/EC of the European Parliament and of the Council of 28 January 2003 *on insider dealing and market manipulation* [2003] OJ L96/16 (January 2003)
- , Directive 2003/51/EC of the European Parliament and of the Council of 18 June 2003 *on the annual and consolidated accounts of certain types of companies, banks and other financial institutions and insurance undertakings*, amending Directives 78/660/EEC, 83/349/EEC, 86/635/EEC & 91/674/EEC [2003] OJ L178/16 (17 July 2003)
- , Directive 2003/71/EC of the European Parliament and of the Council of 4 November 2003 *on the prospectus to be published when securities are offered to the public or admitted to trading*, amending Directive 2001/34/EC [2003] OJ L345/64 (November 2003)
- , Directive 2004/109/EC of the European Parliament and of the Council of 15 December 2004 *on the harmonization of transparency requirements in relation to information about issuers whose securities are admitted to trading on a regulated market*, amending Directive 2001/34/EC [2004] OJ L390/38, arts. 4, 5 and 6 (December 2004)
- , Directive 2005/29/EC of the European Parliament and of the Council of 11 May 2005 *concerning unfair business-to-consumer commercial practices in the internal market*, amending Directive 84/450/EEC. Directives 97/7/EC, 98/27/EC and 2002/65/ED and Regulation (EC) No. 2006/2004 of the European Parliament and the Council [2005] OJ L149/22 (May 2005)
- , *Guidelines Regarding Disclosure Related to Climate Change*, Release Nos. 33-9106, 34-61469; FR-82 (8 February 2010)
- , *The State of Sustainability Reporting in Europe: Commission Statement* (March 2009)
- European Parliament, Decision No. 280/2004/EC of the European Parliament and of the Council of 11 February 2004 Concerning a Mechanism for Monitoring Community Greenhouse Gas Emissions and for Implementing the Kyoto Protocol, 49 OJ 1, 19.2.2004 (11 February 2004)
- Eurosif, *High Net Worth Individuals & Sustainable Investment 2010*, available at: <http://www.eurosif.org/research/hnwi-a-sustainable-investment/hnwi-a-sustainable-investment-study-2010> (accessed 4 January 2011)
- Farber, Daniel, 'Triangulating the Future of Reinvention: Three Enduring Models' (2000) U. Ill L. Rev. 61
- Financial Accounting Standards Board, FAS 141 R, available at: http://www.fasb.org/pdf/fsp_fas141r-1.pdf

- , FAS 143, available at: <http://www.fasb.org/pdf/fas143.pdf>
- , FAS 157, available at: http://www.fasb.org/pdf/aop_FAS157.pdf
- , FAS 5, available at: <http://www.fasb.org/pdf/fas5.pdf>
- , FIN 14, available at: <http://www.fasb.org/pdf/fin%2014.pdf>
- , FIN 47, available at: <http://www.fasb.org/pdf/fin%2047.pdf>
- Federal Sentencing Guidelines § 8B2.1, 8C2.5(f)(1)
- Federal Trade Commission Act, 15 U.S.C. § 45
- Fiorino, Daniel, *The New Environmental Regulation* (MIT Press 2006)
- Florida, Richard and Derek Davison, 'Why Do Firms Adopt Advanced Environmental Practices (and Do they Make a Difference)?', in Coglianesi and Nash, eds, *Regulating from the Inside* (Resources for the Future 2001) 86
- Freeman, Jody, 'Collaborative Governance in the Administrative State' (1997) 45 UCLA L. Rev. 1
- , 'The Private Role in Public Governance' (2000) 75 NYU L. Rev. 543
- Freeman, Jody and Daniel Farber, 'Modular Environmental Regulation' (2005) 54 Duke L.J. 795
- FTC, *Complying with the Environmental Marketing Guides*, available at: <http://business.ftc.gov/documents/bus42-complying-environmental-marketing-guides> (accessed 4 January 2011)
- , Green Guides, 16 C.F.R. § 260.1-2
- Gamper-Rabindran, Shanti, 'Did the EPA's Voluntary Industrial Toxics Program Reduce Emissions? A GIS Analysis of Distributional Impacts and By-Media Analysis of Substitution' (2006) 52 J. Env. Econ. & Mgmt. 391
- Gardiner, Allison, 'Beyond Compliance: Regulatory Incentives to Implement Environmental Management Systems' (2003) 11 NYU Env'tl. L. J. 662
- General Electric, *Ecomagination 2009 Annual Report*, available at: <http://www.ecomagination.com/report> (accessed 2 January 2011)
- Gibson, David, 'Awash in Green: A Critical Perspective On Environmental Advertising' (2009) 22 Tul. Env'tl. L. J. 423
- Glinski, Carola, 'Bridging the Gap: The Legal Potential of Private Regulation', in Dilling et al. (eds), *Responsible Business: Self-Governance and Law in Transnational Economic Transactions* (Hart Publishing 2008)
- Global Reporting Initiative, *Sustainability Reporting Guidelines*, Version 3.0 (2006)
- Greenbiz. *Investor Interest in Climate Change Data Grows: CDP* (11 February 2009), available at: <http://www.climatebiz.com/news/2009/02/11/investor-interest-climate-change-data-grows-cdp>
- Grossman v Waste Management, Inc.* 589 F. Supp. 395 (N.D. Ill. 1984)
- Gunningham, Neil, Robert Kagan and Dorothy Thornton, *Shades of Green: Business, Regulation and the Environment* (Stanford University Press 2003)

- Hamilton, James T. 'Pollution as News: Media and Stock Market Reactions to the toxics Release Inventory' (1995) 28 J. Envtl. Econ. & Mgmt. 98
- Hanna, Reema Nadeem and Paulina Oliva, *The Impact of Inspections on Plant-Level Air Emissions* (2010) 10 B.E. J. Econ. Analysis and Pol'y 1
- Hansen, L.G., 'Aspects of the Political Economy of Environmental Voluntary Agreements – A Meta Study', in Croci (ed.), *The Handbook of Environmental Voluntary Agreements* (Springer 2005) 67
- Harding, Ryan et al., *The Role of ISO 14001 in Environmental Management of U.S. Manufacturing Facilities*, U.C. Santa Barbara Group Project, Bren School (7 April 2003)
- Haverland, Markus, 'National Adaption to European Integration: The Importance of Institutional Veto Points' (2000) 20 J. Pub. Pol. 83
- Hearst Magazines, 32 F.T.C. 1440 (1941)
- Heaton, George R. Jr, *Regulation and Technological Change*, Symposium, Toward 2000: Environmental, Technology and the New Century (1990)
- Henry, Jim, *BMW Follows Electric Car Trend With Its Megacity Vehicle*, BNET, 2 July 2010, available at: <http://www.bnet.com/blog/automotive/business/bmw-follows-electric-car-trend-with-its-megacity-vehicle/1295>
- Helby, Peter, 'Environmental Agreements at European Community Level – Reflections Based on Member State Experience' (2002) 10 J. Cleaner Prod. 183
- Herberg, Martin, 'Global Legal Pluralism and Interlegality: Environmental Self-Regulation in Multinational Enterprises as Global Law-Making', in Dilling et al. (eds), *Responsible Business: Self-Governance and Law in Transnational Economic Transactions* (Hart Publishing 2008)
- Hertin, Julia et al., *Are 'Soft' Policy Instruments Effective? The Link Between Environmental Management Systems and the Environmental Performance of Companies* (SEWPS-SPRU Electronic Working Paper Series, Paper No. 124, 2004)
- Hess, David, *Social Reporting and New Governance Regulation: the Prospects of Achieving Corporate Accountability Through Transparency* (2007) 17 Bus. Ethics Q. 453
- , *The Three Pillars of Corporate Social Reporting as New Governance Regulation: Disclosure, Dialogue and Development* (2008) 18 Bus. Ethics Q. 447
- Hewitt, Kari, with Ann Rappaport, *Climate Change and the Fortune 500: Assessing Voluntary Efforts*, IDEAS Journal: Int'l Dev. Env. & Sustainability (2008), available at: <http://fletcher.tufts.edu/ierp/ideas/default.html>
- Hirsch, Dennis, 'Understanding Project XL: A Comparative Policy and Legal Analysis', in Orts and Deketelaere (eds), *Environmental Contracts: Comparative Approaches to Regulatory Innovation in the United States and Europe* (Kluwer Law International 2001)

- , *Green Business and the Importance of Reflexive Law: What Michael Porter Didn't Say* (2009), available at: <http://www.cslsa.us/2009%20Abstracts/Green%20Business%20and%20the%20Law%20-%20Hirsch.2.pdf> (accessed 2 January 2011)
- Howard-Grenville, Jennifer, Jennifer Nash and Cary Coglianese, *Constructing the License to Operate: Internal Factors and their Influence on Corporate Environmental Decisions* (2007), available at: <http://lsr.nellco.org/upenn/wps/papers/105>
- IBM, *IBM and the Environment: 2009 Annual Report*, available at: <http://www.ibm.com/ibm/environment/annual/>
- , *IBM Policies: Environmental Affairs*, available at: http://www.ibm.com/ibm/responsibility/ibm_polities.shtml
- Immerzeel-Brand, Ellis, 'Assessing the Performance of Negotiated Agreements in the Netherlands', in ten Brink (ed.), *Voluntary Environmental Agreements: Process, Practice and Future Use* (Springer 2002)
- Institute for Social and Ethical Accountability, *Accountability 1000. A Foundation Standard for Quality in Social and Ethical Accounting and Reporting* (1999)
- Intergovernmental Panel on Climate Change, Fourth Assessment Report, *Climate Change 2007: Mitigation of Climate Change* (2007)
- International Council of Chemical Associations, *Responsible Care*, available at: <http://www.responsiblecare.org> (accessed 6 May 2008)
- ISO, ISO 26000 *et seq.*
- Jin, Hyunjoo, 'Hyundai Unveils Its First Electric Car', *Reuters* (9 September 2010), available at: <http://www.reuters.com/article/idUSTRE6880BG20100909>
- Johnston, Jason Scott, 'The Promise and Limits of Voluntary Management-Based Regulatory Reform: An Analysis of EPA's Strategic Goals Program', in Coglianese and Nash (eds), *Leveraging the Private Sector: Management-Based Strategies for Improving Environmental Performance* (Resources for the Future 2006)
- , 'The Law and Economics of Environmental Contracts', in Orts and Deketelaere (eds), *Environmental Contracts: Comparative Approaches to Regulatory Innovation in the United States and Europe* (Kluwer Law International 2001)
- Karkkainen, Bradley C., 'Information as Environmental Regulation: TRI and Performance Benchmarking, Precursor to a New Paradigm?' (2001) 89 *Geo. L. J.* 257
- , 'Adaptive Ecosystem Management and Regulatory Penalty Defaults: Toward a Bounded Pragmatism' (2003) 87 *Minn L. Rev.* 943
- , 'Collaborative Ecosystem Governance: Scale, Complexity and Dynamism' (2002) 21 *V. Env'tl. L. J.* 4

- , ‘“New Governance” in Legal Thought and in the World: Some Splitting as Antidote to Overzealous Lumping’ (2004) 89 Minn. L. Rev. 471
- Kasky v Nike, Inc.* 45 P. 3d 243 (Cal. 2002)
- Kautto, Petrus, ‘New Instruments – Old Practices? The Implications of Environmental Management Systems and Extended Producer Responsibility for Design for the Environment’ (2006) 15 Bus. Strat. & Env. 377
- Keijzers, G., ‘The Evolution of Dutch Environmental Policy: The Changing Ecological Arena from 1970–2000 and Beyond’ (2000) 8 J. Cleaner Prod. 179
- Khanna, Madhu and Lisa Damon, ‘EPA’s Voluntary 33/50 Program: Impact on Toxic Releases and Economic Performance of Firms’ (1999) 37 J. Env. Econ. & Mgmt. 1–25, 23
- King, Andrew and Michael Lenox, *Industry Self-Regulation Without Sanctions: The Chemical Industry’s Responsible Care Program*, (2000) 43 Acad. of Mgmt. J. 678–716.
- King, Andrew, Michael Lenox and Ann Terlaak. *The Strategic Use of Decentralized Institutions: Exploring Certification with the ISO 14001 Management Standard* (JFK School, Harvard University, Corporate Social Responsibility Initiative, Working Paper No 15, 2005)
- Kocher, Eva, ‘Codes of Conduct and Framework Agreements on Social Minimum Standards—Private Regulation?’, in Dilling et al. (eds), *Responsible Business: Self-Governance and Law in Transnational Economic Transactions* (Hart Publishing 2008)
- Koehler, Dinah, *The Effectiveness of Voluntary Environmental Programs – A Policy at a Crossroads?* (2007) 35 Pol’y Stud. J. 689; de Leon and Rivera (eds), *Voluntary Environmental Programs: A Policy Perspective* (Lexington Books 2009)
- Kolk, Ans, ‘Trends in Sustainability Reporting by the Fortune Global 250’ (2003) 12 Bus. Stat & Env. 279; Prof. Richard Welford (ed), *Business Strategy and the Environment* (John Wiley & Sons 2003)
- , ‘Sustainability, Accountability and Corporate Governance: Exploring Multinationals’ Reporting Practices’ (2006) 18 Bus. Strat. & Env. 1
- Kolk, Ans, David Levy and Jonatan Pinkse. ‘Corporate Responses in an Emerging Climate Regime: The Institutionalization and Commensuration of Carbon Disclosure’ (2008) 17(4) European Accounting Rev.
- Kolk, Ans and Paulo Perego, ‘Determinants of the Adoption of Sustainability Assurance Statements: an International Evaluation’ (2010) 19 Bus. Strat. & Env. 182
- Konar, Shameek and Mark A. Cohen, ‘Information as Regulation: the Effect of Community Right to Know Laws on Toxic Emissions’ (1997) 32 J. Env. Econ. & Mgmt. 109

- KPMG Global Sustainability Services, *KPMG International Survey of Corporate Responsibility Reporting* (2005), available at: www.kpmg.com.au/Portals/0/KPMG%20Survey%202005_3.pdf
- , *KPMG International Survey of Corporate Responsibility Reporting* (2008), available at: <http://www.kpmg.com/Global/en/IssuesAndInsights/ArticlesPublications/Pages/Sustainability-corporate-responsibility-reporting-2008.aspx>
- , KPMG Sustainability Series, *2006 Survey of Integrated Sustainability Reporting in South Africa* (2006)
- Kysar, Douglas A., 'Sustainable Development and Private Global Governance' (2005) 83 *Texas L. Rev.* 1
- LaMonica, Martin 'Ford Taps Microsoft Hohm for Electric-Car Charging', *CNET News* (31 March 2010), available at: http://news.cnet.com/8301-11128_3-20001491-54.html
- Lane, Eric. L., 'Consumer Protection in the Eco-Mark Era: A Preliminary Survey and Assessment of Anti-Greenwashing Activity and Eco-Mark Enforcement' (2010) 9 *J. Marshall Rev. Intell. Prop. L.* 742
- Lenox, Michael and Jennifer Nash, 'Industry Self-Regulation and Adverse Selection: A comparison across Four Trade Association Programs' (2003) 12 *Bus. Strategy & Env.* 343
- Levin, Kelly, Benjamin Cashore and Jonathan Koppell, 'Can Non-State Certification Systems Bolster State-Centered Efforts to Promote Sustainable Development Through the Clean Development Mechanism?' (2009) 44 *Wake Forest L. Rev.* 777
- Levine v NL Industries* 926 F.2d 199 (2d Cir. 1991)
- Lim, Soo-Yeun, 'Mandatory Corporate Greenhouse Gas Emissions Disclosure to Encourage Corporate Self-Regulation of Emissions Reduction' (2008) 17 *NYU Env'tl. L. J.* 854
- Lindenthal, Alexandra, 'Transnational Management of Hazardous Chemicals by Interfirm Cooperation and Associations', in Dilling et al. (eds), *Responsible Business: Self-Governance and Law in Transnational Economic Transactions* (Hart Publishing 2008)
- Lobel, Orly, 'The Renew Deal: The Fall of Regulation and the Rise of Governance in Contemporary Legal Thought' (2004) 89 *Minn. L. Rev.* 342
- Lowi, Theodore J., 'Frontyard Propaganda', in Cohen and Rogers (eds), *Beyond Backyard Environmentalism* 44 (Beacon Press 2000)
- Lyon, Thomas P. and John W. Maxwell, *Corporate Environmentalism and Public Policy* (2004)
- , 'Environmental Public Voluntary Programs Reconsidered' (2007) 35 *Pol'y Stud. J.* 723, 729
- McKinsey, 'How Companies Think About Climate Change: A McKinsey Global Survey' (2008) *McKinsey Q.*

- Magat, Wesley A. and W. Kip Viscusi, *Informational Approaches to Regulation* (1992)
- Marcus, Alfred, Don Geffen and Ken Sexton, 'The Quest for Cooperative Environmental Management: Lessons from the 3M Hutchinson Project XL in Minnesota', in Orts and Deketelaere (eds), *Environmental Contracts: Comparative Approaches to Regulatory Innovation in the United States and Europe* (Kluwer Law International 2001)
- Massachusetts Department of Environmental Protection, *MassDEP Environmental Results Program (ERP)*, available at: <http://www.mass.gov/dep/service/envrespr.htm>
- Matt Wilson and Eric Wellman, 'Government's Job', in Cohen and Rogers (eds), *Beyond Backyard Environmentalism* (Beacon Press 2000) 44
- Mattli, Walter, and Tim Buthe, 'Global Private Governance: Lessons from a National Model of Setting Standards in Accounting' (2006) 68 *Law & Contemp. Probs.* 225
- Maxwell, John and Christopher Decker, 'Voluntary Environmental Investment and Responsive Regulation' (2006) 33 *Env. & Resource Econ.* 425
- Mazurek, Jan, *The Use of Voluntary Agreements in the United States: An Initial Survey*, OECD, ENV/EPOC/GEE 27 (1998)
- MCLS § 445.903(1)(dd) (2008)
- Meidinger, Errol, 'Multi-Interest Self-Governance through Global Product Certification Programmes', in Dilling et al. (eds), *Responsible Business: Self-Governance and Law in Transnational Economic Transactions* (Hart Publishing 2008)
- Melnyk, S.A., R.P. Sroufe and R.L. Calantone, *Assessing the Effectiveness of US Voluntary Environmental Programmes: An Empirical Study* (2002) 40 *Int. J. Prod. Res.* 1853
- Menell, Peter S., 'Structuring a Market-Oriented Federal Eco-Information Policy' (1995) 54 *Md. L. Rev.* 1435
- Mercer, *Shedding Light on Responsible Investment: Approaches, Returns and Impacts* (November 2009), available at: <http://www.mercer.com/articles/1210735> (accessed 4 January 2011) and http://www.law.harvard.edu/programs/lwp/pensions/conferences/cm_europe12_09/Shedding_light_on_responsible_investment_free_version.pdf (accessed 4 January 2011)
- Mills, Evan, *From Risk to Opportunity: 2007. Insurer Responses to Climate Change* (Ceres 2007)
- Mills, Evan, Richard J. Roth, Jr, and Eugene Lecomte, *Availability and Affordability of Insurance Under Climate Change: A Growing Challenge for the U.S.* (Ceres 2005)
- Minetti, Jeffrey J., 'Is It Too Easy Being Green? A Behavioral Economics Approach to Determining Whether to Regulate Environmental Marketing Claims' (2009) 55 *Loy. L. Rev.* 653

- Monsma, David and John Buckley, 'Non-Financial Corporate Performance: the Material Edges of Social and Environmental Disclosure' (2004) 11 U. Balt. J. Env'tl. L. 151
- Morgenstern, R.D. and W.A. Pizer (eds), *Reality Check* (Resources for the Future 2007)
- NAIC, *NAIC Adopts New Climate Risk Disclosure Survey* (28 March 2010) available at: http://www.naic.org/Releases/2010_docs/NAIC_adopts_new_climate_survey.htm (accessed 24 September 2010)
- Naimon, Jonathan, Karen Shastri and Mark Sten, 'Do Environmental Management Programs Improve Environmental Performance Trends? A Study of Standard & Poors 500 Companies' (1997) Env'tl. Quality Mgmt. 81
- Nash, Jennifer and John Ehrenfeld, *Factors that Shape EMS Outcomes in Firms*, in Coglianese and Nash, eds, *Regulating from the Inside* (Resources for the Future 2001) 62
- National Consumer Law Center, *Unfair and Deceptive Acts and Practices*, § 5.7.8 (2004)
- Navarro, Mireya, 'Environmental Groups Spar Over Certifications of Wood and Paper Products', *New York Times* (New York 12 September 2009)
- Nelson, Gabriel, 'FTC Moves May Signal Start of "Greenwashing" Crackdown', *New York Times* (New York 3 February 2010)
- Nike v Kaske* 539 U.S. 654 (2003), cert dismissed; *Kasky v Nike, Inc.* 45 P. 3d 243 (Cal. 2002).
- Nyquist, Siv, *The Legislation of Environmental Disclosures in Three Nordic Countries – A Comparison* (2003) 12 Bus. Strat. Env. 12
- Occidental Petroleum Corp, In re, Exchange Act Release No. 16950* 20 SEC Docket 567 (15 July 1980)
- OECD, *Voluntary Approaches For Environmental Policy: An Assessment* (1999), available at: http://www.oecd.org/document/53/0,3343,en_2649_34281_35154357_1_1_1,00.html
- , *Voluntary Approaches for Environmental Policy: Effectiveness, Efficiency and Usage I Policy Mixes* (2003), available at: http://www.oecd.org/LongAbstract/0,2546,en_2649_34281_2790075_119_699_1_1_1,00.html
- Oregon Department of Environmental Quality, *Sustainability: Green Permits*, available at: <http://www.deq.state.or.us/programs/sustainability/GreenPermits/greenpermits.htm>
- Orlitzky, Marc, Frank Schmidt and Sara Rynes, 'Corporate Social and Financial Performance: A Meta-Analysis' (2003) 24 Organizational Stud. 405
- Orts, Eric, 'Reflexive Environmental Law' (1995) 89 NW U. L. Rev. 1227
- , *Environmental Contracts; Comparative Approaches in Regulatory Innovation in the United States and Europe* (Kluwer Law 2001)

- Pasa, Barbara, Gian Antonio Benacchio and Leslie Orm, *The Harmonization of Civil and Commercial law in Europe* (Central European University Press 2005)
- Perez, Oren, 'The New Universe of Green finance: From Self-Regulation to Multi-Polar Governance', in Dilling et al. (eds), *Responsible Business: Self-Governance and Law in Transnational Economic Transactions* (Hart Publishing 2008)
- Pfaff, Alexander, Chris Sanchirico, John Lee and Daniel Prager, 'Big Field, Small Potatoes: An Empirical Assessment of EPA's Self-Audit Policy' (2004) 23 J. Pol'y Anal. & Mgmt. 415
- Postel, Sandra, *When the World's Wells Run Dry*, *World Watch Online* (1999), available at: <http://www.worldwatch.org/system/files/EP125C.pdf> (accessed 4 January 2011)
- Potoski, Matthew and Aseem Prakash, 'Covenants with Weak Swords: ISO 14001 and Facilities' Environmental Performance' (2005) 24 J. Pol'y Anal. & Mgmt. 745
- , 'Green Clubs and Voluntary Governance' (2005) 49 Am J. Pol. Sci. 235
- Price, Lynn, Christina Galitsky and Klaas Jan Kramer, *International Experience with Key Program Elements of Industrial Energy Efficiency or Greenhouse Gas Emissions Reduction Target Setting Programs* (DOE 2009)
- PriceWaterhouseCoopers, *Carbon Disclosure Project 2009: Global 500 Report* (Carbon Disclosure Project 2009), available at: <https://www.cdproject.net/CDPResults/CDP%202009%20Global%20500%20Report.pdf> (accessed 4 January 2011)
- , *Carbon Disclosure Project 2009: S & P 500 Report* (Carbon Disclosure Project 2009), available at: <https://www.cdproject.net/CDPResults/CDP%202009%20S&P500%20with%20Industry%20Snapshots.pdf> (accessed 4 January 2011)
- R.I. Gen Laws § 6-13.3-1 (2006)
- Raines, Susan and Christian Haumeser, *ISO 14001 in the USA – Good News on the Question of Hype Versus Hope* (Nat'l Assoc. of Env'l Professionals 2002)
- Reitbergen, M. and K. Blok, 'Do Agreements Enhance Energy Efficiency Improvement? Analyzing the Actual Outcome of Long-Term Agreements on Industrial Energy Efficiency Improvement in the Netherlands' (2002) 10 J. Cleaner Production 153
- Rev. Code Wash. (ARCW) § 43.21A.520 (2006)
- Richardson, *Enlisting Institutional Investors in Environmental Regulation: Some Corporate and Theoretical Perspectives* (2002) 28 N.C.J. Int'l & Com. Reg. 247
- Rivera, Jorge and Peter de Leon, 'Is Greener Whiter? Voluntary

- Environmental Performance of Western Ski Areas' (2004) 32 Pol'y Stud. J. 417
- Rivera, Jorge, Peter de Leon and Charles Koerber, 'Is Greener Whiter Yet? The Sustainable Slopes Program after Five Years' (2006) 34 Pol'y Stud. J. 195
- Rodgers, Waymond, and Hiu Lax Choy, *Do Investors Value a Firm's Commitment to Social Activities? The Moderating Role of Intangibles and the Impact of the Sarbanes-Oxley Act* (2008), available at: http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1311473
- Rowe, Anna Lee, *Corporate Environmental Reporting: Informal Institutional Chinese Cultural Norms*, Fifth Asia Pacific Interdisciplinary Research in Accounting Conference (Auckland, NZ, July 2007)
- Sabel, Charles, Archon Fung, and Bradley Karkkainen, 'Beyond Backyard Environmentalism', in Cohen and Rogers (eds), *Beyond Backyard Environmentalism* (Beacon Press 2000) 44
- Sachs, Jeffrey D., *Common Wealth: Economics for a Crowded Planet* (Penguin Press 2008)
- Sage, William M., 'Regulating Through Information: Disclosure Laws and American Health Care' (1999) 99 Colum. L. Rev. 1701
- Sam, Abdoul and Robert Innes, *Voluntary Pollution Reductions and the Enforcement of Environmental Law: An Empirical Study of the 33/50 Program* (Univ. Of Arizona, Working Paper 2008)
- Savitz, Jacqueline, 'Compensating Citizens', in Cohen and Rogers (eds), *Beyond Backyard Environmentalism* (Beacon Press 2000) 44
- Schatz, Andrew, 'Regulating Greenhouse Gases by Mandatory Information Disclosure' (2008) 26 Va. Env. L. J. 335
- Schylander, Elisabeth and André Martinuzzi, 'ISO 14001 – Experiences, Effects and Future Challenges: A National Study in Austria' (2007) 16 Bus. Strat. & Env. 133
- SEC, *Staff Accounting Bulletin 92*
- , Regulation S-K, 17 C.F.R. § 229.10(a)
- , Regulation S-X, 17 C.F.R. §§ 210.1-01–210.12-29
- , Securities Act Release No. 6383, Fed. Sec. L. Rep. (CCH) para. 72,363, 63,004
- , Securities Act Release No. 6835, 54 Fed. Reg. 22430
- SenterNovem, *Long-Term Agreements on Energy Efficiency in the Netherlands: Results of 2006* (November 2007)
- Smart, Bruce, *Beyond Compliance; A New Industry View of the Environment* (World Resources Institute 1992)
- Snyder, Lori Benneer, *Are Management-Based Regulations Effective? Evidence from State Pollution Prevention Programs* (Center for Business and Government, John F. Kennedy School of Government, Harvard

- University, Regulatory Policy Program, Working Paper RPP-2003-21, 2003)
- Social Investment Forum, *2003 Report on Socially Responsible Investing Trends in the United States*, Washington, D.C. (December 2003)
- , *2007 Report on Socially Responsible Investing Trends in the United States, Executive Summary*, Washington, D.C. (December 2007)
- Social Investment Forum Foundation, *Investment Consultants and Responsible Investing: Current Practice and Outlook in the United States* (December 2009), available at: http://community-wealth.org/_pdfs/articles-publications/sri/paper-voorhes.pdf (accessed 4 January 2011)
- Solid Waste Disposal Act, 42 U.S.C.A. §6901
- Soyka, Peter and Mark Bateman, *The Road Not Yet Taken* (2009), available at: http://www.soykaandcompany.com/The_Road_Not_Yet_Taken_FINAL_2009_08.pdf (accessed 4 January 2011)
- Stafford, Sarah, 'Should You Turn Yourself In? The Consequences of Environmental Self-Policing' (2007) 26 *J. of Pol'y Anal. & Mgmt.* 305
- Stenzel, Paulette, 'Can The ISO 14000 Series Environmental Management Standards Provide a Viable Alternative to Governmental Regulation?' (2000) 37 *Am. Bus. L. J.* 237, 39
- Stewart, Richard B., 'Economics, Environment and the Limits of Legal Control' (1985) 9 *Harv. Env. L. Rev.* 1
- , 'Regulation, Innovation and Administrative Law: A Conceptual Framework' (1981) 69 *Cal. L. Rev.* 1279
- Strasser, Kurt, 'Preventing Pollution (1996)', 8 *Fordham Env. L. Rev.* 1
- , 'Cleaner Technology, Pollution Prevention and Environmental Regulation' (1997) 9 *Fordham Env. L. Rev.* 1
- , 'Do Voluntary Corporate Efforts Improve Environmental Performance? The Empirical Literature' (2008) 35 *B.C. Envtl. Aff. L. Rev.* 533
- Sustainable Forestry Initiative, <http://www.sfiprogram.org> (accessed 23 September 2010)
- Swartz, Joseph J., 'Thinking Green or Scheming Green?: How and Why the FTC Green Guide Revisions Should Address Corporate Claims of Sustainability' (2009) 18 *Penn St. Env. L. Rev.* 95
- Szymanski, Michal and Piyush Tiwari, 'ISO 14001 and the Reduction of Toxic Emissions' (2004) 7 *Pol'y Reform* 31
- Tellabs, Inc v Maker Issues and Rights, LLC* 551 US 308 (2007)
- ten Brink, Patrick (ed.), *Voluntary Environmental Agreements: Process, Practice and Future Use* (Springer 2002)
- Terrachoice, *The Six Sins of Greenwashing* (November 2007)
- , *The Seven Sins of Greenwashing: Environmental Claims in Consumer Markets* (April 2009)
- Thornton, Dorothy, Robert A. Kagan and Neil Gunningham, 'When Social

- Norms and Pressures Are Not Enough: Environmental Performance in the Trucking Industry' (2009) 43 L & Soc. Rev. 405
- Toffel, Michael and Jodi Short, *Coming Clean and Cleaning Up: Is Voluntary Disclosure a Signal of Effective Self-Policing?* (John F. Kennedy School of Government, Harvard University, Corporate Social Responsibility Initiative, Working Paper No. 46, 2008)
- Toxic Substances Control Act, 15 U.S.C.A. §2601 *et seq.*
- Trucost, *Environmental Disclosures; The Second Major Review of Environmental Reporting in the Annual Report & Accounts of the FTSE All-Share* (UK Environment Agency 2007)
- , *Carbon Counts USA: The Carbon Footprints of Mutual Funds in the US* (2009), available at: www.trucost.com/download.asp?pageid=139&dType=dl&id=23
- Trucost and NSF Int., *Carbon Emissions—Measuring the Risks: An Analysis of Greenhouse Gas Emissions and Costs* (2009)
- TSC Indus. v Northway, Inc.* 426 US 438 (1976)
- UK Companies Act 2006 s 417(2)
- UNC Chapel Hill, *Environmental Management Systems: Do They Improve Performance? National Database on Environmental Management Systems, Project Final Report: Executive Summary* (30 January 2003), available at: www.c2e2.org/documents/completeexecutivesummary.pdf
- US Dept of Agriculture, *The Effects of Climate Change on Agricultural Land Resources, Water Resources and Biodiversity in the United States*, Final Report, Synthesis and Assessment Product 4.3 (27 May 2008)
- United Paperworkers Int'l Union v Int'l Paper Co.* 85 F.2d 1190 (2d Cir. 1993)
- US Steel, In re Fed. Sec. L. Rep.* (CCH) para. 82,319, at 82383, SEC Admin. Proc. (27 September 1979)
- United States Global Change Research Program, *Global Climate Change: Impacts in the United States* (2009), available at: <http://www.globalchange.gov/publications/reports/scientific-assessments/us-impacts>
- Van Staden, Chris and Jill Hooks, 'A Comprehensive Comparison of Corporate Environmental Reporting and Responsiveness' (2007) 39 British Accounting Rev. 197
- Vidovic, Martina and Neha Khanna, 'Can Voluntary Pollution Programs Fulfill Their Promises? Further Evidence from the EPA's 33/50 Program' (2007) 53 J. Env. Econ. & Mgmt. 180
- Virginia Bankshares v Sandberg* 501 U.S. 1083 (1991)
- Virginia Department of Environmental Quality, *Virginia Environmental Excellence Program*, available at: <http://www.deq.state.va.us/veep/>
- Wallace, Perry, 'Disclosure of Environmental Liabilities Under the Securities Laws: The Potential of Securities-Market-Based Incentives For Pollution Control' (1993) 50 Wash. & Lee L. Rev. 1093

- , *Climate Change, Corporate Strategy and Corporate Law Duties* (2009) 44 Wake Forest L. Rev. 757
- Weil, David, Archon Fung, Mary Graham and Elena Fagotto, 'The Effectiveness of Regulatory Disclosure Policies' (2006) 25 J. Pol'y Analysis & Mgmt. 155
- Welch, Eric, Allan Mazur and Stuart Bretschneider, 'Voluntary Behavior by Electric Utilities: Levels of Adoption and Contribution of the Climate Challenge Program to the Reduction of Carbon Dioxide' (2000) 19 J. Pol'y Analysis & Mgmt. 407
- Wheeler, David and John Elkington, 'The End of The Corporate Environmental Report?' (2001) 10 Bus. Strat. & Env. 1
- Williams, Cynthia, 'The Securities and Exchange Commission and Corporate Social Transparency' (1998–99) 112 Harv. L. Rev. 1197
- Wilson v Bernstock* 195 F. Supp. 2d 619 (D.N.J. 2001)
- Wisconsin Department of Natural Resources, *Green Tier*, available at: <http://dnr.wi.gov/org/caer/cea/environmental/>
- Wis. Stat. § 100.295 (2006)
- Woods, Jennifer, 'Of Selling the Environment – Buyer Beware? An Evaluation of the Proposed FTC Green Guides Revisions' (2008) 21 Loy. Consumer L. Rev. 75
- World Economic Forum, *New Consortium Created to Develop Standard Framework For Company Reporting of Climate Risks* (26 January 2007), available at: http://www.weforum.org/en/media/Latest%20Press%20Releases/emissions_press_release
- Worth, Dan, 'Accelerating Towards Climate Neutrality with the U.S. Government Stuck in Neutral: the Emerging Role of U.S. Businesses, Cities, States and Universities in Aggressively Reducing Greenhouse Gas Emissions' (2005) 5 Sustainable Dev. L. & Pol'y 4
- Young, Beth, Celine Suarez and Kimberly Gladman, *Climate Risk Disclosure in SEC Filings: An Analysis of 10-K Reporting by Oil and Gas, Insurance and Electric Power Companies* (Ceres 2009)