



Sen. Daniel Biss

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LRB098 19682 MGM 56243 a

1 AMENDMENT TO SENATE BILL 3055

2 AMENDMENT NO. _____. Amend Senate Bill 3055 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Water Well and Pump Installation
5 Contractor's License Act is amended by changing Section 2 as
6 follows:

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

8 (Section scheduled to be repealed on January 1, 2022)

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

1 gas, minerals or products of mining or quarrying or for
2 inserting media to repressure oil or natural gas bearing
3 formation or for storing petroleum, natural gas or other
4 products, or monitoring wells;

5 (2) "Ground water" means water of under-ground aquifers,
6 streams, channels, artesian basins, reservoirs, lakes and
7 other water under the surface of the ground whether percolating
8 or otherwise;

9 (3) "Drill" and "drilling" mean all acts necessary to the
10 construction of a water well including the sealing of unused
11 water well holes;

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

14 (5) "Water Well Pump Installation" means the selection of
15 and the procedure employed in the placement and preparation for
16 operation of equipment and materials utilized in withdrawing or
17 obtaining water from a well for any use, including all
18 construction involved in making entrance to the well and
19 establishing such seals and safeguards as may be necessary to
20 protect such water from contamination and all construction
21 involved in connecting such wells and pumping units or pressure
22 tanks in the water supply systems of buildings served by such
23 well, including repair to any existing installation;

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

1 (7) "Water Well and Pump Installation Contractor" means any
2 person engaged in both businesses described in subsections 4,
3 5, and 6 above;

4 (8) "Department" means the Department of Public Health of
5 this State;

6 (9) "Director" means the Director of the Department of
7 Public Health;

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

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

12 (12) "Monitoring well" means a water well intended for the
13 purpose of determining groundwater quality or quantity;

14 (13) "Closed loop well" means a sealed, watertight loop of
15 pipe buried outside of a building foundation intended to
16 recirculate a liquid solution through a heat exchanger but is
17 limited to the construction of the bore hole, pipng in the
18 bore hole, heat exchange fluid, and the grouting of the bore
19 hole and does not include the piping and appurtenances used in
20 any other capacity. "Closed loop well" does not include any
21 horizontal closed loop well systems where grouting is not
22 necessary by law or standard industry practice;

23 (14) "Closed loop well contractor" means any person who
24 installs closed loop wells for another person. "Closed loop
25 well contractor" does not include the employee of a closed loop
26 contractor.

1 (Source: P.A. 97-363, eff. 8-15-11.)

2 Section 10. The Illinois Water Well Construction Code is
3 amended by changing Sections 3, 5, and 6 as follows:

4 (415 ILCS 30/3) (from Ch. 111 1/2, par. 116.113)

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

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

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

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

14 (d) "Modification" means the alteration of the structure of
15 an existing water well, including, but not limited to,
16 deepening, elimination of a buried suction line, installation
17 of a liner, replacing, repairing, or extending casing, or
18 replacement of a well screen. Pertaining to closed loop wells,
19 "modification" also means any alteration to the construction of
20 the bore hole of an existing closed loop well, including, but
21 not limited to, regrouting and installation of additional bore
22 holes ~~any change, replacement or other alteration of any water~~
23 ~~well which shall be contrary to the rules and regulations~~
24 ~~regarding the construction of a well.~~

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

12 (f) "Public water system", "community water system",
13 "non-community water system", "semi-private water system" and
14 "private water system" have the meanings ascribed to them in
15 the Illinois Groundwater Protection Act.

16 (g) "Potential route", "potential primary source" and
17 "potential secondary source" have the meanings ascribed to them
18 in the Environmental Protection Act.

19 (h) "Closed loop well" means a sealed, watertight loop of
20 pipe buried outside of a building foundation intended to
21 recirculate a liquid solution through a heat exchanger but is
22 limited to the construction of the bore hole, piping in the
23 bore hole, heat exchange fluid, and the grouting of the bore
24 hole and does not include the piping and appurtenances used in
25 any other capacity. "Closed loop well" does not include any
26 horizontal closed loop well systems where grouting is not

1 necessary by law or standard industry practice.

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

4 (j) "Closed loop well contractor" means any person who
5 installs closed loop wells for another person. "Closed loop
6 well contractor" does not include the employee of a closed loop
7 contractor.

8 (Source: P.A. 97-363, eff. 8-15-11.)

9 (415 ILCS 30/5) (from Ch. 111 1/2, par. 116.115)

10 Sec. 5. Department powers and duties.

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

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

17 (b) Commencing no later than January 1, 1988, issue
18 permits for the construction, modification, abandonment,
19 or change in depth of any water well other than community
20 public water systems and monitoring wells;

21 (b-5) Commencing no later than one year after the
22 effective date of this amendatory Act of the 97th General
23 Assembly, issue permits for the construction,
24 modification, and abandonment of closed loop wells; and

25 (c) Exercise such other powers as are practical and

1 reasonably necessary to carry out and enforce the
2 provisions of this Act.

3 (Source: P.A. 97-363, eff. 8-15-11.)

4 (415 ILCS 30/6) (from Ch. 111 1/2, par. 116.116)

5 Sec. 6. Rules and regulations. The Department shall adopt
6 and amend rules and regulations reasonably necessary to
7 effectuate the policy declared by this Act. Such rules and
8 regulations shall provide criteria for the proper location and
9 construction of any water well, closed loop well or monitoring
10 well and shall, no later than January 1, 1988, provide for the
11 issuance of permits for the construction, modification, and
12 abandonment ~~operation~~ of water wells other than community
13 public water systems and monitoring wells. The Department shall
14 by regulation require a one time fee, not to exceed \$100, for
15 permits for construction, modification, or abandonment of
16 water wells. The Department shall by rule require a one-time
17 fee for permits for the construction, modification, or
18 abandonment of closed loop wells.

19 (Source: P.A. 97-363, eff. 8-15-11.)

20 Section 99. Effective date. This Act takes effect upon
21 becoming law."