

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

Water System Name	OR4	PWS ID	95717
Project or Facility	Apolloni Vineyards, LLC	County	WA
Need for waiver identified:	<input type="checkbox"/> Water System Survey	Date of Survey	5/31/2024
	<input checked="" type="checkbox"/> Plan Review # 69-2024		

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. Organic vineyard chemicals are utilized in the vicinity of the well site.

Describe why meeting the standard is highly burdensome or impractical. The well site is located in the middle of productive vineyard site where agricultural machinery mobility turning and passing in close proximity is required. Very significant cost and productivity losses would be incurred to remove the vineyards surrounding this site to enclose it in a building.

Describe proposed alternate measure that provide adequate protection to public health and safety. The site has a properly constructed and sealed well in a confined low risk aquifer.

From the Survey:

The well was cased to a depth of 385 feet and sealed to a depth of 384 feet. The casing seal is completed 84 feet into siltstone and sandstone of low permeability. Water can enter the well through the uncased portion of the borehole below a depth of 385 feet. • The well draws water from a deep confined sedimentary bedrock aquifer.

The water bearing zone is reported to occur at 420 feet below ground surface and is directly overlain by 120 feet of low permeability siltstone and sandstone that acts as a confining layer.

Water in the aquifer is under pressure, rising 255 feet above the reported waterbearing zone to a depth of 165 feet below ground level.

Results from a sensitivity analysis indicate that the well construction has a low sensitivity to local land use practices and the aquifer has a low sensitivity to nearby land use practices.

Attach plans of proposed waiver request or additional supporting information and

- Email your regulator; or
- Email [dws.planreview@dhsoha.state.or.us](mailto:dws.planreview@dhsoha.state.or.us); or
- Mail:

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

06/19/2024

Signature

Date

Name Alfredo Apolloni  
 Address 14135 NW Timmerman Rd  
 City/State/Zip Forest Grove OR 97116  
 Telephone Number C:248-506-3415

Comments:

Attachments:

**OHA Use Only**

Waiver ID 494-2024

Entered into waiver database

Plan Review Coordinator's notes: Well is properly constructed in a confined aquifer with low sensitivity, which is an acceptable mitigation.

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

Approved      Comments:

Denied

6/26/2024

Drinking Water Regional Manager Signature  
Oregon Health Authority

Date

Waiver database updated