

Application for Waiver from Construction Standards for Public Water Systems

Water System Name Fairsing Vineyard

PWS ID 95721

Project or Facility

County Yamhill

Need for waiver identified: Water System Survey

Date of Survey 9/15/2023

Plan Review # 151-2023

Construction standard requested to be waived: OAR 333-061-0050

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.

Describe why meeting the standard is highly burdensome or impractical.

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

4/10/2024

Signature

Date

Name Meara M Butler
 Address 21455 NE Burkett Hill Rd
 City/State/Zip Yamhill, OR 97148
 Telephone Number 503-780-4149

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

Comments:

Attachments: Responses to Application for Waiver from Construction Standards for Public Water Systems

OHA Use Only

Waiver ID 519-2024

Entered into waiver database

Plan Review Coordinator's notes: Well is properly constructed in a confined aquifer, 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

Kari Salis

2/11/2025

Drinking Water Regional Manager Signature
Oregon Health Authority

Date

Waiver database updated

Responses to Application for Waiver from
Construction Standards for Public Water Systems

1. Describe situation that conflicts with the standard.

The well is within 100 feet of a vineyard.

2. Describe why meeting the standard is highly burdensome or impractical.

It would prohibitively expensive and impractical to move either the well or the vineyard. The vineyard has been in place since 2007 and the mature vines are extremely valuable to our business.

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

We are LIVE and Salmon Safe Certified, which means all chemicals that we use in our vineyard are approved for use by the International Organization for Biological Control. We do not use herbicides on our vineyard. The well head is 16 inches above the surface of the road which protects the well from surface runoff. The well is properly constructed in a confined aquifer. The casing and casing seal extend to a depth of 154 feet, 13 feet into low permeability sandstone that overlies the aquifer.