

1 AN ACT concerning professional regulation.

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 6 and
6 13 as follows:

7 (225 ILCS 345/6) (from Ch. 111, par. 7107)

8 (Section scheduled to be repealed on January 1, 2012)

9 Sec. 6. Water Well and Pump Installation Contractors
10 Licensing Board; Closed Loop Well Contractors Certification
11 Board.

12 (a) There is created in the Department the Water Well and
13 Pump Installation Contractors Licensing Board which shall
14 exercise its duties provided in this Act under the supervision
15 of the Department. The Water Well and Pump Installation
16 Contractors Licensing Board shall consist of 6 members,
17 designated from time to time by the Director. Two members shall
18 be licensed water well contractors, two members shall be
19 licensed water well pump installation contractors, and two
20 members shall be licensed water well and pump installation
21 contractors. In making the appointments to the Water Well and
22 Pump Installation Contractors Licensing Board, the Director
23 shall consider the recommendation of the Illinois Association

1 of Groundwater Professionals or a successor organization.

2 The members of the Water Well and Pump Installation
3 Contractors Licensing Board shall be reimbursed for necessary
4 traveling expenses in accordance with travel regulations
5 prescribed by the Department of Finance.

6 The Water Well and Pump Installation Contractors Licensing
7 Board shall advise and aid the Director in:

8 (1) ~~(a)~~ preparing subject matter for continuing
9 education sessions and examinations to test the knowledge
10 and skills of applicants for license in the construction,
11 installation and repair of water wells, well pumps, water
12 pressure storage tanks, connecting piping and related
13 appurtenances, including proper sealing of abandoned water
14 wells, and the rules and regulations of the Department
15 promulgated pursuant to the Illinois Pump Installation
16 Code Law and the Illinois Water Well Construction Code Law;

17 (2) ~~(b)~~ promulgating rules to govern the number of
18 hours of continuing education required for a continuing
19 education session, examinations, hearings for suspension
20 or revocation of or refusal to issue or renew a license,
21 clarifying the law as it relates to water well and pump
22 installation contracting;

23 (3) ~~(c)~~ holding examinations of applicants for license
24 at least once a year prior to November 1st in each year;

25 (4) ~~(d)~~ holding hearings for the revocation or
26 suspension of, or refusal to issue, renew or reinstate

1 licenses;

2 (5) ~~(e)~~ submitting recommendations to the Director
3 from time to time for the efficient administration of this
4 Act;

5 (6) ~~(f)~~ grading all tests and examinations for licenses
6 and promptly reporting the results to the Director; ~~and~~

7 (7) ~~(g)~~ performing such other duties from time to time
8 prescribed by the Director; and ~~—~~

9 (8) conferring with the Closed Loop Well Contractors
10 Certification Board regarding the installation of closed
11 loop wells. For purposes of this item (8), the term "closed
12 loop well" shall be limited to the construction of the bore
13 hole and the grouting of the bore hole.

14 (b) There is created in the Department the Closed Loop Well
15 Contractors Certification Board, which shall exercise its
16 duties provided in this Act under the supervision of the
17 Department. The Closed Loop Well Contractors Certification
18 Board shall consist of 6 members, designated from time to time
19 by the Director. The 6 members must be closed loop well
20 contractors who are registered under this Act. In making
21 appointments to the Closed Loop Well Contractors Certification
22 Board, the Director shall consider the recommendations of the
23 Geothermal Alliance of Illinois, or its successor
24 organization. Recommendations shall include consideration of
25 statewide geographical representation.

26 The members of the Closed Loop Well Contractors

1 Certification Board shall be reimbursed for necessary
2 traveling expenses in accordance with travel regulations
3 prescribed by the Governor's Travel Control Board.

4 The Closed Loop Well Contractors Certification Board shall
5 advise and aid the Director in:

6 (1) preparing subject matter for continuing education
7 sessions relating to closed loop wells and closed loop well
8 systems, and preparing examinations to test the knowledge
9 and skills of applicants for certification relating to the
10 construction, installation, and repair of closed loop
11 wells and closed loop well systems and the rules and
12 regulations of the Department promulgated pursuant to this
13 Act for closed loop wells and closed loop well systems;

14 (2) promulgating rules relating to (i) closed loop
15 wells and closed loop well systems, (ii) continuing
16 education requirements, (iii) examinations, (iv) hearings
17 for suspension or revocation of or refusal to issue or
18 renew a certification, and (v) the installation of closed
19 loop wells and closed loop well systems;

20 (3) holding examinations of applicants for
21 certification at least once a year prior to November 1st in
22 each year;

23 (4) holding hearings for the revocation or suspension
24 of, or refusal to issue, renew, or reinstate,
25 certifications;

26 (5) submitting recommendations to the Director from

1 time to time for the efficient administration of this Act;

2 (6) grading all tests and examinations for
3 certifications, and promptly reporting the results to the
4 Director;

5 (7) performing such other duties as may be from time to
6 time prescribed by the Director; and

7 (8) conferring with the Water Well and Pump
8 Installation Contractors Licensing Board regarding the
9 installation of closed loop wells. For purposes of this
10 item (8), the term "closed loop well" shall be limited to
11 the construction of the bore hole and the grouting of the
12 bore hole.

13 (Source: P.A. 90-692, eff. 1-1-99.)

14 (225 ILCS 345/13) (from Ch. 111, par. 7114)

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

16 Sec. 13. The fee to be paid by an applicant for an
17 examination to determine his fitness to receive a license as a
18 water well contractor is \$50.

19 The fee to be paid by an applicant for an examination to
20 determine his fitness to receive a license as a water well pump
21 installation contractor is \$50.

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 and
24 pump installation contractor is \$80.

25 The fee to be paid by an applicant for the annual renewal

1 of a license as a water well contractor or water well pump
2 installation contractor is \$25.

3 The fee to be paid by an applicant for the annual renewal
4 of a license as a water well and pump installation contractor
5 is \$35.

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

10 The fee to be paid by an applicant for restoration of a
11 water well contractor's license or water well pump installation
12 contractor's license which has lapsed more than three years is
13 \$150.

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

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

20 There shall be no reduction in such fees because a license
21 when issued may be valid for less time than a full license
22 year.

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

24 Section 10. The Illinois Water Well Construction Code is
25 amended by changing Sections 3, 5, and 6 and by adding Sections

1 9.1, 9.2, and 9.3 as follows:

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

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

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

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

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

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

15 (e) "Water well" means any excavation that is drilled,
16 cored, bored, washed, driven, dug, jetted or otherwise
17 constructed when the intended use of such excavation is for the
18 location, diversion, artificial recharge, or acquisition of
19 ground water, but such term does not include an excavation made
20 for the purpose of obtaining or prospecting for oil, natural
21 gas, minerals or products of mining or quarrying or for
22 inserting media to repressure oil or natural gas bearing
23 formation or for storing petroleum, natural gas or other
24 products or for observation or any other purpose in connection
25 with the development or operation of a gas storage project.

1 (f) "Public water system", "community water system",
2 "non-community water system", "semi-private water system" and
3 "private water system" have the meanings ascribed to them in
4 the Illinois Groundwater Protection Act.

5 (g) "Potential route", "potential primary source" and
6 "potential secondary source" have the meanings ascribed to them
7 in the Environmental Protection Act.

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

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

13 (j) "Closed loop well contractor" means any person who
14 installs closed loop wells for another person. "Closed loop
15 well contractor" does not include the employee of a closed loop
16 contractor.

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

22 (l) "Vertical closed loop well" means a closed loop well
23 constructed to contain vertical piping and the installation and
24 grouting of the vertical piping exceeding 20 feet in depth and
25 the connection to the horizontal header of the closed loop
26 cooling and heating system.

1 (m) "Closed loop well system" means the entire system
2 containing the horizontal closed loop well or wells, the
3 vertical closed loop well or wells, the header piping, the
4 heating and cooling equipment, and the connections to the
5 heating and cooling equipment.

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

7 (415 ILCS 30/5) (from Ch. 111 1/2, par. 116.115)

8 Sec. 5. Department powers and duties.

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

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

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

18 (b-5) Commencing no later than January 1, 2010, issue
19 permits for the construction and modification of closed loop
20 well systems; and

21 (c) Exercise such other powers as are practical and
22 reasonably necessary to carry out and enforce the provisions of
23 this Act.

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

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

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

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

19 (415 ILCS 30/9.1 new)

20 Sec. 9.1. Closed loop well contractor certification.

21 (a) On or before January 1, 2010, the Department shall
22 issue closed loop well contractor certificates to those
23 applicants who are qualified and have successfully passed the
24 Department's closed loop well contractor's certification exam.
25 Application for certification as a closed loop well contractor

1 must be made to the Department in writing and under oath or
2 affirmation upon forms prescribed and furnished by the
3 Department. Applications may require any information the
4 Department deems necessary in order to carry out the provisions
5 of this Act. The Department shall collect a \$50 fee for the
6 closed loop contractor's qualification exam.

7 (b) Any person holding a valid water well contractor's
8 license issued under the Water Well and Pump Installation
9 Contractor's License Act may apply and receive, without
10 examination or fee, a closed loop contractor's certification,
11 provided that all other requirements of this Act are met.

12 (c) Any person who only installs horizontal closed loop
13 wells using the open trench method shall be exempt from
14 certification under this Section.

15 (415 ILCS 30/9.2 new)

16 Sec. 9.2. Closed loop well contractor registration.

17 (a) Beginning on January 1, 2010, no person may engage in
18 the occupation of a closed loop well contractor unless he or
19 she holds a valid certificate of registration as a closed loop
20 well contractor issued by the Department.

21 (b) All closed loop well contractors doing business in this
22 State must annually file an application for registration with
23 the Department.

24 (c) All applications filed for registration under this
25 Section before November 1, 2010 must be accompanied by

1 verification of the certification of the applicant by the
2 International Ground Source Heat Pump Association, or a
3 successor organization, as a closed loop well contractor and
4 the applicant must submit proof of certification under Section
5 9.1 of this Act, unless specifically exempt from certification
6 in Section 9.1 of this Act, before November 1, 2010.

7 (d) All applications filed for registration under this
8 Section on or after November 1, 2010 must be accompanied by
9 verification of the certification of the applicant by the
10 International Ground Source Heat Pump Association, or a
11 successor organization, as a closed loop well contractor and
12 proof of certification under Section 9.1 of this Act, unless
13 specifically exempt from certification in Section 9.1 of this
14 Act.

15 (e) Certificates of registration issued under this Section
16 shall expire and must be renewed on an annual basis.

17 (f) The Department shall collect an annual fee of \$25.

18 Section 99. Effective date. This Act takes effect upon
19 becoming law.