

Board Adopts Final Notice to Amend TACO Rules Used in Site Remediation Projects

On February 15, 2007, the Illinois Pollution Control Board adopted final amendments to the Tiered Approach to Corrective Action Objectives (TACO). TACO is set forth in Part 742 of Title 35 of the Illinois Administrative Code (35 Ill. Adm. Code 742). The Illinois Environmental Protection Agency, on September 30, 2005, initiated this rulemaking by filing proposed amendments to the TACO rules. The rulemaking is docketed as In the Matter of: Proposed Amendments to Tiered Approach to Corrective Action Objectives (35 Ill. Adm. Code 742), R06-10.

Generally, the TACO rules provide methods for developing risk-based remediation objectives to be used in environmental contamination cleanups under several regulatory programs: Site Remediation Program (SRP), Leaking Underground Storage Tank (LUST) Program, and Resource Conservation and Recovery Act (RCRA) Part B Permits and Closures.

These amendments are primarily designed to update standards and improve procedures under TACO and make numerous corrections and clarifications. Changes include the addition of background soil levels for polynuclear aromatic hydrocarbons (PAHs), newly applicable residential remediation objectives to protect construction workers, and enhanced flexibility in using ordinances for excluding the groundwater ingestion exposure pathway, as well as mandatory forms to be used for certain institutional controls.

On February 6, 2007, the Joint Committee on Administrative Rules issued a certification of no objection concerning the amendments proposed by the Board at second notice. At final adoption, the Board made no changes to its second-notice proposal.

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 for \$.75 per page from the Clerk's office at 312-814-3629, or by writing to the Clerk's office:

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