

Application for Waiver from Construction Standards for Public Water Systems

Revised March 2025

Water System Name: Falls City

PWS ID: 00297

Project or Facility: Waterline Improvements

County: Polk

Need for waiver identified: ☐ Water System Survey

Date of Survey:

☒ Plan Review # 43-2025

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

- (9) Crossings-Sanitary sewers and water lines:
- (a) All reference to sewers in this section shall mean sanitary sewers;
 - (b) In situations involving a water line parallel to a sewer main or sewer lateral, the separation between the two shall be as indicated in Figure 1;
 - (c) In situations where a water line and a sewer main or sewer lateral cross, the separation between the two shall be as follows:
 - (A) Wherever possible, the bottom of the water line shall be 1.5 feet or more above the top of the sewer line and one full length of the water line shall be centered at the crossing;
 - (B) Where the water line crosses over the sewer line but with a clearance of less than 1.5 feet, the sewer line shall be exposed to the sewer line joints on both sides of the crossing to permit examination of the sewer pipe. If the sewer pipe is in good condition and there is no evidence of leakage from the sewer line, the 1.5-foot separation may be reduced. However, in this situation, the water supplier must center one length of the water line at the crossing and must prepare a written report of the findings and indicating the reasons for reducing the separation. If the water supplier determines that the conditions are not favorable or finds evidence of leakage from the sewer line, the sewer line shall be replaced with a full length of pipe centered at the crossing point, of PVC pressure pipe (ASTM D-2241, SDR 32.5), high-density PE pipe (Drisco pipe 1000), ductile-iron Class 50 (AWWA C-51), or other acceptable pipe; or the sewer shall be encased in a reinforced concrete jacket for a distance of 10 feet on both sides of the crossing.
 - (C) Where the water line crosses under the sewer line, the water supplier shall expose the sewer line and examine it as indicated in paragraph (9)(c)(B) of this rule. If conditions are favorable and there is no evidence of leakage from the sewer line, the sewer line may be left in place, but special precautions must be taken to assure that the backfill material over the water line in the vicinity of the crossing is thoroughly tamped in order

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to prevent settlement which could result in the leakage of sewage. In this situation, the water supplier must center one length of the water line at the crossing and must prepare a written report recording the manner in which the sewer line was supported at the crossing and the material and methods used in backfilling and tamping to prevent settlement of the sewer. If the water supplier determines that conditions are not favorable or finds evidence of leakage from the sewer line, the provisions of paragraph (9)(c)(B) of this rule apply.

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. A new waterline was being constructed when an existing sewer service was discovered in the waterline trench running parallel to the waterline. The City has decided to abandon the parallel sewer service and reroute it by crossing over it to the north to a new septic tank and then from the tank back to the sewer main which is $\pm 12'$ north of the waterline. Due to the depth of sewer main the crossing sewer service must be above the new waterline.

Describe why meeting the standard is highly burdensome or impractical. This waiver is being requested because the variation from the standard is minor and is not considered to result in a decrease in the protection provided to the public waterline. The waterline was being installed starting at 3rd Street and the sewer service pipe running parallel to the waterline was not discovered until approximately 140 ft of water pipe had been installed. In the natural course of installing the pipe with 20 ft lay lengths, the stick of pipe at the location where the new sewer service is to be installed will not be perfectly centered on the crossing. Instead of 10 ft of pipe on each side of the crossing, there will be 12 ft on the west side and 8 ft on the east side. The sewer service crossing will have new pipe and the sewer service pipe bedding will be compacted before the new sewer service pipe is installed.

Describe proposed alternate measure that provide adequate protection to public health and safety. As discussed above, the alternate measure is to have the center of the 20 ft length of pipe offset 2 ft to the west of the pipe. With 8 ft of distance from the sewer service crossing to the nearest water main pipe joint, the basic intent of the standard is believed to be met. To verify that the waterline joints on each side of the crossing are properly sealed they will be visually inspected during the waterline pressure test.

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: Raymond C. Engel, P.E.

Date: 11/17/2025

*Your typed name will serve as signature.

Name: Ray Enge

Address: Westech Engineering, Inc.

3841 Fairview Industrial Drive SE, Suite 100

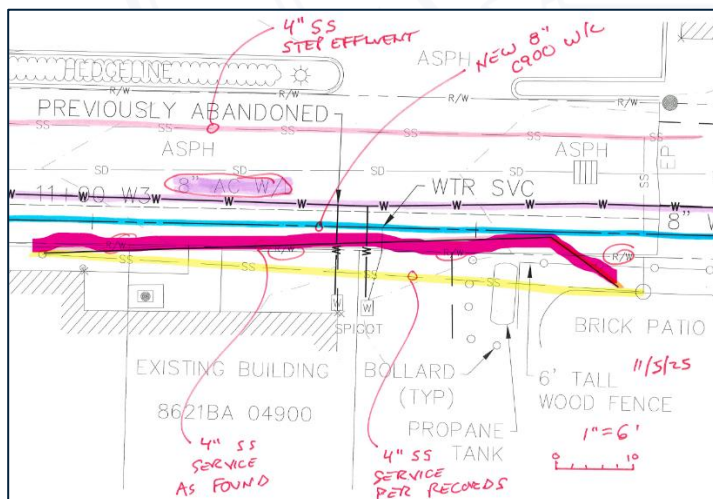
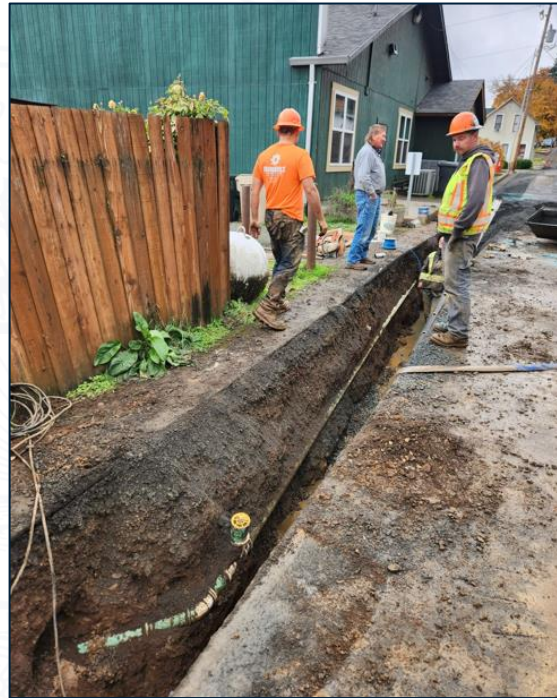
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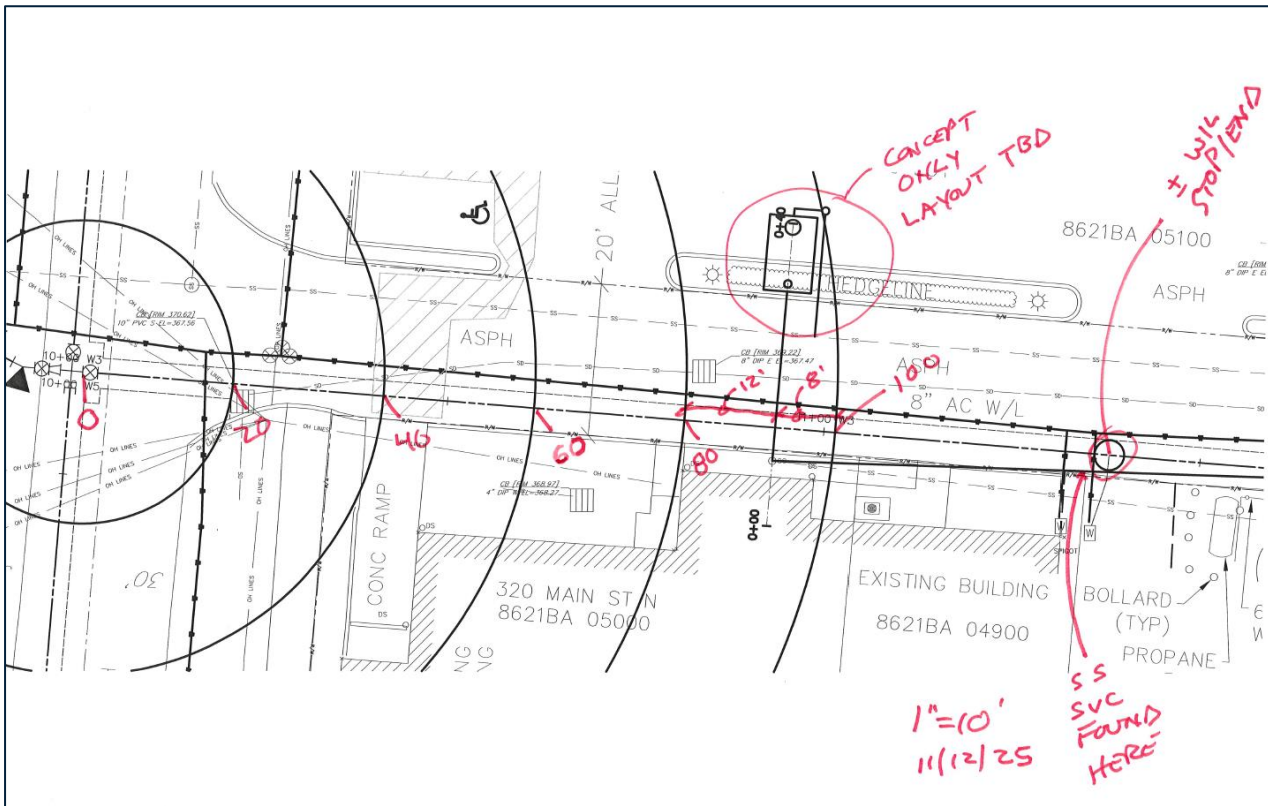
Phone Number: 503-585-2474

Email Address: rengel@westech-eng.com

☐ Comments:

☒ Attachments (describe): See this page and the next page.





OHA Use Only

Waiver ID: 2025-563

Entered into waiver database ☒☒ Plan Review Coordinator's notes: Mitigation appears to provide equivalent alternate measure.

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

☒ Approved Comments:☐ Denied

11/19/2025

Technical Services Unit or Regional Manager
OHA Drinking Water Services_____
DateWaiver database updated ☒