

# SB3055



## 98TH GENERAL ASSEMBLY

### State of Illinois

2013 and 2014

SB3055

Introduced 2/7/2014, by Sen. Daniel Biss

#### SYNOPSIS AS INTRODUCED:

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

Amends the Illinois Water Well Construction Code. Changes the definitions of "modification" and "closed loop well". Makes other changes. Effective immediately.

LRB098 19682 MGM 54888 b

A BILL FOR

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 Illinois Water Well Construction Code is  
5 amended by changing Sections 3, 5, and 6 as follows:

6 (415 ILCS 30/3) (from Ch. 111 1/2, par. 116.113)

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

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

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

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

16 (d) "Modification" means the alteration of the structure of  
17 an existing water well, including, but not limited to,  
18 deepening, elimination of a buried suction line, installation  
19 of a liner, replacing, repairing, or extending casing, or  
20 replacement of a well screen. Pertaining to closed loop wells,  
21 "modification" also means any alteration to the construction of  
22 the borehole of an existing closed loop well, including, but  
23 not limited to, regrouting and installation of additional

1 boreholes ~~any change, replacement or other alteration of any~~  
2 ~~water well which shall be contrary to the rules and regulations~~  
3 ~~regarding the construction of a well.~~

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

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

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 but is  
25 limited to the construction of the bore hole, pipng in the  
26 borehole, heat exchange fluid, and the grouting of the bore

1 hole and does not include the piping and appurtenances used in  
2 any other capacity. "Closed loop well" does not include any  
3 horizontal closed loop well systems where grouting is not  
4 necessary by law or standard industry practice.

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

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

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

12 (415 ILCS 30/5) (from Ch. 111 1/2, par. 116.115)

13 Sec. 5. Department powers and duties.

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

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

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

24 (b-5) Commencing no later than one year after the  
25 effective date of this amendatory Act of the 97th General

1 Assembly, issue permits for the construction,  
2 modification, and abandonment of closed loop wells; and

3 (c) Exercise such other powers as are practical and  
4 reasonably necessary to carry out and enforce the  
5 provisions of this Act.

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

7 (415 ILCS 30/6) (from Ch. 111 1/2, par. 116.116)

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

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

23 Section 99. Effective date. This Act takes effect upon  
24 becoming law.