

Application for Waiver from Construction Standards for Public Water Systems

Revised March 2025

Water System Name: Silver Inn

Project or Facility: MARI 71543

Need for waiver identified: ☐ Water System Survey

PWS ID: 94551

County: Marion

Date of Survey:

☒ Plan Review # 177-2024

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

We don't have the required 100' radius of control, and there are setback hazards within the 100' radius.

Describe why meeting the standard is highly burdensome or impractical.

Due to the width of our parcel, we did not own the entire 100' radius of control and were unable to secure the easements on neighboring properties.

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

the well is properly constructed in a confined aquifer.

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: 05/16/25

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

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Name: Phoenix Industrial Redevelopment, LLC Attn: Jon Laufenberg, VP

Address: Mailing Address: PO Box 4120 PMB 38716

City/State/Zip: Portland, OR 97208-4120

Phone Number: 503-358-0567

Email Address: JonL@PhoenixIndustrialRedevelopment.com

☐ Comments:

☐ Attachments (describe):

OHA Use Only

Waiver ID: 535-2025

Entered into waiver database ☒

☒ Plan Review Coordinator's notes:

Well is properly constructed in a confined aquifer with low sensitivity. The existing well does represent a significant sanitary hazard, however, the well driller has indicated that the system will accept DWS' requirement to formally abandon the well. Well was formally abandoned.

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

☒ Approved Comments:

☐ Denied

Kari Salis

August 1, 2025

Technical Services Unit or Regional Manager
OHA Drinking Water Services

Date

Waiver database updated ☒