

**Application for Waiver from Construction Standards for Public Water Systems**

Revised March 2025

Water System Name: Portland Water Bureau

PWS ID: 00657

Project or Facility: SW Fairview Circus

County: Multnomah

Need for waiver identified: ☐ Water System Survey

Date of Survey:

☒ Plan Review # Exempt

Construction standard requested to be waived: OAR 333-061-0050 (9)(b) water sewer separation

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

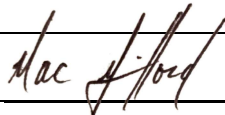
- (a) When it is demonstrated to the satisfaction of OHA that strict compliance with the rule would be highly burdensome or impractical due to special conditions or causes; and
- (b) When the public or private interest in the granting of the waiver is found by OHA to clearly outweigh the interest of 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 water main will be installed in the SW Fairview Circus culdesac. It will have less than 5' of horizontal parallel separation from an existing private sewer in two locations, creating a Zone 2 conflict. See 2+64 to 3+69 and 6+88 to 7+05 on sheet 2 of the attached improvement plans.

Describe why meeting the standard is highly burdensome or impractical. The proposed water alignment splits the distance between a public sewer and a private sewer, maximizing horizontal separation between the two. The proposed alignment minimizes the pipe length that is in conflict. Describe proposed alternate measure that provide adequate protection to public health and safety. The proposed water main will be encased in CLSM where it is in conflict with the existing sewer.

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

Signature:



Date: 04/07/2025

Name: Mac Gifford

Address: 1900 N Interstate Ave

City/State/Zip: Portland, OR 97227

800 NE Oregon St., Ste 640, Portland, OR 97232-2162

Voice: 971-673-0405 | Fax: 503-673-0694

All relay calls accepted | [www.healthoregon.org/dws](http://www.healthoregon.org/dws)

Phone Number: 503-823-1507

Email Address: mac.gifford@portlandoregon.gov

☐ Comments:

☒ Attachments (describe): Improvement plans for W02452 SW Fairview Circus

**OHA Use Only**

Waiver ID: 529-2025

Entered into waiver database ☒

☒ Plan Review Coordinator's notes: Proposed encasement with CLSM is an appropriate remedy for the Zone 2 conflict.

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

☒ Approved      Comments:

☐ Denied

*Kari Salis*

Technical Services Unit or Regional Manager  
OHA Drinking Water Services

April 15, 2025  
Date

Waiver database updated ☒



