



## 104TH GENERAL ASSEMBLY

### State of Illinois

2025 and 2026

HB1699

Introduced 1/28/2025, by Rep. Dagmara Avelar

#### SYNOPSIS AS INTRODUCED:

415 ILCS 5/13.5

415 ILCS 45/14

from Ch. 111 1/2, par. 514

Amends the Environmental Protection Act. In a provision regarding operator certification for sewage works, provides that the Environmental Protection Agency shall establish a provisional wastewater operator certification program by which a person who does not possess a high school diploma or its equivalent may act as a provisional wastewater operator under a provisional wastewater operator certificate. Allows the Agency to adopt rules. Amends the Public Water Supply Operations Act. In a provision regarding community water supply operator certification, provides that the Environmental Protection Agency shall establish a provisional community water supply operator certification program by which a person who does not possess a high school diploma or its equivalent may act as a provisional community water supply operator under a provisional community water supply operator certificate. Allows the Agency to adopt rules.

LRB104 10050 BDA 20121 b

1 AN ACT concerning safety.

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

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

6 (415 ILCS 5/13.5)

7 Sec. 13.5. Sewage works; operator certification.

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

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

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

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

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

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

12 (f) The Agency shall establish a provisional wastewater  
13 operator certification program through which an applicant who  
14 does not possess a high school diploma or its equivalent may  
15 act as a provisional wastewater operator under a provisional  
16 wastewater operator certificate issued by the Agency if the  
17 applicant demonstrates all of the following:

18 (1) The applicant is capable of performing his or her  
19 duties without endangering the health and well-being of  
20 the populace.

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

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

26 (4) The applicant has passed any examinations that are

1       required by the Agency for provisional wastewater operator  
2       certification.

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

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

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

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

12       (415 ILCS 45/14) (from Ch. 111 1/2, par. 514)

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

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

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

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

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

22           (e) The Agency shall establish a provisional community  
23 water supply operator certification program through which an  
24 applicant who does not possess a high school diploma or its  
25 equivalent may act as a provisional community water supply  
26 operator under a provisional community water supply operator

1 certificate issued by the Agency if the applicant demonstrates  
2 all of the following:

3 (1) The applicant is capable of performing his or her  
4 duties without endangering the health and well-being of  
5 the populace.

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

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

13 (4) The applicant has submitted evidence of his or her  
14 character. The Agency shall consider the violation of any  
15 of the following statutes as evidence of poor character:

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

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

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

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

24 (5) The applicant has passed any examinations that are  
25 required for the specific certification by the Agency.

26 (6) The applicant will work under the direct

1           supervision of a responsible operator in charge for the  
2           community water supply.

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

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