

AN ACT concerning safety.

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

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

(415 ILCS 5/13.5)

Sec. 13.5. Sewage works; operator certification.

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

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

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

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

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

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 Those rules, as amended from time to time, shall continue in effect until they are superseded or repealed.

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

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

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

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

(4) The applicant has passed any examinations that are

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

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

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

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

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

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

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

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

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

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

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

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

demonstrates all of the following:

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

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

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

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

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

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

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

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

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

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

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

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