**Section 920.190 Assurance of Potable Water Supply**

Except as provided in Section 14.2 of the Environmental Protection Act [415 ILCS 5/14.2], the owner of a potable well, which has been contaminated due to the actions of the owner or operator of a potential primary or potential secondary source or of a potential route, shall be provided with an alternative source of potable water or treatment of the water supply by the owner or operator of the contamination source or route, or such other remedy as may be mutually agreed upon by the well owner and the owner or operator of the potential primary or potential secondary source or potential route. For the purposes of this Part, the water shall be considered contaminated when it exceeds Class I groundwater standards adopted in the Groundwater Quality Standards Code (35 Ill. Adm. Code 620). The Department shall notify the owner or operator of the contamination source or route of the determination of contamination of the potable water well and the responsiblity to comply with this Section. The Department shall also provide the owner or operator notice and opportunity for an administrative hearing to appeal the determination. Such notice shall be made by certified mail or by personal service and shall set forth the particular reasons for the determination and provide the owner or operator with an opportunity to request a hearing. All hearings conducted pursuant to this Section shall be governed by the Department's Rules of Practice and Procedure in Administrative Hearings (77 Ill. Adm. Code 100).

(Source: Added at 18 Ill. Reg. 17684, effective November 30, 1994)