

Application for Waiver from Construction Standards for Public Water Systems

Water System Name	Al's Garden Centers & Greenhouses	PWS ID	95673
Project or Facility	Well #2	County	Washington
Need for waiver identified:	<input type="checkbox"/> Water System Survey	Date of Survey	8/7/2024
	<input checked="" type="checkbox"/> Plan Review # 62-2024		

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

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

- (a) When it is demonstrated to the satisfaction of the Department 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 the Department to clearly outweigh the interest of the application of uniform rules; and
- (c) When alternate measures are provided which, in the opinion of the Department, 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. The well location does not meet all OHA setback requirements for a water supply well; specifically, the well location is within 100 feet of a public roadway and an area of herbicide and fertilizer application.

Describe why meeting the standard is highly burdensome or impractical. Relocating the well to be greater than 100 feet of the building and parking lot would require re-drilling a new well, which would be highly burdensome and impractical due to significant costs for drilling a new well and abandoning the current well.

Describe proposed alternate measure that provide adequate protection to public health and safety. The aquifer in which the well is completed is confined, and therefore protected against contamination from surface runoff/hazardous liquids.


Signature

11/11/24
Date

Name Mark Bigej
Address 16920 SW Roy Rogers Rd
City/State/Zip Sherwood, OR 97140

Attach plans of proposed waiver request or additional supporting information and

- Email your regulator; or
- Email dws.planreview@dhsosha.state.or.us; or
- Mail:

Oregon Health Authority
Drinking Water Services #640
PO Box 14450
Portland, OR 97293-0450

Telephone Number (503) 726-1162

Comments:

Attachments:

OHA Use Only

Waiver ID 502-2024

Entered into waiver database

Plan Review Coordinator's notes: Well is properly constructed in a confined aquifer with low sensitivity, which appears to provide adequate and equivalent protection

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

Approved Comments:

Denied

Kari Salis

11/14/2024

Drinking Water Regional Manager Signature
Oregon Health Authority

Date

Waiver database updated