

Board Adopts Second-Notice Opinion and Order in Rulemaking R14-23

On January 22, 2015, the Board adopted a second-notice opinion and order in Standards and Requirements for Potable Water Well Surveys and Community Relations Activities Performed in Conjunction with Agency Notices of Threats from Contamination: Proposed Amendments to 35 Ill. Adm. Code 1600, R-14-23.

In submitting a rulemaking proposal to the Board on June 17, 2014, the Illinois Environmental Protection Agency (Agency) stated that the Board originally adopted Part 1600 of its rules in 2006 to implement Section 25d of the Environmental Protection Act, which requires public notification when contamination poses a threat of exposure above appropriate remediation objectives on one or more offsite properties. The Agency indicated that subsequent legislative and rulemaking actions necessitate amendment of these rules. The Agency proposed to require notice to specified members of the public if measured offsite soil gas contamination from the site where the release occurred poses a threat of exposure above the appropriate Tier I remediation objectives; or if measured offsite groundwater contamination from volatile chemicals poses a threat of indoor inhalation exposure above the appropriate Tier I remediation objectives.

The Board's second-notice proposal largely reflects the Agency's original proposal and will be reviewed by the Joint Committee on Administrative Rules.

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 of the Freedom of Information Act.

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