

**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 Bancroft &amp; 40th Pl

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 4" water pipe will be installed in SW Bancroft St. A majority of the alignment will have adequate separation from the 11' deep existing sanitary sewer, but where the road curves there will be as low as 1.8' of parallel horizontal separation, creating a Zone 2 conflict for 32' lf of main. See 1+86 to 2+18 on attached improvement plans.

Describe why meeting the standard is highly burdensome or impractical. The proposed alignment will eliminate proximity conflict along the length of the roadway, but there is no way to keep 5' of separation around the bend in the roadway.

Describe proposed alternate measure that provide adequate protection to public health and safety. The proposed water pipe will be encased in CLSM everywhere it is within 5' horizontally of the existing sewer pipe.

**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: 1-15-25

Name: Mac Gifford

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)

Address: 1900 N Interstate Ave

City/State/Zip: Portland, OR 97227

Phone Number: 503-823-1507

Email Address: mac.gifford@portlandoregon.gov

☐ Comments:

☒ Attachments (describe): Improvement plans for W03139 SW Bancroft St

**OHA Use Only**

Waiver ID: 573-2026

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*

January 22, 2026

Technical Services Unit or Regional Manager  
OHA Drinking Water Services

Date

Waiver database updated ☒