

Application for Waiver from Construction Standards for Public Water Systems

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|-----------------------------|---|----------------|-------|
| Water System Name | Lingua Franca Winery | PWS ID | 95732 |
| Project or Facility | TPWC. Inc, dba Lingua Franca Winery | County | POLK |
| Need for waiver identified: | <input type="checkbox"/> Water System Survey | Date of Survey | |
| | <input checked="" type="checkbox"/> Plan Review # 61-2024 | | |

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. OHA note a road and vehicle parking area within 100-ft of the new well.

Describe why meeting the standard is highly burdensome or impractical. N/A

Describe proposed alternate measure that provide adequate protection to public health and safety. The new well is protected from potential hazmat spills on the adjacent roadway by well vegetated shoulders that provide a buffer between the new well and the roadway. The paved winery access road is also sloped westward toward Hopewell Rd NW away from the new well. A temporary gravel road depicted in Figure 1 was used during construction and will not be used as a parking area. The gravel roadway will only be used for agricultural equipment, or landscape /maintenance access.

Traffic on the paved winery access road is limited to a small number of authorized employee vehicles (daily), periodic delivery vehicles and agricultural equipment during crush (August to October annually).

Designated guest and employee parking areas are located outside the 100-ft setback area as shown on Figure 1.



Signature

5/23/24

Date

Name Paul Scherbak / Director, EHS COE
Address 9675 Hopewell Rd NW
City/State/Zip Salem / OR / 97304
Telephone Number 707-200-5222

Attach plans of proposed waiver request or additional supporting information and

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

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

Comments:

Attachments: Figure 1

OHA Use Only

Waiver ID 2024-486

Entered into waiver database

Plan Review Coordinator's notes: Well is properly constructed in a confined aquifer with low sensitivity (construction and land use practices).

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

Approved Comments:

Denied



May 30, 2024

Drinking Water Regional Manager Signature
Oregon Health Authority



Date

Waiver database updated

Figure 1. Well Setback Waiver Request

TPWC, Inc. dba Lingua Franca Winery, Salem, OR

Legend

-  100-ft Radius
-  Onsite Well

Paved Access Road

Polk 990 - Well 1 (POA) 1952

Guest Parking (~30 spaces)

Well 2 (APOA) 2024

Gravel Access used during Construction Only

Employee & Disabled Visitor Parking

Hopewell Rd NW

Google Earth

Image © 2024 Airbus



400 ft