

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

Water System Name		PWS ID	95744
Project or Facility	Silverback Estate Winery	County	Marion
Need for waiver identified:	<input type="checkbox"/> Water System Survey	Date of Survey	8/21/2024
	<input checked="" type="checkbox"/> Plan Review # 110-2024		

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

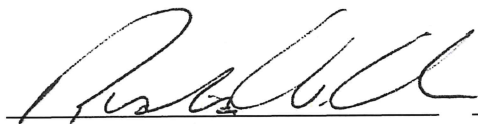
As provided under OAR 333-061-0055, the Department may grant waivers from the construction standards prescribed by these rules:

- (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. well is located within a vineyard that uses chemicals within the 100 foot control area.

Describe why meeting the standard is highly burdensome or impractical. Neither well or vineyard can be moved, chemical use will happen within the 100 foot control area.

Describe proposed alternate measure that provide adequate protection to public health and safety. Well is properly constructed in a confined aquafer and our farming practices for the vineyard are certified sustainable and the droplets only hit the vines, and are not done before rain or big weather events.

  
 \_\_\_\_\_ 9/30/24  
 Signature Date

Name Richard Olson  
 Address 13963 Westside Lane South  
 City/State/Zip Jefferson, OR  
 Telephone Number 97352

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

Comments:

Attachments: Letter & Live Certification

**OHA Use Only**

Waiver ID 498-2024

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: Requester has been verified to be staff person at PWS

Denied

*Kari Salis*

9/30/2024

Drinking Water Regional Manager Signature  
Oregon Health Authority

Date

Waiver database updated