

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 Sections 2, 3,
6 and 13 as follows:

7 (225 ILCS 345/2) (from Ch. 111, par. 7103)

8 (Section scheduled to be repealed on January 1, 2012)

9 Sec. 2. As used in this Act, unless the context otherwise
10 requires:

11 (1) "Water well" and "well" mean any excavation that is
12 drilled, cored, bored, washed, driven, dug, jetted or otherwise
13 constructed when the intended use of such excavation is for the
14 location, diversion, artificial recharge, or acquisition of
15 ground water, but such term does not include an excavation made
16 for the purpose of obtaining or prospecting for oil, natural
17 gas, minerals or products of mining or quarrying or for
18 inserting media to repressure oil or natural gas bearing
19 formation or for storing petroleum, natural gas or other
20 products, or monitoring wells;

21 (2) "Ground water" means water of under-ground aquifers,
22 streams, channels, artesian basins, reservoirs, lakes and
23 other water under the surface of the ground whether percolating
24 or otherwise;

25 (3) "Drill" and "drilling" mean all acts necessary to the
26 construction of a water well including the sealing of unused
27 water well holes and the installation of pitless well adapters
28 and pitless ubits;

29 (4) "Water Well Contractor" and "Contractor" mean any
30 person who contracts to drill, alter or repair any water well;

31 (5) "Water Well Pump Installation" means the selection of
32 and the procedure employed in the placement and preparation for

1 operation of equipment and materials utilized in withdrawing or
2 obtaining water from a well for any use, including all
3 construction involved in making entrance to the well and
4 establishing such seals and safeguards as may be necessary to
5 protect such water from contamination and all construction
6 involved in connecting such wells and pumping units or pressure
7 tanks in the water supply systems of buildings served by such
8 well, including repair to any existing installation and the
9 extending of water well casing from a maximum depth of 10 feet
10 below ground surface;

11 (6) "Water Well Pump Installation Contractor" means any
12 person engaged in the business of installing or repairing pumps
13 and pumping equipment owned by others;

14 (7) "Water Well and Pump Installation Contractor" means any
15 person engaged in both businesses described in subsections 4,
16 5, and 6 above;

17 (8) "Department" means the Department of Public Health of
18 this State;

19 (9) "Director" means the Director of the Department of
20 Public Health;

21 (10) "Board" means the Water Well and Pump Installation
22 Contractors Licensing Board created by Section 6 of this Act;

23 (11) "Person" includes any natural person, partnership,
24 association, trust and public or private corporation;

25 (12) "Monitoring well" means a water well intended for the
26 purpose of determining groundwater quality or quantity.

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

28 (225 ILCS 345/3) (from Ch. 111, par. 7104)

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

30 Sec. 3. This Act shall not apply: (1) to an individual who
31 drills a water well or installs a water well pump on land which
32 is owned or leased by him and is used by him for farming
33 purposes or as his place of abode; or

34 (2) to an individual who performs labor or services for a
35 licensed water well Contractor in connection with the drilling

1 of a water well at the direction and under the personal
2 supervision of a licensed water well Contractor; or

3 (3) to an individual who performs labor or services for a
4 licensed water well pump installation contractor in connection
5 with the installation or repair of any water well pump or
6 equipment at the direction and under the personal supervision
7 of a licensed water well pump installation contractor; or

8 (4) to any person, firm or corporation engaged in the
9 installation or repair of water well pumps or equipment in
10 wells drilled or used for observation or any other purpose in
11 connection with the development or operation of a gas storage
12 project; or

13 (5) To any person, firm, or corporation engaged in the
14 installation of driven point wells.

15 (6) To an individual who seals an unused dug well at the
16 direction of and subject to the control of the owner of the
17 real property where the well is located.

18 (Source: P.A. 81-791.)

19 (225 ILCS 345/13) (from Ch. 111, par. 7114)

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

21 Sec. 13.

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

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

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

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

34 The fee to be paid by an applicant for the annual renewal
35 of a license as a water well and pump installation contractor

1 is \$100 ~~\$35~~.

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

6 The fee to be paid by an applicant for restoration of a
7 water well contractor's license or water well pump installation
8 contractor's license which has lapsed more than three years is
9 \$150.

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

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

17 There shall be no reduction in such fees because a license
18 when issued may be valid for less time than a full license
19 year.

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

21 Section 10. The Illinois Water Well Construction Code is
22 amended by changing Sections 3, 5, and 6 and by adding Sections
23 9.1 and 9.2 as follows:

24 (415 ILCS 30/3) (from Ch. 111 1/2, par. 116.113)

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

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

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

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

34 (d) "Modification" means any change, replacement or other

1 alteration of any water well which shall be contrary to the
2 rules and regulations regarding the construction of a well.

3 (e) "Water well" means any excavation that is drilled,
4 cored, bored, washed, driven, dug, jetted or otherwise
5 constructed when the intended use of such excavation is for the
6 location, diversion, artificial recharge, or acquisition of
7 ground water, but such term does not include an excavation made
8 for the purpose of obtaining or prospecting for oil, natural
9 gas, minerals or products of mining or quarrying or for
10 inserting media to repressure oil or natural gas bearing
11 formation or for storing petroleum, natural gas or other
12 products or for observation or any other purpose in connection
13 with the development or operation of a gas storage project.

14 (f) "Public water system", "community water system",
15 "non-community water system", "semi-private water system" and
16 "private water system" have the meanings ascribed to them in
17 the Illinois Groundwater Protection Act, except closed loop
18 wells using USP food grade propylene glycol as a coolant.

19 (g) "Potential route", "potential primary source" and
20 "potential secondary source" have the meanings ascribed to them
21 in the Environmental Protection Act.

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

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

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

30 (k) "Horizontal closed loop well" means a closed loop well
31 constructed to contain horizontal piping and the installation
32 and grouting of the horizontal piping not exceeding 20 feet in
33 depth, and the connection to the horizontal header of the
34 closed loop cooling and heating system.

35 (l) "Vertical closed loop well" means a closed loop well
36 constructed to contain vertical piping and the installation and

1 grouting of the vertical piping exceeding 20 feet in depth, and
2 the connection to the horizontal header of the closed loop
3 cooling and heating system.

4 (m) "Closed loop well system" is the entire system
5 containing the horizontal closed loop well or wells, the
6 vertical closed loop well or wells, the header piping, the
7 heating and cooling equipment, and the connections to the
8 heating and cooling equipment.

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

10 (415 ILCS 30/5) (from Ch. 111 1/2, par. 116.115)

11 Sec. 5. Department powers and duties.

12 The Department has general supervision and authority over
13 the location, construction and modification of water wells,
14 closed loop wells and monitoring wells and for the
15 administration of this Act. With respect thereto it shall:

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

18 (b) Commencing no later than January 1, 1988, issue permits
19 for the construction or change in depth of any water well other
20 than community public water systems and monitoring wells, and
21 commencing no later than November 1, 2005, issue permits for
22 the construction and modification of closed loop well systems;
23 and

24 (c) Exercise such other powers as are practical and
25 reasonably necessary to carry out and enforce the provisions of
26 this Act.

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

28 (415 ILCS 30/6) (from Ch. 111 1/2, par. 116.116)

29 Sec. 6. Rules and regulations. The Department shall adopt
30 and amend rules and regulations reasonably necessary to
31 effectuate the policy declared by this Act. Such rules and
32 regulations shall provide criteria for the proper location and
33 construction of any water well, closed loop well or monitoring
34 well and shall, no later than January 1, 1988, provide for the

1 issuance of permits for the construction and operation of water
2 wells other than community public water systems, ~~closed loop~~
3 ~~wells~~ and monitoring wells. The Department shall by regulation
4 require a one time fee, not to exceed \$200 ~~\$100~~, for permits
5 for construction of water wells and a one time fee, not to
6 exceed \$200, for permits for the construction of closed loop
7 well systems issued under the authority of this Act. Water well
8 and closed loop well system construction permit fees shall be
9 for the purpose of reviewing the water well or closed loop well
10 system permit application, for the issuance of the permit, and
11 for inspecting the construction of the water well or closed
12 loop well system.

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

14 (415 ILCS 30/9.1 new)

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

1 2005.

2 (415 ILCS 30/9.2 new)

3 Sec. 9.2. Certification. Applications for certification as
4 a closed loop contractor shall be made to the Department in
5 writing and under oath or affirmation upon forms prescribed and
6 furnished by the Department. The applications shall contain any
7 information the Department deems necessary in order to carry
8 out the provisions of this Act. The Department shall issue
9 certifications as a closed loop contractor to those individuals
10 who are qualified and have successfully passed the Department's
11 closed loop contractor's certification exam. The Department
12 shall establish the time of the closed loop contractor's exam
13 and the qualifications for the closed loop contractor's
14 certification by rule. The Department shall collect the fee for
15 the closed loop contractor's qualification exam, the amount of
16 which shall be established by rule. The Water Well and Pump
17 Installation Contractor Licensing Board shall advise and aid
18 the Department in preparing subject matter for the closed loop
19 contractor's certification exam. Any person holding a valid
20 State of Illinois Department of Public Health Water Well
21 Contractor's license or State of Illinois Department of Public
22 Health Water Well and Pump Installation Contractor's license
23 may apply and receive, without examination or fee, a closed
24 loop contractor's certification provided that all other
25 requirements of this Act are met. The Department must begin to
26 issue closed loop contractor certifications under this Section
27 no later than November 1, 2005.

28 Section 99. Effective date. This Act takes effect October
29 1, 2005.