

## **Board Adopts Final Amendments Adding Indoor Inhalation Pathway to TACO**

The Board, on May 16, 2013, adopted amendments to the Tiered Approach to Corrective Action Objectives (TACO) rules (35 Ill. Adm. Code 742). The 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 subsurface volatile chemical contamination, a process commonly known as “vapor intrusion.”

Among this rulemaking’s more substantial modifications is the addition of the indoor inhalation exposure route and corresponding Tier 1 soil gas and groundwater remediation objectives. The final amendments also reflect the addition of 13 chemicals to the TACO tables, update physical and chemical parameters, and revise toxicity values. In addition, to ease the transition of adding a new exposure route to TACO, the amendments have a 60-day delayed effective date and therefore take effect on July 15, 2013.

As proposed at second notice, three significant changes to the first-notice rule language were adopted as final amendments. First, the Tier 1 and Tier 2 remediation objectives (ROs) for the indoor inhalation exposure route apply *only* when the existing or potential building at issue has a full concrete slab-on-grade or a full concrete basement floor and walls. Second, an institutional control must be placed on the property whenever the indoor inhalation ROs applied at the site rely upon the assumed presence of a building with a full concrete slab-on-grade or a full concrete basement floor and walls (*e.g.*, Tier 1 and Tier 2 ROs). Third, in the event of BCT inoperability at a school, the final amendments require the “school administrator” (rather than the “site owner/operator”) to provide notification, and when doing so, to notify not only IEPA, but also the school board and every parent or legal guardian for all enrolled students. The notification of BCT inoperability is triggered by the BCT being rendered inoperable for a period of five consecutive calendar days during the school year when school is in session. “School administrator” is defined as “the school’s principal, or similar administrator responsible for the school’s operations, or his or her designee.”

Opinions and orders of the Board, hearing transcripts, and other documents in rulemaking records are posted on the Board’s Web site [www.ipcb.state.il.us](http://www.ipcb.state.il.us) and may be downloaded from the Web without charge.