**Section 615.320 Potable Water Supply**

a) To protect the people within its jurisdiction from contracting waterborne diseases and to prevent disease transmission, the local health department shall establish a program to assure provision of safe, potable supplies of water for drinking, culinary, and sanitary purposes. The focus of this potable water supply program shall be closed loop wells and non-community semi-private and private water supplies.

b) The local health department shall provide the following activities to ensure an effective potable water supply program:

1) The potable water supply program shall be conducted in accordance with a local ordinance that incorporates by reference the Water Well Construction Code and the Illinois Water Well Pump Installation Code and includes enforcement authority, or in accordance with a written agreement with the Department that designates the local health department as an agent of the Department.

2) The local health department shall maintain current listings of names and addresses of all non-community public water supplies regulated by the local health department within its jurisdiction, and the Department shall be notified, on forms provided by the Department, within 30 days after the date that the local health department becomes aware of any address or ownership changes.

3) A routine water-sampling program shall be established and maintained for all non-community public water supplies in accordance with the Drinking Water Systems Code.

4) All non-community public water supplies that have been originally surveyed shall be inspected and sampled at least every two years. A copy of all completed inspection reports indicating results of samples collected at the time of inspection and results of all samples collected since the last inspection, along with Department data forms, shall be forwarded to the Department within 14 days after completion of an inspection.

5) The owner of any non-community public water supply that is not in compliance with the construction, location, and operational (including sampling) requirements of the Drinking Water Systems Code shall be notified of the violations and ordered to correct them within a specified time. At the end of this time, the water supply shall be reinspected to ensure that all violations have been corrected. If they have not been corrected, enforcement action shall commence.

6) All requests for inspection or sampling pertaining to any existing semi-private or private water supply under the local health department's jurisdiction shall be evaluated regarding the public health significance of the requests. Inspections regarding requests determined to have a valid public health purpose shall be conducted within seven working days after requests are received, and a written report shall be made, as follows:

A) Semi-private water supplies shall be inspected and sampled upon request of the owner or occupant. The owner and occupant shall be informed of the results of the inspection and any sample analyses. If the water supply is not in compliance with the Public Area Sanitary Practice Code, the owner shall be notified of the violations and ordered to correct them within a specified time. At the end of this time, the water supply shall be reinspected to ensure that all violations have been corrected. If all violations have not been corrected, the local health department shall begin enforcement action.

B) Existing private water supplies shall be inspected and sampled upon request of the owner, who shall be informed of the results of the inspection, interpretation of sample analyses, and recommended measures to correct all problems or violations of the Water Well Construction Code, Surface Source Water Treatment Code or the Illinois Water Well Pump Installation Code.

7) A permit shall be issued prior to the construction, modification or sealing of any closed loop well system or water well, after review and determination that the application and proposed construction are in compliance with the Water Well Construction Code or local ordinance. The local health department shall issue a permit to construct a well to serve a non-community public water system. Copies of the plans, the water well permit, and the water well construction log shall be submitted to the Department. The Department administers the permit program for all other aspects of the non-community system, as required in the Drinking Water Systems Code.

8) Inspection of Closed Loop Wells or Water Wells

A) The local health department shall inspect all new closed loop well systems and shall inspect all water wells for which a permit has been issued.

B) At the time of construction, the local health department shall annually inspect at least one well constructed in the jurisdiction, by each licensed contractor who installs three or more wells in that jurisdiction during the calendar year, to assure that proper materials and construction methods are being used in accordance with the Water Well Construction Code and the Illinois Water Well and Pump Installation Code. The inspection of a water well shall include observation of the critical aspects of construction and shall include, at a minimum, inspection of grouting and setting of the casing. The inspection for a closed loop well system shall include observation of the critical aspects of construction, including, at a minimum, inspecting the grouting and documenting the setback distances. If a local health department's staff has direct oversight of another local health department's jurisdiction, the Department will consider both jurisdictions to be one jurisdiction.

C) A sample shall be collected from all new potable water wells, unless the local health department ensures that the homeowner or his or her agent will collect and submit a sample to a certified laboratory. The owner shall be informed of the results of the inspection, interpretation of sample analyses, and recommended measures to correct all problems or violations of the Water Well Construction Code, the Surface Source Water Treatment Code, or the Illinois Water Well Pump Installation Code. All violations shall be corrected or enforcement action shall be initiated. If the water sample contains any coliform bacteria or a nitrate concentration of 10 or more milligrams per liter as nitrogen, the local health department shall suggest additional sampling or other measures in writing to the homeowner to remedy the problem.

9) Information concerning water sampling; design, construction and operation of water supplies; and hazards of cross-connections shall be provided to the public upon request. Education may be in the form of oral presentations or may include distributing materials provided by the Department or by the local health department concerning these topics.

10) Written variances issued for all private, semi-private, and non-community public water supplies and closed loop wells shall be in accordance with variance requirements of the applicable rules of the Department, and a copy of the variance that includes the rationale for any variance shall be submitted to the Department on a quarterly basis.

11) Sealing of Abandoned Water Wells and Closed Loop Wells

A) Property owners shall be advised of the requirements under 77 Ill. Adm. Code 920.120 (Water Well Construction Code − Abandoned Wells) and the need for proper sealing of abandoned wells. When a new well is being constructed to replace an existing well, the licensed well driller may provide this advice to the property owner.

B) A representative of the local health department shall be present at the site at the time that a well is being sealed by a homeowner. A local health department representative shall annually be present at the site during at least one well sealing performed by each licensed well driller sealing wells in his/her jurisdiction during the calendar year to assure that proper materials and methods are used to seal abandoned wells in accordance with the Water Well Construction Code. A representative of the local health department shall observe the critical elements of the well sealing, which shall include placement of the sealing material and removal of the pumps and upper casing, and shall assure that proper materials and placement methods are used. In the case of a closed loop well, the critical elements shall include placement of the sealing grout to assure that proper materials and methods are used. If a local health department's staff has direct oversight of another local health department's jurisdiction, the Department will consider both jurisdictions to be one jurisdiction.

C) If a water well or closed loop well is sealed without the local health department being notified in advance, a warning letter shall be sent to the homeowner, registered closed loop well contractor or licensed well driller. The water well shall be inspected to ensure that the water well was sealed. Second offense violations shall result in enforcement action or shall be referred to the Department for license suspension.

12) Within 30 days after the local health department receives the water well construction report, the well permit application and construction report shall be submitted to the Illinois State Water Survey. Well sealing forms should also be submitted to the Survey within 30 days after they are received by the local health department.

13) Any person who has drilled a water well or closed loop well within the jurisdiction of the local health department without being properly licensed or registered in accordance with the Illinois Water Well Contractors Licensing Act or the Water Well Construction Code shall be referred to the Department. The local health department shall also provide the Department with a copy of correspondence to any closed loop well contractor, well driller or pump installer concerning violations of the Water Well Construction Code and the Illinois Water Well Pump Installation Code.

c) Qualified personnel shall be available to conduct activities required in this Section.

1) New program staff shall complete a Department-provided initial orientation and training program during the first year of employment.

2) All personnel shall annually attend at least three total combined hours of Department-approved training covering potable water and closed loop wells.

(Source: Amended at 39 Ill. Reg. 5860, effective April 10, 2015)