

AN ACT concerning safety.

**Be it enacted by the People of the State of Illinois,  
represented in the General Assembly:**

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

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

(Section scheduled to be repealed on January 1, 2022)

Sec. 2. As used in this Act, unless the context otherwise requires:

(1) "Water well" and "well" mean any excavation that is drilled, cored, bored, washed, driven, dug, jetted or otherwise constructed when the intended use of such excavation is for the location, diversion, artificial recharge, or acquisition of ground water, but such term does not include an excavation made for the purpose of obtaining or prospecting for oil, natural gas, minerals or products of mining or quarrying or for inserting media to repressure oil or natural gas bearing formation or for storing petroleum, natural gas or other products, or monitoring wells;

(2) "Ground water" means water of under-ground aquifers, streams, channels, artesian basins, reservoirs, lakes and other water under the surface of the ground whether percolating

or otherwise;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

context otherwise requires:

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

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

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

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

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

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

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

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

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

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

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

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

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

Sec. 5. Department powers and duties.

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

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

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

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

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

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

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

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

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

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

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