

Board Adopted First-Notice Proposal to Add Indoor Inhalation Pathway to the Tiered Approach to Corrective Action Objectives (TACO)

The Board, on April 19, 2012, adopted a first-notice opinion and order in the rulemaking docketed as Tiered Approach to Corrective Action Objectives (TACO) (Indoor Inhalation): Amendments to 35 Ill. Adm. Code 742 (R11-9). On November 9, 2010, the Illinois Environmental Protection Agency (IEPA) filed the proposal to amend the Board's TACO rules.

Since 1997, the TACO rules have provided procedures for developing remediation objectives based upon risks posed to human health by environmental conditions at a variety of sites. The first-notice amendments include the addition of a new exposure route under TACO: the indoor inhalation exposure route. To protect building occupants, this exposure route addresses the potential for vapors to migrate into buildings from underlying volatile chemicals in soil or groundwater, a process commonly known as "vapor intrusion" or "VI."

The Board also proposes adding 13 chemicals to the TACO tables based upon the Board's pending rulemaking on groundwater quality standards, Proposed Amendments to Groundwater Quality Standards (35 Ill. Adm. Code 620) (R08-18). Further, the first-notice amendments to TACO update physical and chemical parameters and revise toxicity values in accordance with the new United States Environmental Protection Agency hierarchy for selecting human health toxicity values.

At first notice, the Board adopted the amendments proposed or agreed to by IEPA, with minor clarifying changes. In addition, the Board proposes requiring that IEPA be notified if an indoor inhalation building control technology at a school is rendered inoperable. Finally, the amendments to TACO will become effective on a date certain 60 days after their final adoption.

The Board held two public hearings in this rulemaking: one in Springfield and the other in Chicago.

Publication of the proposed first-notice amendments in the *Illinois Register* will begin a 45-day public comment period, during which anyone may file a public comment with the Board. The Board encourages persons to file public comments on these proposed amendments. The docket number for this rulemaking, R11-9, should be indicated on the public comment.

Public comments must be filed with the Clerk of the Board. Public comments may be filed at the following address:

Pollution Control Board
James R. Thompson Center
100 W. Randolph Street, Suite 11-500
Chicago, IL 60601

In addition, public comments may be filed electronically through COOL at www.ipcb.state.il.us. Any questions about electronic filing through COOL should be directed to the Clerk's Office at (312) 814-3629.

Opinions and orders of the Board, hearing transcripts, and other documents in rulemaking records are posted on the Board's Web site and may be downloaded from the Web without charge. Hard copies may be obtained from the Clerk's office upon payment of reproduction fees as prescribed by Section 6 of the Freedom of Information Act [5 ILCS 140/6].

For more information, contact Richard McGill at (312)-814-6983 or email at mcgillr@ipcb.state.il.us.