

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 Environmental Protection Act is amended by
5 changing Section 13.5 as follows:

6 (415 ILCS 5/13.5)

7 Sec. 13.5. Sewage works; operator certification.

8 (a) For the purposes of this Section, the term "sewage
9 works" includes, without limitation, wastewater treatment
10 works, pretreatment works, and sewers and collection systems.

11 (b) The Agency may establish and enforce standards for the
12 definition and certification of the technical competency of
13 personnel who operate sewage works, and for ascertaining that
14 sewage works are under the supervision of trained individuals
15 whose qualifications have been approved by the Agency.

16 (c) The Agency may issue certificates of competency to
17 persons meeting the standards of technical competency
18 established by the Agency under this Section, and may
19 promulgate and enforce regulations pertaining to the issuance
20 and use of those certificates.

21 (d) The Agency shall administer the certification program
22 established under this Section. The Agency may enter into
23 formal working agreements with other departments or agencies

1 of State or local government under which all or portions of its
2 authority under this Section may be delegated to the
3 cooperating department or agency.

4 (e) This Section and the changes made to subdivision
5 (a) (4) of Section 13 by this amendatory Act of the 93rd General
6 Assembly do not invalidate the operator certification rules
7 previously adopted by the Agency and codified as Part 380 of
8 Title 35, Subtitle C, Chapter II of the Illinois
9 Administrative Code. Those rules, as amended from time to
10 time, shall continue in effect until they are superseded or
11 repealed.

12 (f) The Agency shall establish an operator-in-training
13 wastewater-operator program through which an applicant who
14 does not possess a high school diploma or its equivalent may
15 act as an operator-in-training working under a certified
16 wastewater operator if the applicant demonstrates all of the
17 following:

18 (1) The applicant is capable of performing the
19 required duties without endangering the health and
20 well-being of the populace.

21 (2) The applicant is capable of maintaining and
22 properly operating the structures and equipment entrusted
23 to the applicant's care.

24 (3) The applicant is capable of conducting and
25 maintaining the facility in a safe manner.

26 (4) The applicant has passed any examinations that are

1 required by the Agency to be considered an operator in
2 training.

3 (5) The applicant must work under the direct
4 supervision of a certified operator who holds a
5 certificate of technical competency of the appropriate
6 class for the wastewater treatment or pretreatment works.

7 The Agency may adopt any rules needed to implement this
8 subsection (f).

9 (Source: P.A. 93-170, eff. 7-10-03.)

10 Section 10. The Public Water Supply Operations Act is
11 amended by changing Section 14 as follows:

12 (415 ILCS 45/14) (from Ch. 111 1/2, par. 514)

13 Sec. 14. Every community water supply operator certified
14 by the Agency shall be capable of performing his or her duties
15 without endangering the health and well being of the populace;
16 shall be able to read and write English; and shall produce
17 evidence acceptable to the Agency as to his or her character
18 and his or her ability to maintain and operate properly the
19 structures and equipment entrusted to the operator's care. In
20 addition, water supply operators shall be certified as Class
21 "A", Class "B", Class "C", Class "D" operators in accordance
22 with classes based on the level of competency determined by
23 examination and in accordance with educational and experience
24 levels as follows:

1 (a) Class "A" and Class "B" Water Supply Operator
2 Certificates require graduation from high school or equivalent
3 and not less than 3 years of acceptable study, training, and
4 responsible experience in water supply operation or management
5 as described in Sections 13 and 14 of this Act.

6 (b) Class "C" Water Supply Operator Certificates require
7 graduation from high school or the equivalent and not less
8 than one year of acceptable study, training, and responsible
9 experience in water supply operation or management as
10 described in Sections 13 and 14 of this Act.

11 (c) Class "D" Water Supply Operator Certificates require
12 graduation from high school or equivalent and not less than 6
13 months of acceptable study, training, and responsible
14 experience in water supply operation or management as
15 described in Sections 13 and 14 of this Act.

16 (d) The requirement for graduation from high school or the
17 equivalent shall be waived for community water supply
18 operators certified prior to the effective date of this
19 amendatory Act of the 91st General Assembly and for community
20 water supply operators certified under Section 19(a) of this
21 Act.

22 (e) The Agency shall establish an operator-in-training
23 community water-supply operator program through which an
24 applicant who does not possess a high school diploma or its
25 equivalent may act as an operator-in-training working under a
26 certified community water-supply operator if the applicant

1 demonstrates all of the following:

2 (1) The applicant is capable of performing the
3 required duties without endangering the health and
4 well-being of the populace.

5 (2) The applicant is capable of maintaining and
6 properly operating the structures and equipment entrusted
7 to the applicant's care.

8 (3) The applicant is capable of conducting and
9 maintaining the water treatment or distribution processes
10 in a manner which will provide safe, potable water for
11 human consumption.

12 (4) The applicant has submitted evidence of good
13 character. The Agency shall consider the violation of any
14 of the following statutes as evidence of poor character:

15 (A) Section 44 of the Illinois Environmental
16 Protection Act;

17 (B) Section 29D-14.9 of the Criminal Code of 2012
18 (terrorism);

19 (C) Section 29D-15.1 of the Criminal Code of 2012
20 (causing a catastrophe); or

21 (D) Section 29D-20 of the Criminal Code of 2012
22 (making a terrorist threat).

23 (5) The applicant has passed any examinations that are
24 required for the specific certification required for the
25 certified community water supply operator under whom the
26 operator-in-training is working.

1 (6) The applicant must work under the direct
2 supervision of a responsible operator in charge for the
3 community water supply.

4 The Agency may adopt rules to implement this subsection
5 (e).

6 (Source: P.A. 91-84, eff. 7-9-99.)