

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10 time, shall continue in effect until they are superseded or  
11 repealed.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 an operator-in-training  
13 wastewater-operator program through which an applicant who  
14 does not possess a high school diploma or its equivalent may  
15 act as an operator-in-training working under a certified  
16 wastewater operator if the applicant demonstrates all of the  
17 following:

18 (1) The applicant is capable of performing the  
19 required duties without endangering the health and  
20 well-being of 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 to be considered an operator in  
2       training.

3       (5) The applicant must 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 an operator-in-training  
23 community water-supply operator program through which an  
24 applicant who does not possess a high school diploma or its  
25 equivalent may act as an operator-in-training working under a  
26 certified community water-supply operator if the applicant

1 demonstrates all of the following:

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

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

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

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

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

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

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

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

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

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

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

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