

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8 (Section scheduled to be repealed on January 1, 2022)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

1 or otherwise;

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

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

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

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

20 (7) "Water Well and Pump Installation Contractor" means any
21 person engaged in both businesses described in subsections 4,
22 5, and 6 above;

23 (8) "Department" means the Department of Public Health of
24 this State;

25 (9) "Director" means the Director of the Department of
26 Public Health;

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

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

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

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

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

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

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

23 (415 ILCS 30/3) (from Ch. 111 1/2, par. 116.113)

24 Sec. 3. Definitions. As used in this Act, unless the

1 context otherwise requires:

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

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

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

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

20 (e) "Water well" means any excavation that is drilled,
21 cored, bored, washed, driven, dug, jetted or otherwise
22 constructed when the intended use of such excavation is for the
23 location, diversion, artificial recharge, or acquisition of
24 ground water, but such term does not include an excavation made
25 for the purpose of obtaining or prospecting for oil, natural
26 gas, minerals or products of mining or quarrying or for

1 inserting media to repressure oil or natural gas bearing
2 formation or for storing petroleum, natural gas or other
3 products or for observation or any other purpose in connection
4 with the development or operation of a gas storage project.

5 (f) "Public water system", "community water system",
6 "non-community water system", "semi-private water system" and
7 "private water system" have the meanings ascribed to them in
8 the Illinois Groundwater Protection Act.

9 (g) "Potential route", "potential primary source" and
10 "potential secondary source" have the meanings ascribed to them
11 in the Environmental Protection Act.

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

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

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

3 Sec. 5. Department powers and duties.

4 The Department has general supervision and authority over
5 the location, construction and modification of water wells,
6 closed loop wells and monitoring wells and for the
7 administration of this Act. With respect thereto it shall:

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

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

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

18 (c) Exercise such other powers as are practical and
19 reasonably necessary to carry out and enforce the
20 provisions of this Act.

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

22 (415 ILCS 30/6) (from Ch. 111 1/2, par. 116.116)

23 Sec. 6. Rules and regulations. The Department shall adopt
24 and amend rules and regulations reasonably necessary to

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

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

14 Section 99. Effective date. This Act takes effect upon
15 becoming law.