



## MOREHOUSE SCHOOL OF MEDICINE

Department of Pharmacology & Toxicology

May 2, 1994

Ms. Jennifer Kaduck, Branch Chief,  
Hazardous Waste Management Branch  
Environmental Protection Division  
205 Butler St. SE, Suite 1154  
Atlanta, GA 30334

Dear Ms. Kaduck:

I was recently informed about the proposed corrective action rule and the May 2 deadline for public comment. The rule must make the actual clean-up of toxic substances from contaminated soil and water mandatory. The costs must be borne by those who created the contamination, not the citizens of the state of Georgia. Corrective action must not consider toxin dilution or disposal as a major component of any clean-up.

The rule must also provide ample opportunity for public participation. This must include ample notification to the public for input. The rule must include a citizen's advisory council which would be required to provide input and advice to the EPD prior to any action taken by the EPD. The rule must allow for citizens to have the legal right to appeal any EPD decision and that council shall be paid from EPD sources. In my view, the citizen's concerns must be paramount to those that cause pollution. In this regard, the rule must allow early citizen participation and intervention during the "risk assessment" process.

All too frequently it is the people that are directly affected that are allowed the least say in their own community concerning adverse health effects. This must not be allowed to continue. I would hope that Georgia will be in the forefront of citizen participation in cleaning-up the environment. In this regard, I am particularly concerned about environmental justice or equity. It is well known that toxic sites are disproportionately located in minority and economically disadvantaged communities as compared to other locations. The people in these areas must have input on the clean-up of these toxic sites located in their neighborhoods.

The rule must place the burden of proof with the responsible party. Thus, if citizens and the EPD reject a submitted plan, the responsible party must have the burden of showing that its plan was acceptable.

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**Hazardous waste incineration should not be permitted in the state of Georgia because of the toxic emissions from these incinerators. The EPD must evaluate alternative technologies based on plasma-arc technology and mandate that hazardous waste must be ultimately destroyed by these technologies.**

**Finally, the rule must provide for public notification of clean-up and the dangers associated with the clean-up. This burden must be borne by the responsible party. At a minimum, signs must be posted indicating the name of the responsible party, names and phone numbers of key individuals in the EPD for contact, the types of toxins that are present and that the public has the right to provide input to the EPD.**

**I would be more than happy to discuss my concerns with you and if I could provide additional information, please feel free to contact me. Thank you for the opportunity to provide input as a concerned citizen and as a toxicologist.**

**Sincerely yours,**



**Joseph N. Miceli, Ph.D.**  
**Professor of Pharmacology & Toxicology**

**JNM/lm**