

Application for Waiver from Construction Standards for Public Water Systems

Water System Name Ambar EstatePWS ID 95750Project or Facility Well #1 (L142249)County YamhillNeed for waiver identified: ☐ Water System Survey
☒ Plan Review # 154-2024

Date of Survey

Construction standard requested to be waived: OAR 333-061-0050 (2)(a)(D) & (E) regarding 100-ft setback from roadway and parking lot.

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.

As shown in the map below, within the 50- and 100-ft radii around the wellhead are NE Worden Hill Rd, which is a public roadway within 100-ft of the well (L142249) and a parking lot owned by Ambar Estate, which is less than 50-ft away from the wellhead. No other hazards are within 100-ft of the wellhead.



Describe why meeting the standard is highly burdensome or impractical.

- The roadway, parking lot, and well are already constructed and approved by Yamhill County.

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

- The well evaluation completed by Tom Pattee found the well to be adequately constructed into a deep confined aquifer with both the well construction and aquifer deemed to have a low susceptibility to contamination from nearby land-use practices.
- Any oil, gas, etc. spills on the public roadway or driveway would be contained by various physical barriers and grading away from the well. The public roadway has an intercepting ditch on either side of it and the driveway has curbing. Landscaping around the well is also sloped down towards the parking lot.

Julie Mettille

Signature

11/22/2024
Date

Name Julie Mettille
Address 12550 NE Worden Hill Road
City/State/Zip Newberg, OR 97132
Telephone Number

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

X

Julie Mettille

☐ Comments:

☐ Attachments:

OHA Use Only

Waiver ID 507-2024

Entered into waiver database ☒

☒ Plan Review Coordinator's notes: 0050(2)(a)(D) is allowed under rule, so this waiver form is being evaluated only for 0050(2)(a)E. Well is properly constructed in a confined aquifer with low susceptibility.

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

☒ Approved Comments:

☐ Denied

Kari Salis

12/11/2024

Drinking Water Regional Manager Signature
Oregon Health Authority

Date

Waiver database updated ☒