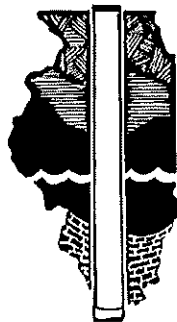


Water Well and Pump Installation Contractor's License Act

Re-Printed Courtesy of



Illinois
Association of
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Editorial Comment:

The License Act is a Sunset Legislation. This means that if the Legislature does not renew the Act, the Act will be automatically repealed. The Water Well and Pump Installation Contractor's License Act is set to be repealed on January 01, 2022. The Legislature must renew this legislation prior to January 01, 2022.

(225 ILCS 345/)

Water Well and Pump Installation Contractor's License Act.

(225 ILCS 345/1) (from Ch. 111, par. 7101)

Sec. 1. This Act shall be known and may be cited as the "Water Well and Pump Installation Contractor's License Act".

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

Declaration of the General Assembly

(225 ILCS 345/1.5) (from Ch. 111, par. 7102)

Sec. 1.5. It has been established that there is an ever-increasing shortage of water in this State and that improperly installed water wells, pumps and related equipment can endanger the public health. Consistent with its duty to protect the public health and welfare of this State, and to insure the development of the natural resource of underground water in an orderly and sanitary manner, the General Assembly hereby declares that the licensing of Water Well Contractors and Water Well Pump Installation Contractors is essential to the protection of the public health.

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

Definitions

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

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; 98-951, eff. 8-15-14.)

Illinois Administrative Procedure

(225 ILCS 345/2.5) (from Ch. 111, par. 7103.5)

Sec. 2.5. The Illinois Administrative Procedure Act is hereby expressly adopted and incorporated herein as if all of the provisions of such Act were included in this Act.

(Source: P.A. 80-1170.)

Application of Act

(225 ILCS 345/3) (from Ch. 111, par. 7104)

Sec. 3. This Act shall not apply:

(1) to an individual who drills a water well or installs a water well pump on land which is owned or leased by him and is used by him for farming purposes or as his place of abode; or

(2) to an individual who performs labor or services for a licensed water well Contractor in connection with the drilling of a water well at the direction and under the personal supervision of a licensed water well Contractor; or

(3) to an individual who performs labor or services for a licensed water well pump installation contractor in connection with the installation or repair of any water well pump or equipment at the direction and under the personal supervision of a licensed water well pump installation contractor; or

(4) to any person, firm or corporation engaged in the installation or repair of water well pumps or equipment in wells drilled or used for observation or any other purpose in connection with the development or operation of a gas storage project; or

(5) to any person, firm, or corporation engaged in the installation of driven point wells.
(Source: P.A. 81-791.)

Possession of License

(225 ILCS 345/4) (from Ch. 111, par. 7105)

Sec. 4. License requirement. Subject to the provisions of Section 3, no contractor shall drill a water well or engage in the occupation of a water well contractor unless he holds a valid license as a water well contractor issued by the Department under this Act. Subject to the provisions of Section 3, after January 1, 1972, no person shall drill a water well, install or repair a water well pump or equipment, or engage in the occupation of a Water Well and Pump Installation Contractor unless he holds a valid license as a Water Well and Pump Installation Contractor issued under this Act.

Provided, however, that nothing in this Section or any other statute or regulation of this State prohibits any person from making a water well pump installation or engaging in the business of connecting water pressure tanks to the water supply systems of buildings or to pumps or pumping units, so long as such person possesses either a valid license as a water well pump installation contractor or a water well and pump installation contractor issued under this Act. Any person holding a valid license under the Illinois Plumbing License Act may apply and receive, without examination or fee, a water well pump installation contractor license provided that all other requirements of this Act are met.

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

Water Well and Pump Installation Contractors Licensing Board

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

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

(a) There is created in the Department the Water Well and Pump Installation Contractors Licensing Board which shall exercise its duties provided in this Act under the supervision of the Department. The Water Well and Pump Installation Contractors Licensing Board shall consist of 6 members, designated from time to time by the Director. Two members shall be licensed water well contractors, 2 members shall be licensed water well pump installation contractors, and 2 members shall be licensed water well and pump installation contractors. In making the appointments to the Water Well and Pump Installation Contractors Licensing Board, the Director shall consider the recommendation of the Illinois Association of Groundwater Professionals or its successor organization.

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

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

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

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

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

(4) holding hearings for the revocation or suspension of, or refusal to issue, renew or reinstate licenses;

(5) submitting recommendations to the Director from time to time for the efficient administration of this Act;

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

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

(8) consulting and agreeing with the Closed Loop Well Contractors Certification Board regarding:

(i) the registering and certification of closed loop well contractors; and

(ii) the installation of closed loop wells. For purposes of this item (8), the term "closed loop well" shall be limited to the construction, installation, repair, and abandonment of the bore hole and the grouting of the bore hole.

(b) There is created in the Department the Closed Loop Well Contractors Certification Board, which shall exercise its duties provided in this Act under the supervision of the Department. The Closed Loop Well Contractors Certification Board shall consist of 6 members, designated from time to time by the Director. A temporary board shall be appointed by the Department for the sole purpose of assisting with the process of initial certification and registration of closed loop well contractors and shall remain in place until 2 years after the effective date of this amendatory Act of the 97th General Assembly. On the dissolution of the temporary board, the 6 members must be closed loop well contractors who are registered and certified under this Act. In making appointments to the Closed Loop Well Contractors Certification Board, the Director shall consider the recommendations of organizations that are representative of the closed loop well industry in Illinois. Recommendations shall include consideration of statewide geographical representation.

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

- (1) preparing subject matter for continuing education sessions relating to closed loop wells and preparing examinations to test the knowledge and skills of applicants for certification relating to the construction, installation, repair, and abandonment of closed loop wells and the rules of the Department adopted under this Act for closed loop wells;

- (2) adopting rules relating to

- (i) closed loop wells,

- (ii) continuing education requirements,

- (iii) examinations,

- (iv) hearings for suspension or revocation of or refusal to issue or renew a certification, and

- (v) the construction, installation, repair, and abandonment of closed loop wells;

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

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

- (5) submitting recommendations to the Director from time to time for the efficient administration of this Act;

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

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

(8) conferring with the Water Well and Pump Installation Contractors Licensing Board regarding the construction, installation, repair, and abandonment of closed loop wells.
(Source: P.A. 97-363, eff. 8-15-11.)

Power and Duties of Department

(225 ILCS 345/7) (from Ch. 111, par. 7108)

Sec. 7. Department duties. The Department shall:

- (a) Fix and announce dates for examinations;
- (b) Prepare forms for application for a water well Contractor's license, a water well pump installation contractor's license, and a water well drilling and pump installation contractor's license, which application shall state thereon the scope of the examination as set forth in paragraph (a) of Section 6 of this Act;
- (c) Prepare and issue license certificates to those entitled thereto;
- (d) With the aid of the Board, prescribe rules and regulations for the conduct of examinations and continuing education sessions;
- (e) Prescribe rules for hearings to suspend, revoke or reinstate licenses as provided in this Act;
- (f) Maintain and publish annually a roster showing (1) the names and addresses of licensed water well contractors, water well pump installation contractors, and water well and pump installation contractors. The Department may impose a fee for each roster which fee shall be set forth in the rules and regulations.

The Department shall maintain a record in the Springfield office showing (1) the names and addresses of all registrants under this Act, (2) the dates of issuance of the licenses, (3) the date and substance of the charges set forth in any complaint for suspension or revocation of any license, (4) the date and substance of all petitions for reinstatement of licenses and (5) the final order on such complaints and petitions. Upon written request the Department in its discretion shall make this information available to any registrant under this Act.

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

Refusal to take Examination; Rules and Regulations

(225 ILCS 345/8) (from Ch. 111, par. 7109)

Sec. 8. If an applicant neglects, fails or refuses to take an examination for license under this Act within 3 years after filing his application, the examination fee paid by the applicant shall be forfeited to the Department and the application denied. However, such applicant may thereafter make a new application for examination, accompanied by the required fee. The Department shall adopt and amend rules and regulations reasonably necessary to effectuate the policy declared by this Act. Such rules and regulations shall:

- (a) provide procedures governing the conduct of examination; and
- (b) provide for the orderly performance of such other duties as the administration and enforcement of this Act may require.

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

Qualifications

(225 ILCS 345/9) (from Ch. 111, par. 7110)

Sec. 9. Applications for a license, or for renewal thereof, and applications for examination shall be made to the Department in writing and under oath or affirmation, upon forms prescribed and furnished by the Department. Such applications shall contain such information as the Department deems necessary in order to carry out the provisions of this Act. The Department shall issue a Water Well Contractor's license, a Water Well Pump Installation Contractor's license, or a Water Well and Pump Installation Contractor's license to any applicant therefor who:

- (a) is at least 18 years of age,
- (b) possesses a good moral character,
- (c) has had the required experience as follows:

- (1) an applicant for a water well contractor's license shall have worked two years under the supervision of a licensed water well contractor,

- (2) an applicant for a water well pump installation contractor's license shall have worked two years under the supervision of a licensed water well pump installation contractor or in the case of those applicants whose experience was gained prior to January 1, 1972, under the supervision of a contractor who was engaged in water well pump installation,

- (3) an applicant for a water well and pump installation contractor's license shall have worked two years for a licensed water well and pump installation contractor and the applicant shall show evidence satisfactory to the Department that he was engaged in both water well contracting and pump installing during the two year period. For those applicants who gained their experience prior to January 1, 1972, it shall be sufficient for them to show that they worked under the supervision of a licensed water well contractor who was engaged in pump installation and that they did work in both fields.

- (e) has made a satisfactory grade on the examination for the particular license for which he is applying.

- (f) has paid the fee provided by statute.

Such licenses shall be serially numbered, shall be signed by the Director and issued under the seal of the Department.

(Source: P.A. 101-541, eff. 8-23-19.)

Issuance

(225 ILCS 345/10) (from Ch. 111, par. 7111)

Sec. 10. Any person who has been engaged in the occupation, trade or business of a water well contractor within the State of Illinois prior to June 1, 1959, shall upon application within one year of the effective date of this Act and payment of the required license fee, be issued a water well contractor's license certificate hereunder, without examination. Any person who has been engaged in the occupation, trade or business of Water Well Pump Installation Contractor within the State of Illinois for a period of twelve (12) months in the past ten (10) years prior to January 1, 1972, shall, upon application before December 31, 1972 and payment of the required fee, be issued a Water Well Pump Installation Contractor's license hereunder without examination. The Director may require such applicant to submit satisfactory proof that he was so engaged prior to

such time.

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

Expiration; Renewal

(225 ILCS 345/12) (from Ch. 111, par. 7113)

Sec. 12. License renewal. All licenses issued under this Act shall expire on January 31, next following the date of issuance, except that a license issued after October 31 and before January 31 shall expire on January 31 next occurring after the license has been in effect for one year. A license may be renewed for an ensuing license year without examination by making application therefor and paying the prescribed fee at least 30 days prior to the expiration date of the current license and such application shall extend the period of validity of the current license until a new license is received or the Department refuses to issue a new license under the provisions of this Act. A license issued under this Act which has expired may be reinstated immediately upon payment of the reinstatement fee, provided, however, not more than 3 years have elapsed since the date of expiration. A license which has expired for more than 3 years may be restored only by payment of the restoration fee and submitting evidence satisfactory to the Department of the current qualifications and fitness of the registrant, and by successfully passing the examination for a Water Well Contractor, Water Well Pump Installation Contractor, or Water Well and Pump Installation Contractor's License.

Beginning January 1, 2000, a contractor seeking a renewal license under this Act shall provide substantial evidence that he or she has attended at least one continuing education session in the preceding 2 years in order to qualify for a renewal license.

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

Fees

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

Sec. 13. The fee to be paid by an applicant for an examination to determine his fitness to receive a license as a water well contractor is \$50. The fee to be paid by an applicant for an examination to determine his fitness to receive a license as a water well pump installation contractor is \$50. The fee to be paid by an applicant for an examination to determine his fitness to receive a license as a water well and pump installation contractor is \$80.

The fee to be paid by an applicant for the annual renewal of a license as a water well contractor or water well pump installation contractor is \$25.

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

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

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

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

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

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

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

Display of License

(225 ILCS 345/14) (from Ch. 111, par. 7115)

Sec. 14. The licensee shall conspicuously display his license at his principal place of business.

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

Grounds for Revocation or Suspension

(225 ILCS 345/15) (from Ch. 111, par. 7116)

Sec. 15. The Department may refuse to issue or renew, may suspend or may revoke a license on any one or more of the following grounds:

- (1) material misstatement in the application for license;
- (2) failure to have or retain the qualifications required by Section 9 of this Act;
- (3) willful disregard or violation of this Act or of any rule or regulation promulgated by the Department pursuant thereto; or disregard or violation of any law of the state of Illinois or of any rule or regulation promulgated pursuant thereto relating to water well drilling or the installation of water pumps and equipment or any rule or regulation adopted pursuant thereto;
- (4) willfully aiding or abetting another in the violation of this Act or any rule or regulation promulgated by the Department pursuant thereto;
- (5) incompetence in the performance of the work of a water well contractor or of a water well pump installation contractor;
- (6) allowing the use of a license by someone other than the person in whose name it was issued;
- (7) for licensees, conviction of any crime an essential element of which is misstatement, fraud or dishonesty, conviction in this or another State of any crime which is a felony under the laws of this State or the conviction in a federal court of any felony; for applicants, the Department may deny a license based on a conviction of any felony or a misdemeanor directly related to the practice of the profession if the Department determines in accordance with Section 15.1 that such conviction will impair the ability of the applicant to engage in the position for which a license is sought;
- (8) making substantial misrepresentations or false promises of a character likely to influence, persuade or induce in connection with the occupation of a water well contractor or a water well pump installation contractor.

(Source: P.A. 100-286, eff. 1-1-18.)

Applicant Convictions

(225 ILCS 345/15.1)

Sec. 15.1. (a) The Department shall not require an applicant to provide the following information and shall not consider the following criminal history records in connection with an application for licensure:

(1) Juvenile adjudications of delinquent minors as defined in Section 5-105 of the Juvenile Court Act of 1987, subject to the exclusions set forth in Section 5-130 of the Juvenile Court Act of 1987.

(2) Law enforcement records, court records, and conviction records of an individual who was 17 years old at the time of the offense and before January 1, 2014, unless the nature of the offense required the individual to be tried as an adult.

(3) Records of arrest not followed by a charge or conviction.

(4) Records of arrest where charges were dismissed unless related to the practice of the profession. However, applicants shall not be asked to report any arrests, and any arrest not followed by a conviction shall not be the basis of a denial and may be used only to assess an applicant's rehabilitation.

(5) Convictions overturned by a higher court.

(6) Convictions or arrests that have been sealed or expunged.

(b) The Department, upon a finding that an applicant for a license was previously convicted of any felony or a misdemeanor directly related to the practice of the profession, shall consider any evidence of rehabilitation and mitigating factors contained in the applicant's record, including any of the following factors and evidence, to determine if the prior conviction will impair the ability of the applicant to engage in the position for which a license is sought:

(1) the lack of direct relation of the offense for which the applicant was previously convicted to the duties, functions, and responsibilities of the position for which a license is sought;

(2) whether 5 years since a felony conviction or 3 years since release from confinement for the conviction, whichever is later, have passed without a subsequent conviction;

(3) if the applicant was previously licensed or employed in this State or other states or jurisdictions, then the lack of prior misconduct arising from or related to the licensed position or position of employment;

(4) the age of the person at the time of the criminal offense;

(5) successful completion of sentence and, for applicants serving a term of parole or probation, a progress report provided by the applicant's probation or parole officer that documents the applicant's compliance with conditions of supervision;

(6) evidence of the applicant's present fitness and professional character;

(7) evidence of rehabilitation or rehabilitative effort during or after incarceration, or during or after a term of supervision, including, but not limited to, a certificate of good conduct under Section 5-5.5-25 of the Unified Code of Corrections or a certificate of relief from disabilities under Section 5-5.5-10 of the Unified Code of Corrections; and

(8) any other mitigating factors that contribute to the person's potential and current ability to perform the job duties.

(c) If the Department refuses to issue a license to an applicant, then the Department shall notify the applicant of the denial in writing with the following included in the notice of denial:

(1) a statement about the decision to refuse to issue a license;

(2) a list of the convictions that the Department determined will impair the applicant's ability to engage in the position for which a license is sought;

(3) a list of convictions that formed the sole or partial basis for the refusal to issue a license; and

(4) a summary of the appeal process or the earliest the applicant may reapply for a license, whichever is applicable.

(d) No later than May 1 of each year, the Department must prepare, publicly announce, and publish a report of summary statistical information relating to new and renewal license applications during the preceding calendar year. Each report shall show, at a minimum:

(1) the number of applicants for a new or renewal license under this Act within the previous calendar year;

(2) the number of applicants for a new or renewal license under this Act within the previous calendar year who had any criminal conviction;

(3) the number of applicants for a new or renewal license under this Act in the previous calendar year who were granted a license;

(4) the number of applicants for a new or renewal license with a criminal conviction who were granted a license under this Act within the previous calendar year;

(5) the number of applicants for a new or renewal license under this Act within the previous calendar year who were denied a license; and

(6) the number of applicants for a new or renewal license with a criminal conviction who were denied a license under this Act in the previous calendar year in part or in whole because of a prior conviction.

(Source: P.A. 100-286, eff. 1-1-18.)

Investigations

(225 ILCS 345/16) (from Ch. 111, par. 7117)

Sec. 16. The Department may upon its own motion and shall upon the verified complaint in writing of any person, setting forth facts which, if proved, would constitute grounds for refusal, suspension or revocation under this Act, investigate the actions of any applicant or any person or persons holding or claiming to hold a license. The Department shall, before refusing to issue or renew, and before suspension or revocation of a license, at least 10 days prior to the date set for the hearing, notify in writing the applicant for or holder of a license, hereinafter called the

respondent, that a hearing will be held on the date designated to determine whether the respondent is privileged to hold such license, and shall afford the respondent an opportunity to be heard in person or by counsel with reference thereto. Such written notice may be served by delivery of the same personally to the respondent, or by mailing the same by registered or certified mail to the place of business last theretofore specified by the respondent in the last notification to the Department. At the time and place fixed in the notice, the Department shall proceed to hear the charges and both the respondent and the complainant shall be accorded ample opportunity to present in person or by counsel such statements, testimony, evidence and argument as may be pertinent to the charges or to any defense thereto. At such hearing, the Director or the person designated by the Director of the Department may administer oaths. (Source: P.A. 80-670.)

Subpoenas; Depositions

(225 ILCS 345/17) (from Ch. 111, par. 7118)

Sec. 17. The Department, over the signature of the Director, Assistant Director or the person designated by the Director, is authorized to subpoena and bring before the Department any person or persons in this State and to take testimony either orally or by deposition or by exhibit, with the same fees and mileage and in the same manner as prescribed by law in judicial proceedings in civil cases in circuit courts of this State.

(Source: P.A. 83-338.)

Record of Proceedings

(225 ILCS 345/18) (from Ch. 111, par. 7119)

Sec. 18. The Department, at its expense, shall provide a stenographer to take down the testimony and preserve a record of all proceedings at the hearing of any case involving the refusal to issue or renew or the suspension or revocation of a license. The notice of hearing, complaint and all other documents in the nature of pleadings and written motions filed in the proceedings, the transcript of testimony and the orders of the Department shall be the record of such proceedings. The Department shall furnish a transcript of such record to any person or persons interested in such hearing upon payment therefor of one dollar per page for each original transcript and fifty cents per page for each carbon copy thereof ordered with the original. Provided, that the charge for any part of such transcript ordered and paid for previous to the writing of the original record thereof shall be fifty cents per page for each carbon copy.

(Source: P.A. 77-420.)

Re-Hearing

(225 ILCS 345/19) (from Ch. 111, par. 7120)

Sec. 19. In any case involving the refusal to issue or renew or the suspension or revocation of license the Director of the Department after the hearing, or, if the respondent failed to appear, on the date set for the hearing, shall enter an order of suspension, revocation or refusal, as the case may require, or dismiss the case, a copy of which order shall be served upon the respondent by the Department, either personally or by registered or certified mail as provided in this Act for the service of the notice of hearing. Within 20 days after such service, the respondent may present to

the Department a motion in writing for a re-hearing, which written motion shall specify the particular grounds therefor. If no motion for re-hearing is filed, then upon the expiration of the time specified for filing such a motion, or if a motion for rehearing is denied, then upon such denial, the original order of the Director shall become final. No more than one rehearing shall be allowed. If the respondent shall order and pay for a transcript of the record within the time for filing a motion for rehearing, then the 20 day period within which such a motion may be filed shall commence upon the delivery of the transcript to the respondent.

(Source: Laws 1959, p. 1786.)

Witnesses; Production of Documents

(225 ILCS 345/20) (from Ch. 111, par. 7121)

Sec. 20. Any circuit court may, upon application of the Director of the Department or of the applicant or licensee against whom proceedings under this Act are pending, enter an order requiring the attendance of witnesses and their testimony, and the production of documents, papers, files, books and records in connection with any hearing in any proceedings under this Act. The Court may compel obedience to its order by proceedings for contempt.

(Source: P.A. 83-334.)

Administrative Decisions

(225 ILCS 345/21) (from Ch. 111, par. 7122)

Sec. 21. Any person affected by a final administrative decision of the Department may have such decision reviewed judicially by the circuit court of the county wherein such person resides. If the plaintiff in the review proceedings is not a resident of this State, the venue shall be in Sangamon County. The provisions of the Administrative Review Law, and all amendments and modifications thereof, and the rules adopted pursuant thereto, shall apply to and govern all proceedings for the judicial review of final administrative decisions of the Department hereunder. The term "administrative decision" is defined as in Section 3-101 of the Code of Civil Procedure.

The Department shall not be required to certify any record to the court or file any answer in court or otherwise appear in any court in a Judicial review proceeding, unless there is filed in the court with the complaint a receipt from the Department acknowledging payment of the costs of furnishing and certifying the record which costs shall be computed at the rate of 20 cents per page of such record. Exhibit shall be certified without cost. Failure on the part of the Plaintiff to file such receipt in court shall be grounds for dismissal of the action.

(Source: P.A. 82-783.)

Surrender

(225 ILCS 345/23) (from Ch. 111, par. 7124)

Sec. 23. Upon the revocation or suspension of any license, the licensee shall forthwith surrender the license to the Department, and if the licensee fails to do so, the Department shall have the right to seize the same.

(Source: Laws 1959, p. 1786.)

Regulations

(225 ILCS 345/24) (from Ch. 111, par. 7125)

Sec. 24. The Department may issue regulations, consistent with the provisions of this Act, for the administration and enforcement thereof and may prescribe forms which shall be used in connection therewith.

(Source: Laws 1959, p. 1786.)

Actions or Counterclaims Without Showing Proof or License

(225 ILCS 345/25) (from Ch. 111, par. 7126)

Sec. 25. No action or counterclaim shall be maintained by any contractor in any court in this state with respect to any agreement, work, labor or materials for which a license is required by this Act or to recover the agreed price or any compensation under any such agreement, or for any such work, labor or materials for which a license is required by this Act without alleging and proving that such contractor had a valid license at the time of making such agreement and of supplying such labor, work or materials.

(Source: Laws 1959, p. 1786.)

Injunctions

(225 ILCS 345/26) (from Ch. 111, par. 7127)

Sec. 26. If any person has violated or is violating this Act, the Director of the Department may, in the name of the people of the State of Illinois, through the Attorney General of the State of Illinois, or the State's Attorney of any county in the State of Illinois, apply, in the circuit court, for an order enjoining such violation or for an order enforcing compliance with this Act. Upon the filing of a verified complaint in such court, the court, if satisfied by affidavit or otherwise that such person has violated this Act, may enter a temporary restraining order or preliminary injunction, without notice or bond, enjoining such violation. The proceedings shall thereafter be conducted as in other civil cases. If it is established that such person has violated or is violating this Act, the Court, may enter an order perpetually enjoining such violation or enforcing compliance with this Act. In case of violation of any order entered under this Section, the Court may summarily try and punish the offender for contempt of court. Proceedings under this Section shall be in addition to, and not in lieu of, all other remedies and penalties provided by this Act.

(Source: P.A. 83-334.)

Violations

(225 ILCS 345/27) (from Ch. 111, par. 7128)

Sec. 27. Whoever violates any provision of this Act shall be guilty of a petty offense and shall be fined a sum not less than \$100. Any fine imposed shall be in addition to any other action that may be taken under this Act. Each day that a violation continues shall constitute a separate

offense. The State's Attorney of the County in which the violation occurred, or the Attorney General shall bring such actions in the name of the People of the State of Illinois, or may, in addition to other remedies provided in this Act, bring action for an injunction to restrain such violation. (Source: P.A. 80-670.)

Partial Invalidity

(225 ILCS 345/28) (from Ch. 111, par. 7129)

Sec. 28. If, for any reason, any part of this Act is found to be unconstitutional or invalid, such finding shall not affect the validity of the remaining parts of the Act.

(Source: Laws 1959, p. 1786.)

Public Policy

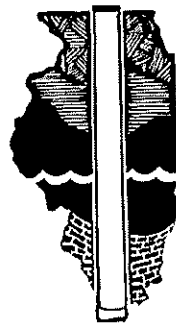
(225 ILCS 345/29) (from Ch. 111, par. 7130)

Sec. 29. Public Policy. It is declared to be the public policy of this State, pursuant to paragraphs (h) and (i) of Section 6 of Article VII of the Illinois Constitution of 1970, that any power or function set forth in this Act to be exercised by the State is an exclusive State power or function. Such power or function shall not be exercised concurrently, either directly or indirectly, by any unit of local government, including home rule units, except as otherwise provided in this Act.

(Source: P.A. 78-1231.)

The Illinois Water Well and Pump Installation Contractor's License Code

Re-Printed Courtesy of



Illinois
Association of
Groundwater
Professionals

DISCLAIMER: The Illinois Association of Groundwater Professionals (IAGP) is not responsible for any errors or omissions in these re-printed documents. The information in these documents has been re-printed from the Illinois Department of Public Health's (IDHP) web site as of July 1, 2020. Please contact IDHP for clarification of the Water Well and Pump Installation Contractor's License Act, The Illinois Water Well And Pump Installation Contractor's License Code, Illinois Water Well Construction Code or Illinois Water Well Pump Installation Code.

(225 ILCS 345/) Water Well and Pump Installation Contractor's License Act.

(225 ILCS 345/1) (from Ch. 111, par. 7101)

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

Sec. 1. This Act shall be known and may be cited as the "Water Well and Pump Installation Contractor's License Act".

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

(225 ILCS 345/1.5) (from Ch. 111, par. 7102)

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

Sec. 1.5. It has been established that there is an ever increasing shortage of water in this State and that improperly installed water wells, pumps and related equipment can endanger the public health. Consistent with its duty to protect the public health and welfare of this State, and to insure the development of the natural resource of underground water in an orderly and sanitary manner, the General Assembly hereby declares that the licensing of Water Well Contractors and Water Well Pump Installation Contractors is essential to the protection of the public health.

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

(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 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.)

(225 ILCS 345/2.5) (from Ch. 111, par. 7103.5)

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

Sec. 2.5. The Illinois Administrative Procedure Act is hereby expressly adopted and incorporated herein as if all of the provisions of such Act were included in this Act.

(Source: P.A. 80-1170.)

(225 ILCS 345/3) (from Ch. 111, par. 7104)

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

Sec. 3. This Act shall not apply:

(1) to an individual who drills a water well or installs a water well pump on land which is owned or leased by him and is used by him for farming purposes or as his place of abode; or

(2) to an individual who performs labor or services for a licensed water well Contractor in connection with the drilling of a water well at the direction and under the personal supervision of a licensed water well Contractor; or

(3) to an individual who performs labor or services for a licensed water well pump installation contractor in connection with the installation or repair of any water well pump or equipment at the direction and under the personal supervision of a licensed water well pump installation contractor; or

(4) to any person, firm or corporation engaged in the installation or repair of water well pumps or equipment in wells drilled or used for observation or any other purpose in connection with the development or operation of a gas storage project; or

(5) to any person, firm, or corporation engaged in the installation of driven point wells.

(Source: P.A. 81-791.)

(225 ILCS 345/4) (from Ch. 111, par. 7105)

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

Sec. 4. License requirement. Subject to the provisions of Section 3, no contractor shall drill a water well or engage in the occupation of a water well contractor unless he holds a valid license as a water well contractor issued by the Department under this Act. Subject to the provisions of Section 3, after January 1, 1972, no person shall drill a water well, install or repair a water well pump or equipment, or engage in the occupation of a Water Well and

Pump Installation Contractor unless he holds a valid license as a Water Well and Pump Installation Contractor issued under this Act.

Provided, however, that nothing in this Section or any other statute or regulation of this State prohibits any person from making a water well pump installation or engaging in the business of connecting water pressure tanks to the water supply systems of buildings or to pumps or pumping units, so long as such person possesses either a valid license as a water well pump installation contractor or a water well and pump installation contractor issued under this Act. Any person holding a valid license under the Illinois Plumbing License Act may apply and receive, without examination or fee, a water well pump installation contractor license provided that all other requirements of this Act are met.

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

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

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

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

(a) There is created in the Department the Water Well and Pump Installation Contractors Licensing Board which shall exercise its duties provided in this Act under the supervision of the Department. The Water Well and Pump Installation Contractors Licensing Board shall consist of 6 members, designated from time to time by the Director. Two members shall be licensed water well contractors, 2 members shall be licensed water well pump installation contractors, and 2 members shall be licensed water well and pump installation contractors. In making the appointments to the Water Well and Pump Installation Contractors Licensing Board, the Director shall consider the recommendation of the Illinois Association of Groundwater Professionals or its successor organization.

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

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

- (1) preparing subject matter for continuing education sessions and examinations to test the knowledge and skills of applicants for license in the construction, installation and repair of water wells, well pumps, water pressure storage tanks, connecting piping and related appurtenances, including proper sealing of abandoned water wells, and the rules and regulations of the Department promulgated pursuant to the Illinois Pump Installation Code Law and the Illinois Water Well Construction Code Law;
- (2) promulgating rules to govern the number of hours of continuing education required for a continuing education session, examinations, hearings for suspension or revocation of or refusal to issue or renew a license, clarifying the law as it relates to water well and pump installation contracting;
- (3) holding examinations of applicants for license at least once a year prior to November 1st in each year;
- (4) holding hearings for the revocation or suspension of, or refusal to issue, renew or reinstate licenses;
- (5) submitting recommendations to the Director from time to time for the efficient administration of this Act;
- (6) grading all tests and examinations for licenses and promptly reporting the results to the Director;
- (7) performing such other duties from time to time prescribed by the Director; and
- (8) consulting and agreeing with the Closed Loop Well Contractors Certification Board regarding:
 - (i) the registering and certification of closed

loop well contractors; and

(ii) the installation of closed loop wells.

For purposes of this item (8), the term "closed loop

well" shall be limited to the construction, installation, repair, and abandonment of the bore hole and the grouting of the bore hole.

(b) There is created in the Department the Closed Loop Well Contractors Certification Board, which shall exercise its duties provided in this Act under the supervision of the Department.

The Closed Loop Well Contractors Certification Board shall consist of 6 members, designated from time to time by the Director. A temporary board shall be appointed by the Department for the sole purpose of assisting with the process of initial certification and registration of closed loop well contractors and shall remain in place until 2 years after the effective date of this amendatory Act of the 97th General Assembly. On the dissolution of the temporary board, the 6 members must be closed loop well contractors who are registered and certified under this Act. In making appointments to the Closed Loop Well Contractors Certification Board, the Director shall consider the recommendations of organizations that are representative of the closed loop well industry in Illinois. Recommendations shall include consideration of statewide geographical representation.

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

(1) preparing subject matter for continuing education sessions relating to closed loop wells and preparing examinations to test the knowledge and skills of applicants for certification relating to the construction, installation, repair, and abandonment of closed loop wells and the rules of the Department adopted under this Act for closed loop wells;

(2) adopting rules relating to (i) closed loop wells,

(ii) continuing education requirements, (iii) examinations, (iv) hearings for suspension or revocation of or refusal to issue or renew a certification, and (v) the construction, installation, repair, and abandonment of closed loop wells;

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

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

(5) submitting recommendations to the Director from time to time for the efficient administration of this Act;

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

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

(8) conferring with the Water Well and Pump

Installation Contractors Licensing Board regarding the construction, installation, repair, and abandonment of closed loop wells.

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

(225 ILCS 345/7) (from Ch. 111, par. 7108)

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

Sec. 7. Department duties. The Department shall:

(a) Fix and announce dates for examinations;

(b) Prepare forms for application for a water well

Contractor's license, a water well pump installation contractor's license, and a water well drilling and pump installation contractor's license, which application shall state thereon the scope of the examination as set forth in paragraph (a) of Section 6 of this Act;

(c) Prepare and issue license certificates to those entitled thereto;

(d) With the aid of the Board, prescribe rules and

regulations for the conduct of examinations and continuing education sessions;

(e) Prescribe rules for hearings to suspend, revoke or reinstate licenses as provided in this Act;

(f) Maintain and publish annually a roster showing

(1) the names and addresses of licensed water well contractors, water well pump installation contractors, and water well and pump installation contractors. The Department may impose a fee for each roster which fee shall be set forth in the rules and regulations.

The Department shall maintain a record in the Springfield office showing (1) the names and addresses of all registrants under this Act, (2) the dates of issuance of the licenses, (3) the date and substance of the charges set forth in any complaint for suspension or revocation of any license, (4) the date and substance of all petitions for reinstatement of licenses and (5) the final order on such complaints and petitions. Upon written request the Department in its discretion shall make this information available to any registrant under this Act.

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

(225 ILCS 345/8) (from Ch. 111, par. 7109)

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

Sec. 8. If an applicant neglects, fails or refuses to take an examination for license under this Act within 3 years after filing his application, the examination fee paid by the applicant shall be forfeited to the Department and the application denied. However, such applicant may thereafter make a new application for examination, accompanied by the required fee. The Department shall adopt and amend rules and regulations reasonably necessary to effectuate the policy declared by this Act. Such rules and regulations shall:

(a) provide procedures governing the conduct of examination; and

(b) provide for the orderly performance of such other duties as the administration and enforcement of this Act may require.

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

(225 ILCS 345/9) (from Ch. 111, par. 7110)

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

Sec. 9. Applications for a license, or for renewal thereof, and applications for examination shall be made to the Department in writing and under oath or affirmation, upon forms prescribed and furnished by the Department. Such applications shall contain such information as the Department deems necessary in order to carry out the provisions of this Act.

The Department shall issue a Water Well Contractor's license, a Water Well Pump Installation Contractor's license, or a Water Well and Pump Installation Contractor's license to any applicant therefor who:

(a) is at least 18 years of age,

(b) is a citizen of the United States or has declared his intention to become a citizen of the United States,

(c) possesses a good moral character,

(d) has had the required experience as follows:

(1) an applicant for a water well contractor's license shall have worked two years under the supervision of a licensed water well contractor,

(2) an applicant for a water well pump installation contractor's license shall have worked two years under the supervision of a licensed water well pump installation contractor or in the case of those applicants whose experience was gained prior to January 1, 1972, under the supervision of a contractor who was engaged in water well pump installation,

(3) an applicant for a water well and pump installation contractor's license shall have worked

two years for a licensed water well and pump installation contractor and the applicant shall show evidence satisfactory to the Department that he was engaged in both water well contracting and pump installing during the two year period. For those applicants who gained their experience prior to January 1, 1972, it shall be sufficient for them to show that they worked under the supervision of a licensed water well contractor who was engaged in pump installation and that they did work in both fields.

(e) has made a satisfactory grade on the examination for the particular license for which he is applying.

(f) has paid the fee provided by statute.

Such licenses shall be serially numbered, shall be signed by the Director and issued under the seal of the Department.

(Source: P.A. 81-791.)

(225 ILCS 345/10) (from Ch. 111, par. 7111)

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

Sec. 10. Any person who has been engaged in the occupation, trade or business of a water well contractor within the State of Illinois prior to June 1, 1959, shall upon application within one year of the effective date of this Act and payment of the required license fee, be issued a water well contractor's license certificate hereunder, without examination. Any person who has been engaged in the occupation, trade or business of Water Well Pump Installation Contractor within the State of Illinois for a period of twelve (12) months in the past ten (10) years prior to January 1, 1972, shall, upon application before December 31, 1972 and payment of the required fee, be issued a Water Well Pump Installation Contractor's license hereunder without examination. The Director may require such applicant to submit satisfactory proof that he was so engaged prior to such time.

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

(225 ILCS 345/12) (from Ch. 111, par. 7113)

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

Sec. 12. License renewal. All licenses issued under this Act shall expire on January 31, next following the date of issuance, except that a license issued after October 31 and before January 31 shall expire on January 31 next occurring after the license has been in effect for one year. A license may be renewed for an ensuing license year without examination by making application therefor and paying the prescribed fee at least 30 days prior to the expiration date of the current license and such application shall extend the period of validity of the current license until a new license is received or the Department refuses to issue a new license under the provisions of this Act. A license issued under this Act which has expired may be reinstated immediately upon payment of the reinstatement fee, provided, however, not more than 3 years have elapsed since the date of expiration. A license which has expired for more than 3 years may be restored only by payment of the restoration fee and submitting evidence satisfactory to the Department of the current qualifications and fitness of the registrant, and by successfully passing the examination for a Water Well Contractor, Water Well Pump Installation Contractor, or Water Well and Pump Installation Contractor's License.

Beginning January 1, 2000, a contractor seeking a renewal license under this Act shall provide substantial evidence that he or she has attended at least one continuing education session in the preceding 2 years in order to qualify for a renewal license.

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

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

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

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

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

The fee to be paid by an applicant for an examination to determine his fitness to receive a license as a water well and pump installation contractor is \$80.

The fee to be paid by an applicant for the annual renewal of a license as a water well contractor or water well pump installation contractor is \$25.

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

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

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

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

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

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

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

(225 ILCS 345/14) (from Ch. 111, par. 7115)

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

Sec. 14. The licensee shall conspicuously display his license at his principal place of business.

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

(225 ILCS 345/15) (from Ch. 111, par. 7116)

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

Sec. 15. The Department may refuse to issue or renew, may suspend or may revoke a license on any one or more of the following grounds:

(1) Material misstatement in the application for license;

(2) Failure to have or retain the qualifications required by Section 9 of this Act;

(3) Wilful disregard or violation of this Act or of any rule or regulation promulgated by the Department pursuant thereto; or disregard or violation of any law of the state of Illinois or of any rule or regulation promulgated pursuant thereto relating to water well drilling or the installation of water pumps and equipment or any rule or regulation adopted pursuant thereto;

(4) Wilfully aiding or abetting another in the violation of this Act or any rule or regulation promulgated by the Department pursuant thereto;

(5) Incompetence in the performance of the work of a water well contractor or of a water well pump installation contractor;

(6) Allowing the use of a license by someone other than the person in whose name it was issued;

(7) Conviction of any crime an essential element of which is misstatement, fraud or dishonesty, conviction in this or another State of any crime which is a felony under the laws of this State or the conviction in a federal court of any felony.

(8) Making substantial misrepresentations or false promises of a character likely to influence,

persuade or induce in connection with the occupation of a water well contractor or a water well pump installation contractor.
(Source: P.A. 77-1626.)

(225 ILCS 345/16) (from Ch. 111, par. 7117)
(Section scheduled to be repealed on January 1, 2022)

Sec. 16. The Department may upon its own motion and shall upon the verified complaint in writing of any person, setting forth facts which, if proved, would constitute grounds for refusal, suspension or revocation under this Act, investigate the actions of any applicant or any person or persons holding or claiming to hold a license. The Department shall, before refusing to issue or renew, and before suspension or revocation of a license, at least 10 days prior to the date set for the hearing, notify in writing the applicant for or holder of a license, hereinafter called the respondent, that a hearing will be held on the date designated to determine whether the respondent is privileged to hold such license, and shall afford the respondent an opportunity to be heard in person or by counsel with reference thereto. Such written notice may be served by delivery of the same personally to the respondent, or by mailing the same by registered or certified mail to the place of business last theretofore specified by the respondent in the last notification to the Department. At the time and place fixed in the notice, the Department shall proceed to hear the charges and both the respondent and the complainant shall be accorded ample opportunity to present in person or by counsel such statements, testimony, evidence and argument as may be pertinent to the charges or to any defense thereto. At such hearing, the Director or the person designated by the Director of the Department may administer oaths.
(Source: P.A. 80-670.)

(225 ILCS 345/17) (from Ch. 111, par. 7118)
(Section scheduled to be repealed on January 1, 2022)

Sec. 17. The Department, over the signature of the Director, Assistant Director or the person designated by the Director, is authorized to subpoena and bring before the Department any person or persons in this State and to take testimony either orally or by deposition or by exhibit, with the same fees and mileage and in the same manner as prescribed by law in judicial proceedings in civil cases in circuit courts of this State.
(Source: P.A. 83-338.)

(225 ILCS 345/18) (from Ch. 111, par. 7119)
(Section scheduled to be repealed on January 1, 2022)

Sec. 18. The Department, at its expense, shall provide a stenographer to take down the testimony and preserve a record of all proceedings at the hearing of any case involving the refusal to issue or renew or the suspension or revocation of a license. The notice of hearing, complaint and all other documents in the nature of pleadings and written motions filed in the proceedings, the transcript of testimony and the orders of the Department shall be the record of such proceedings. The Department shall furnish a transcript of such record to any person or persons interested in such hearing upon payment therefor of one dollar per page for each original transcript and fifty cents per page for each carbon copy thereof ordered with the original. Provided, that the charge for any part of such transcript ordered and paid for previous to the writing of the original record thereof shall be fifty cents per page for each carbon copy.
(Source: P.A. 77-420.)

(225 ILCS 345/19) (from Ch. 111, par. 7120)

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

Sec. 19. In any case involving the refusal to issue or renew or the suspension or revocation of license the Director of the Department after the hearing, or, if the respondent failed to appear, on the date set for the hearing, shall enter an order of suspension, revocation or refusal, as the case may require, or dismiss the case, a copy of which order shall be served upon the respondent by the Department, either personally or by registered or certified mail as provided in this Act for the service of the notice of hearing. Within 20 days after such service, the respondent may present to the Department a motion in writing for a re-hearing, which written motion shall specify the particular grounds therefor. If no motion for re-hearing is filed, then upon the expiration of the time specified for filing such a motion, or if a motion for rehearing is denied, then upon such denial, the original order of the Director shall become final. No more than one rehearing shall be allowed. If the respondent shall order and pay for a transcript of the record within the time for filing a motion for rehearing, then the 20 day period within which such a motion may be filed shall commence upon the delivery of the transcript to the respondent.

(Source: Laws 1959, p. 1786.)

(225 ILCS 345/20) (from Ch. 111, par. 7121)

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

Sec. 20. Any circuit court may, upon application of the Director of the Department or of the applicant or licensee against whom proceedings under this Act are pending, enter an order requiring the attendance of witnesses and their testimony, and the production of documents, papers, files, books and records in connection with any hearing in any proceedings under this Act. The Court may compel obedience to its order by proceedings for contempt.

(Source: P.A. 83-334.)

(225 ILCS 345/21) (from Ch. 111, par. 7122)

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

Sec. 21. Any person affected by a final administrative decision of the Department may have such decision reviewed judicially by the circuit court of the county wherein such person resides. If the plaintiff in the review proceedings is not a resident of this State, the venue shall be in Sangamon County. The provisions of the Administrative Review Law, and all amendments and modifications thereof, and the rules adopted pursuant thereto, shall apply to and govern all proceedings for the judicial review of final administrative decisions of the Department hereunder. The term "administrative decision" is defined as in Section 3-101 of the Code of Civil Procedure.

The Department shall not be required to certify any record to the court or file any answer in court or otherwise appear in any court in a Judicial review proceeding, unless there is filed in the court with the complaint a receipt from the Department acknowledging payment of the costs of furnishing and certifying the record which costs shall be computed at the rate of 20 cents per page of such record. Exhibit shall be certified without cost. Failure on the part of the Plaintiff to file such receipt in court shall be grounds for dismissal of the action.

(Source: P.A. 82-783.)

(225 ILCS 345/23) (from Ch. 111, par. 7124)

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

Sec. 23. Upon the revocation or suspension of any license, the licensee shall forthwith surrender the license to the Department, and if the licensee fails to do so, the Department shall have the right to seize the same.

(Source: Laws 1959, p. 1786.)

(225 ILCS 345/24) (from Ch. 111, par. 7125)

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

Sec. 24. The Department may issue regulations, consistent with the provisions of this Act, for the administration and enforcement thereof and may prescribe forms which shall be used in connection therewith.

(Source: Laws 1959, p. 1786.)

(225 ILCS 345/25) (from Ch. 111, par. 7126)

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

Sec. 25. No action or counterclaim shall be maintained by any contractor in any court in this state with respect to any agreement, work, labor or materials for which a license is required by this Act or to recover the agreed price or any compensation under any such agreement, or for any such work, labor or materials for which a license is required by this Act without alleging and proving that such contractor had a valid license at the time of making such agreement and of supplying such labor, work or materials.

(Source: Laws 1959, p. 1786.)

(225 ILCS 345/26) (from Ch. 111, par. 7127)

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

Sec. 26. If any person has violated or is violating this Act, the Director of the Department may, in the name of the people of the State of Illinois, through the Attorney General of the State of Illinois, or the State's Attorney of any county in the State of Illinois, apply, in the circuit court, for an order enjoining such violation or for an order enforcing compliance with this Act. Upon the filing of a verified complaint in such court, the court, if satisfied by affidavit or otherwise that such person has violated this Act, may enter a temporary restraining order or preliminary injunction, without notice or bond, enjoining such violation. The proceedings shall thereafter be conducted as in other civil cases. If it is established that such person has violated or is violating this Act, the Court, may enter an order perpetually enjoining such violation or enforcing compliance with this Act. In case of violation of any order entered under this Section, the Court may summarily try and punish the offender for contempt of court. Proceedings under this Section shall be in addition to, and not in lieu of, all other remedies and penalties provided by this Act.

(Source: P.A. 83-334.)

(225 ILCS 345/27) (from Ch. 111, par. 7128)

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

Sec. 27. Whoever violates any provision of this Act shall be guilty of a petty offense and shall be fined a sum not less than \$100. Any fine imposed shall be in addition to any other action that may be taken under this Act. Each day that a violation continues shall constitute a separate offense. The State's Attorney of the County in which the violation occurred, or the

Attorney General shall bring such actions in the name of the People of the State of Illinois, or may, in addition to other remedies provided in this Act, bring action for an injunction to restrain such violation.

(Source: P.A. 80-670.)

(225 ILCS 345/28) (from Ch. 111, par. 7129)

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

Sec. 28. If, for any reason, any part of this Act is found to be unconstitutional or invalid, such finding shall not affect the validity of the remaining parts of the Act.

(Source: Laws 1959, p. 1786.)

(225 ILCS 345/29) (from Ch. 111, par. 7130)

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

Sec. 29. Public Policy.

It is declared to be the public policy of this State, pursuant to paragraphs (h) and (i) of Section 6 of Article VII of the Illinois Constitution of 1970, that any power or function set forth in this Act to be exercised by the State is an exclusive State power or function. Such power or function shall not be exercised concurrently, either directly or indirectly, by any unit of local government, including home rule units, except as otherwise provided in this Act.

(Source: P.A. 78-1231.)

TITLE 77: PUBLIC HEALTH
CHAPTER I: DEPARTMENT OF PUBLIC HEALTH
SUBCHAPTER I: WATER AND SEWAGE

PART 915
WATER WELL AND PUMP INSTALLATION
CONTRACTOR'S LICENSE CODE

Section	
915.5	Definitions
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915.110	Revocation or Suspension of a License
915.130	Administrative Hearings
915.140	Names and Addresses of Licensed Contractors

AUTHORITY: Implementing and authorized by the Water Well and Pump Installation Contractor's License Act [225 ILCS 345].

SOURCE: Emergency rules adopted at 2 Ill. Reg. 9, p. 30, effective February 22, 1978, for a maximum of 150 days; adopted at 3 Ill. Reg. 10, p. 123, effective March 5, 1979; codified at 8 Ill. Reg. 8926; amended at 17 Ill. Reg. 4425, effective March 23, 1993; amended at 22 Ill. Reg. 4111, effective February 10, 1998; amended at 24 Ill. Reg. 12057, effective August 1, 2000; amended at 36 Ill. Reg. 9395, effective June 13, 2012.

Section 915.5 Definitions

"Act" means the Water Well and Pump Installation Contractor's License Act [225 ILCS 345].

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

"Department" means the Department of Public Health. (Section 2(8) of the Act)

"Drill" and "Drilling" mean all acts necessary to the construction of a water well, including the sealing of unused water well holes. (Section 2(3) of the Act)

"Person" includes any natural person, partnership, association, trust and public or private corporation. (Section 2(11) of the Act)

"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. (Section 2(1) of the Act)

"Water Well Contractor" and "Contractor" mean any person who contracts to drill, alter or repair any water well. (Section 2(4) of the Act)

"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. (Section 2(5) of the Act)

"Water Well Pump Installation Contractor" means any person engaged in the business of installing or repairing pumps and pumping equipment owned by others. (Section 2(6) of the Act)

(Source: Added at 36 Ill. Reg. 9395, effective June 13, 2012)

Section 915.6 Referenced Materials

The following materials are referenced in this Part:

- a) Illinois Statutes
 - 1) Water Well and Pump Installation Contractor's License Act [225 ILCS 245]
 - 2) Illinois Plumbing License Law [225 ILCS 320]
- b) Illinois Administrative Rules

- 1) Illinois Water Well Construction Code (77 Ill. Adm. Code 920)
- 2) Illinois Water Well Pump Installation Code (77 Ill. Adm. Code 925)
- 3) Practice and Procedure in Administrative Hearings (77 Ill. Adm. Code 100)

(Source: Added at 36 Ill. Reg. 9395, effective June 13, 2012)

Section 915.10 Applications

- a) An application for examination for registration as a licensed water well contractor or water well pump installation contractor must be received in the office of the Department of Public Health, Springfield, Illinois, at least 45 days prior to the date of examination. Applications shall be made on forms provided by the Department and shall include the following information:
 - 1) Name and address of the applicant;
 - 2) Age of the applicant;
 - 3) A statement that the applicant is a citizen of the United States or has declared his or her intention to become a citizen of the United States; and
 - 4) Employment records, W-2s, copies of paychecks, or other evidence that the applicant has been employed in water well construction or water well pump installation for a minimum of 420 working days in a maximum of two years.
- b) A recent photograph shall be submitted with the application form and be made a permanent record.
- c) Affidavits from previous and current licensed contractor employers shall accompany the application, indicating the dates that the applicant was employed and the locations of previous jobs that the applicant performed, and verifying that the applicant was engaged in water well or water pump installation work and that he or she performed this work under the supervision of a licensed contractor. Beginning July 1, 2014, an applicant for a water well contractor license shall submit copies of at least 10 water well construction reports that identify the applicant as the driller. To identify himself or herself as the driller, the applicant, along with the licensed driller performing the supervision, shall sign and date each of the water well construction reports. An applicant for a water well pump installation contractor license shall submit copies of at least 10 water well pump installation reports that identify the applicant as the pump installer. To identify himself or herself as the pump installer, the applicant, along with the licensed

pump installer performing supervision, shall sign and date the water well construction report or the water well pump installation report. The names and addresses of previous licensed contractor employers shall be included. These affidavits shall be submitted with the application form and become a permanent record.

- d) Qualifications. The Department will approve an application, provided the applicant has the following qualifications:
- 1) *Is at least 18 years of age;*
 - 2) *Is a citizen of the United States or has declared his or her intention to become a citizen of the United States;*
 - 3) *Possesses good moral character* on the basis of documentation provided by the applicant's employers' affidavits as required in subsection (c) of this Section, and that the applicant has no criminal record as described in Section 915.110(g);
 - 4) Has the following experience as documented according to subsections (a)(4) and (d) of this Section:
 - A) *An applicant for a water well contractor's license shall have worked two years under the supervision of a licensed water well contractor;*
 - B) *An applicant for a water well pump installation contractor's license shall have worked two years under the supervision of a licensed water well pump installation contractor;*
 - C) *An applicant for a water well and pump installation contractor's license shall have worked two years for a licensed water well contractor and pump installation contractor; and*
 - 5) *Has paid the required fee* in accordance with Section 13 of the Act. (Section 9 of the Act)

(Source: Amended at 36 Ill. Reg. 9395, effective June 13, 2012)

Section 915.20 Examination Requirements

- a) Photograph. The applicant shall personally present a recent photograph of himself or herself at the time of the examination.
- b) Examination. The examination shall be written and consist of four parts prepared by the Board. The four parts shall be the following:

- 1) Illinois Water Well Construction Code and the Act;
 - 2) Illinois Water Well Pump Installation Code and the Act;
 - 3) Experience in the construction of water wells; and
 - 4) Experience in the installation of water well pumps.
- c) **Passing Grade.** Applicants desiring a water well contractor license shall be required to successfully pass parts 1 and 3 as described in subsection (b). Applicants desiring a water well pump installation contractor license shall be required to successfully pass parts 2 and 4 as described in subsection (b). Applicants desiring licensure for both shall be required to successfully pass all parts. The examination shall consist of questions with a combined grade value of 100 points in each part. To successfully pass the examination, the applicant shall obtain a grade of not less than 70 in each part of the examination.
- d) **Failure to Pass.** An applicant who fails to pass the examination shall be admitted to a subsequent regularly scheduled examination after filing a new application and fee with the Department in accordance with Section 13 of the Act.
- e) **Refusal to Take an Examination.** If an applicant neglects, fails or refuses to take an examination for a license under the Act within three years after filing his or her application, the examination fee paid by the applicant shall be forfeited to the Department and the application denied. However, after that time, the applicant may make a new application for examination, accompanied by the required fee.
- f) **Review of Examinations.** Individuals may not review the examinations once they have been taken.

(Source: Amended at 36 Ill. Reg. 9395, effective June 13, 2012)

Section 915.25 Expiration, Renewal, Reinstatement and Restoration of Licenses

- a) **Expiration.** All licenses expire on January 31 following the date of issuance, with the exception that a license issued after October 31 and before January 31 shall expire on the January 31 occurring after the license has been in effect for one year.
- b) **Renewal.** All license renewals shall be made on forms prescribed by the Department and shall include documentation that the licensed contractor has attended at least one approved continuing education session in the preceding two years. All completed license renewal applications and fees are due December 31. Licenses renewed after December 31 will be assessed a late fee charge.

- c) Reinstatement. The Department will reinstate a license that has expired for three or fewer years upon receiving the completed renewal application and required fee.
- d) Restoration. A person whose license has been expired for more than three years may have the license restored, provided that a completed application for licensure and the required restoration fee are submitted to the Department according to Section 915.10 and that the applicant successfully passes the examination.
- e) Fees. The fee to renew, reinstate or restore a license shall be paid according to Section 13 of the Act.

(Source: Added at 36 Ill. Reg. 9395, effective June 13, 2012)

Section 915.30 Statutory Authority (Repealed)

(Source: Repealed at 36 Ill. Reg. 9395, effective June 13, 2012)

Section 915.40 Supervision

An applicant for a water well pump installation contractor's license, a water well contractor's license, or a water well and pump installation contractor's license shall have worked at the trade for two years at the direction and under the supervision of an Illinois licensed water well pump installation contractor, a water well contractor, or a water well and pump installation contractor, respectively. The Department shall consider two years to mean a minimum of 420 working days in a maximum of two years. Credit for experience and work performed under the supervision of individuals licensed by another state shall only be allowed when the Department has determined that the requirements for licensure in that other state are equal to those of the Department. The Department shall establish and publish a list of those states. Supervision shall be performed by licensed contractors in accordance with Section 915.50.

(Source: Amended at 22 Ill. Reg. 4111, effective February 10, 1998)

Section 915.50 Licensed Contractor Responsibility

- a) Water Well Construction. An individual who is not licensed under the Act may perform labor and services in connection with the drilling of a water well, provided such labor and services are performed at the direction and under the personal supervision of a licensed Water Well Contractor or a licensed Water Well and Pump Installation Contractor. In order for the licensed contractor to perform personal supervision, he must visit the work site at least once, and as often as necessary, to assure that the unlicensed individual is performing work in compliance with the Illinois Water Well Construction Code (77 Ill. Adm. Code 920). The licensed contractor shall visit the work site when requested by the Department. The Department may make such a request when previous inspections have shown that the unlicensed individual has performed work that is not in compliance with the Illinois Water Well Construction Code. Where such

work is performed by an unlicensed individual, under the supervision of a licensed contractor, the licensed contractor shall sign the water well construction report and indicate that he has personally supervised the work and indicate the name of the unlicensed person supervised.

- b) **Water Well Pump Installation.** An individual who is not licensed under the Act may perform labor and services in connection with the installation or repair of any water well pump or equipment, provided such labor and services are performed at the direction and under the personal supervision of a licensed Water Well Pump Installation Contractor or a licensed Water Well and Pump Installation Contractor. In order for the licensed contractor to perform personal supervision, the contractor must be present on the site at least once, and as often as necessary, when the pitless adapter and pump are installed in a new water well, or when a pump of a different capacity is installed in an existing water well, to assure that the unlicensed individual is performing work in compliance with the Illinois Water Well Pump Installation Code (77 Ill. Adm. Code 925). The licensed contractor shall visit the work site when requested by the Department. The Department may make such a request when previous inspections have shown that the unlicensed individual has performed work which is not in compliance with the Illinois Water Well Pump Installation Code.

(Source: Added at 17 Ill. Reg. 4425, effective March 23, 1993)

Section 915.60 Renewal of Expired License

- a) A license that has been expired for 3 years or less may be restored upon payment of the lapsed license fees and a reinstatement fee as specified in the Act. In addition, proof must be provided that the contractor has attended in the preceding 2 years before the date of license application a continuing education session approved under Section 915.80.
- b) A license that has been expired for more than 3 years may be reinstated if the contractor pays the lapsed fees, pays a reinstatement fee, submits an application for examination, and passes the examination for the license desired.

(Source: Added at 24 Ill. Reg. 12057, effective August 1, 2000)

Section 915.70 Continuing Education Requirements for Licensed Water Well Contractors and Licensed Water Well Pump Installation Contractors

- a) **Frequency of Continuing Education.**
 - 1) Contractors licensed under the Act who seek a renewal license shall provide proof of attendance at an approved continuing education session within the 2 years preceding any requested renewal. It is the responsibility

of the licensed contractor to attend an approved continuing education session.

- 2) Contractors issued a license under the Act must attend an approved continuing education session within 2 years after their licensure. When these contractors seek a renewal license, they shall provide proof of attendance at an approved continuing education session within the 2 years preceding the requested renewal. It is the responsibility of the licensed contractor to attend an approved continuing education session.
- b) Length of Continuing Education Sessions. Each continuing education session shall consist of 6 classroom contact hours and shall be approved by the Department.

(Source: Added at 24 Ill. Reg. 12057, effective August 1, 2000)

Section 915.80 Continuing Education Sessions

- a) Approval of Continuing Education Sessions. Each entity that has established or proposes to present a continuing education session under the Act shall request Department approval by submitting its continuing education program to the Department. Requests shall be submitted to the Department no later than 60 days before the date the program begins. Continuing education sessions shall not be presented until at least 30 days after Department approval. A list of approved continuing education sessions will be available from the Department. The Department will approve sessions that address at least one of the following topics:
 - 1) Water well construction and pump installation in general;
 - 2) Grouting;
 - 3) Water sample collection and sampling;
 - 4) Contamination of water supplies and grouting;
 - 5) Safety hazards associated with the water well construction and pump installation industry; or
 - 6) Other relevant information necessary for the continued improvement of knowledge of a water well and pump installation contractor.
- b) Minimum Classroom Hours for Continuing Education Sessions. For a continuing education session to be approved as fulfilling the requirement of continuing education for a licensed water well contractor, the session shall have a minimum of four classroom contact hours of water well topics. For a continuing education session to be approved as fulfilling the requirement of continuing education for a

licensed water well pump installation contractor, the session shall have a minimum of four classroom contact hours of water well pump topics.

- c) Requests for Approval. When requesting approval, the entities shall submit the following information to the Department:
 - 1) Title of session;
 - 2) Type of audience (water well contractors or water well pump installation contractors);
 - 3) Location of session;
 - 4) Names and qualifications of instructors or presenters;
 - 5) Brief description of each topic, amount of time for each topic, and type of licensed contractor each topic is intended to educate; and
 - 6) Total classroom contact hours, excluding breaks (a classroom contact hour is 60 minutes).
- d) Attendance. The entity shall provide, upon request, the methodology used to verify attendance. Attendance records shall be retained for three years after the continuing education session.
- e) Notification.
Each entity approved to conduct sessions shall be responsible for notifying all licensed contractors of continuing education session dates and locations.

(Source: Amended at 36 Ill. Reg. 9395, effective June 13, 2012)

Section 915.90 Record of Completion

- a) Responsibility of entity offering continuing education. Each entity approved by the Department to offer a continuing education session under this Part shall issue as proof of attendance a letter or certificate of completion to each licensed contractor attending the session. The letter or certificate shall certify that the licensed contractor has attended the required number of hours and shall include all of the following information:
 - 1) Name and license number of contractor.
 - 2) Name and organization conducting the session.
 - 3) Date, location, and title of the session.

- 4) Number of classroom hours.
- b) Attendance notification. Each entity approved to offer continuing education under this Part shall submit to the Department a typed listing of contractors who attended the continuing education session. The information provided shall include the information in subsection (a) and shall be submitted to the Department no later than 45 days after the date of the session.
- c) Submittal of proof of attendance. It is the responsibility of each licensed contractor to submit to the Department proof of attendance at a continuing education session for the contractor's license to be renewed. The licensed contractor shall submit with the license renewal the certificate or letter provided by the instructing entity under subsection (a).

(Source: Added at 24 Ill. Reg. 12057, effective August 1, 2000)

Section 915.100 Plumbers Licensed as Water Well Pump Installation Contractors

- a) Licensed Plumbers. A licensed plumber who installs or repairs water well pumps and pumping equipment must obtain a license as a water well pump installation contractor.
- b) Licensed Apprentice Plumbers. An apprentice plumber licensed under the Illinois Plumbing License Law may obtain a water well pump installation contractor's license provided the sponsor of the apprentice plumber is also a licensed water well pump installation contractor. Proof of the sponsor's name and water well pump installation contractor license number shall be provided to the Department.
- c) Persons licensed under the Illinois Plumbing License Law are not required to pay an application fee or annual license fee or take an examination; however, they must attend a continuing education session as described in Section 915.70. Licensed or apprentice plumbers who have not renewed their water well pump installation contractor's license must pay a reinstatement fee and meet all requirements of Section 915.70.

(Source: Added at 24 Ill. Reg. 12057, effective August 1, 2000)

Section 915.110 Revocation or Suspension of a License

The Department may refuse to renew, may suspend or may revoke a license on any one or more of the following grounds:

- a) *Material misstatement in the application for license;*
- b) *Failure to have or retain the qualifications required by Section 9 of the Act;*

- c) *Violation of the Act or this Part or disregard or violation of any law of the State of Illinois or of any Illinois administrative rule relating to water drilling or the installation of water pumps and equipment;*
- d) *Willfully aiding or abetting another in the violation of the Act or this Part;*
- e) *Incompetence in the performance of the work of a water well contractor or of a water well pump installation contractor;*
- f) *Allowing the use of a license by someone other than the person in whose name it was issued;*
- g) *Conviction of any crime an essential element of which is misstatement, fraud or dishonesty; conviction in this or another State of a felony; and*
- h) *Making substantial misrepresentations or false promises of a character likely to influence, persuade or induce in connection with the occupation of a water well contractor or a water well pump installation contractor, based upon documentation. (Section 15 of the Act)*

(Source: Added at 36 Ill. Reg. 9395, effective June 13, 2012)

Section 915.130 Administrative Hearings

All administrative hearings shall be conducted in accordance with the Department's Practice and Procedure in Administrative Hearings (77 Ill. Adm. Code 100).

(Source: Added at 36 Ill. Reg. 9395, effective June 13, 2012)

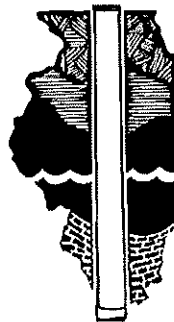
Section 915.140 Names and Addresses of Licensed Contractors

The Department will maintain the names and business addresses of licensed water well contractors, water well pump installation contractors, and water well and pump installation contractors on the Department's website, in accordance with Section 7(f) of the Act.

(Source: Added at 36 Ill. Reg. 9395, effective June 13, 2012)

The Illinois Water Well Construction Code

Re-Printed Courtesy of



Illinois
Association of
Groundwater
Professionals

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Section 920.10 Definitions

"Abandoned Well" means a water or monitoring well that is no longer used to supply water, or that is in such a state of disrepair that the well or boring has the potential for transmitting contaminants into an aquifer or otherwise threatens the public health or safety.

"Act" means the Illinois Water Well Construction Code [415 ILCS 30].

"Annular Space" means the opening between a well-hole excavation and the well casing or between a casing pipe and a liner pipe.

"Aquifer" means saturated (with groundwater) soils and geologic materials which are sufficiently permeable to readily yield economically useful quantities of water to wells, springs, or streams under ordinary hydraulic gradients. (Section 3(b) of the Illinois Groundwater Protection Act [415 ILCS 55/3(b)])

"Bentonite Grout" means a manufactured grout product that is a mixture of sodium bentonite and water mixed at the manufacturer's recommended ratio; a mixture of granulated sodium bentonite and water that consists of a minimum of 20 percent solid bentonite clay and water that is equivalent to 9.4 pounds/gallon; or sodium bentonite in the granulated or chip form. All bentonite products shall comply with National Sanitation Foundation (NSF) International requirements.

"Borehole" also known as "drill hole" means an excavation that is drilled, cored, driven, dug or otherwise constructed that penetrates an aquifer or that may degrade the quality of the aquifer.

"Cement" means a mixture consisting of cement, sand and water in the proportion of one bag of cement (94 pounds) and an equal volume of dry sand to not more than 6 gallons of clean water.

"Chemical Injection System" means any device or combination of devices having hose, pipe or other methods of conveyance that connect directly to any water well through which a mixture of water, pesticides and fertilizers is mixed or is drawn and applied to land, crops or plants at agricultural, nursery, turf, golf course or greenhouse sites.

"Closed Loop Well" means a sealed, watertight loop of pipe buried outside of a building foundation intended to re-circulate a liquid solution through a heat exchanger but is limited to the construction of the borehole, piping in the borehole, heat exchange fluid and the grouting of the borehole 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. (Section 3(h) of the Act) "Closed Loop Heat Pump Well" means the same as "Closed Loop Well".

"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. (Section 3(j) of the Act)

"Closed Loop Well System" means a clustered group of closed loop wells that serve the same facility.

"Community Water System" means a public water system which serves at least 15 service connections used by residents or regularly serves at least 25 residents for at

least 60 days per year. (Section 9(a)(1) of the Illinois Groundwater Protection Act)

"Consolidated Formation" means a geological formation that is firm rock referred to as bedrock.

"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 to those activities, nor the installation of pumps and pumping equipment. (Section 3(a) of the Act)

"Contaminant" means any physical, chemical, biological, or radiological substance or matter in water. (Section 9(a)(2) of the Illinois Groundwater Protection Act)

"Crevice, Consolidated Formation" is a consolidated formation characterized by fractures.

"Department" means the Illinois Department of Public Health.

"Detention Pond" is an engineered structure designed to store storm water from a rain event. The elevation of the outlet structure designed to meet the release rate requirement is equivalent to the lowest elevation of the pond.

"Driven Water Well" means a well constructed by joining a drive point with lengths of pipe and then driving or jetting the assembly into the ground with percussion equipment or by hand.

"Established Ground Surface" means the elevation of the ground surface at the site of the well.

"Finished Ground Surface" means the final or permanent elevation of the ground surface at the site of the well.

"Flowing Artesian Well" means a well in which the water from the confined aquifer rises above the finished ground surface.

"Ground Water" or "Groundwater" means water of underground aquifers, streams, channels, artesian basins, reservoirs, lakes and other water under the surface of the ground, whether percolating or otherwise. (Section 2(2) of the Illinois Water Well and Pump Installation Contractor's License Act)

"Horizontal Closed Loop Well Systems" means any open cut excavation where a watertight loop of pipe is buried outside of a building foundation that is intended to re-circulate a liquid solution through a heat exchanger.

"Mechanically Driven" means a procedure by which a casing is fitted with a drive shoe and driven with a force sufficient to firmly seat the casing in rock or to the desired depth in unconsolidated formations.

"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 borehole of an existing closed loop well, including, but not limited to, regrouting and installation of additional boreholes.

"Monitoring Well" means a water well intended for the purpose of determining

groundwater quality or quantity.

"Neat Cement Grout" means a mixture consisting of one bag of cement (94 pounds) to not more than 6 gallons of clean water. Bentonite or similar material may be added up to 6 percent by dry weight to increase fluidity or to control shrinkage.

"Non-Community Water System" means a public water system which is not a community water system, and has at least 15 service connections used by nonresidents, or regularly serves 25 or more nonresident individuals daily for at least 60 days per year. (Section 9(a)(4) of the Illinois Groundwater Protection Act)

"Pitless Adapter Unit" means a factory assembled device consisting of a pitless well adapter, a mechanism that attaches to the well casing, and a well casing riser in a single unit, for the purpose of preventing contaminants from entering the well.

"Pitless Well Adapter" means an assembly of parts that will permit water to pass through the wall of the well casing or extension of the wall; provides access to the well and to the parts of the water system within the well; and provides for the transportation of the water and the protection of the well and water in the well, from surface or near surface contamination. Parts or appurtenances to a pitless well adapter include, but are not limited to, the vent, the device or devices on or in the wall of the casing, and the cap or cover on top of the casing or casing extension.

"Potable" means generally fit for human consumption in accordance with accepted water supply principles and practices. (Section 3(h) of the Illinois Groundwater Protection Act)

"Potential Primary Source" means any unit at a facility or site not currently subject to a removal or remedial action which:

is utilized for the treatment, storage, or disposal of any hazardous or special waste (as defined in Section 3 of the Environmental Protection Act) not generated at the site; or

is utilized for the disposal of municipal waste not generated at the site, other than landscape waste (as defined in Section 3 of the Environmental Protection Act) and construction and demolition debris; or

is utilized for the landfilling, land treating, surface impounding or piling of any hazardous or special waste (as defined in Section 3 of the Environmental Protection Act) that is generated on the site or at other sites owned, controlled or operated by the same person; or

stores or accumulates at any time more than 75,000 pounds above ground, or more than 7,500 pounds below ground, of any hazardous substances. (Section 3.345 of the Environmental Protection Act)

"Potential Route" means abandoned and improperly plugged wells of all kinds (i.e., those wells not plugged in accordance with this Part), drainage wells, all injection wells, including closed-loop heat pump wells, and any excavation for the discovery, development or production of stone, sand or gravel. This term does not include closed-loop heat pump wells using United States Pharmacopeia (USP) food grade propylene glycol. (Section 3.350 of the Environmental Protection Act)

"Potential Secondary Source" means any unit at a facility or a site not currently subject to a removal or remedial action, other than a potential primary source,

which:

is utilized for the landfilling, land treating, or surface impounding of waste that is generated on the site or at other sites owned, controlled or operated by the same person, other than livestock and landscape waste, and construction and demolition debris; or

stores or accumulates at any time more than 25,000 but not more than 75,000 pounds above ground, or more than 2,500 but not more than 7,500 pounds below ground, of any hazardous substances; or

stores or accumulates at any time more than 25,000 gallons above ground, or more than 500 gallons below ground, of petroleum, including crude oil or any fraction thereof which is not otherwise specifically listed or designated as a hazardous substance; or

stores or accumulates pesticides, fertilizers, or road oils for purposes of commercial application or for distribution to retail sales outlets; or stores or accumulates at any time more than 50,000 pounds of any de-icing agent; or

is utilized for handling livestock waste or for treating domestic wastewaters other than private sewage disposal systems as defined in the Private Sewage Disposal Licensing Act. (Section 3.355 of the Environmental Protection Act)

"Pressure Grouting" means the placement of grout by a method using positive pressure.

"Private Water System" means any supply which provides water for drinking, culinary, and sanitary purposes and serves an owner-occupied single family dwelling. (Section 9(a)(5) of the Illinois Groundwater Protection Act)

"Public Water System" means a system for the provision to the public of water for human consumption through pipes or other constructed conveyances, if the system has at least 15 service connections or regularly serves an average of at least 25 individuals daily at least 60 days per year. A public water system is either a community water system (CWS) or a non-community water system (non-CWS). The term "public water system" includes any collection, treatment, storage or distribution facilities under control of the operator of such system and used primarily in connection with such system and any collection or pretreatment storage facilities not under such control which are used primarily in connection with such system. (Section 9(a)(6) of the Illinois Groundwater Protection Act)

"Pumping Water Level" means the depth of the water surface in a well from the ground surface, top of casing or other established datum when water is discharged by pumping.

"Retention Pond" is an engineered structure designed to store storm water from a rain event. The elevation of the outlet structure designed to meet the release rate requirement is higher than the elevation of the pond base.

"Semi-Private Water System" means a water supply which is not a public water system, yet which serves a segment of the public other than an owner-occupied single family dwelling. (Section 9(a)(7) of the Illinois Groundwater Protection Act)

"Site" means any location, place, tract of land, and facilities, including but not limited to buildings, and improvements used for purposes subject to regulation

under the Environmental Protection Act. (Section 3.460 of the Environmental Protection Act)

"Storm Sewer" means a sewer that is used for conveying rainwater, surface water, groundwater, subsurface water, site drainage, condensate, cooling water or other similar liquids (excluding treated or untreated domestic sewage) to a point of discharge.

"Thermal Grout" is a Department approved grout specifically developed to provide a surface and aquifer to aquifer seal and enhance the heat transfer in a closed loop well. Department approved closed loop well grouts shall have permeability no greater than 1×10^{-7} centimeters per second and all bentonite products shall comply with National Sanitation Foundation (NSF) International requirements. The Department will maintain a list of approved closed loop well grouts on its website at <http://www.dph.illinois.gov/>.

"Tremie Method" means pumping grout through a pipe that is inserted into the annular space to fill the space from the bottom upward to the ground surface or to the point of pitless adapter attachment.

"Unconsolidated Formation" means a geological formation above bedrock, such as sand or gravel, that is caving in nature.

"Undesirable Water" means water that contains contamination that exceeds Class I Groundwater Standards adopted in the Groundwater Quality Standards Code (35 Ill. Adm. Code 620, Subpart B).

"Unit" means any device, mechanism, equipment, or area (exclusive of land utilized only for agricultural production). (Section 3.515 of the Environmental Protection Act)

"Water-Bearing Formation" means any geologic formation that contains water.

"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 an 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. (Section 3(e) of the Act)

"Well" means a bored, drilled or driven shaft, or dug hole, the depth of which is greater than the largest surface dimension. (Section 3.555 of the Environmental Protection Act)

"Well Cap" means that portion of the pitless well adapter used to enclose the atmospheric termination of the casing, which shall overlap the top of the casing extension with a downward flange.

"Well Seal" means an arrangement or device used to establish a watertight closure at the junction of a well pump or piping with the well casing cover at the upper terminal of the well, the purpose of which is to prevent contaminated water or other material from entering the well.

(Source: Amended at 46 Ill. Reg. 15751, effective August 30, 2022)

Section 920.15 Incorporated and Referenced Materials

The following rules, standards and statutes are incorporated or referenced in this Part.

a) The following standards are incorporated by reference:

- 1) National Sanitation Foundation International/American National Standards Institute (NSF/ANSI), Standard NSF/ANSI 14-2010a, Plastic Piping System Components and Related Materials, and Standard NSF/ANSI 61-2012, Drinking Water System Components – Health Effects, published by:

NSF International
789 N. Dixboro Road
P.O. Box 130140
Ann Arbor, Michigan 48113-0140

Referenced in Section 920.90

- 2) American Society for Testing and Materials (ASTM) International required standards ASTM A53/A53M-10, Standard Specification for Pipe, Steel, Black and Hot-Dipped, Zinc-Coated, Welded and Seamless (2010); ASTM A589/A589M-06, Standard Specification for Seamless and Welded Carbon Steel Water-Well Pipe (2006); ASTM F480-12, Standard Specification for Thermoplastic Well Casing Pipe and Couplings Made in Standard Dimension Ratios (SDR), SCH 40 and SCH 80 (2006); ASTM D3035-10, Standard Specification for Polyethylene (PE Plastic Pipe (DR-PR)) Based on Controlled Outside Diameter (2010); ASTM C564-11, Standard Specification for Rubber Gaskets for Cast Iron Soil Pipe and Fittings (2011); and ASTM F477-10, Standard Specification for Elastomeric Seals (Gaskets) for Joining Plastic Pipe (2010); published by:

American Society for Testing and Materials International
100 Barr Harbor Drive
P.O. Box C700
West Conshohocken, Pennsylvania 19428-2959

Referenced in Sections 920.90 and 920.180

- 3) Underwriter's Laboratories, Inc., UL 1995 (2005), UL Standard for Safety Heating and Cooling Equipment, published by:

Underwriter's Laboratories, Inc.
333 Pfingster Road
Northbrook, Illinois 60062-2096

Referenced in Section 920.90

- 4) American Petroleum Institute API SPEC 5L-2011, Specification for Line Pipe, published by:

American Petroleum Institute
1220 L Street, NW
Washington, D.C. 20005-4070

Referenced in Section 920.90

- b) The following statutes and rules are referenced:
- 1) Environmental Protection Act, Title IV, Public Water Supplies [415 ILCS 5/Title IV]
 - 2) Illinois Water Well and Pump Installation Contractor's License Act [225 ILCS 345]
 - 3) Private Sewage Disposal Licensing Act [225 ILCS 225]
 - 4) Illinois Groundwater Protection Act [415 ILCS 55]
 - 5) Groundwater Quality Standards Code (35 Ill. Adm. Code 620, Subpart B)
 - 6) Practice and Procedure in Administrative Hearings (77 Ill. Adm. Code 100)
 - 7) Drinking Water Systems Code (77 Ill. Adm. Code 900)
 - 8) Illinois Water Well Pump Installation Code (77 Ill. Adm. Code 925)
 - 9) Private Sewage Disposal Code (77 Ill. Adm. Code 905)
 - 10) Direct food substances affirmed as generally recognized as safe (21 CFR 184.1666 Propylene glycol)
- c) All incorporations by reference of the standards of nationally recognized organizations refer to the standards on the date specified and do not include any amendments or editions subsequent to the date specified.
- d) All materials incorporated by reference are available for inspection and copying at the Department's Central Office, Division of Environmental Health, 525 West Jefferson – Third Floor, Springfield, Illinois 62761.

(Source: Amended at 46 Ill. Reg. 15751, effective August 30, 2022)

Section 920.20 Scope

This Part provides minimum standards for the location, construction and modification of water wells, monitoring wells and closed loop wells that are not otherwise subject to regulation under the Environmental Protection Act, Title IV, Public Water Supplies . No water well, monitoring well or closed loop well as defined in this Part shall be constructed or modified contrary to the provisions of this Part.

(Source: Amended at 37 Ill. Reg. 19676, effective November 25, 2013)

Section 920.30 General Requirements

- a) Authorized Constructor. Water wells subject to this Part shall be constructed only by persons having a valid license under the Illinois Water Well and Pump Installation Contractor's License Act unless exempt under that Act.
- b) Reports. Within 30 days after a water well has been constructed or deepened, the contractor shall submit a report of construction to the Department, an approved unit of local government or local health department (see Sections 920.150 and 920.160) on forms prescribed and furnished by the Department.
- c) Variance
 - 1) If conditions exist at a proposed installation site that preclude compliance with this Part, a variance shall be requested and shall be approved before well construction begins. The contractor may request a variance by submitting to the Department or an approved unit of local government or local health department, a written request outlining a specific proposal to be used in lieu of compliance with this Part. The request shall include a plot plan of the property, showing lot size, the location of sewers, septic tanks, buildings, seepage fields, and other sources of contamination on the property and adjacent property, with distances shown to the proposed well. A description of geological and soil conditions shall also be included. The Department or approved local health department will approve the variance if the proposal is in accordance with accepted public health and sanitary engineering principles and practices, and if the resulting water well installation can be expected to provide a continuously safe and sanitary water supply. The Department or approved local health department will notify the applicant in writing of its decision either to grant or deny the variance.
 - 2) Examples of location problems that would preclude compliance with this Part would be the proposed location of a well too close to septic tanks, buildings, sewer lines, or barnyards.
 - 3) Examples of public health and engineering principles that would be considered in issuing a variance would be ground surface conditions, depth of the water table, the location of sources of contamination, the ability of the existing soil to remove bacteria and geologic conditions.
 - 4) After a well has been drilled for which a variance has been issued, the contractor shall submit two water samples to the Department laboratory for analysis. The first sample shall be submitted within 30 days after the pump is installed and operated; the second sample shall be submitted within 60 days after start-up of the pump, but not less than 30 days after collection of the first sample.

(Source: Amended at 37 Ill. Reg. 19676, effective November 25, 2013)

Section 920.40 Design Factors

The design of each well shall include the following:

- a) **Natural Protection.** Location of the well shall include use of every natural protection available to promote sanitary conditions.
- b) **Geologic Formations.** The well construction shall be adapted to the geologic formations and groundwater conditions at the site, but shall comply with this Part.
- c) **Undesirable Geologic Formations.** Water-bearing formations shall be excluded by installing casing or a liner and properly sealing when the formations contain undesirable water. When a contaminated formation is to be excluded, the liner shall be grouted in place, in accordance with Section 920.90(h), from 10 feet below the bottom of the contaminated formation to at least 10 feet above the top of the contaminated formation. When multiple water-bearing formations of different static water levels are penetrated in the construction of a water well and the lower water-bearing formation has sufficient yield for the water well, the upper water-bearing formations shall be excluded by installing casing or a liner and properly sealing to prevent the dewatering of the upper water-bearing formations.
- d) **Capacity.** The well shall be capable of producing as much of the desired water quantity as the aquifer or aquifers can safely furnish.
- e) **Durability.** Construction methods and materials shall provide a durable well capable of maintaining safe water and protecting the aquifer.
- f) **Pitless Well Adapters.** No well casing shall be cut off or cut into below ground surface except to install a pitless well adapter below the frost level. Pitless well adapters or pitless units installed on plastic well casing shall be pressurized at the point of attachment with the well casing, unless the pitless unit is solvent welded onto the plastic casing and the riser casing of the pitless unit is plastic. Pitless well adapters installed on steel well casing shall be pressurized at the point of attachment with the well casing, unless the pitless unit is threaded or welded onto the well casing. The annular opening between the well casing and the well borehole or any excavation made to install the pitless adapter shall be filled with earth to minimize settling and shall be mounded to provide drainage away from the well. The contractor installing the pitless well adaptor shall be responsible for the installation of the earth backfill. A list of approved pitless well adapters will be periodically updated and a copy of this list may be obtained from the Department.
- g) **Well Caps.** There shall be no openings through the well cap except for a factory-installed vent, air line connection, and power supply wiring unless a proposal is submitted to and approved by the Department. The proposal shall show that any entrance into the well cap is watertight. In addition, well caps shall:
 - 1) Prevent surface water from entering the water supply;
 - 2) Be secured in position;
 - 3) Be removable only with tools; and.
 - 4) Be resistant to weathering and corrosion.
- h) **Chemical Injection System.** Where a chemical injection system is directly connected to a water well used for irrigation, a backflow device shall be installed in

accordance with Section 925.40 of the Illinois Water Well Pump Installation Code.

- i) Vents. Vent piping shall be of adequate size to allow equalization of air pressure in the well. For wells that are greater than 4 inches in diameter, the vent shall be not less than ½ inch in diameter. Vent openings shall be located so as to prevent contamination of the well and shall be reasonably tamper proof. The vent opening shall be turned down, secured in position, and screened with not less than 24-mesh durable screen or filtered so as to prevent the entry of insects. The vent opening shall terminate at least 8 inches above finished grade, or 24 inches above maximum high water level in areas where flooding occurs. Wells shall be properly vented in areas where toxic or inflammable gases are known to be a characteristic of the water. If either of these types of gases are present, all vents located in buildings shall be extended to discharge outside of the building at a height where the vent will not be a hazard. Venting is required on all wells except driven water wells and flowing wells.

(Source: Amended at 37 Ill. Reg. 19676, effective November 25, 2013)

Section 920.50 Location

- a) General. In establishing the location of a well, the constructor shall consider sources of contamination that exist on or adjacent to the location of the well. As far as possible, the well shall be located on ground that is higher than sources of contamination and shall have ready access for repairs, maintenance, treatment and inspection. All water wells, except monitoring wells, shall be located in accordance with the minimum distances specified in Table C and shall be constructed in accordance with this Part.
- b) Relation to Sources of Contamination. Determination of minimum lateral distances to locate a well from potential sources of contamination involves evaluation of the character and location of the sources of contamination, types of geologic formations present, depth to the aquifer, direction of groundwater flow, effect on the groundwater movement by well pumping, and possibilities of flooding of the site by surface waters. Based on practice and experience, accepted minimum lateral distances for some common sources of pollution with respect to a well are established in Table C. Other soil conditions or other sources of contamination shall be evaluated in each particular situation and a distance arrived at based on the pertinent facts. The Department may be called on for assistance in determining a proper distance.
 - 1) Prohibitions. No new water well may be located within 200 feet of any potential primary or potential secondary source or any potential route, unless some other distance is allowed or required in Table C. If the owner is the same for both the well to serve the private water system and a potential secondary source or a potential route, the well shall be no closer than 75 feet from the potential route or potential secondary source, unless some other distance is allowed or required in Table C.
 - 2) If the owner of a water well is the same owner of a potential primary source, potential secondary source, or potential route, the Department will allow a variance to the minimum separation distances required between a water well and a potential primary source, potential secondary source, or potential route if the owner of the potable water well demonstrates that applicable protective measures will be used to minimize the potential for contamination of the well, and if the resulting well installation can be expected to provide a continuously safe and sanitary water supply in compliance with the Act, this Part and the Department's Drinking Water Systems Code. Protective measures may include ensuring that sources of contamination are down grade from the water source or isolation of the potential source of contamination so as to prevent a route of contamination of the groundwater, or isolating the potential source of contamination to prevent accidental introduction of contaminants into groundwater. To obtain a variance, the owner shall comply with Section 920.30(c). (See Section 6(a) of the Act.)
- c) Floodwater. Locations subject to flooding shall be avoided. If no reasonable alternate site exists, wells may be constructed in flood zones if special protective construction is included. The casing of the well shall terminate not less than 2 feet above the maximum known flood water elevation.
- d) Relation to Building. With respect to buildings, pits and basements, the location of a well shall be as follows:

- 1) Adjacent to Building. When a well must be located adjacent to a building, it shall be located so that the center line of the well extended vertically will clear any projection from the building by not less than 2 feet.
- 2) Pits and Basements. New wells shall not be constructed in pits or basements.

(Source: Amended at 37 Ill. Reg. 19676, effective November 25, 2013)

Section 920.60 Drilled Wells in Unconsolidated Formations

- a) General. Unconsolidated formations such as sand and gravel may extend to or near the ground surface. Generally, however, they lie below the ground surface at varying depths and are covered by an overburden of earth. The kind, nature and depth of the overburden are factors in determining how a well shall be constructed.
- b) Unconsolidated Formations. When wells are constructed in unconsolidated formations, a casing shall be installed the entire depth of the formation. Wells constructed in unconsolidated formations shall have a minimum of 20 feet of permanent casing.
 - 1) When an oversized drill hole is constructed for the installation of the casing, the diameter of the drill hole shall be a minimum of 3 inches greater than the outer diameter of the casing or coupling, whichever is greater. If plastic well casing is installed, it shall be installed as required in Section 920.90(g). After the well casing is installed, the annular space shall be grouted as provided in Section 920.90(h). The annular space is from within a maximum of 10 feet of the top of the screen to finished ground surface. The tremie pipe shall be installed to the bottom of the annular space. No device shall be installed to prevent the tremie pipe from being installed into the annular space or to prevent the grout from filling the annular space. Excessive development and washing shall not be used to induce collapse of the borehole wall or to reduce the amount of open annular space. (See Illustration A.)
 - 2) When the casing is installed by mechanically driving the casing, an oversized hole shall be constructed to a depth of at least 10 but not more than 20 feet to allow removal of the drive nipple and installation of a joint of casing. While the casing is being driven, the bottom of the oversized hole shall be filled with granulated bentonite or natural clay mixture. After the casing is installed, either the open annular space that exists around the well casing shall be grouted as required in Section 920.90(h) or, when the diameter of the oversized hole is a minimum of 3 inches greater than the outer diameter of the casing or coupling, the open annular space that exists around the well casing can be filled with bentonite or natural clay. (See Illustration B.)
- c) Gravel Pack Construction. When an oversized drill hole is constructed to permit the placement of a gravel pack around the well screen, the diameter of the drill hole shall be a minimum of 3 inches greater than the outer diameter of the casing or coupling, whichever is greater. The annular opening between the casing and drill hole shall be grouted in accordance with Section 920.90(h). If a permanent outer casing is installed, it shall extend to a depth of at least 20 feet and the annular opening between the drill hole and the outer casing shall be grouted in accordance with Section 920.90(h). The annular opening between inner and outer casings shall be sealed at the top of the casing. The seal shall be made in such a manner as to prevent water or contaminants from entering the annular space between the inner and outer casing. If plastic well casing is installed, it shall be installed as required in Section 920.90(g). (See Illustration C.)
 - 1) All gravel placed in the well shall be clean and shall be washed and disinfected prior to placement, or provisions shall be made for disinfection in place.

- 2) Gravel refill pipes may be installed if they terminate above ground surface and are provided with watertight caps.
- 3) Wells designed for placement of an artificial gravel pack shall be provided with an adequate screen having openings sized on the basis of the grain size of the gravel. The well shall be developed to ensure free entry of water without sediment.

(Source: Amended at 37 Ill. Reg. 19676, effective November 25, 2013)

Section 920.70 Drilled Well Construction in Consolidated Formations

- a) Drift or Earth Cover Less Than 30 Feet in Thickness
 - 1) The well casing shall extend to a depth of at least 40 feet below finished ground surface. The diameter of the drill hole shall be a minimum of 3 inches greater than the outer diameter of the casing or coupling, whichever is greater. The annular space shall be pressure grouted as provided for in Section 920.90(h). If plastic casing is installed, it shall be installed in accordance with Section 920.90(g). (See Illustration D.)
 - 2) If a well is drilled to obtain water below the upper bedrock formation, it shall comply with subsection (a)(1) and the well casing shall be seated firmly in rock. When a liner is installed through the casing, the annular space between the casing and the liner shall be pressure grouted in accordance with Section 920.90(h). If the upper bedrock formation is a water-bearing formation, the liner shall be installed in accordance with Section 920.40(c).
- b) Drift or Earth Cover Over 30 Feet in Thickness
 - 1) When an oversized drill hole is constructed for the installation of the casing and the annular space is to be grouted through a tremie pipe installed in the annular space, the diameter of the drill hole shall be a minimum of 3 inches greater than the outer diameter of the casing or coupling, whichever is greater. After the casing is installed, the annular space shall be grouted as provided for in Section 920.90(h). The annular space shall be grouted from the bottom of the casing to ground level. The tremie pipe shall be installed to the bottom of the annular space. No device shall be installed to prevent the tremie pipe from being installed into the annular space or to prevent the grout from filling the annular space. (See Illustration E.)
 - 2) When grout is pumped into the annular space through the inside of the casing, the diameter of the drill hole shall be a minimum of 2 inches greater than the outer diameter of the casing or coupling, whichever is greater. The entire length of casing shall be grouted as provided in Section 920.90(h). If plastic well casing is installed, it shall be installed as required in Section 920.90(g).
 - 3) When the casing is installed by mechanically driving the casing, an oversized hole shall be constructed to a depth of at least 10 but not more than 20 feet to allow removal of the drive nipple and installation of a joint of casing. While the casing is being driven, the bottom of the oversized hole shall be filled with granulated bentonite or natural clay mixture. After the casing is installed, either the annular space that exists around the well casing shall be grouted as required in Section 920.90(h) or, when the diameter of the oversized hole is a minimum of 3 inches greater than the outer diameter of the casing or coupling, whichever is greater, the annular space that exists around the well casing can be filled with bentonite or natural clay. (See Illustration F.)
- c) Flowing Artesian Well. A well that is constructed in a location where flowing artesian conditions are encountered or expected to occur shall be grouted to protect

the artesian aquifer, prevent erosion of overlying geologic materials, and confine the flow to within the casing. Initial drilling operations shall extend into but not through the formation confining the water. The casing shall be installed and the annular opening between drill hole and casing shall be pressure grouted in accordance with Section 920.90(h). If plastic casing is installed, it shall be installed in accordance with Section 920.90(g). The hole shall then be extended into the artesian formation. Flow control from the well shall be provided by valved pipe connections, watertight pump connections, or receiving reservoirs set at an altitude corresponding to the artesian head. The flowing well discharge control shall be provided to conserve groundwater and to prevent the loss of artesian head by preventing or reducing continuous discharges. A flow discharge pipe, where installed, shall not be directly connected to a sewer or other source of contamination.

(Source: Amended at 37 Ill. Reg. 19676, effective November 25, 2013)

Section 920.80 Special Type Wells

- a) General. Wells in this classification are dug, bored, driven, and radial collector. The choice of any one of these as opposed to a drilled well is largely dictated by the characteristics of the water bearing formations or aquifers in the local areas.
- b) Bored or Dug Well - Well Not Finished With Buried Slab. Bored or dug wells that are not finished as buried slab wells shall comply with the following: (See Illustration G.)
 - 1) Annular Opening. The open space between the excavation and the installed casing shall be grouted with concrete. The concrete shall be a minimum of six inches thick and be poured without construction joints from the ground surface to a minimum of ten feet below ground level. The contractor shall be responsible for the installation of the concrete grout. The diameter of the well bore below the grouting shall be a minimum of four inches greater than the outside diameter of the well casing and shall be filled with washed pea gravel to the well bottom.
 - 2) Upper Terminal. The casing shall extend at least 8 inches above finished ground surface. A cover slab at least four inches thick, adequately reinforced and having a diameter sufficient to extend to the outer edge of the casing shall be provided. The slab shall be constructed without joints. The top of the slab shall be sloped to drain to all sides and a watertight joint made where the slab rests on the well casing. A manhole, if installed, shall consist of a curb cast in the slab and extending four inches above the slab. The manhole shall have a watertight cover having sides which overhang the curb at least two inches.
 - A) A vent shall consist of pipe extending above the slab with the open end turned down and not less than six inches above the slab. The open end shall be covered with 24 mesh or finer screen of durable material.
 - B) Adequate sized pipe sleeve or sleeves shall be cast in place in the slab to accommodate the type of pump or pump piping proposed for the well.
- c) Bored or Dug Well - Buried Slab Construction. The well casing shall be terminated at a depth of 10 feet or more below the ground surface. Well casing shall meet the requirements in Section 920.90. This casing shall be firmly imbedded in a uniformly tapered hole that is formed when the reinforced concrete buried slab is manufactured, the hole size tapering in diameter from 1/2 inch greater than the outside diameter of the riser pipe to 1/2 inch smaller than the outside diameter of the riser pipe or shall be connected to a pipe cast in a reinforced buried concrete slab. The connection shall be made in accordance with Section 920.90(c). The casing shall be a minimum of four inches in diameter and extend from the concrete slab to at least eight inches above finished ground surface. A bentonite seal that is a minimum of 12 inches in thickness shall be installed over the buried slab the entire diameter of the well. The annular opening between the casing pipe and the well bore shall be filled with clean earth thoroughly tamped to minimize settling, and mounded to drain away from the well. The contractor shall be responsible for the installation of the backfill. If a pitless adaptor is scheduled to be installed within seven calendar days, the earth backfill may terminate one foot below the frost level.

The diameter of the well bore below the buried slab shall be a minimum of four inches greater than the outer diameter of the well casing and shall be filled with washed pea gravel to the well bottom. (See Illustration H.)

- d) Driven Well. The well point, drive pipe and joints shall be structurally suitable to prevent rupture during the driving of the well. If aids to driving are used, such as an augered starting hole or water jetting, the annular space around the drive pipe shall be sealed with cement grout or puddled clay. The type of pump proposed for the well will determine how the the top ten feet or more of the well shall be completed. If the working barrel of a hand pump is to be located below ground surface, the upper portion of the well shall be enclosed in steel or iron casing pipe to a point below the barrel. So called "frost pits" curbed with stone, brick, tile, etc., are prohibited.
 - 1) A minimum of 20 ft. of casing shall be provided for the drop pipe. (See Illustration I.)
 - 2) Driven wells shall not be constructed in basements.
 - 3) Well seals or pitless adapter units shall be employed in accordance with the Illinois Water Well Pump Installation Code.
 - 4) The casing used in driven wells shall be in compliance with Table A or Table B.
- e) Radial Collector Well. Approval of plans for the well shall be obtained from the Department before construction. Factors that will be considered for approval of a radial collector well will include depth of well, types of soil formations, location of well and sources of potential contamination in the surrounding area.

(Source: Amended at 22 Ill. Reg. 3973, effective April 1, 1998)

Section 920.90 Construction Materials and Other Requirements

- a) Casing and Liner Pipe. In selection of casing and liner pipe, consideration shall be given to the stress to which the pipe will be subjected during construction and the corrosiveness of the water with which it comes in contact. Used or rejected pipe shall not be used.
 - 1) Steel well casing shall meet one of the following standards: ASTM A53/A53M-10, ASTM 589/A589M-06, or API SPEC 5L-2011, and shall conform to Table A.
 - 2) Plastic well casing and liners shall meet the requirements of ASTM F480-12 and the NSF/ANSI 14-2010a, Plastic Piping System Components and Related Materials. Evidence of compliance shall be inclusion in the current NSF listing and display of the NSF seal on each section of casing, and marking the casing in accordance with the requirements of ASTM Standard F-480-12.
 - 3) Plastic well casing and liners shall be Standard Dimension Ratio (SDR) rated and conform to Table B.
- b) Outer Casing. Casing intended for construction purposes only shall be of weight and design necessary to be watertight and permit installation without distortion or rupture to the specified depth and shall be removed upon completion of the well.
- c) Joints. All casing and liner pipe joints shall be watertight. When the water well casing is to be extended, the joint shall be a threaded coupling or welded if the casing is metal, or the joint shall be solvent welded if the casing material is plastic. When plastic well casing is installed, the pipe spigot and socket shall be cleaned and treated with a cleaner primer. Other types of plastic joints may be evaluated and approved by the Department on the basis of NSF/ANSI 14-2010a, NSF/ANSI 61-2010a, and laboratory pressurization tests for leakage. A pressurized connection shall be used when steel casing is used to extend plastic casing when the connection is within 20 feet of the ground surface.
- d) Screens. Screen openings shall provide the maximum amount of open area consistent with the strength of the screen and the grading of the water-bearing formation or gravel pack. The openings shall permit maximum transmitting ability without clogging or jamming. Screens shall be made of non-corrosive material.
- e) Drive Shoe. Pipe that is to be driven shall be equipped with a drive shoe.
- f) Grouting Guides. Casing that is to be pressure grouted in the drill hole or annular opening shall be provided with a centering shoe and shall have sufficient guides or centralizers to permit the unobstructed flow and deposition of the thickness of grout specified.
- g) Plastic Casing Installations. There shall be no penetrations through the casing. A formation packer may be installed just above the screen on unconsolidated formation wells or just above the bottom of the casing. A coupling shall be cemented on the bottom of the casing to stabilize it in the hole. A section of steel well casing, a minimum of 5 feet in length and meeting the requirements of subsection (a)(1) may be used on the bottom of the casing in lieu of the coupling. In rock wells, the casing shall be set into the firm rock a minimum of 3 feet to prevent

leaking around the end of the casing. In areas where the water is obtained at the rock surface, the casing shall be set just above the rock.

- h) Grouting. Procedures and materials for grouting shall be as follows:
 - 1) Grout Material. Grout shall be bentonite grout or neat cement grout as described in Section 920.10. The Department will maintain a list of water well grouts on its website at <http://www.dph.illinois.gov/>.
 - 2) Prohibitions. Shale traps, cementing baskets, packers or other devices shall not be used to suspend grout above an open annular space. Excessive development and washing, shoveling of cuttings, or other activities shall not be used to induce collapse of the borehole wall or to reduce the amount of open annular space surrounding the permanent well casing.
 - 3) Application. Grouting through the inside of the casing shall be performed so that the grout fills the annular opening from the bottom to the surface. If a tremie pipe is installed in the annular space, grout shall be pumped through the tremie pipe until grout completely fills the annular space to the surface. Bentonite or similar material may be added to the annular opening in the manner indicated for grouting, prior to the cement grouting, to seal any small crevices or fissures and assure that the annular space is open. If the grout settles below the ground surface or the point of pitless adapter attachment, the water well contractor who constructed the well shall grout from the depth of settling to the surface or the point of pitless adapter attachment. If the grout has settled, the annular space shall be grouted as required in this subsection (h). When the grout has settled less than 20 feet, the annular space can be grouted with bentonite chips.
 - 4) Grouting Time. The annular space shall be grouted when the drill rig is on the drill site.
 - 5) Setting Time. Drilling operations shall not be resumed until the cement grout has set. Neat cement grout shall set for at least 48 hours. Setting time may be reduced from 48 hours by the addition of manufacturers' approved chemicals and following manufacturers' recommendations for setting time. If the casing is fitted with a drive shoe on the bottom of the casing and driven to a firm seat into the consolidated formation, the set time can be reduced to one hour. Bentonite grout shall set for a minimum of one hour from the start of placement of the grout at the bottom of the annular opening by tremie method or one hour after completion of grouting by other methods.
- i) Plumbness and Alignment. The bore of the hole shall be sufficiently plumb and straight to receive the casing without binding. The casing shall be sufficiently plumb and straight so that it will not interfere with installation and operation of the pump.
- j) Construction Water. Water used in the drilling process shall be obtained from a source that will not result in contamination of the well. All of the water shall be treated so as to maintain a free chlorine residual as an extra precaution.
- k) Cement Tile for Bored Wells. The minimum wall thickness shall be 2 inches. The minimum strength of the concrete shall be 4,000 pounds per square inch (psi). Before pouring the concrete, #10 gage reinforcement wire mesh with a grid size of 6 inches by 6 inches shall be installed in the concrete casing form. Other concrete tile

manufacturing methods shall be approved if they are certified by the manufacturer to withstand loads at depths of 120 feet with a 2:1 load factor. Certification shall be in the form of a letter from a professional or structural engineer registered in Illinois. If the slab is buried, the top of the casing shall not be installed deeper than 30 feet below ground surface. To keep the tiles aligned during installation, the concrete tile shall be formed to have overlapping joints on the top and bottom or another equivalent means of alignment shall be used.

- 1) The Department will issue an approval number and a letter of certification for each approved tile and will maintain a listing of approved products.
 - 2) Each concrete tile shall bear the manufacturer's product approval number on the exterior of the tile.
- l) Fiberglass Casing for Bored Wells. Fiberglass casing for bored wells shall meet the requirement for NSF/ANSI Standard 61 and be installed no deeper than 120 feet. The manufacturer shall certify that the fiberglass casing can withstand loads at depths of 120 feet with a 2:1 load factor. Certification shall be in the form of a letter from a professional or structural engineer registered in Illinois. If the casing is buried, the top of the casing shall not be installed deeper than 30 feet below ground surface.
- m) Buried Slab for Bored Wells. The manufacturer shall certify that the buried slab shall withstand loads at depths to which it will be installed with a 2:1 load factor. Certification shall be in the form of a letter from a professional or structural engineer registered in Illinois. The design, including dimensions and type of reinforcement, shall be submitted to the Department along with the certification letter. The slab shall not be installed before Department approval is issued, based on compliance with this Section.
- 1) The Department will issue an approval number and a letter of certification for each approved slab and will maintain a listing of each certified precast buried slab product.
 - 2) Each precast buried slab shall bear the manufacturer's product approval number on the top of the precast buried slab.
 - 3) If the buried slab is constructed of fiberglass material, it shall meet NSF/ANSI Standard 61.
- n) The admission of contaminants to the borehole shall be prevented until the borehole is sealed or finished. For the purpose of this Section, materials and chemicals used to construct the well are not considered contaminants.

(Source: Amended at 46 Ill. Reg. 15751, effective August 30, 2022)

Section 920.100 Finishing and Testing

- a) Upper Terminal. The casing or riser pipe shall be terminated at a height above finished ground surface consistent with proposed plans for a pump house and pump installation but not less than 8 inches above finished ground surface or 24 inches above maximum high water level where flooding occurs. The well shall be capped watertight until pump installation is made.
 - b) Disinfection. Only after the well has been effectively cleaned of all remaining drilling mud and drill cuttings can the well be disinfected. The well contractor shall be responsible for properly disinfecting the well upon completion. Disinfection shall also be done after the pump installation is completed. Sufficient chlorine shall be introduced to give a dosage of 100 parts per million to the water in the well.
- 1) Drilled Wells. The disinfection of drilled wells shall be accomplished in accordance with the following:

DIAM. WELL IN INCHES	GALLONS PER FT.	AMOUNT OF DISINFECTANT REQUIRED FOR EACH 100 GALLONS OF WATER	
3	.37	LAUNDRY	HYPOCHLORITE
4	.65	BLEACH (5.25%	GRANULES (70%
5	1.0	CHLORINE)	CHLORINE)
6	1.5		
8	2.6		
10	4.1	3 cups	2 ounces
12	6.0		

1 cup = 8 oz. measuring cup
(2 cups = 1 pt.; 4 cups = 1 qt.)
1 oz. = 1 heaping tablespoon granules
(16 oz. = 1 lb.)

- A) Determine the amount of water in the well by multiplying the gallons per foot by the number of feet of water in the well.
- B) For each 100 gallons of water in the well, use the amount of chlorine liquid or compound given in the above tables. Mix this total amount in about 10 gallons of water. If dry granules or tablets are used, they may be added directly to drilled wells.
- C) Pour this solution into the top of the well before the seal is installed.
- D) Connect one or more hoses from faucets on the discharge side of the pressure tank to the top of the well casing and start the pump, recirculating the water back into the well for at least 15 minutes. Then open each faucet in the system until a chlorine smell appears. Close all faucets. Seal the top of the well.
- E) Let stand for several hours, preferably overnight.
- F) After standing, operate the pump, discharging water from all outlets until all chlorine odor disappears. Faucets on fixtures discharging to septic tank systems should be throttled to a low flow to avoid overloading the disposal system.

- 2) Dug/Bored Wells. The disinfection of dug/bored wells shall be accomplished in accordance with the following:

Diameter of well (in feet)	3	4	5	6	7	8	10
Amount of 5.25% laundry bleach to use per foot of water (in cups)	1½	3	4½	6	9	12	18
Amount of 70% Hypochlorite granules to use per foot of water (in ounces)	1	2	3	4	6	8	12

- A) The amount of disinfectant required is determined primarily by the amount of water in the well. The table above shows the amount of the chlorine to use for each foot of water in the well, according to its diameter.
- B) To determine the exact amount of bleach to use, multiply the amount of disinfectant indicated as determined by the well's diameter times the number of feet of water.
- C) This total amount of bleach shall be added to approximately 10 gallons of water, and splashed around the lining, or wall of the well. Be certain that the solution has contacted all parts of the well, using the entire amount of disinfectant. Seal the top of the well.
- D) When this is done, pump enough water so the strong chlorine odor is evident. When the odor is detected, stop the pumping and allow the solution to remain in the well overnight.
- E) After standing, operate the pump, discharging water from all outlets until all chlorine odor disappears. Faucets on fixtures discharging to septic tank systems shall be throttled to a low flow to avoid overloading the disposal system.
- 3) Water Samples. Upon completion of a new well or modification of an existing well, the contractor shall give the owner information prepared by the Department explaining the importance of water well sampling, procedures for sampling, and how the water can be tested to assure a safe supply of water.

(Source: Amended at 22 Ill. Reg. 3973, effective April 1, 1998)

Section 920.110 Non-Compliant Existing Wells

- a) Well Repair. Wells constructed prior to the adoption of this Part may not meet the criteria established. When a well is to undergo modification, reconstruction, or repair, the work shall include those changes necessary to make the well conform to this Part.
- b) Well Pits.
 - 1) No new well pits shall be allowed.
 - 2) Existing pits will be accepted if the following conditions exist:
 - A) The well pit shall be structurally sound and watertight. The casing shall extend at least twelve (12) inches above the pit or basement floor and have a well seal to prevent contaminants from entering the well.
 - B) A watertight manhole and cover must be provided for the well pit.
 - 3) Existing pits that are not in compliance with subsection (b)(2) shall:
 - A) Be eliminated after the installation of a pitless well adapter unit on the water well casing. The floor or one wall of the pit shall be broken or removed and the pit filled with earth; or
 - B) Be used as a tank pit for water storage or as a valve pit for water distribution provided the pit is not subject to flooding. A pitless well adapter or pitless adapter unit shall be installed on the water well casing.
- c) Pitless Well Adapters.
 - 1) The installation of a pitless well adapter or a pitless adapter unit shall not be considered modification of a water well.
 - 2) The repair of damaged casing above the pitless adapter shall not be considered modification of a water well if the installation is in accordance with Section 920.90(c).
 - 3) When a buried well seal is removed, the extension of the casing to above ground shall not be considered modification of a water well if the installation is in accordance with Section 920.90(c).

(Source: Amended at 46 Ill. Reg. 15751, effective August 30, 2022)

Section 920.120 Abandoned Wells**a) Abandonment of Wells**

- 1) The owner of a water well, boring, or monitoring well shall assure that a well is sealed within 30 days after it is abandoned and when the well is no longer used to supply water or is in such a state of disrepair that the well or boring has the potential for transmitting contaminants into an aquifer or otherwise threatens the public health or safety. The Department will grant an extension of this time if the owner submits a written request to the Department indicating the reasons for the request and an estimate of time in which the well will be either sealed or reused. For an extension to be granted, the owner shall assure the Department that applicable protective measures will be taken and that the methods and materials will be in compliance with the Act and this Part. Applicable protective measures may include ensuring that sources of contamination are down grade from the water source, ensuring isolation of the potential source of contamination so as to prevent a route of contamination of the groundwater, or isolating the potential source of contamination to prevent accidental introduction of contaminants into groundwater.
- 2) Water wells shall be sealed by a licensed water well driller pursuant to the Water Well and Pump Installation Contractor's License Act. An individual who is not licensed may seal a well if all of the following conditions exist:
 - A) The well is located on land that is owned or leased by the individual;
 - B) The land is used by the individual for farming purposes or as the individual's place of abode; and
 - C) A request is made to the Department or local health department prior to the commencement of sealing indicating how the water well is to be sealed and the materials to be used. The Department or local health department will grant approval when requested prior to the commencement of sealing if the methods and materials are in compliance with this Section.

b) Sealing Requirements. Where geologic data does not exist for a particular abandoned drilled water well, the water well shall be sealed, from the bottom up to where the well casing is removed, with neat cement grout or any bentonite product manufactured for water well sealing. Water wells, borings or monitoring wells that are abandoned shall be disinfected by introducing a sufficient amount of chlorine to produce 100 parts per million of chlorine in the water in the well and shall be sealed by placing the sealing materials from the bottom of the well to the surface by methods that will avoid segregation or dilution of material, in accordance with the following requirements:

- 1) **Non-creviced, Consolidated Formations.** Wells extending into non-creviced sandstone, or other water-bearing consolidated formations shall be sealed by filling the well with disinfected clean pea gravel or limestone chips to within 10 feet below the top of the water-bearing formation or to within 10 feet of the bottom of the casing, whichever is less. Neat cement grout or any bentonite product manufactured for water well sealing shall be placed for a minimum of 20 feet above this point. The upper part of the well to where the well casing is removed shall be sealed by neat cement grout or any bentonite product manufactured for water well sealing. Concrete or cement

may be used for sealing if the upper part of the well is dry. (See Illustration J.)

- 2) **Crevice Formations.** Wells extended into crevice formations shall be sealed by filling with disinfected clean pea gravel or limestone chips to within 10 feet below the top of the water-bearing formation or to within 10 feet below the bottom of the casing, whichever is less. Neat cement grout or any bentonite product manufactured for water well sealing shall be placed for a minimum of 20 feet above this point. The upper part of the well to where the well casing is removed shall be sealed by neat cement grout or any bentonite product manufactured for water well sealing. Concrete or cement may be used for sealing if the upper part of the well is dry. If the earth cover is less than 30 feet, the hole shall be grouted from 10 feet below the crevice formation to where the well casing is removed. (See Illustration J.)
- 3) **Unconsolidated Formations.** If the water-bearing formation consists of coarse gravel and producing wells are located nearby, the well shall be sealed by filling with disinfected clean pea gravel or limestone chips to 10 feet below the top of water-bearing formation. Neat cement grout or any bentonite product manufactured for water well sealing shall be placed for a minimum of 20 feet above this point. The upper part of the well to where the well casing is removed shall be sealed by neat cement grout or any bentonite product manufactured for water well sealing. Concrete or cement may be used for sealing if the upper part of the well is dry. Abandoned dug and bored wells shall be sealed by using one of the following methods:
 - A) Filling with disinfected clean pea gravel or limestone chips to within 20 feet below the top of the casing. The upper part of the well to where the well casing is removed shall be sealed for a minimum of 20 feet by filling with neat cement grout, any bentonite product manufactured for water well sealing, or impervious material such as clay. Concrete or cement may be used for sealing if the upper part of the well is dry;
 - B) Placing a one foot layer of any bentonite product manufactured for water well sealing at the bottom of the well, followed by alternating layers of agricultural limestone (limestone fines) and any bentonite product manufactured for water well sealing. The alternating layers of agricultural lime shall be 5 to 7 feet thick and the alternating layers of any bentonite product manufactured for water well sealing shall be 6 inches thick. The uppermost or top layer shall be agricultural lime; or
 - C) Completely filling with concrete, cement grout or impervious material such as clay. (See Illustration K.)
- 4) **More than One Water-Bearing Formation.** If wells extend into more than one water-bearing formation, each water-bearing formation shall be sealed independently in the manner described in this Section. Neat cement grout or any bentonite product manufactured for water well sealing shall be placed a minimum of 10 feet above and below at all intermittent water-bearing formations except artesian wells and artesian formations. Disinfected clean pea gravel or limestone chips shall be placed in each water-bearing formation between plugs. When the lower formation has an upflow of water into the upper formation, a pressure seal is required to shut off the upflow

while a neat cement plug at least 50 feet in length is pumped in place and allowed to set. The upper part of the well to where the well casing is removed shall be sealed with neat cement grout or any bentonite product manufactured for water well sealing. Concrete or cement may be used for sealing if the upper part of the well is dry. (See Illustration L.)

- 5) **Artesian Wells.** A cement retainer shall be used with pressure grouting equipment used to place cement grout. Neat cement grout, containing bentonite from 2% to 6% by dry weight, shall be placed for a minimum of 10 feet below and 10 feet above the water bearing formation. The upper part of the well to where the well casing is removed shall be filled with neat cement grout or any bentonite product manufactured for water well sealing. Concrete or cement may be used for sealing if the upper part of the well is dry.
- 6) **Buried Slab Bored Wells.** Wells shall be sealed by filling with disinfected clean pea gravel or limestone chips to within 1 foot below the buried slab. The upper part of the well to where the casing is removed shall be sealed with neat cement or any bentonite product manufactured for water well sealing.
- 7) In lieu of filling the well with disinfected clean pea gravel or limestone chips as required in subsections (b)(1) through (6), wells may be sealed by grouting from the bottom up by using neat cement grout or any bentonite product manufactured for water well sealing. This material shall be applied the full depth of the well and shall terminate within 2 feet of the ground surface. Concrete grout may be used in the upper part of the well if the upper part of the well is dry.
- c) **Non-Producing Well.** If a water well is drilled and a water-bearing formation is not located, the water well driller shall fill the water well with clay, or neat cement containing bentonite or similar materials from 2% to 6% by weight, or pure bentonite in any form, not more than 10 calendar days after the well has been drilled. If a water well is drilled and a water-bearing formation is located, but the yield from the formation is not sufficient, or if the water well is to be sealed for any other reason, the water well shall be sealed in accordance with all provisions of this Part regulating the sealing of water wells.
- d) The well casing or liner shall be removed to at least 2 feet below final grade, except where the well terminates with a concrete slab that is part of a building floor. If the well terminates in a slab that is part of a building floor, the sealing material shall be placed flush with the floor. The pump and drop pipe shall be removed.
- e) **Notification**
 - 1) The Department, approved local health department, or approved unit of local government shall be notified by telephone or in writing at least 48 hours prior to the commencement of any work to seal a water well or monitoring well. Preparation of the abandoned well, such as pulling the pumping unit, may be completed prior to notification.
 - 2) When a water, boring or monitoring well is sealed, the individual performing the sealing shall submit a sealing form to the Department or approved local health department not more than 30 days after the well is sealed. The following information shall be submitted on a form provided by the Department:

- A) The date that water, boring or monitoring well was drilled;
- B) Depth and diameter of the water, boring or monitoring well;
- C) Location of the water, boring or monitoring well;
- D) Type of sealing method used;
- E) Original water well permit number if available;
- F) Date that the water, boring or monitoring well was sealed;
- G) Type of water well (bored, dug, driven or drilled);
- H) Whether the formation is clear of obstructions;
- I) Casing record (explanation of the required removal); and
- J) Water well driller's license number and name.

(Source: Amended at 37 Ill. Reg. 19676, effective November 25, 2013)

Section 920.130 Water Well Permit Requirements

- a) Permit. A permit to construct a new water well, modify an existing water well or seal an abandoned water well shall be obtained from the Department or approved local health department prior to start of work.
- b) Application. Application for a permit shall be made on the forms provided by the Department or approved local health department. All applications for permit shall include a plan and drawing of the proposed construction. At a minimum the plan shall include:
 - 1) A drawing indicating lot size, direction of slope, location of property lines, and distances from proposed well construction to septic tanks, abandoned wells, property lines, seepage fields, sewers, and all other sources of contamination, and an indication of the type of contamination source;
 - 2) Water well driller's license number and name;
 - 3) Estimated daily pumping capacity if greater than 100,000 gallons per day;
 - 4) The location of the water well, including county, city, street address or lot number, township, range, directions to the site (i.e., subdivision lot number, highway number, secondary roads, signs to follow, etc.), and section;
 - 5) Name and address of the owner of the well;
 - 6) Type of well to be constructed (bored, dug, drilled or driven);
 - 7) An estimate of the depth of the well;
 - 8) Type of well (i.e., non-potable use well, such as an irrigation, livestock or industrial water well, private water well, semi-private water well, or non-community public water well); and
 - 9) Proposed aquifer.
- c) Expiration. A permit is void if construction has not commenced within one year after the date of issuance.
- d) Water Well Fee. The fee to be paid for a permit to construct, deepen, modify or seal a water well shall not exceed \$100.
- e) The Department will grant permit requests that meet the requirements of the Act and this Part. The Department's standards for denial of a permit request are set forth in subsection (f).
- f) Groundwater Contamination
 - 1) The Department will deny the approval of a permit request when available information indicates that the groundwater aquifer contains contamination that exceeds the Class I groundwater standards adopted in the Groundwater Quality Standards Code. A potential public health problem may be detected on the basis of a sanitary survey, laboratory analyses, location of known sources of pollution, condition of water supply, type of construction or information from previous well owners that might indicate the water would be too hazardous to drink.

- 2) The Department will grant approval of a request for a permit when approved treatment is shown to reduce contaminant levels below the levels of recognized health advisories or established by the Department and the federal government and referenced in this subsection (f)(2). Treatment includes, but is not limited to, sampling for additional contaminants, more frequent sampling for contaminants, or imposing maximum contaminant levels specified in the Drinking Water Systems Code, or in public health advisories concerning the safety of drinking water issued by the Department or USEPA.
- g) Notification. Any person who constructs, deepens, modifies or seals a water well for which a permit has been issued under this Part shall notify the Department, approved local health department, or approved unit of local government by telephone or in writing at least two days prior to commencement of the work.

(Source: Amended at 46 Ill. Reg. 15751, effective August 30, 2022)

Section 920.140 Administrative Hearings

All administrative hearings shall be conducted in accordance with the Department's Practice and Procedure in Administrative Hearings.

(Source: Amended at 37 Ill. Reg. 19676, effective November 25, 2013)

Section 920.150 Designation of Agents of the Department

- a) The Department may designate and use full-time municipal, district, county or multi-county health departments as its agents for the purpose of performing inspections of water well and closed loop well system construction, investigating complaints, inspecting existing water wells and closed loop well systems and inspecting the work of water well drillers and closed loop well contractors. Health departments that desire approval as an agent shall make a request in writing to the Department.
- b) The Department will designate a health department as its agent if the health department agrees to do the following:
 - 1) Issue permits for the construction, deepening, modification or sealing of all water wells and closed loop well systems;
 - 2) Perform inspections of all water wells and closed loop well systems for which the health department has issued a permit;
 - 3) Inspect all non-community public water supplies;
 - 4) Inspect the sealing of all abandoned water wells; and
 - 5) Enter into a written agreement with the Department for the conduct of an inspection program.

(Source: Amended at 37 Ill. Reg. 19676, effective November 25, 2013)

Section 920.160 Issuance of Water Well and Closed Loop Well Permits by Units of Local Government or Local Health Departments

- a) Approval
 - 1) A unit of local government or local health department may issue water well construction, deepening, modification or sealing permits and closed loop well permits if:
 - A) the unit of local government or local health department adopts an ordinance that:
 - i) requires the unit of local government or local health department to issue water well and closed loop well permits; and
 - ii) establishes a system for the inspection of water well construction and regulation; and
 - B) the ordinance is approved by the Department.
 - 2) The unit of local government or local health department shall charge a water well construction, deepening, modification or sealing permit fee not to exceed \$100. The unit of local government or local health department shall charge a closed loop well construction, modification or sealing permit fee as required in Section 920.200(d).
- b) To receive approval of an ordinance, the unit of local government or local health department shall submit to the Department a request for approval and submit a copy of the ordinance, including all amendments. The Department will approve the ordinance if the ordinance:
 - 1) Has been adopted by the unit of local government or local health department and is in effect;
 - 2) Adopts this Part and the Illinois Water Well Pump Installation Code; and
 - 3) Requires the unit of local government or local health department to inspect each water well for which a permit is issued and each closed loop well system for which a permit is issued, and the sealing of each abandoned water well or monitoring well within its jurisdiction. The unit of local government or local health department shall enter into a written agreement with the Department to conduct inspections.
- c) Required Information. An approved unit of local government or local health department that has an ordinance approved by the Department in accordance with subsection (a) of this Section shall submit to the Department the information listed in Section 920.130(b) for each water well permit issued. This information shall be submitted within 30 days after the date of issuance of the permit and shall be submitted on forms provided by the Department.

(Source: Amended at 37 Ill. Reg. 19676, effective November 25, 2013)

Section 920.170 Monitoring Wells

This Section shall apply to all monitoring wells, except those wells installed to monitor chemicals leaking from underground storage tanks which are installed within the excavation made for the installation of the underground storage tank.

- a) **Casing.** All monitoring wells shall have casing which meets the requirements of Section 920.90(a), except where the design specifications require the use of another material. Threaded joints shall be required where plastic casing is used. Casing must be clean, free of rust, grease, oil or contaminants and be composed of materials, including but not limited to steel and plastic, that will not affect the quality of the water sample. All casing shall be watertight. The casing shall be centered in the borehole, be free of any obstructions and allow sampling devices to be lowered into the well.
- b) **Well Screen.** All monitoring well screens shall be constructed of non-corrosive and non-reactive material. All well screens shall be permanently joined to the well casing and shall be centered in the borehole.
- c) **Filter Packs.** All monitoring wells installed in unconsolidated material shall be constructed with filter packs. When used, the filter pack shall be the only material in contact with the well screen.
 - 1) The filter pack shall consist of sand or gravel. The sand or gravel used for filter packs shall have an average specific gravity of not less than 2.50. The filter pack material shall be sized to match the screen slot size and the surrounding formation to prevent the formation materials from entering the screen. The sand or gravel shall be free of clay, dust and organic matter. Crushed limestone, dolomite or any material containing clay or any other material that will adversely affect the performance of the monitoring well shall not be used as filter pack.
 - 2) **Installation.** The filter pack shall extend a maximum of 6 inches below the bottom of the screen to 2 feet above the top of the screen. For water table observation wells constructed in areas where the depth to the water table is less than 5 feet, the required filter pack height above the top of the well screen may be reduced to 6 inches to allow for the required amount of annular space sealant to be placed.
- d) **Grouting Requirements.** All materials and procedures used in the installation of annular seals for groundwater monitoring wells shall meet the requirements of this Section. The annular sealing material above the filter pack shall prevent the migration of fluids from the surface and between aquifers. Sealing material shall be chemically compatible with anticipated contaminants.
 - 1) **Annular Space Seal.** All monitoring wells shall be installed with an annular space seal. The annular seal shall extend from the top of the filter pack to the surface.
 - 2) **Above Ground Surface Completion.** Where the monitoring well does not terminate flush with the ground surface in accordance with Section 920.170(d)(3), the casing shall extend at least 8 inches above the ground surface. The top of the casing shall be provided with a locking cap. If the monitoring well is located in a floodplain, the cap shall be watertight. Protective devices, such as rings of brightly colored posts around the well, shall be installed in areas where the casing is likely to be struck by farm

vehicles or by individuals who are unaware of the existence of the well.

- 3) **Ground Surface Completion.** Monitoring well casing may terminate at the ground surface provided a flush-mounted well completion pipe is installed over the casing. The flush-mounted completion pipe shall consist of a metal casing at least four inches larger in diameter than the well casing. Monitoring wells terminating at the surface may be allowed only in areas traveled by vehicles. The flush-mounted well completion pipe shall have a water tight seal and the annular opening around the well completion pipe shall be grouted. The well casing shall be sealed with a watertight locking cap.
- e) **Drilling Methods and Fluids.** The drilling method shall introduce the least possible amount of foreign material into the borehole, produce the least possible disturbance to the formation and permit the proper construction and development of the required diameter well. Water from a source free of bacterial and chemical contamination shall be used in the drilling fluid mixture.
- f) **Disposal and Decontamination.**
 - 1) All drill cuttings and fluids and surge and wash waters from borehole and monitoring well construction and development shall be disposed of in a manner which will not result in contamination of the immediate area or result in a hazard to individuals who may come in contact with these materials.
 - 2) All monitoring well construction equipment shall be decontaminated by washing and triple rinsing or high pressure heat cleaning to prevent cross-contamination of monitoring wells or in accordance with design specifications, whichever is more stringent.
- g) **Special Circumstances and Exceptions.**
 - 1) The Department may require more restrictive or alternative well material, assembly or installation if the contaminant concentrations or geologic setting require alternative construction.
 - 2) Variances to the requirements of this subsection may be approved by the Department prior to installation or abandonment. A variance request shall state the reasons why compliance with the rule is impractical or impossible. The Department shall approve a variance when it can be shown that the particular contaminant or drilling method requires alternative materials or procedures to safeguard against contamination of the groundwater.
- h) **Abandonment or Decommissioning of Monitoring Wells.** All abandoned monitoring wells shall be sealed in accordance with Section 920.120.
- i) **Reporting.** Within 30 days after a monitoring well has been constructed or abandoned, the owner, designer or consulting firm shall submit a report of construction or abandonment to the Department on such forms as are prescribed and furnished by the Department.

(Source: Amended at 18 Ill. Reg. 17684, effective November 30, 1994)

Section 920.180 Closed Loop Wells

- a) **Construction.** For each closed loop well, the borehole, containing the heat exchanger piping, shall be grouted from the bottom of the borehole to the bottom of the header-piping trench and, in the case of directional bores, the surface of the ground. When karst conditions are encountered, disinfected clean pea gravel or limestone chips may be used to bridge karst zones, limited to 5 feet above the karst zone. When more than one karst zone is encountered a bentonite plug a minimum of 5 feet thick must be installed above each karst zone. The Department will maintain a list of approved closed loop well grouts on its website at <http://www.dph.illinois.gov/>. Closed loop wells that are constructed in a manner that leaves a casing in the ground shall be grouted in a manner consistent with water wells. Closed loop wells shall not be located closer to water wells and sources of contamination than the minimum separation distances specified in Table C.
- b) **Borehole Piping.** Piping shall be watertight with a minimum of 160 psi pressure-rated high density polyethylene or equivalent manufactured for the purpose of use in a ground heat exchange system. All copper-piping and joints used in direct expansion heat pump systems shall be watertight and conform to UL 1995.
- c) **Heat Exchange Fluid.** The heat exchange fluid that is pumped through the closed loop well piping shall be compatible with piping in the borehole and shall be water or a mixture of water and one of the following: methanol, or ethanol, or United States Pharmacopeia propylene glycol that meet U.S. FDA Food Contact Substance (FCS) Requirements.
- d) **Refrigerant.** When refrigerant is used with copper piping in a direct exchange system, the refrigerant shall be R-134a or R-290.
- e) **Sealing Requirements for Closed Loop Wells.**
 - 1) **Heat Exchange Fluid or Refrigerant.** All heat exchange fluid or refrigerant shall be removed from the closed loop well system and disposed of in accordance with State and local laws.
 - 2) **Piping.** All piping left in place in closed loop wells shall be sealed with neat cement grout or any bentonite product manufactured for water well sealing by pressure grouting. The sealing material shall be pumped into the supply of the loop until the sealing material is flowing out of the return of the loop.
 - 3) Open or cased wells shall be sealed according to Section 920.120.
 - 4) Abandoned closed loop wells shall be brought into compliance with this Section or sealed within 30 days after abandonment.
 - 5) Closed loop wells constructed for thermal conductivity testing shall be incorporated into a system or sealed within one year after borehole completion. The Department will grant an extension of this time if the owner submits a written request to the Department indicating the reasons for the request and an estimate of the time in which the closed loop well will be either sealed or used. The request for the extension shall be submitted not less than 11 months nor more than 12 months after borehole completion.

(Source: Amended at 46 Ill. Reg. 15751, effective August 30, 2022)

Section 920.190 Assurance of Potable Water Supply

Except as provided in Section 14.2 of the Environmental Protection Act [415 ILCS 5/14.2], the owner of a potable well, which has been contaminated due to the actions of the owner or operator of a potential primary or potential secondary source or of a potential route, shall be provided with an alternative source of potable water or treatment of the water supply by the owner or operator of the contamination source or route, or such other remedy as may be mutually agreed upon by the well owner and the owner or operator of the potential primary or potential secondary source or potential route. For the purposes of this Part, the water shall be considered contaminated when it exceeds Class I groundwater standards adopted in the Groundwater Quality Standards Code (35 Ill. Adm. Code 620). The Department shall notify the owner or operator of the contamination source or route of the determination of contamination of the potable water well and the responsibility to comply with this Section. The Department shall also provide the owner or operator notice and opportunity for an administrative hearing to appeal the determination. Such notice shall be made by certified mail or by personal service and shall set forth the particular reasons for the determination and provide the owner or operator with an opportunity to request a hearing. All hearings conducted pursuant to this Section shall be governed by the Department's Rules of Practice and Procedure in Administrative Hearings (77 Ill. Adm. Code 100).

(Source: Added at 18 Ill. Reg. 17684, effective November 30, 1994)

Section 920.200 Closed Loop Well System Permit Requirements

- a) Permit. A permit to construct, modify or seal a closed loop well system shall be obtained from the Department, approved local health department or approved unit of local government prior to performing the work.
- b) Application. Application for a permit shall be made on the forms provided by the Department. All applications for permits shall include a plan and drawing of the proposed construction. At a minimum, the plan shall include:
 - 1) Name and address of the owner of the closed loop well system;
 - 2) Closed loop well contractor's registration number and name;
 - 3) The location of the closed loop well system, geographical location of the site using global positioning equipment and a description including county, city, street address, subdivision lot number, township, range, section and directions to the site (i.e., highway number, secondary roads, signs to follow, etc.). Changes in location of the closed loop well system shall be approved by the issuing party prior to construction;
 - 4) Type of facility to be served (e.g., single family residence, apartment building, business, factory, school);
 - 5) The number and depth of the closed loop boreholes;
 - 6) A drawing indicating lot size, location of property lines, and distances from proposed closed loop well system construction to water wells, septic tanks, abandoned wells, property lines, seepage fields, sewers, and all other sources of contamination, if they are within 200 feet of any closed loop well.
- c) Expiration. A permit shall be void if construction has not commenced within one year after date of issuance.
- d) Closed Loop Well System Permit Fee. The fee to be paid to the Department for a permit to construct or modify each individual closed loop well system shall be \$100 for the first 10 closed loop well boreholes drilled and \$10 for each additional borehole drilled. The fee to be paid to the Department for a permit to abandon each individual closed loop well system using up to 10 closed loop wells shall be \$100 and \$10 for each additional closed loop well after 10. A unit of local government or local health department having an approved ordinance in accordance with Section 920.160 shall set its own fees for permits to construct, modify or seal an abandoned closed loop well system.
- e) The Department, approved local health department or approved unit of local government will grant permit requests that meet the requirements of the Act and this Part.
- f) Notification. Any closed loop well contractor who constructs, modifies or seals a closed loop well for which a permit has been issued under this Part shall notify the Department, approved unit of local government or approved local health department by telephone or in writing at least two days prior to commencement of the work.
- g) Within 30 days after a closed well system is completed or abandoned and sealed, the closed loop well contractor shall submit a report of the completion or sealing on a form prescribed by the Department, approved local health department or approved

unit of local government.

h) Variance

- 1) If conditions exist at a proposed installation site that preclude compliance with this Part, a variance shall be requested and shall be approved before well construction begins. The closed loop well contractor may request a variance by submitting to the Department or an approved unit of local government or local health department a written request outlining a specific proposal to be used in lieu of compliance with this Part. The request shall include a plot plan of the property, showing lot size, the location of sewers, septic tanks, buildings, seepage fields, and other sources of contamination on the property and adjacent property, with distances shown to the proposed closed loop well. A description of geologic and soil conditions shall also be included. The Department or approved local health department will approve the variance if the proposal is in accordance with accepted public health and sanitary engineering principles and practices. The Department or approved local health department will notify the applicant in writing of its decision either to grant or deny the variance.
- 2) Examples of location problems that would preclude compliance with this Part would be the proposed location of a well too close to septic tanks, buildings, sewer lines or barnyards.
- 3) Examples of public health and engineering principles that would be considered in issuing a variance would be ground surface conditions, depth of the water table, location of sources of contamination, ability of the existing soil to remove bacteria, and geologic conditions.

(Source: Added at 37 Ill. Reg. 19676, effective November 25, 2013)

Section 920.210 Examination for Closed Loop Well Contractor Certification and Fees

a) Applications

- 1) Each person who desires to apply for admittance to the examination for closed loop contractor certification shall file an application for examination on forms provided by the Department. Forms may be obtained by writing to the Illinois Department of Public Health, Division of Environmental Health, 525 W. Jefferson Street, Springfield IL 62761.
- 2) The Department will establish examination dates and locations. A completed application, a current photograph of the applicant, proof of 180 days working as a geothermal well driller and a fee of \$175 shall be filed with the Department at least 45 days prior to the examination date.
- 3) Members of the Closed Loop Well Contractors Certification Board shall be allowed to take the examination.

b) Examination Requirements and Results

- 1) **Examination Content.** The examination for closed loop well contractor certification will test the applicant's knowledge of the location of closed loop wells in relation to water wells and sources of contamination, drilling of boreholes and grouting of the borehole.
- 2) **Passing Grade.** The examination shall consist of questions with a grade value of 100 points. To successfully pass the examination to obtain certification, a grade of not less than 70 shall be obtained.
- 3) **Notification of Results.** The Department will notify each examinee by letter of the results of the applicant's examination.
- 4) **Failure to Pass.** Any person who fails to pass the examination shall be admitted to a subsequent regularly scheduled examination after filing a new examination application and fee with the Department in accordance with subsection (a).
- 5) **Review of Examinations.** Individuals may not review their examinations once they have been taken.

c) A person holding a valid water well contractor's license issued under the Water Well and Pump Installation Contractor's License Act may apply to the Department and shall receive, without examination or fee, closed loop well contractor certification if, as part of the application, the person submits a copy of his or her current Water Well Contractor's License and provided that all other requirements of the Illinois Water Well Construction Code are met.

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

e) Certification shall expire if the person holding the certifications fails to register within two years after becoming certified, or a person registered in accordance with Section 920.220 allows his or her registration to lapse for more than three years.

(Source: Amended at 46 Ill. Reg. 15751, effective August 30, 2022)

Section 920.220 Closed Loop Contractor Registration, Renewal and Fees

- a) **Registration Required.** All closed loop well contractors shall hold a certificate of registration as a closed loop well contractor issued by the Department. All registered certified closed loop well contractors shall annually file an application to renew their registrations with the Department.
- b) **Application.** A certified contractor may apply for registration as a closed loop well contractor on forms provided by the Department and shall submit the registration application fee of \$100 to the Department.
- c) **Third Party Certification Requirement.** An applicant for registration under this Section shall submit proof of certification in accordance with Section 920.210 with the application. The Department shall keep a list of approved third party certification organizations posted on the Department's website at <http://www.dph.illinois.gov/>.
- d) **Renewal Fee.** The fee to be paid for the annual renewal of a closed loop well contractor registration shall be \$100. All registration renewals shall be made by November 30 of each year.
- e) **Late Fee.** The late fee to be paid for a registration annual renewal submitted after November 30 shall be \$25.
- f) **Expiration.** A registration certificate issued under this Section shall expire on December 31 of the year issued, except that an original registration certificate issued after September 30 and before December 31 shall expire on December 31 of the following year.
- g) **Continuing Education Required.** All renewals and reinstatements of a closed loop well contractor registration shall be made on forms prescribed by the Department, and shall include documentation that the contractor has attended at least six hours of approved continuing education in the preceding two years that is approved in accordance with Section 920.240.
- h) **Reinstatement.** The fee to be paid for the reinstatement of a closed loop well contractor registration that has expired for a period of less than three years shall be \$50 plus all lapsed renewal fees
- i) **Restoration.** A registration that has expired for more than three years may be restored by taking and passing the written closed loop well contractor certification exam and paying the required fees.

(Source: Amended at 46 Ill. Reg. 15751, effective August 30, 2022)

Section 920.230 Registered Closed Loop Well Contractor Responsibility

- a) Closed Loop Well Construction. An individual who is not registered under the Act may perform labor and services in connection with the installation of a closed loop well, provided that the labor and services are performed at the direction and under the personal supervision of a registered closed loop well contractor. In order for the registered closed loop well contractor to perform personal supervision, the registered closed loop well contractor shall visit the work site at least once, and as often as necessary, to assure that the unregistered individual is performing work in compliance with this Part.
- b) The registered closed loop well contractor shall visit the work site when requested by the Department. If the work is performed by an unregistered individual, under the supervision of a registered closed loop well contractor, the registered closed loop well contractor shall sign the closed loop well construction report, indicate that a closed loop well contractor has personally supervised the work, and indicate the name of the unregistered person supervised.

(Source: Added at 37 Ill. Reg. 19676, effective November 25, 2013)

Section 920.240 Closed Loop Well Continuing Education Sessions

- a) Approval of Continuing Education Sessions. Each entity that has established or proposes to present a continuing education session under the Act shall request Department approval by submitting its continuing education program to the Department. Requests shall be submitted to the Department no later than 60 days before the date the program begins. Continuing education sessions shall not be presented until at least 30 days after Department approval. A list of approved continuing education sessions will be available from the Department. The Department will approve sessions that address at least one of the following topics:
 - 1) Closed loop well construction in general;
 - 2) Grouting Products and Procedures;
 - 3) Code Requirements, Ground Water Protection;
 - 4) Geological Topics, Strata;
 - 5) Safety hazards associated with the closed loop well construction industry;
 - 6) Other relevant information necessary for the continued improvement of knowledge of a closed loop water well contractor; or
 - 7) New Technologies.
- b) Minimum Classroom Hours for Continuing Education Sessions. A continuing education session shall have a minimum of two classroom contact hours of closed loop well topics.
- c) Requests for Approval. When requesting approval, the entities shall submit the following information to the Department:
 - 1) Title of session;
 - 2) Sponsoring organization;
 - 3) Location of session;
 - 4) Names and qualifications of instructors or presenters; and
 - 5) Brief description of each topic and the amount of time for each topic.
- d) Contact Hours. Total classroom contact hours excluding breaks (a classroom contact hour is 60 minutes).
- e) Attendance. The entity shall provide, upon request, the methodology used to verify attendance. Attendance records shall be retained for three years after the continuing education session.
- f) Certificate. A certificate of completion shall be issued for each participant enrolled in a continuing education course. The certificate shall contain the participant's name, course completed, dates, hours completed and location of course.

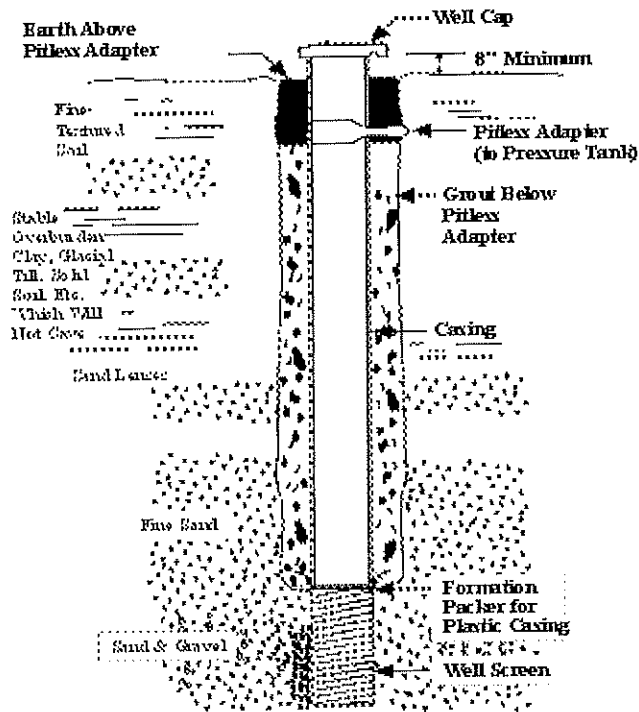
(Source: Added at 37 Ill. Reg. 19676, effective November 25, 2013)

Section 920.250 Approval of Closed Loop Well Third Party Organizations

- a) Approval of Third Party Organizations as Described in 920.220(c). The Department, with the advice of the Closed Loop Well Contractor's Advisory Board, shall make the decision to approve organizations dedicated to promoting top quality and safe closed loop installations.
- b) Requests for Approval. When requesting approval, the entities shall submit the following information to the Department:
 - 1) The organization's mission statement; and
 - 2) Proof that the organization can meet the requirements of Section 920.240.

(Source: Added at 37 Ill. Reg. 19676, effective November 25, 2013)

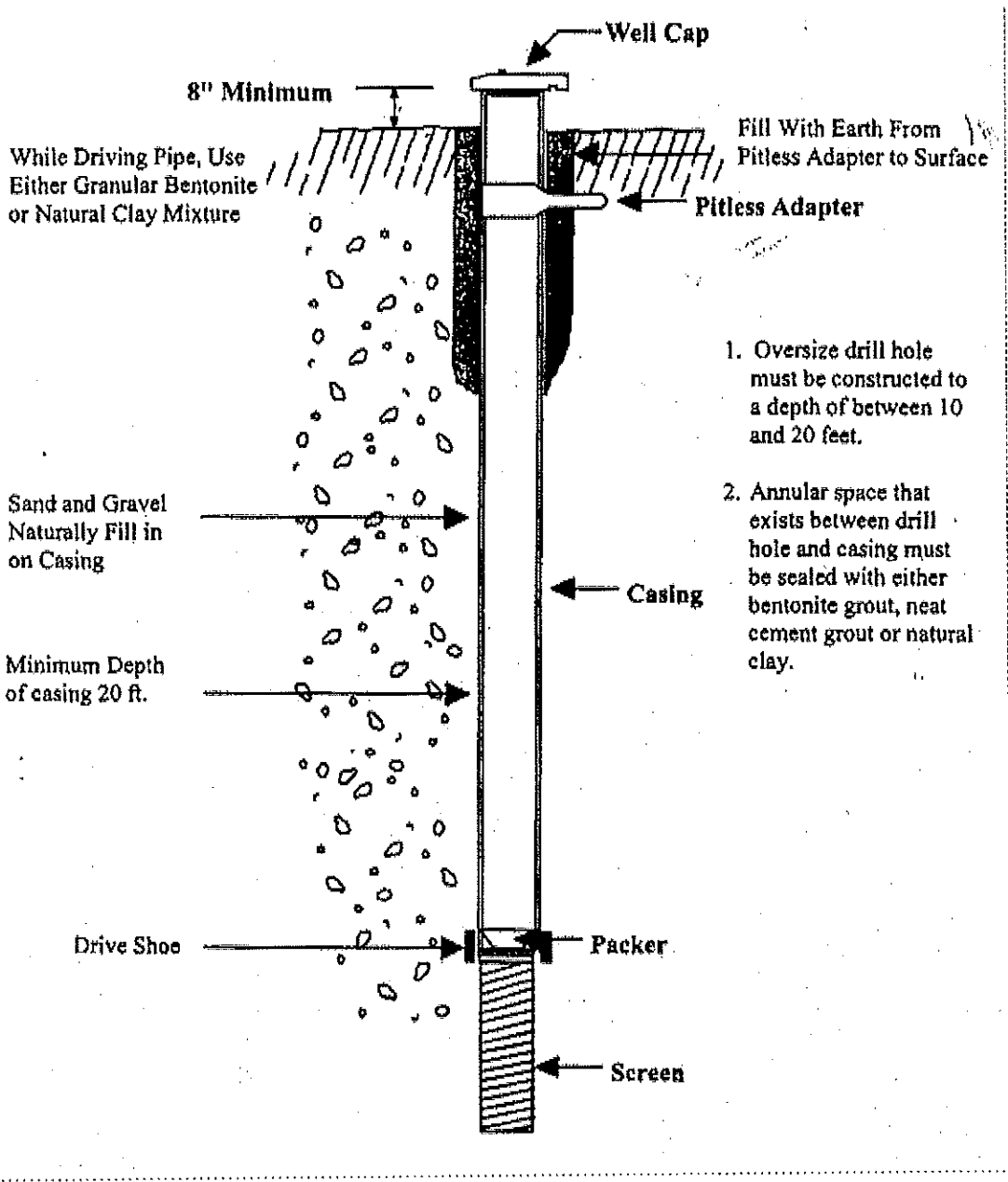
Section 920. ILLUSTRATION An Unconsolidated Formations: Oversized Drill Hole



1. Diameter of drill hole must be 3" larger than the outer diameter of the casing or coupling, whichever is greater.
2. Casing must extend a minimum of 20'.
3. Annular space that exists between hole and casing must be filled with bentonite grout or neat cement grout within a maximum of 10 feet of the top of the screen to finished ground surface.

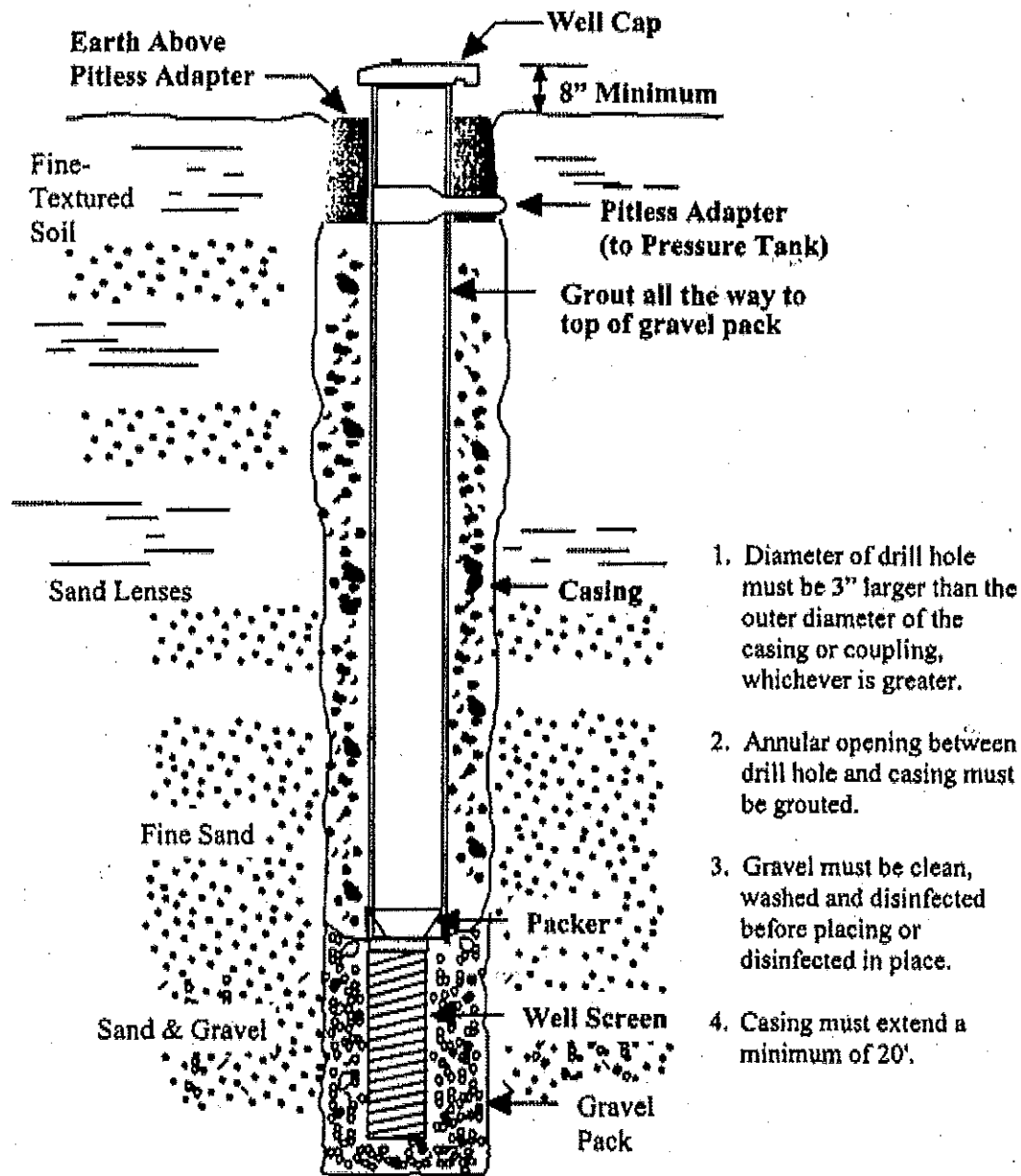
(Source: Amended at 37 Ill. Reg. 19676, effective November 25, 2013)

Section 920.ILLUSTRATION B- Unconsolidated Formations: Mechanically Driven Casing



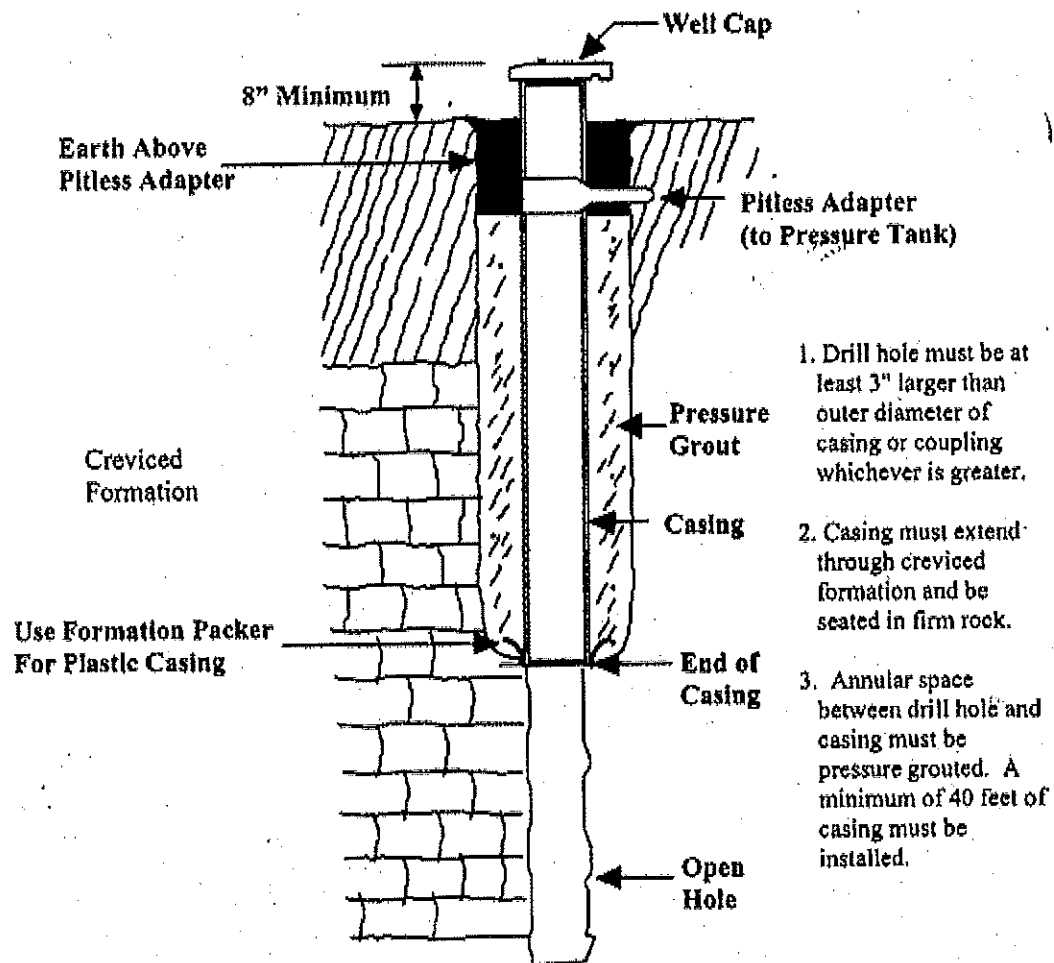
(Source: Amended at 24 Ill. Reg. 11934, effective August 1, 2000)

Section 920. ILLUSTRATION C-Gravel Pack Construction



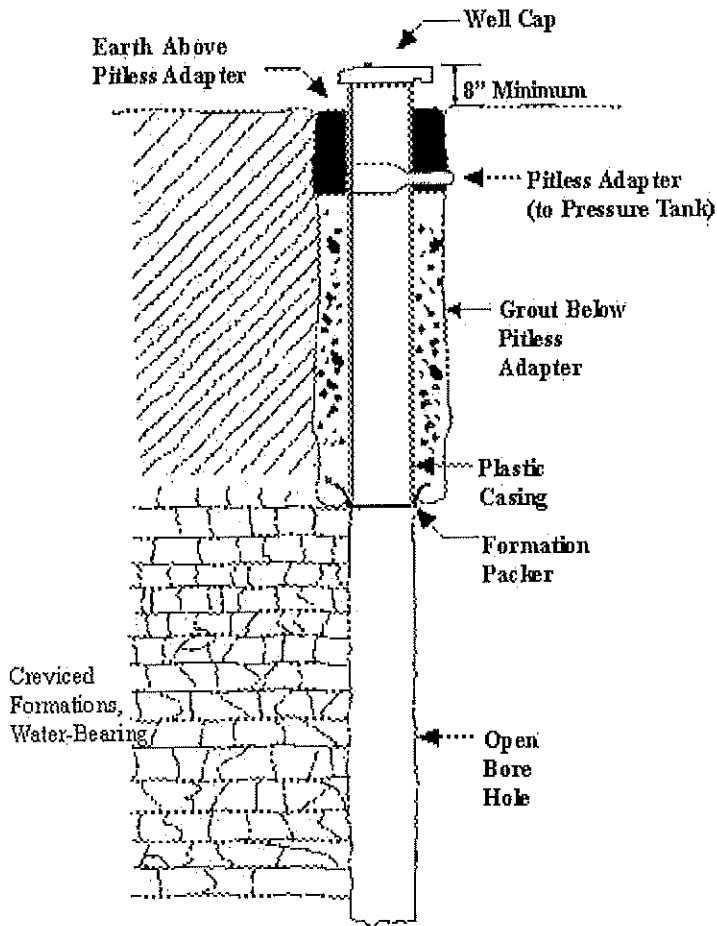
(Source: Amended at 24 Ill. Reg. 11934, effective August 1, 2000)

Section 920. ILLUSTRATION D- Creviced Formations: Earth Cover Less Than 30 Feet Thick



(Source: Amended at 24 Ill. Reg. 11934, effective August 1, 2000)

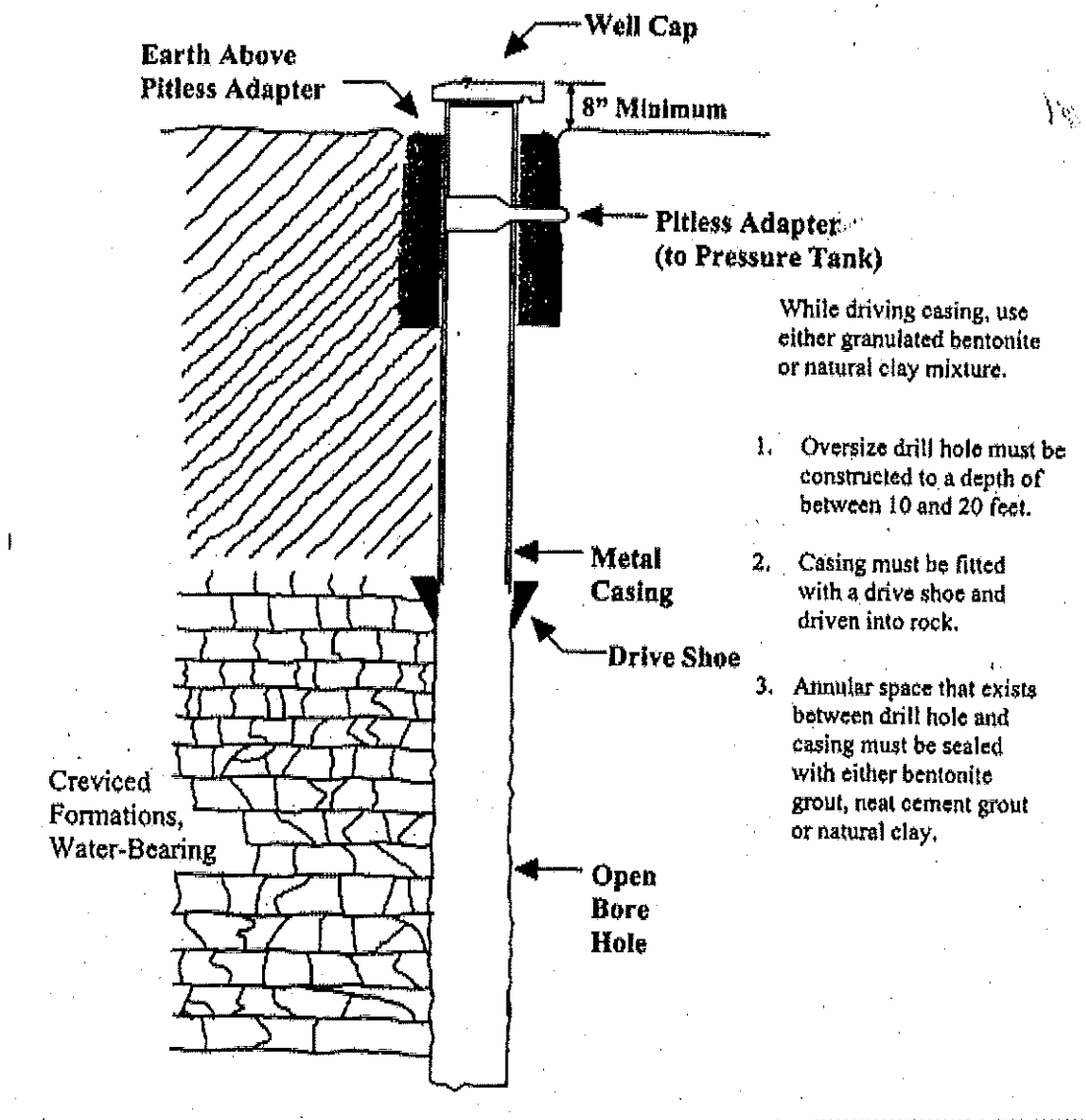
**Section 920. ILLUSTRATION E Creviced Formations:
Earth Mantle Cover Over 30 Feet Thick – Oversized Drill Hole**



1. When a tremie pipe is used to grout, the diameter of the drill hole must be at least 3" larger than the outer diameter of the casing or coupling, whichever is greater.
2. When grout is pumped through the inside of the casing, the diameter of the bore hole must be at least 2" larger than the outer casing or coupling, whichever is greater.
3. The annular space must be grouted from the bottom of the casing to ground level.

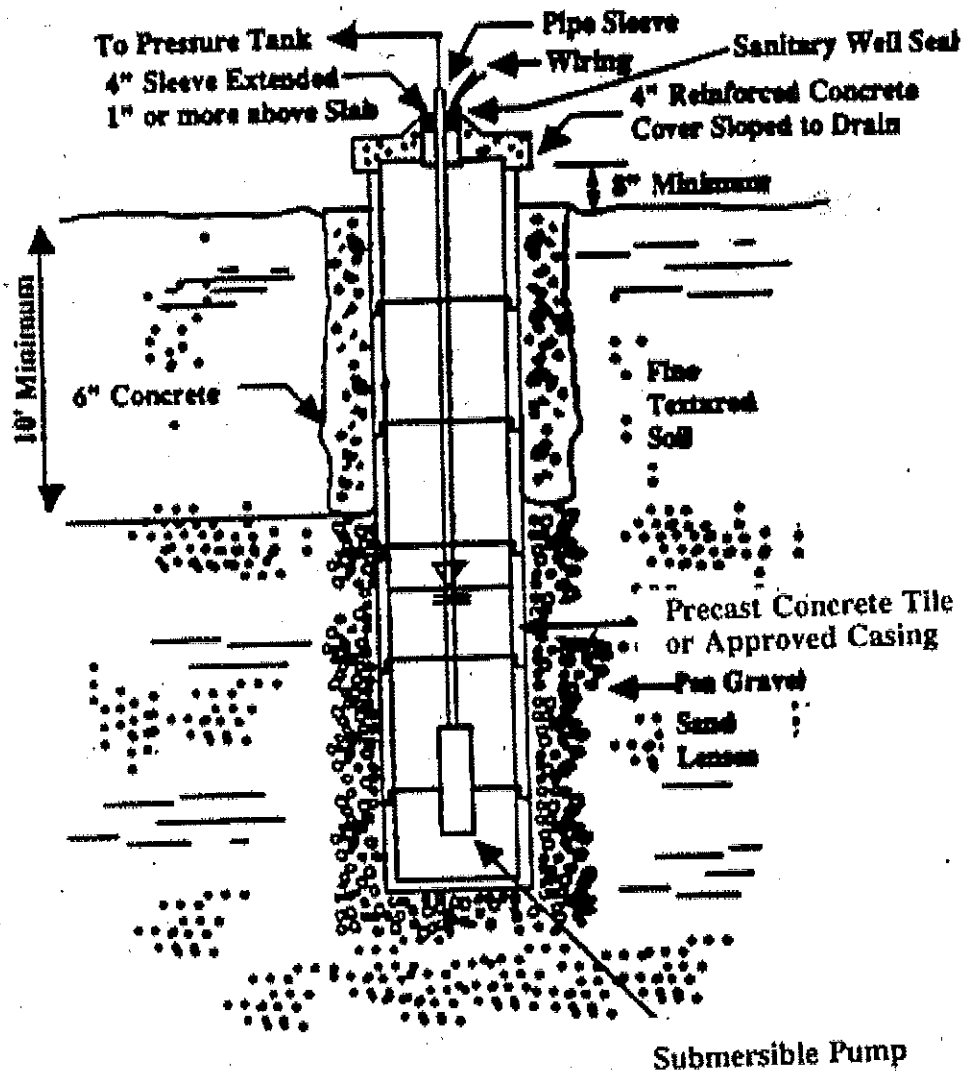
(Source: Amended at 37 Ill. Reg. 19676, effective November 25, 2013)

Section 920. ILLUSTRATION F Creviced Formations: Earth Cover Over 30 Feet Thick – Mechanically Driven Casing



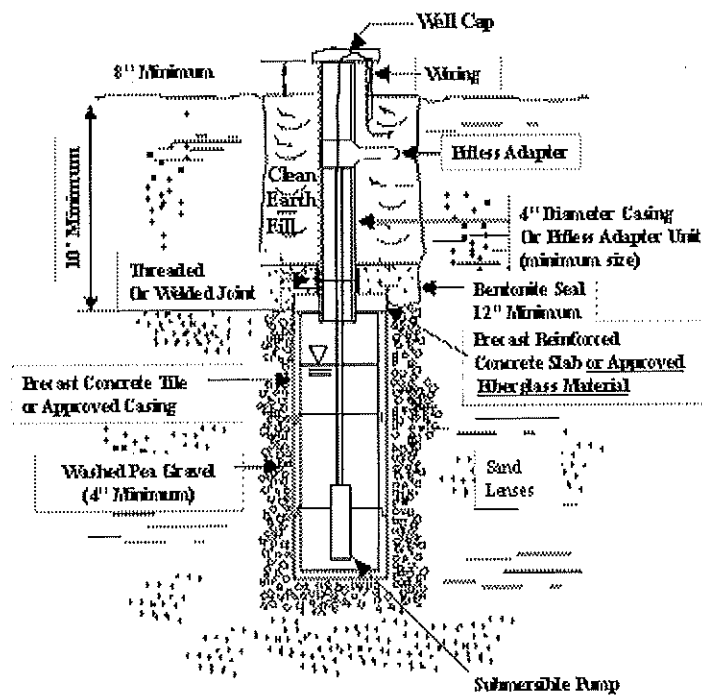
(Source: Amended at 24 Ill. Reg. 11934, effective August 1, 2000)

Section 920.ILLUSTRATION G Bored or Dug Well – Well Not Finished With Buried Slab



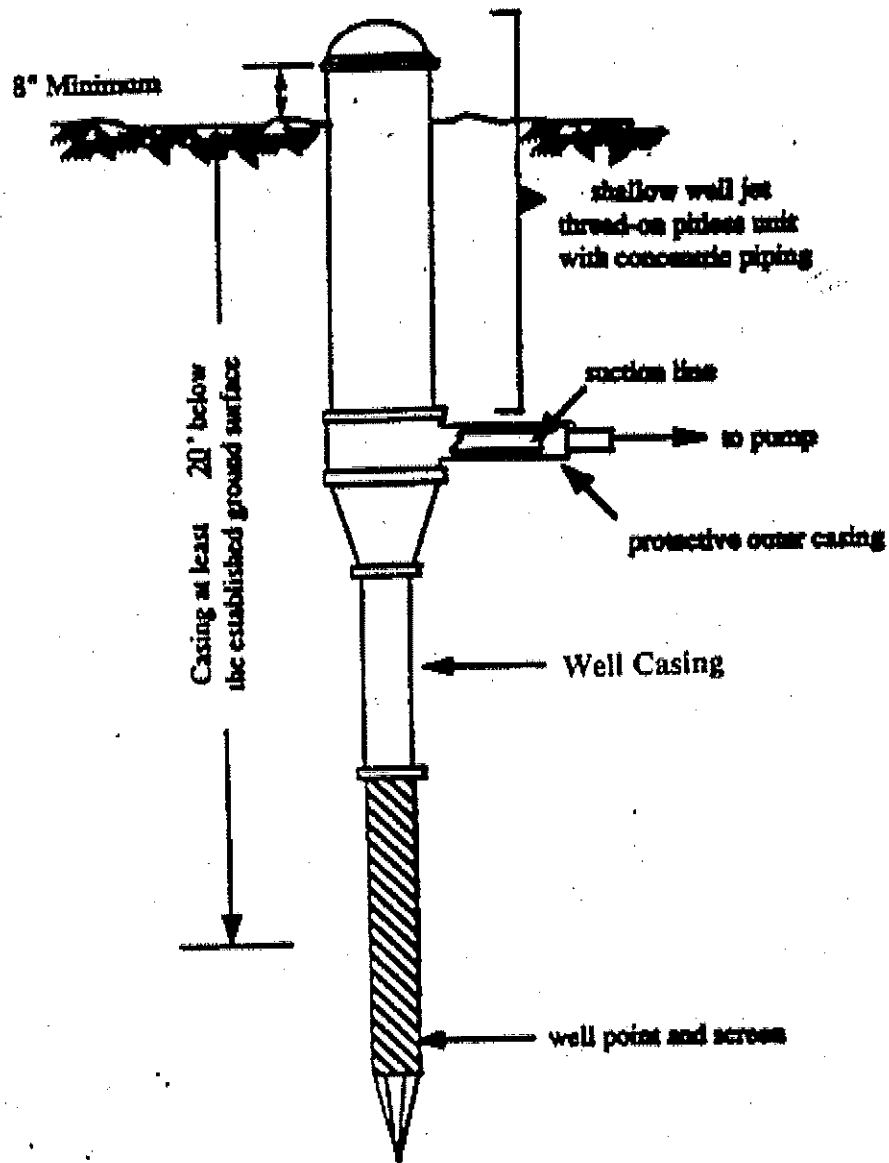
(Source: Former Section 920.Illustration G renumbered to Section 920.Illustration H; new Section 920.Illustration G renumbered from Section 920.Illustration F and amended at 22 Ill. Reg. 3973, effective April 1, 1998)

Section 920. ILLUSTRATION H Bored or Dug Well – Buried Slab Construction



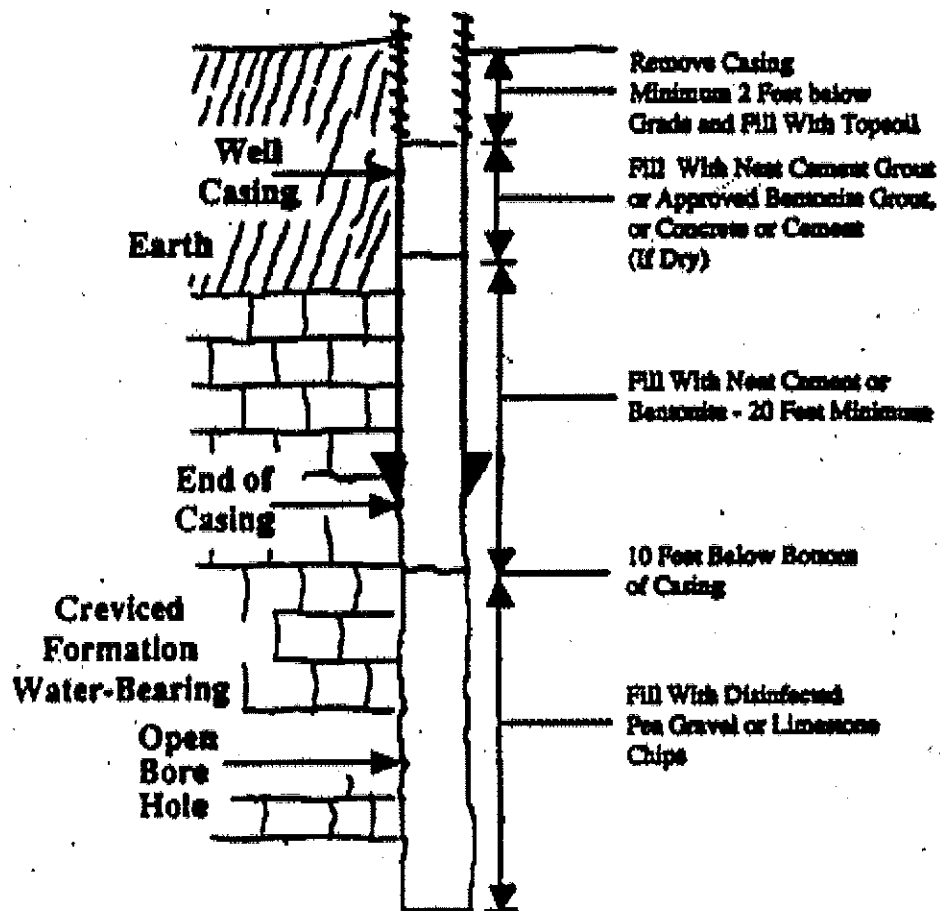
(Source: Amended at 37 Ill. Reg. 19676, effective November 25, 2013)

Section 920.ILLUSTRATION I Installation of a Driven Well



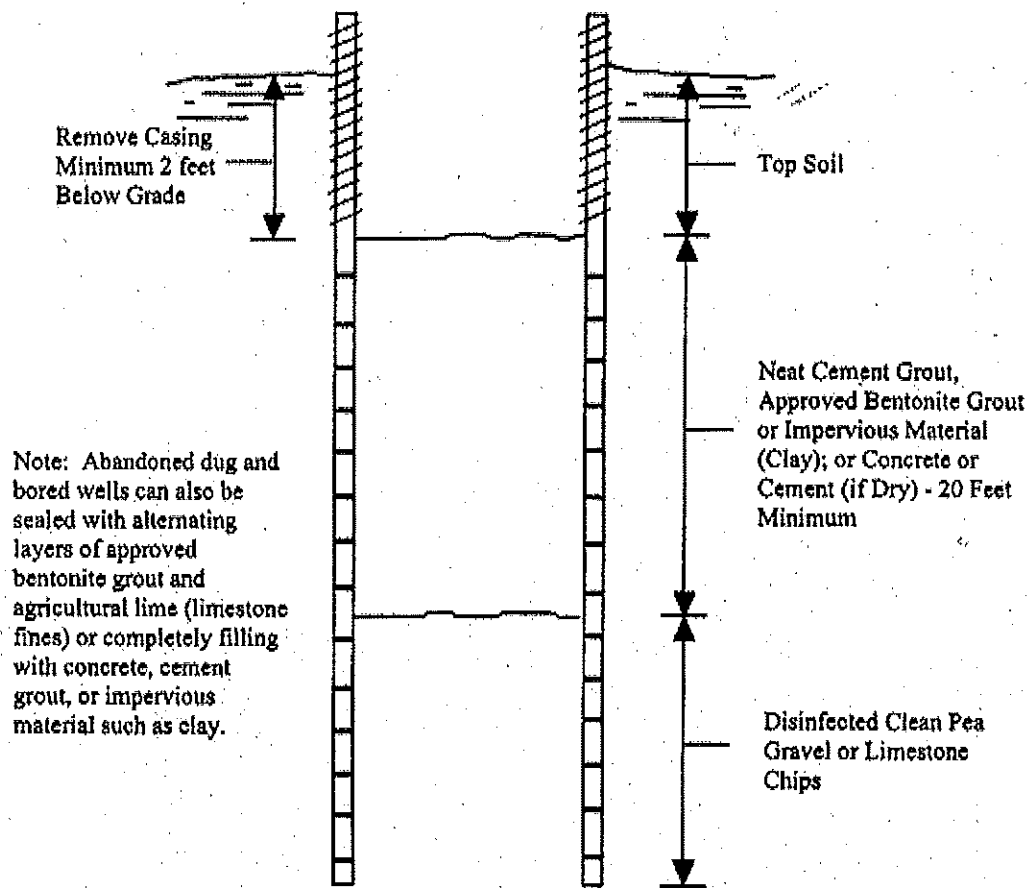
(Source: Former Section 920.Illustration H renumbered to Section 920.Illustration I and amended at 22 Ill. Reg. 3973, effective April 1, 1998)

Section 920. ILLUSTRATION J Sealing an Abandoned Well – Extending into a Creviced Formation



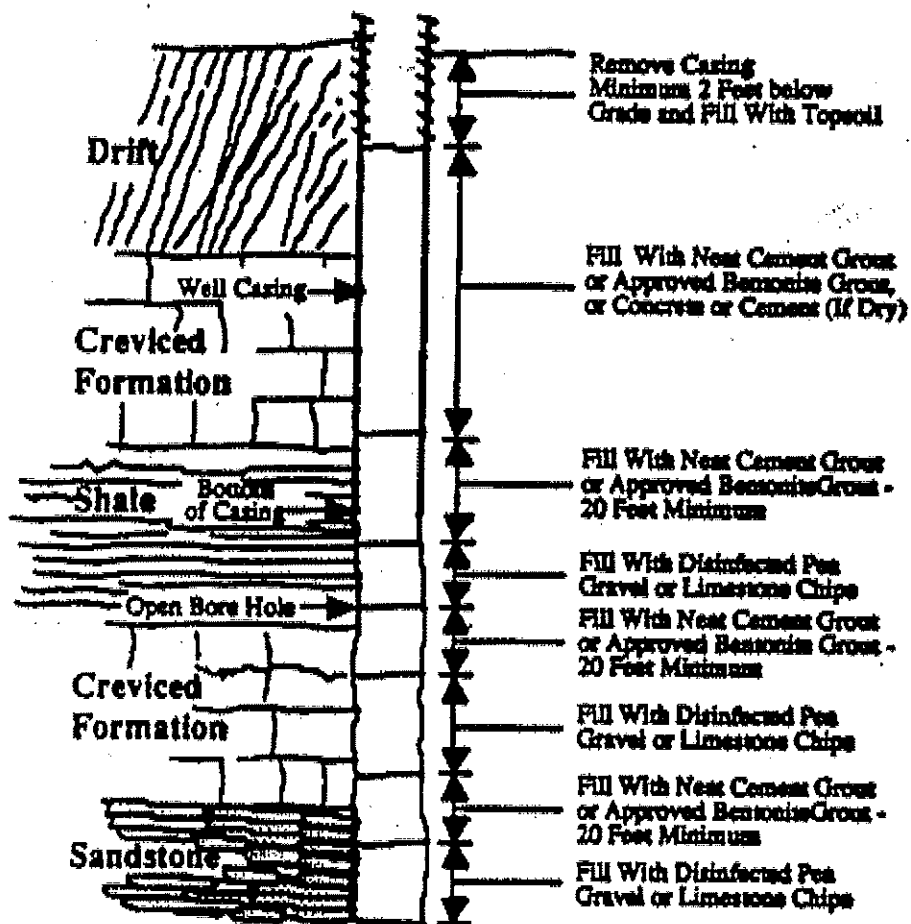
(Source: Added at 22 Ill. Reg. 3973, effective April 1, 1998)

Section 920. ILLUSTRATION K Sealing an Abandoned Dug or Bored Well



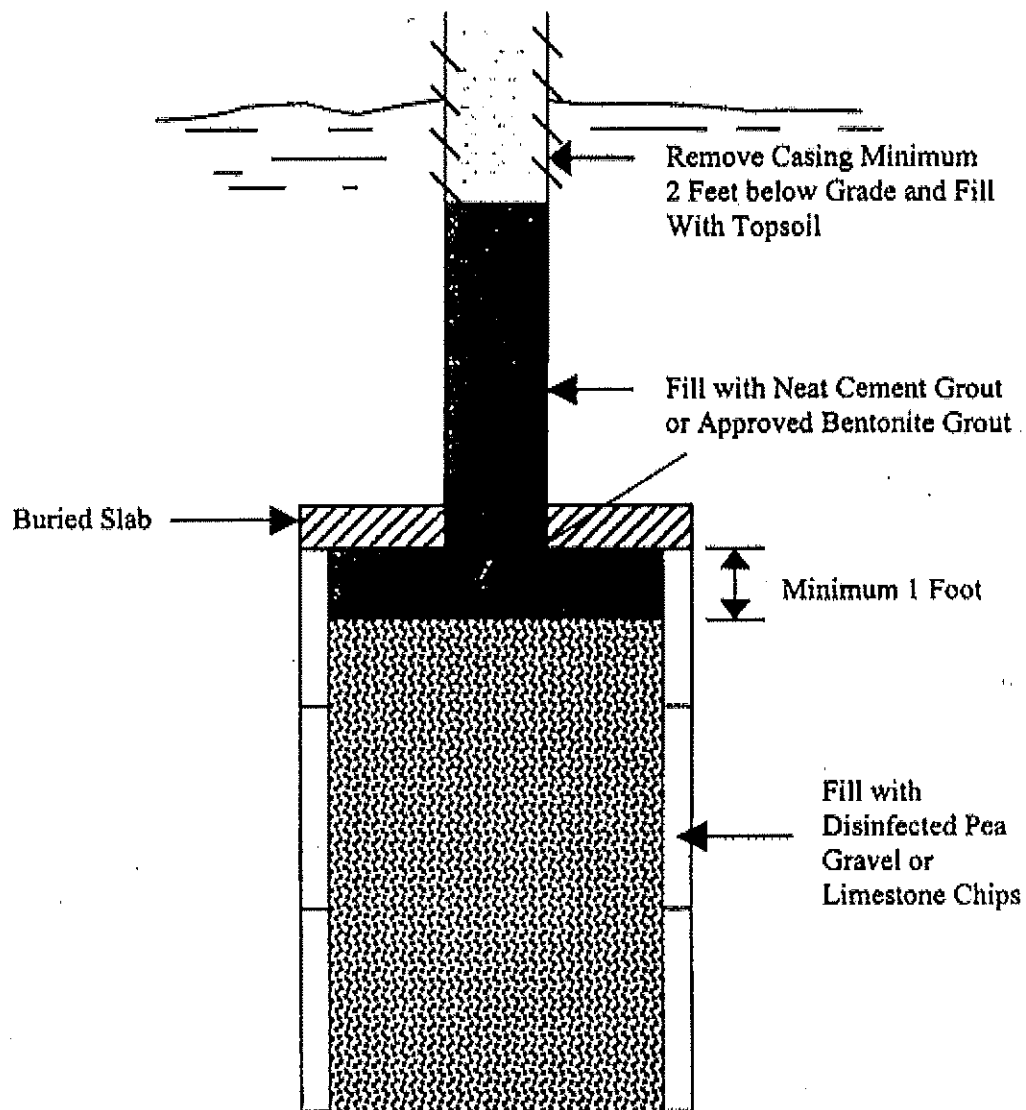
(Source: Amended at 24 Ill. Reg. 11934, effective August 1, 2000)

Section 920. ILLUSTRATION L Sealing an Abandoned Well Extending into More Than One Water Bearing Formation



(Source: Added at 22 Ill. Reg. 3973, effective April 1, 1998)

Section 920.ILLUSTRATION M Sealing an Abandoned Buried Slab Bored Well



(Source: Added at 24 Ill. Reg. 11934, effective August 1, 2000)

Section 920.TABLE A Steel Casing and Liner Pipe Weights and Dimensions

SIZE	DIAMETER (in.)		THICKNESS	WEIGHT (lbs. per ft.)	
	External	Internal		Plain ends (calculated)	With threads and couplings (nominal)
in.			in.		
1	1.315	1.049	0.133	1.68	1.70
1¼	1.660	1.380	0.140	2.27	2.30
1½	1.900	1.610	0.145	2.72	2.75
2	2.375	2.067	0.154	3.65	3.75
2½	2.875	2.469	0.203	5.79	5.90
3	3.500	3.068	0.216	7.58	7.70
3½	4.000	3.548	0.226	9.11	9.25
4	4.500	4.026	0.237	10.79	11.00
5	5.563	5.047	0.258	14.62	15.00
6	6.625	6.065	0.280	18.97	19.45
8	8.625	8.071	0.277	24.70	25.55
10	10.750	10.136	0.307	34.24	35.75
12	12.750	12.090	0.330	43.77	45.45
14	14.000	13.250	0.375	54.57	57.00
16	16.000	15.250	0.375	62.58	65.30
18	18.000	17.250	0.375	70.59	73.00
20	20.000	19.250	0.375	78.60	81.00

Pipe sizes not listed that are less than 8 inches in diameter shall be Schedule 40 pipe as a minimum.

Pipe sizes not listed that are 8 inches in diameter or greater shall be Schedule 30 pipe as a minimum.

Pipes for driven wells shall be Schedule 40 as a minimum.

(Source: Amended at 18 Ill. Reg. 17684, effective November 30, 19

Section 920.TABLE B Plastic Casing and Liner Pipe Specifications

SIZE (Inches)	SDR	EXTERNAL DIAMETER (Inches)	MINIMUM WALL THICKNESS (Inches)
2	-	2.375	0.154
2½	-	2.875	0.203
3	-	3.500	0.216
3½	-	4.000	0.226
4	-	4.500	0.237
4½	-	4.950	0.248
5	21	5.563	0.265
6	21	6.625	0.316
8	26	8.625	0.332
10	26	10.750	0.413
12	26	12.750	0.490
14	26	14.000	0.539
16	26	16.000	0.616

Pipe sizes 2 inches, 2½ inches, 3 inches, 3½ inches, 4 inches and 4½ inches shall be Schedule 40 pipe as a minimum.

(Source: Amended at 18 Ill. Reg. 17684, effective November 30, 1994)

Section 920. Table C Minimal Lateral Distances in Feet Between Water Wells, Closed-Loop Wells, and Sources of Contamination

SOURCES OF CONTAMINATION OR EXISTING WATER WELL	MINIMUM LATERAL DISTANCES F OR CLAY AND LOAM SOILS (FEET)	
	WATER WELL	CLOSED LOOP WELL
Cesspool	150	150
Closed Loop Well ¹	200	NA
Water Well ¹	NA	200
Water Well (when the owner of the closed loop well and a water well serving a private water supply is the same) ¹	NA	75
Leaching Pit	100	100
Pit Privy	75	75
Subsurface Seepage System, Distribution Box, Sand Filter, Waste Stabilization Pond, Effluent Receiving Trench	75	75
Manure Pile	75	75
Septic Tank, Aerobic Treatment Plant, Surface Discharge Effluent Line, Treated Effluent Discharge Point	50	50
Barnyard or Animal Confinement Lot	50	50
Footing Drains (No connection to a sewer or sump handling sewage is allowed.)	10	10 ²
Pump House Floor Drain	2	2 ²
Pit, Crawl Space or Basement	5	5 ²
Lake, Pond or Stream	25	25 ³
Potential Primary Source, Potential Secondary Source, or Potential Route	200	200
Potential Primary Source, Potential Secondary Source, or Potential Route (when the owner of the source or route and a water well serving a private water supply or closed loop well is the same)		75
Abandoned Wells	200	200
Sewers (Sanitary or Combined)	50 ⁴	50 ^{4,5}
Storm Sewers	10	10 ⁶

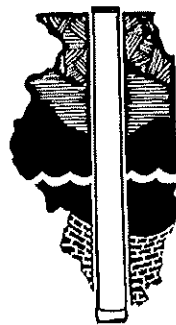
¹ A closed loop well utilizing USP food grade propylene glycol may be located to within 25 feet of a water well.

- ² These setbacks do not apply when the closed loop well is installed prior to the construction of the building.
- ³ The 25-foot separation distance from a pond does not apply to a closed loop well when:
- 1) The borehole is grouted the same day that is constructed;
 - 2) The top 20 feet of the borehole is bored to a diameter at least 3 inches greater than the total diameter of the heat exchanger; and
- 3) The enlarged top 20 feet of the borehole is grouted with bentonite chips manufactured for well sealing within 24 hours after the construction of the borehole.
- ⁴ A water well or closed loop well may be located to within 10 feet of a sewer provided that the sewer consists of cast iron pipe with watertight mechanical joints or rubber gasket sealed joints that meet ASTM Standard C564-11, SDR 26 PVC pipe or schedule 40 PVC pipe or heavier with solvent welded watertight joints or elastomeric seals (gaskets) used for push-on joints that meet ASTM Standard F477-10.
- ⁵ If the sewer pipe material is unknown, the 50-foot separation distance may be reduced to 25 feet if the following conditions are met:
- 1) The borehole is grouted the same day that it is constructed;
 - 2) The top 20 feet of the borehole is bored to a diameter at least 3 inches greater than the total diameter of the heat exchanger; and
 - 3) The enlarged top 20 feet of the borehole is grouted with bentonite chips manufactured for well sealing within 24 hours after the construction of the borehole.
- ⁶ The 10-foot separation distance for a storm sewer does not apply to a closed loop well when:
- 1) The borehole is grouted the same day that it is constructed;
 - 2) The top 20 feet of the borehole is bored to a diameter at least 3 inches greater than the total diameter of the heat exchanger; and
 - 3) The enlarged top 20 feet of the borehole is grouted with bentonite chips manufactured for well sealing within 24 hours after the construction of the borehole.

(Source: Amended at 39 Ill. Reg. 3992, effective March 2, 2015)

Illinois Water Well Pump Installation Code

Re-Printed Courtesy of



Illinois
Association of
Groundwater
Professionals

DISCLAIMER: The Illinois Association of Groundwater Professionals (IAGP) is not responsible for any errors or omissions in these re-printed documents. The information in these documents has been re-printed from the Illinois Department of Public Health's (IDHP) web site as of July 1, 2020. Please contact IDHP for clarification of the Water Well and Pump Installation Contractor's License Act, The Illinois Water Well And Pump Installation Contractor's License Code, Illinois Water Well Construction Code or Illinois Water Well Pump Installation Code.

(415 ILCS 35/) Illinois Water Well Pump Installation Code.

(415 ILCS 35/1) (from Ch. 111 1/2, par. 116.151)

Sec. 1. Short title.

This Act shall be known and may be cited as the "Illinois Water Well Pump Installation Code."

(Source: Laws 1965, p. 3225.)

(415 ILCS 35/2) (from Ch. 111 1/2, par. 116.152)

Sec. 2. Declaration of policy.

It has been established by scientific evidence that improperly installed water well pumps and equipment can adversely affect the public health. Consistent with its duty to safeguard the public health of this State, The General Assembly therefore declares that the proper installation of water well pumps and equipment is essential for the protection of the public health.

(Source: Laws 1965, p. 3225.)

(415 ILCS 35/3) (from Ch. 111 1/2, par. 116.153)

Sec. 3. Definitions.

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

(a) "Department" means the Department of Public Health;

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

(c) "Pump installation" means 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, but not including repairs to any existing installation.

(d) "Water well pumps and equipment" means equipment and materials utilized or intended for use in withdrawing or obtaining water from a well for any use, including such seals and safeguards as may be necessary to protect such water from contamination.

(Source: Laws 1965, p. 3225.)

(415 ILCS 35/4) (from Ch. 111 1/2, par. 116.154)

Sec. 4. Scope.

No water well pump or equipment shall be installed contrary to the provisions of this Act or any rules and regulations adopted pursuant thereto. The provisions of this Act apply to any water well pump or equipment employed in withdrawing or obtaining water from a well for any use, except wells drilled or used for observation or any other purpose in connection with the development or operation of a gas storage project, or

other wells which are otherwise subject to regulation under the laws of this state.
(Source: Laws 1965, p. 3225.)

(415 ILCS 35/5) (from Ch. 111 1/2, par. 116.155)
Sec. 5. Department powers and duties.
The Department has general supervision and authority over the installation of water well pumps and equipment and for the administration of this Act. With respect thereto it shall:
(a) Adopt, publish and amend rules and regulations as hereinafter provided; and
(b) Conduct public hearings, upon not less than 30 days prior notice published in one or more newspapers of general circulation in the state, in connection with proposed rules and regulations and amendments thereto; and
(c) Exercise such other powers as are practical and reasonably necessary to carry out and enforce the provisions of this Act.
(Source: Laws 1965, p. 3225.)

(415 ILCS 35/6) (from Ch. 111 1/2, par. 116.156)
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:
(a) Provide criteria for the proper installation of water well pumps and equipment; and
(b) Require that notification, in such form as the Department prescribes, of any water well pump or equipment to be installed, be sent to the Department prior to the commencement of any such installation.
(Source: Laws 1965, p. 3225.)

(415 ILCS 35/7a) (from Ch. 111 1/2, par. 116.157a)
Sec. 7a. The Department shall issue an order compelling any pump installation contractor who is in violation of this Act or the rules and regulations promulgated hereunder to remedy the violations. The order shall specify the violations and a date by which they shall be remedied. Failure of the contractor to remedy the violations by the date specified in the order shall constitute a business offense punishable by a fine not to exceed \$750, with each day subsequent to such date that the violations remain uncorrected constituting a separate offense.
(Source: P.A. 82-243.)

(415 ILCS 35/8) (from Ch. 111 1/2, par. 116.158)
Sec. 8. Installation by employees of municipal, industrial or

public utility owner of well or well pump.
Nothing in this Act shall be construed so as to prevent the employees of a municipal, industrial or public utility owner of a well or well pump from installing a well pump so long as the installation is in accordance with the criteria for pump installation as established by the department as provided for in this Act.
(Source: Laws 1965, p. 3225.)

(415 ILCS 35/10) (from Ch. 111 1/2, par. 116.159)
Sec. 10. The provisions of the Illinois Administrative Procedure Act are hereby expressly adopted and shall apply to all administrative rules and procedures of the Department of Public Health under this Act, except that Section 5-35 of the Illinois Administrative Procedure Act relating to procedures for rulemaking does not apply to the adoption of any rule required by federal law in connection with which the Department is precluded by law from exercising any discretion.
(Source: P.A. 88-45.)

TITLE 77: PUBLIC HEALTH
CHAPTER I: DEPARTMENT OF PUBLIC HEALTH
SUBCHAPTER r: WATER AND SEWAGE

PART 925
ILLINOIS WATER WELL PUMP INSTALLATION CODE

Section	
925.10	Definitions
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925.TABLE A	Approved Materials for Water Service Pipe

AUTHORITY: Implementing and authorized by the Illinois Water Well Pump Installation Code [415 ILCS 35].

SOURCE: Adopted September 12, 1973; amended at 2 Ill. Reg. 42, p. 35, effective October 16, 1978; rules repealed, new rules adopted and codified at 7 Ill. Reg. 9662, effective August 1, 1983; amended at 13 Ill. Reg. 11816, effective July 1, 1989; amended at 15 Ill. Reg. 18227, effective January 1, 1992; amended at 22 Ill. Reg. 4028, effective April 1, 1998.

Section 925.10 Definitions

"Approved Basement" means a room below ground surface, under a building and having adequate drainage not subject to backflow of liquid waste.

"Backflow Preventer" means a device that prevents backflow into a water well. The purpose of a backflow preventer is to prevent contaminated water or liquids from being siphoned or pushed from back pressure into a water well.

"Casing" means the pipe installed in a drilled hole to give unobstructed access to a water-bearing formation and includes the riser pipe of a buried slab type dug or bored well.

"Chemical Injection System" means any device or combination of devices having hose, pipe or other methods of conveyance which connect directly to any water well through which a mixture of water, pesticides and fertilizer are mixed or are drawn and applied to land, crops, and/or plants at agricultural, nursery, turf, golf course, or greenhouse sites.

"Contamination" means a change of the biological, chemical, or physical quality of a water so that it is actually or potentially injurious or harmful to the health of the user.

"Department" means the Illinois Department of Public Health.

"Finished Ground Surface" means the final or permanent elevation of the ground surface at the site of the well.

"Pipe Sleeve" means a pipe case in the cover slab of a dug or bored well to provide an entrance for pump components or use for venting, disinfection, or water level determination.

"Pitless Adapter Unit" means a factory assembled device consisting of the pitless adapter, a mechanism which attaches to the well casing, and a well casing riser in a single unit for the purpose of preventing contaminants from entering the well.

"Pitless Well Adapter" means an assembly of parts which will permit water to pass through the wall of the well casing or extension thereof; provides access to the well and to the parts of the water system within the well; and provides for the transportation of the water and the protection of the well and water therein, from surface or near surface contamination. Parts or appurtenances to a pitless well adapter include, but are not limited to, the vent, the device(s) on or in the wall of the casing, and the cap or cover on the top of the casing or casing extension.

"Pump Installation" means the procedure employed in the placement and preparation for operation of equipment and materials utilized in withdrawing or obtaining water from a well, including all construction involved in making entrance into the well and establishing such seals and safeguards as may be necessary to protect such water from contamination.

"Well Cap" means that portion of the pitless adapter used to enclose the atmospheric termination of the casing, which shall overlap the top of the casing extension with a downward flange.

"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, except monitoring wells.

"Water Well Pumps and Equipment" means any equipment or materials utilized or intended for use in withdrawing or obtaining water from a well including

pumps, seals, pressure tanks, fittings, and controls.

"Well Seal" means an arrangement or device used to establish a watertight closure at the junction of a well pump piping with the well casing cover at the upper terminal of the well, the purpose of which is to prevent contaminated water or other material from entering the well.

"Well Vent" means an opening at the upper terminal of a well to provide for equalization of air pressure in the well or the release of gases.

(Source: Amended at 22 Ill. Reg. 4028, effective April 1, 1998)

Section 925.15 Incorporated Materials

The following federal and State regulations, standards, and statutes are incorporated or referenced in various Sections of this Part:

- a) The following standards are incorporated by reference:
 - 1) Pitless Well Adapters
Standard 56, November 1992
NSF International
3475 Plymouth Road, P.O. Box 1468
Ann Arbor, Michigan 48106
 - 2) National Electrical Code 1996 edition
National Fire Protection Association
Battery March Park,
Quincy, Mass. 02269
- b) The following statutes and rules are referenced in this Part:
 - 1) Illinois Water Well and Pump Installation Contractor's License Act [225 ILCS 345]
 - 2) Illinois Plumbing Code (77 Ill. Adm. Code 890)
- c) All incorporations by reference for federal regulations and the standards of nationally recognized organizations refer to the regulations and standards on the date specified and do not include any additions or deletions subsequent to the date specified.
- d) All materials incorporated by reference are available for inspection and copying at

the Department's Central Office, Division of Environmental Health, 525 West Jefferson - Third Floor, Springfield, Illinois 62761.

(Source: Amended at 22 Ill. Reg. 4028, effective April 1, 1998)

Section 925.20 Scope

- a) This Part, hereby prescribed, provides minimum standards for installation of water well pumps or equipment employed in withdrawing or obtaining water from a well for any use, except monitoring wells, and includes such seals and safeguards as may be necessary to protect from contamination the water in the well and water being pumped from the well.
- b) The provisions of this Part do not apply to installation of pumps or equipment on water wells which are subject to regulation under other laws of the State. This Part shall apply when they are incorporated by reference in other State rules and regulations.

(Source: Amended at 15 Ill. Reg. 18227, effective January 1, 1992)

Section 925.30 General Requirements

- a) **Installation Contractor.** Installation of pumps or equipment shall be made only by or under supervision of persons, firms or corporations holding a valid license under the Illinois Water Well and Pump Installation Contractor's License Code [415 ILCS 35] unless exempt from the provisions of that Act.
- b) **Variance.** If conditions exist at a proposed installation site which preclude compliance with the requirements of this Part, a variance shall be requested and shall be approved before pump installation begins. The contractor may request a variance by submitting to the Department or a local health department, approved under Sections 920.150 and 920.160, a written request outlining a specific proposal to be used in lieu of compliance with this Part. The Department or an approved local health department shall approve the variance if the proposal is in accord with accepted public health and sanitary engineering principles and practices, and if the resulting water well pump installation can be expected to provide a continuously safe and sanitary water supply. The Department or an approval local health department shall notify the applicant in writing of its decision either to grant or deny the variance. Factors to be considered in the approval of variance proposals will include location of pump installation, sources of potential contamination, depth to water table, past sampling history of the well, the type and location of the pump and other geological conditions at individual installations.

- c) **Well Seals.** Where existing wells have buried well seals, the seal shall be replaced with a pitless well adapter, or the casing shall be extended above the ground surface in accordance with Section 920.90(c) of the Illinois Water Well Construction Code (77 Ill. Adm. Code 920) when the existing well seal is removed.
- d) **Yard Hydrants.** All yard hydrants for use with potable water wells shall be installed in accordance with the requirements of the Illinois Plumbing Code, Section 890.1140(e)(2)(A) as follows:
 - 1) All hydrants with threaded spigots shall have backflow protection attached to the hydrant spigot.
 - 2) Hydrants with buried drain down (weep) holes shall have the drain down (weep) holes protected from groundwater backup by proper open site drainage. A backflow preventer shall not be used on the buried drain down (weep) hole to protect the hydrant from groundwater backup.
 - 3) All hydrants shall be at least 10 feet from the well.

(Source: Amended at 22 Ill. Reg. 4028, effective April 1, 1998)

Section 925.40 Pump Installation

- a) **Upper Well Terminal.** Well casing and pitless well adapters shall terminate not less than 8 inches above the finished ground surface or pump house floor and at least 24 inches above maximum high water level in areas where flooding is likely to occur. No casing shall be cut off or cut into below ground level except to install a pitless well adapter.
- b) **Well Pits**
 - 1) No new well pits shall be allowed.
 - 2) Existing pits will be accepted if the following conditions exist:
 - A) The pit shall be structurally sound and watertight. The casing shall extend at least 12 inches above the pit or basement floor and have a well seal to prevent contaminants from entering the well.
 - B) A watertight manhole and cover must be provided for the pit.

- 3) No existing well pit shall be modified to comply with subsection (b)(2) of this Section. Existing pits which are not in compliance with subsection (b)(2) shall be eliminated and the floor or one wall of the pit shall be broken or removed and the pit shall be filled with compacted earth.

c) Pitless Well Adapter

- 1) Installation and Approval. No well casing shall be cut off or cut into below ground surface except to install a pitless well adapter below the frost level. Pitless well adapters or pitless units installed on plastic well casing shall be pressurized at the point of attachment with the well casing, unless the pitless unit is solvent welded onto the plastic well casing and the riser casing of the pitless unit is plastic. Pitless well adapters installed on steel well casing shall be pressurized at the point of attachment with the well casing, unless the pitless unit is threaded or welded onto the well casing. Pitless well adapters shall comply with the requirements of the NSF International Standard Number 56 entitled Pitless Well Adapters and shall be tested and approved as meeting this standard by Allied Laboratories, 716 North Iowa Avenue, Villa Park, Illinois and shall be listed by the Department as meeting this standard. A list of approved pitless well adapters will be periodically updated and a copy of this list may be obtained from the Department. The annular opening between the well casing and the well bore hole or any excavation made to install the pitless adapter shall be filled with earth to minimize settling and mounded to provide drainage away from the well. The contractor installing the pitless well adapter shall be responsible for the installation of the earth backfill.
- 2) Well Caps. There shall be no openings through the well cap except for a factory installed vent, air line and power supply wiring, unless a proposal is submitted to and approved by the Department. To be approved, the proposal must show that any entrance into the well cap is watertight and meet the following conditions:
 - A) Prevent surface water from entering the water supply.
 - B) Be secured in position.
 - C) Be removable with tools only.
 - D) Be resistant to weathering and corrosion.

d) Hand Pumps. Hand pumps shall be of the force type equipped with a packing

gland around the pump rod, a delivery spout which is closed and downward directed, and a one-piece bell type base which is part of the pump stand or is attached to the pump column in a watertight manner. The bell base of the pump shall be securely attached to the casing or pipe sleeve.

- e) Power Driven Pumps. The design and operating principles of each type of power driven pump determines where each may be located with respect to a well. The location selected for the pump determines what factors must be considered to make an acceptable installation.
 - 1) Location Above Well. Any power driven pump located over a well shall be so mounted on the well casing, pipe sleeve, pump foundation or pump stand that a watertight closure is or can be made for the open end of the casing or sleeve. The pump base bolted with a neoprene or rubber gasket or equivalent watertight seal to a foundation or plate provides an acceptable seal. On large pump installations, the bolting may be omitted when the weight of pump and column is sufficient to make a watertight contact with the gasket. If the pump unit is not located over the casing or pipe sleeve, but the pump delivery or suction pipe emerges from the top of the well, a well seal or equivalent shall be installed between the well casing and pipe to provide a watertight closure.
 - 2) Location in Well. This type of location is permissible for submersible pumps only. When the discharge line leaves the well at the top of the casing, the opening between the discharge line and casing or pipe sleeve shall be sealed watertight with a well seal or equivalent device. When an underground discharge is desired, a pitless well adapter shall be installed. A check valve shall not be permitted between the well and the inlet side of the pressure tank.
 - 3) Offset From Well. Pumps offset from the well, if not located in an above ground pump house or other building, may be located in an approved basement provided the pump and all suction pipes are elevated at least 12 inches above the floor. All portions of suction lines buried below the ground surface between the well and the pump shall be enclosed in a pressure discharge line maintained at system pressure.
- f) Vents. Vent piping shall be of adequate size to allow equalization of air pressure in the well and where wells are greater than four inches in diameter, the vent shall be not less than one-half inch in diameter. Vent openings shall be located in such a manner as to prevent contamination of the well. The vent opening shall be turned down, secured in position, reasonably tamper proof, and be screened with not less than 24-mesh durable screen or filtered in such a manner as to prevent the entry of insects and shall terminate at least 8 inches above finished ground

surface. Particular attention shall be given to proper venting of wells in areas where toxic or inflammable gases are known to be a characteristic of the water. If determined that either of these types of gases are present, all vents when located in buildings shall be extended to discharge outside of the building at a height where they will not be a hazard. Venting is required on all wells except driven water wells or flowing water wells.

- g) Pump Bearing Lubrication. Lubrication of bearings of power driven pumps shall be with water or oil which will not adversely affect the quality of the water to be pumped.
 - 1) Water Lubrication. If a storage tank is required for lubrication water, it shall be designed to protect the water from contamination.
 - 2) Oil Lubrication. The reservoir shall be designed to protect the oil from contamination. The oil shall not contain substances which will cause odor or taste to the water pumped.
- h) Electrical Installations. All electrical installations shall be performed and maintained in accordance with the National Electrical Code 1996 edition.
- i) Backflow Prevention For Chemical Injection Systems.
 - 1) Non-Potable Water Wells. Where a chemical injection system is connected directly to a water well used for irrigation and which is not used as a potable water supply, a single check spring loaded backflow preventer shall be installed between the point of chemical injection on the pump discharge piping and the water well in accordance with the manufacturer's instructions. The backflow device (see Illustration A) shall be provided with the following:
 - A) Valving so that water can be drained from the system to prevent freezing.
 - B) A vacuum relief valve to prevent backsiphoning of chemicals into the well.
 - C) An automatic low pressure drain at least 3/4 inches in diameter, positioned so that when draining occurs liquid will run away from the well. At new installations, the low pressure drain shall be at least six inches above grade. The automatic low pressure drain shall quickly drain the check valve body of water when operation of the water well pump is discontinued.

- D) A watertight seal around the check valve.
 - E) An inspection port four inches in diameter to allow inspection of the operation of the check valve.
 - F) The check valve shall withstand a minimum hydraulic pressure of 150 psi without leaking.
- 2) Existing chemical injection systems connected directly to a water well shall be brought into compliance with this Section by January 1, 1996. When modifications, reconstruction, or repairs to the chemical system are made or where removal of the pump takes place, the chemical system and well shall conform to this Section.
 - 3) The water well pump and the chemical injection pump shall be electrically connected so that when the water well pump stops, the chemical pump will shut off automatically.
 - 4) All backflow devices which meet the requirements of subsections (i)(l)(A) through (F) are approved for this purpose. The Department shall establish and make available a list of all such backflow devices.
- j) Piping Material. All piping from the pitless adapter of a potable water well to the pressure tank shall be watertight and a minimum of 160 p.s.i. rating at 73.4~F (+ or - 3.6~F), and shall conform to the materials required for water service pipe as listed in Section 890.Appendix A, Table A Approved Materials for Water Service Pipe of the Illinois Plumbing Code (77 Ill. Adm. Code 890) or listed in Table A of this Part. All piping used in the chemical injection system shall be chemically compatible with the chemical product being applied.
 - k) Sampling Faucets. Provision shall be made for the collection of water samples by installing a down turned smooth nosed faucet, not less than 18 inches above the floor, in a convenient location between the water well and the pressure tank or as near to the well as possible.
 - l) Reports. When a water well pump has been installed in a new well or when a pump size is changed or the pump setting depth is changed in an existing well, the contractor shall submit a report of pump installation within 30 days to the Department, or approved local health department, on such forms as are prescribed and furnished by the Department.

(Source: Amended at 22 Ill. Reg. 4028, effective April 1, 1998)

Section 925.50 Disinfection and Samples

- a) General. When a pump or equipment installation is made on a well which has a use which results that the water meet bacterial quality standards for human consumption, the well, pump, piping and pressure tank shall be disinfected by the contractor. Sufficient chlorine shall be introduced to give a dosage of 100 parts per million to the water in the well.
- b) Disinfection. Oil, grease, dirt, and other foreign matter shall be removed from the well and pump, piping and other equipment before installation and the introduction of chlorine. Quantities of household chlorine bleach or dry granules hypochlorite to produce a 100 part per million dosage are given in the following tables.
 - 1) Drilled Wells. The disinfection of drilled wells shall be accomplished in accordance with the following:

DIA. WELL IN INCHES	GALLONS PER FT.	AMOUNT OF DISINFECTANT REQUIRED FOR EACH 100 GALLONS OF WATER	
3	.37	LAUNDRY BLEACH	HYPOCHLORITE
4	.65	(5.25% Chlorine)	GRANULES
5	1.0		(70% Chlorine)
6	1.5		
8	2.6	3 cups	2 ounces
10	4.1		
12	6.0		

1 cup = 8 oz. measuring cup
 (2 cups = 1 pt.
 4 cups = 1 qt.)
 1 oz. = 1 heaping tablespoon granules
 16 oz. = 1 pound

- A) Determine the amount of water in the well by multiplying the gallons per feet by the number of feet of water in the well.
- B) For each 100 gallons of water in the well, use the amount of chlorine liquid or compound given in the above tables. Mix this total amount in about 10 gallons of water. If dry granules or tablets are used, they may be added directly to drilled wells.
- C) Pour this solution into the top of the well before the seal is

installed.

- D) Connect one or more hoses from faucets on the discharge side of the pressure tank to the top of the well casing and start the pump, recirculating the water back into the well for at least 15 minutes. Then open each faucet in the system until a chlorine smell appears. Close all faucets. Seal the top of the well.
 - E) Let stand for several hours, preferably overnight.
 - F) After standing operate the pump, discharging water from all outlets until all chlorine odor disappears. Faucets on fixtures discharging to septic tank systems should be throttled to a low flow to avoid overloading the disposal system.
- 2) Bored Wells. The disinfection of bored wells shall be accomplished in accordance with the following:

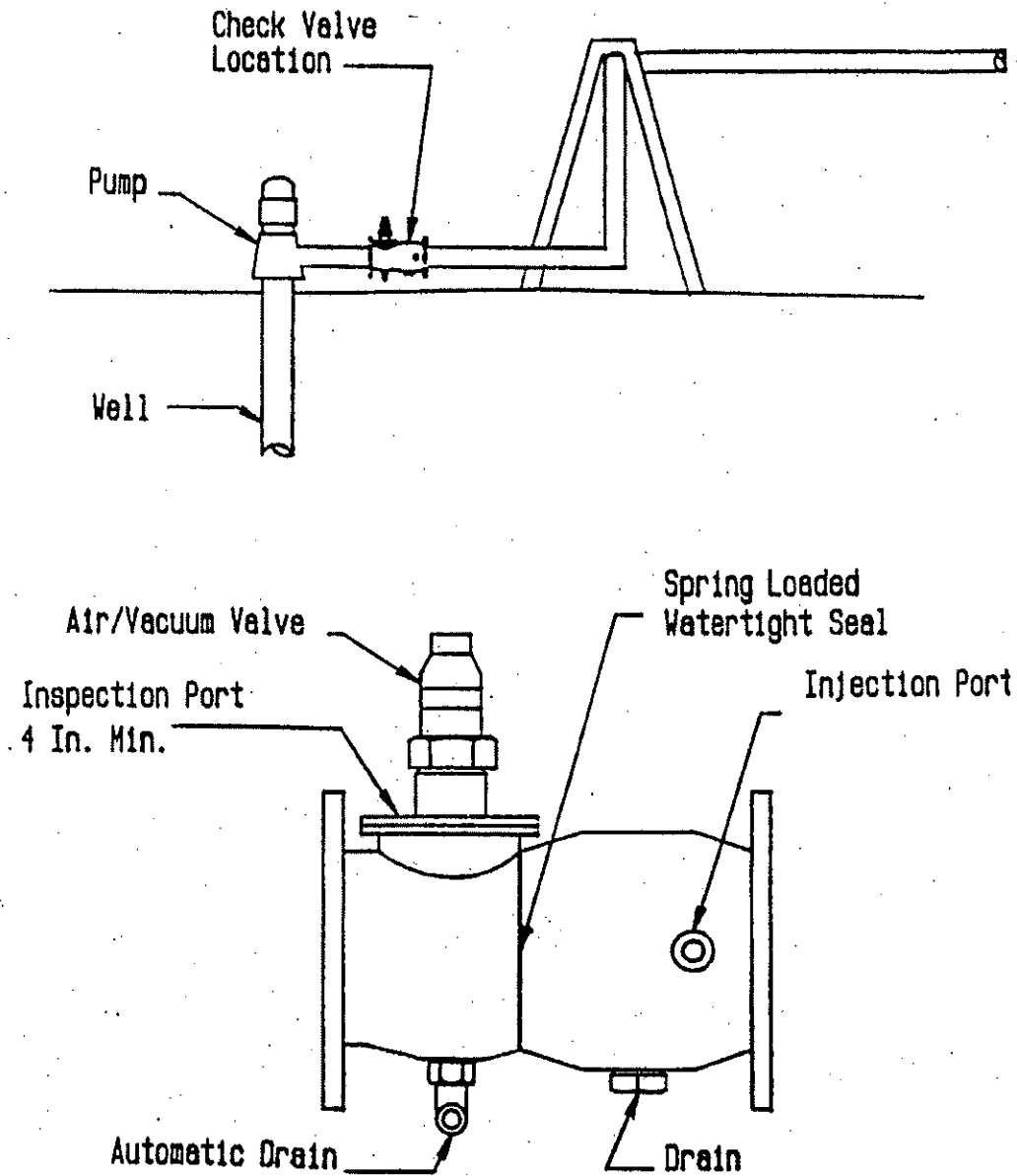
DIAMETER OF WELL (IN FEET)	3	4	5	6	7	8	10
AMOUNT OF 5.25% LAUNDRY BLEACH TO USE PER FOOT OF WATER (IN CUPS)	1½	3	4½	6	9	12	12
AMOUNT OF 70% CHLORINE GRANULES OR POWDER TO USE PER FOOT OF WATER (IN OUNCES)	1	2	3	4	6	8	12

- A) The amount of disinfectant required is determined primarily by the amount of water in the well. The table above shows the amount of chlorine to use for each foot of water in the well, according to its diameter.
- B) To determine the exact amount of bleach to use, multiply the amount of disinfectant indicated as determined by the well's diameter times the number of feet of water.
- C) This total amount of bleach shall be added to approximately 10 gallons of water, and splashed around the lining, or wall of the well. Be certain that the solution has contacted all parts of the

well, using the entire amount of disinfectant. Seal the top of the well.

- D) When this is done, pump enough water so the strong chlorine odor is evident. When the odor is detected, stop the pumping and allow the solution to remain in the well overnight.
 - E) After standing, operate the pump, discharging water from all outlets until all chlorine odor disappears. Faucets on fixtures discharging to septic tank systems shall be throttled to a low flow to avoid overloading the disposal system.
- c) Water Sample Analysis. Upon installation of a well pump or repair or modification of any well pump or equipment the contractor shall give the owner information prepared by the Department explaining the importance of water well sampling, procedures for sampling and how the water can be tested to assure a safe supply of water.

Section 925. ILLUSTRATION A Backflow Preventer Check Valve For Agricultural Wells



(Source: Added at 15 Ill. Reg. 18227, effective January 1, 1992)

Section 925.TABLE A Approved Materials for Water Service Pipe

	MATERIAL	STANDARD
1)	Acrylonitrile Butadiene Styrene (ABS) Pipe	ASTM D 1527-1988
	Joints	ASTM D 2282-1988
	Solvent Cement ¹	ASTM D 2235-1988
2)	Brass Pipe	ASTM B 43-1988
3)	Cast Iron (ductile iron) Water Pipe	ASTM A 377-1984
4)	Chlorinated Polyvinyl Chloride (CPVC) Pipe	ASTM D 2846-1988
	Joints	ASTM F 441-1988
	Solvent Cement (orange) ¹	ASTM F 442-1988
		ASTM D 2846-1988
		ASTM F 493-1988
5)	Copper/Copper Alloy Pipe	ASTM B 42-1988
		ASTM B 302-1988
6)	Copper/Copper Alloy Tubing	ASTM B 88-1988
7)	Polyethylene (PE) Pipe	ASTM D 2239-1988
8)	Polyethylene (PE) Tubing	ASTM D 2737-1988
9)	Polyvinyl Chloride (PVC) Pipe	ASTM D 1785-1988
	Joints	ASTM D 2241-1988
	Primer	ASTM D 2672-1988
	Solvent Cement ¹	ASTM D 2855-1983
		ASTM F 656-1988
		ASTM D 2564-1988

¹ Solvent cement must be handled in accordance with ASTM F 402-1988.

(Source: Added at 22 Ill. Reg. 4028, effective April 1, 1998)

