

Application for Waiver from Construction Standards for Public Water Systems

Revised March 2025

Water System Name: City of Dallas

PWS ID: 00248

Project or Facility: Ash Street Waterline

County: Polk

Need for waiver identified: ☐ Water System Survey

Date of Survey:

☒ Plan Review # 145-2025

Construction standard requested to be waived: OAR 333-061-0050 (9)(c)(C)

As provided under OAR 333-061-0055, OHA may grant waivers from the construction standards prescribed by these rules:

- (a) When it is demonstrated to the satisfaction of OHA that strict compliance with the rule would be highly burdensome or impractical due to special conditions or causes; and
- (b) When the public or private interest in the granting of the waiver is found by OHA to clearly outweigh the interest of the application of uniform rules; and
- (c) When alternate measures are provided which, in the opinion of OHA, will provide adequate protection to the health and safety of the public including the ability to produce water which does not exceed the maximum contaminant levels listed in rule 333-061-0030.

Describe situation that conflicts with the standard. The City of Dallas requests an alternative to exposing lengths of sanitary sewer where the new water line crosses.

Describe why meeting the standard is highly burdensome or impractical. The new pipe alignment will route under several shallow storm and sanitary sewers. The requirements listed in this OAR are impractical to implement in this case. Following the requirements would mean that the contractor would frequently have to dig outside the trench for the new water transmission main, for an unknown length in each case, and in some cases potentially on to private property. Strictly following the approach discussed in this OAR across the project alignment would be impractical to bid and construct, unnecessarily costly, unnecessarily disruptive to the public (where the T-trenches would block traffic and/or the sidewalk), and potentially invite major legal hurdles regarding private property access and restoration.

Describe proposed alternate measure that provide adequate protection to public health and safety.

We believe an approach that is both practical and protective of public health is to require the contractor to locate the ductile iron pipe joints as far as possible from the crossing locations (generally 10' for 20' sticks of DIP), and to encase the new water main in controlled low-strength material (CLSM) for 10' on either side of each location where the new water main crosses under a sanitary or storm pipe. This approach goes beyond the OAR requirements (which only apply to

sanitary sewer crossings), but we believe it is the responsible approach, since stormwater infiltration into potable water systems can also present a public health risk.

EMAIL this form along with plans of proposed waiver request and additional supporting information to your regulator or dws.planreview@odhsoha.oregon.gov. If you are unable to send your documents electronically, please contact OHA before mailing them.

*Signature: Jake Dyer	Date: 11/5/2025
-----------------------	-----------------

*Your typed name will serve as signature.

Name: Jake Dyer

Address: 187 SE Court Street

City/State/Zip: Dallas, OR 97338

Phone Number: 503-931-4187

Email Address: Jake.Dyer@DallasOR.GOV

☐ Comments:

☒ Attachments (describe):

OHA Use Only

Waiver ID: 2025-568

Entered into waiver database ☒

☒ Plan Review Coordinator's notes: Encasement with CLSM is an acceptable alternative.

After due consideration the above requested waiver from the construction standards of OAR 333-061-0050 is hereby:

☒ Approved Comments:

☐ Denied

Kari Salis

11/19/2025

Technical Services Unit or Regional Manager
OHA Drinking Water Services

Date

Waiver database updated ☒