

Application for Waiver from Construction Standards for Public Water Systems

Water System Name	New System at Existing Well	PWS ID	TBA
Project or Facility	Grange Hill Winery	County	Yamhill
Need for waiver identified:	<input type="checkbox"/> Water System Survey	Date of Survey	
	<input checked="" type="checkbox"/> Plan Review # 117-2023		

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

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. Project is installing new water treatment and storage on a property with an existing well (well ID YAMH 53052, drilled in 2002 to a depth of 696 feet, to be used for a winery tasting room and dwelling). Existing well is less than 100 feet from the property line, full 100 foot radius of well is not owned by water supplier. Owner is unable to achieve a perpetual restrictive easement on adjacent property.

Describe why meeting the standard is highly burdensome or impractical. Given that this is a well that is in place the costs to drill a new well and relocate the associated plumbing and electrical would be highly burdensome. Adjacent owner was not willing to sign the easement.

Describe proposed alternate measure that provide adequate protection to public health and safety. 84% of radius control is under ownership control (propertiesd R332800102 and R332700900 on attached exhibit) 16% is on an adjaent property owned by others (property R332701000 on attached exhibit). Zoning code includes a setback that limits development within 30' of property line, only 3% of the radius of control is on the adjacent property outside of the development setback. Well is properly constructed in a confined aquifer.

Warren Nocon

Signature

3.26.24

Date

Name Grange Hill, LLC, by Warren Nocon
Address (mailing address) 1701 Village Center
Circle
City/State/Zip Las Vegas, NV 89134
Telephone Number 805-882-0120

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: Existing Well and Adjacent Property Exhibit

OHA Use Only

Waiver ID 471-2024

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

April 1, 2024

Drinking Water Regional Manager Signature
Oregon Health Authority

Date

Waiver database updated

