

Application for Waiver from Construction Standards for Public Water Systems

Revised March 2025

Water System Name: Dayton, City of

PWS ID: OR41 00252

Project or Facility: Fisher Farms Well Improvement

County: Yamhill

Need for waiver identified: Water System Survey

Date of Survey:

Plan Review # 116-2026

Construction standard requested to be waived: OAR 333-061-0050 (2)(a)(E)

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.

Based on a review of Yamhill County's septic records, YAMH 5369 (Well 2) appears to be located within the footprint of a septic drainfield for the house at the property. The septic drainfield is within the OAR-stipulated 100-foot setback for public water supply wells and septic drainfields.

Describe why meeting the standard is highly burdensome or impractical.

Meeting this standard is impractical given that compliance would require the City to abandon and reconstruct an existing septic drainfield on City property in order to achieve the required 100-foot sanitary setback for Well 2.

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

The City is requesting a waiver from this setback requirement because Well 2 is completed in a confined aquifer (Attachment C). Confining conditions are evident based on the approximately 88 feet of clay that is present between the ground surface and production zone of Well 2; and the fact that the static water level in Well 2 is about 25 feet below ground surface (bgs) [above the aquifer from 89 to 121 feet bgs (Attachment C.2)].

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: 	Date: 1/28/2026
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*Use Adobe Acrobat E-sign: <https://helpx.adobe.com/acrobat/using/signing-pdfs.html>

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Name: Matt Kohlbecker GSI Water Solutions Inc.

Address: 650 NE Holladay Street, Suite 900

City/State/Zip: Portland, OR, 97232

Phone Number: 503-877-8086

Email Address: mkohlbecker@gsiws.com

Comments:

Attachments (describe):

Attachment A.1: Site Plan

Attachment C.2: Well 2 As-Built

OHA Use Only

Waiver ID: 2026-578

Entered into waiver database

Plan Review Coordinator's notes:

Well is properly constructed in a confined aquifer.

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

Approved Comments:

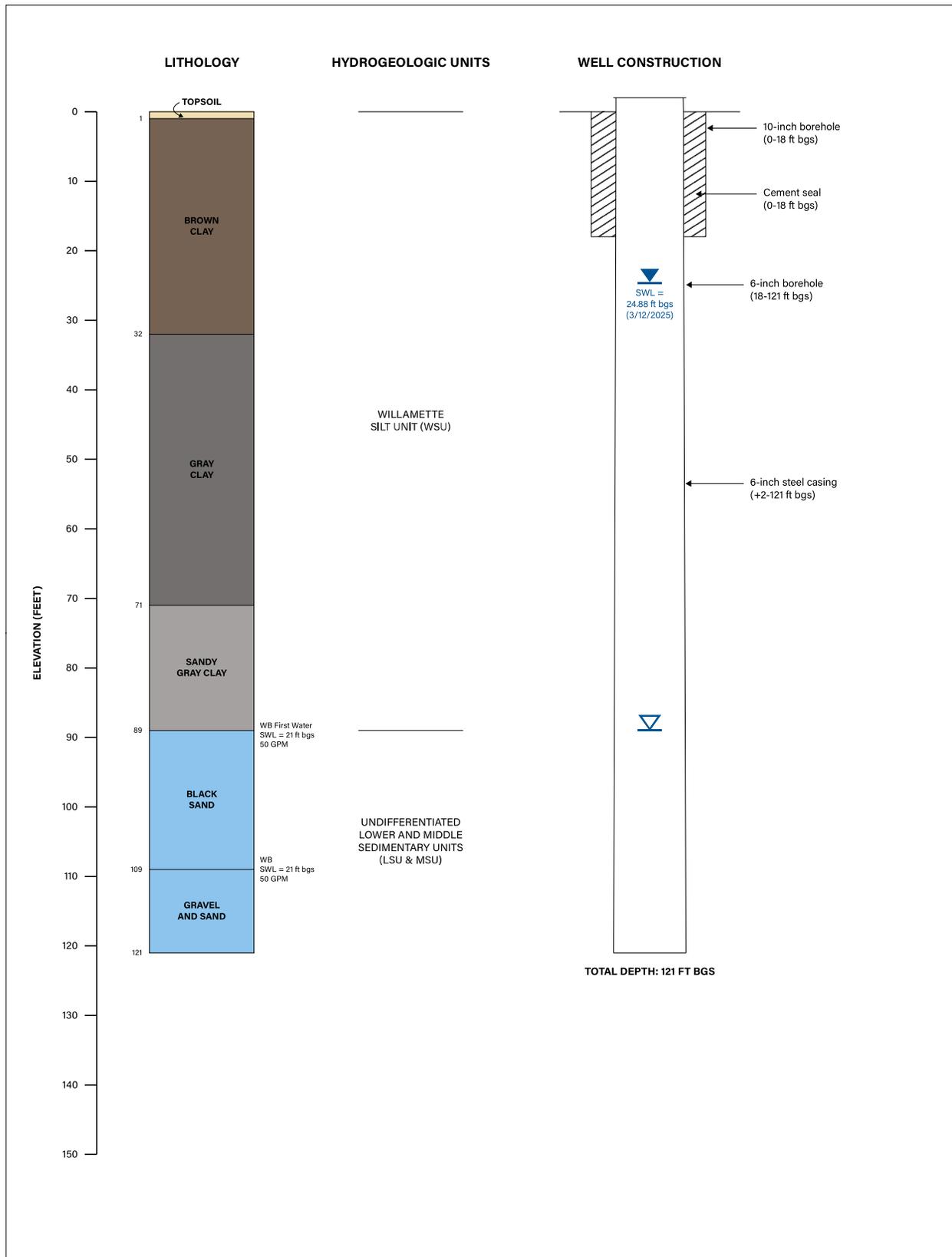
Denied

Technical Services Unit or Regional Manager
OHA Drinking Water Services

3.5.26

Date

Waiver database updated



LEGEND

-  Cement
-  First Water

NOTES

Yield (2014) = 33 gpm
 bgs: below ground surface
 ft: feet
 gpm: gallons per minute

ATTACHMENT C.2
Fisher Farms Well 2 (YAMH 5369)
As-Built Well Diagram
 City of Dayton
 Initial OHA Plan Review

