

Application for Waiver from Construction Standards for Public Water Systems

Water System Name	PWS ID	NOT ASSIGNED YET
Project or Facility Two Capes Campground	County	Tillamook
Need for waiver identified: <input type="checkbox"/> Water System Survey	Date of Survey	
<input checked="" type="checkbox"/> Plan Review # 77-2024		

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. **Provided on next page.**

Describe why meeting the standard is highly burdensome or impractical. **Provided on next page.**

Describe proposed alternate measure that provide adequate protection to public health and safety. **Provided on next page.**

_____	9/3/2024
Signature	Date

Name Kevin Gindlesperger
 Address 34505 Nestucca Blvd
 City/State/Zip Pacific City, OR, 97135
 Telephone Number 503-969-2158

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: See waiver response form, and Exhibit A

Describe the situation that conflicts with the standard:

Since the South well does not have the required ownership and radius of control, the water system must attempt to obtain a perpetual restrictive easement for all land within 100 feet of the well. See exhibit A attached.

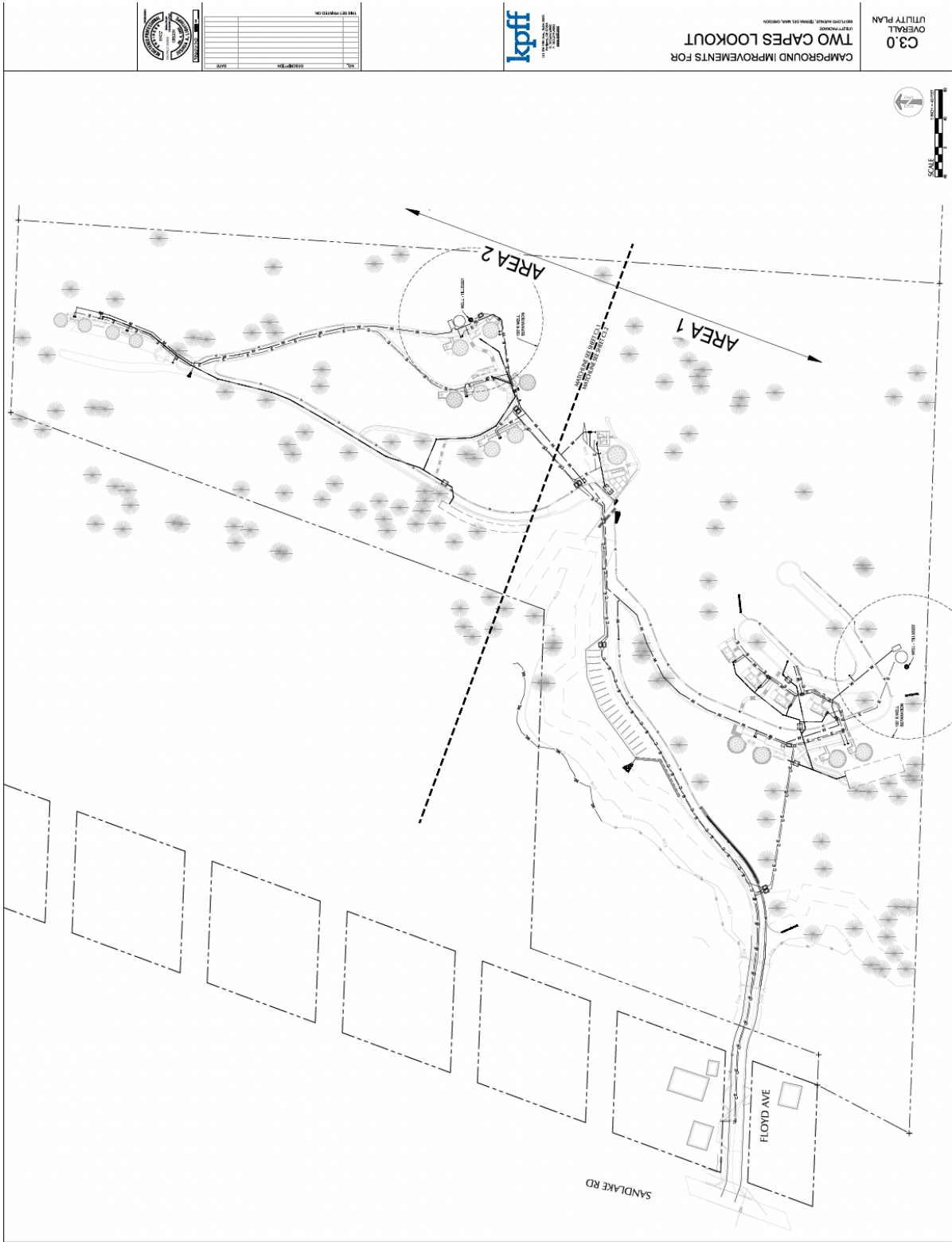
Describe why meeting the standard is highly burdensome or impractical:

Attempts to contact ownership of the neighboring property have gone unanswered. Lack of responsiveness or willingness to participate in a perpetual restrictive easement causes indefinite time constraints on the proposed campground development.

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

The well is properly constructed in a confined aquifer and is not sensitive to local land use practices.

EXHIBIT A



OHA Use Only

Waiver ID 511-2024

Entered into waiver database

Plan Review Coordinator's notes: Well is properly constructed in a confined aquifer with low sensitivity, which is an acceptable equivalent.

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

Approved Comments:

Denied

Kari Salis

12/13/2024

Drinking Water Regional Manager Signature
Oregon Health Authority

Date

Waiver database updated