

Assessment Regulatory Newsletter

Vapor Intrusion Revision

The Illinois Pollution Control Board (IPCB) is reviewing amendments proposed by the Illinois Environmental Protection Agency (IEPA) which would add vapor intrusion as an exposure pathway to Part 742, *Tiered Approach to Corrective Action Objectives* (TACO). Vapor intrusion is the migration of volatile chemicals from the subsurface into overlying buildings, as defined by United States Environmental Protection Agency (USEPA). Essentially, it is the mechanism that transports a volatile compound from soil and/or groundwater beneath a structure (residential home, commercial building, other habitable structure) into the structure. The vapors migrate through cracks in the floor, sumps, and pervious materials.

Radon is example of a compound that enters a structure via vapor intrusion. However, radon is a naturally occurring compound that breaks down in soil and migrates through preferential pathways in the building to potentially affect the individuals occupying the building. The proposed changes to include vapor intrusion would address non-naturally occurring volatile “compounds of concern” that are specifically identified by the proposed regulations.

Currently, vapor intrusion is considered a non-scope item for evaluation during a Phase I Environmental Site Assessment under the 1520-05 standard. Vapor intrusion assessments may be added at a Client’s request or completed as a standalone assessment. On October 5, 2009, the IEPA requested a 12 month partial stay on the proposed

amendments to TACO regulations associated with vapor intrusion to further evaluate comments and concerns raised by USEPA. If the regulations are approved by IPCB, properties seeking to obtain a No Further Remediation (NFR) letter will need to address the vapor intrusion pathway.

Other states have adopted vapor intrusion regulations and in some states, NFR letters have been reopened. Illinois does not anticipate reopening sites with NFR letters unless new information becomes available indicating a threat to human health. However, properties with NFR letters may be re-evaluated for issues associated with vapor intrusion during transactions by potential buyers or during refinancing. The proceedings for vapor intrusion can be followed on the IPCB website, <http://www.ipcb.state.il.us/COOL/external/PendingRulemakings>, case R2009-009.

