



94TH GENERAL ASSEMBLY

State of Illinois

2005 and 2006

HB3462

Introduced 02/23/05, by Rep. Patricia Reid Lindner

SYNOPSIS AS INTRODUCED:

225 ILCS 345/13	from Ch. 111, par. 7114
415 ILCS 30/3	from Ch. 111 1/2, par. 116.113
415 ILCS 30/5	from Ch. 111 1/2, par. 116.115
415 ILCS 30/6	from Ch. 111 1/2, par. 116.116
415 ILCS 30/9.1 new	
415 ILCS 30/9.2 new	

Amends the Water Well and Pump Installation Contractor's License Act by increasing certain fee provisions. Amends the Illinois Water Well Construction Code. Requires the Department of Public Health, no later than November 1, 2005, to issue permits for the construction or modification of closed loop wells. Provides that the closed loop well construction fee shall be a one time fee not to exceed \$200. Prohibits any person to engage in the occupation of closed loop well contractor without a valid registration issued by the Department of Public Health. Sets forth certain requirements for this registration and authorizes the Department to assess a fee related to this registration. Makes other changes. Effective October 1, 2005.

LRB094 03852 RSP 41873 b

FISCAL NOTE ACT
MAY APPLY

1 AN ACT concerning safety.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Water Well and Pump Installation
5 Contractor's License Act is amended by changing Section 13 as
6 follows:

7 (225 ILCS 345/13) (from Ch. 111, par. 7114)

8 (Section scheduled to be repealed on January 1, 2012)

9 Sec. 13.

10 The fee to be paid by an applicant for an examination to
11 determine his fitness to receive a license as a water well
12 contractor is \$100 ~~\$50~~.

13 The fee to be paid by an applicant for an examination to
14 determine his fitness to receive a license as a water well pump
15 installation contractor is \$100 ~~\$50~~.

16 The fee to be paid by an applicant for an examination to
17 determine his fitness to receive a license as a water well and
18 pump installation contractor is \$160 ~~\$80~~.

19 The fee to be paid by an applicant for the annual renewal
20 of a license as a water well contractor or water well pump
21 installation contractor is \$75 ~~\$25~~.

22 The fee to be paid by an applicant for the annual renewal
23 of a license as a water well and pump installation contractor
24 is \$100 ~~\$35~~.

25 The fee to be paid by an applicant for the reinstatement of
26 a water well contractor license or a water well pump
27 installation contractor license which has lapsed less than 3
28 years is \$20 ~~\$10~~, plus all lapsed renewal fees.

29 The fee to be paid by an applicant for restoration of a
30 water well contractor's license or water well pump installation
31 contractor's license which has lapsed more than three years is
32 \$150.

1 The fee to be paid by an applicant for the reinstatement of
2 a water well and pump installation contractor license which has
3 lapsed less than 3 years is \$30 ~~\$15~~, plus all lapsed renewal
4 fees.

5 The fee to be paid by an applicant for the restoration of a
6 license as a water well and pump installation contractor which
7 has lapsed more than 3 years is \$175.

8 There shall be no reduction in such fees because a license
9 when issued may be valid for less time than a full license
10 year.

11 (Source: P.A. 77-1626.)

12 Section 10. The Illinois Water Well Construction Code is
13 amended by changing Sections 3, 5, and 6 and by adding Sections
14 9.1 and 9.2 as follows:

15 (415 ILCS 30/3) (from Ch. 111 1/2, par. 116.113)

16 Sec. 3. Definitions. As used in this Act, unless the
17 context otherwise requires:

18 (a) "Construction" means all acts necessary to obtaining
19 ground water by any method, including without limitation the
20 location of and the excavation for the well, but not including
21 prospecting, surveying or other acts preparatory thereto, nor
22 the installation of pumps and pumping equipment.

23 (b) "Department" means the Department of Public Health.

24 (c) "Director" means the Director of Public Health.

25 (d) "Modification" means any change, replacement or other
26 alteration of any water well which shall be contrary to the
27 rules and regulations regarding the construction of a well.

28 (e) "Water well" means any excavation that is drilled,
29 cored, bored, washed, driven, dug, jetted or otherwise
30 constructed when the intended use of such excavation is for the
31 location, diversion, artificial recharge, or acquisition of
32 ground water, but such term does not include an excavation made
33 for the purpose of obtaining or prospecting for oil, natural
34 gas, minerals or products of mining or quarrying or for

1 inserting media to repressure oil or natural gas bearing
2 formation or for storing petroleum, natural gas or other
3 products or for observation or any other purpose in connection
4 with the development or operation of a gas storage project.

5 (f) "Public water system", "community water system",
6 "non-community water system", "semi-private water system" and
7 "private water system" have the meanings ascribed to them in
8 the Illinois Groundwater Protection Act, except closed loop
9 wells using USP food grade propylene glycol as a coolant.

10 (g) "Potential route", "potential primary source" and
11 "potential secondary source" have the meanings ascribed to them
12 in the Environmental Protection Act.

13 (h) "Closed loop well" means a sealed, watertight loop of
14 pipe buried outside of a building foundation intended to
15 recirculate a liquid solution through a heat exchanger.

16 (i) "Monitoring well" means a water well intended for the
17 purpose of determining groundwater quality or quantity.

18 (j) "Closed loop contractor" means any person who installs
19 closed loop wells for another person. "Closed loop contractor"
20 does not include the employees of a closed loop contractor.

21 (k) "Horizontal closed loop well" means a closed loop well
22 constructed to contain horizontal piping and the installation
23 and grouting of the horizontal piping not exceeding 20 feet in
24 depth, and the connection to the horizontal header of the
25 closed loop cooling and heating system.

26 (l) "Vertical closed loop well" means a closed loop well
27 constructed to contain vertical piping and the installation and
28 grouting of the vertical piping exceeding 20 feet in depth, and
29 the connection to the horizontal header of the closed loop
30 cooling and heating system.

31 (M) "Closed loop well system" is the entire system
32 containing the horizontal closed loop well or wells, the
33 vertical closed loop well or wells, the header piping, the
34 heating and cooling equipment, and the connections to the
35 heating and cooling equipment.

36 (Source: P.A. 86-843.)

1 (415 ILCS 30/5) (from Ch. 111 1/2, par. 116.115)

2 Sec. 5. Department powers and duties.

3 The Department has general supervision and authority over
4 the location, construction and modification of water wells,
5 closed loop wells and monitoring wells and for the
6 administration of this Act. With respect thereto it shall:

7 (a) Adopt and publish, and from time to time amend rules
8 and regulations as hereinafter provided;

9 (b) Commencing no later than January 1, 1988, issue permits
10 for the construction or change in depth of any water well other
11 than community public water systems and monitoring wells, and
12 commencing no later than November 1, 2005, issue permits for
13 the construction and modification of closed loop well systems;
14 and

15 (c) Exercise such other powers as are practical and
16 reasonably necessary to carry out and enforce the provisions of
17 this Act.

18 (Source: P.A. 86-843.)

19 (415 ILCS 30/6) (from Ch. 111 1/2, par. 116.116)

20 Sec. 6. Rules and regulations. The Department shall adopt
21 and amend rules and regulations reasonably necessary to
22 effectuate the policy declared by this Act. Such rules and
23 regulations shall provide criteria for the proper location and
24 construction of any water well, closed loop well or monitoring
25 well and shall, no later than January 1, 1988, provide for the
26 issuance of permits for the construction and operation of water
27 wells other than community public water systems, ~~closed loop~~
28 ~~wells~~ and monitoring wells. The Department shall by regulation
29 require a one time fee, not to exceed \$200 ~~\$100~~, for permits
30 for construction of water wells and a one time fee, not to
31 exceed \$200, for permits for the construction of closed loop
32 well systems issued under the authority of this Act. Water well
33 and closed loop well system construction permit fees shall be
34 for the purpose of reviewing the water well or closed loop well

1 system permit application, for the issuance of the permit, and
2 for inspecting the construction of the water well or closed
3 loop well system.

4 (Source: P.A. 86-843.)

5 (415 ILCS 30/9.1 new)

6 Sec. 9.1. Registration. No person shall engage in the
7 occupation of a closed loop contractor unless he or she holds a
8 valid registration as a closed loop contractor. All closed loop
9 contractors doing business in the State must file an
10 application for registration with the Illinois Department of
11 Public Health annually. All applicants for registration as
12 closed loop contractors shall submit verification of
13 certification by the International Ground Source Heat Pump
14 Association with the application for registration as closed
15 loop contractors beginning November 1, 2005 and shall have
16 until November 1, 2007 to submit verification of certification
17 by the Department. After November 1, 2007, all applicants for
18 registration as closed loop contractors shall submit
19 verification of certification by both the International Ground
20 Source Heat Pump Association and the Department with the
21 application for registration as a closed loop contractor. All
22 closed loop contractors shall renew their registration
23 annually. The Department shall collect annual registration
24 fees, in an amount established by the Department by rule. The
25 Department must begin to issue closed loop contractor
26 registrations under this Section no later than November 1,
27 2005.

28 (415 ILCS 30/9.2 new)

29 Sec. 9.2. Certification. Applications for certification as
30 a closed loop contractor shall be made to the Department in
31 writing and under oath or affirmation upon forms prescribed and
32 furnished by the Department. The applications shall contain any
33 information the Department deems necessary in order to carry
34 out the provisions of this Act. The Department shall issue

1 certifications as a closed loop contractor to those individuals
2 who are qualified and have successfully passed the Department's
3 closed loop contractor's certification exam. The Department
4 shall establish the time of the closed loop contractor's exam
5 and the qualifications for the closed loop contractor's
6 certification by rule. The Department shall collect the fee for
7 the closed loop contractor's qualification exam, the amount of
8 which shall be established by rule. The Water Well and Pump
9 Installation Contractor Licensing Board shall advise and aid
10 the Department in preparing subject matter for the closed loop
11 contractor's certification exam. Any person holding a valid
12 State of Illinois Department of Public Health Water Well
13 Contractor's license or State of Illinois Department of Public
14 Health Water Well and Pump Installation Contractor's license
15 may apply and receive, without examination or fee, a closed
16 loop contractor's certification provided that all other
17 requirements of this Act are met. The Department must begin to
18 issue closed loop contractor certifications under this Section
19 no later than November 1, 2005.

20 Section 99. Effective date. This Act takes effect October
21 1, 2005.