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Director



DEPARTMENT OF HEALTH AND HUMAN SERVICES

Division of Public and Behavioral Health
Helping people. It's who we are and what we do.



Lisa Sherych
Administrator

Ihsan Azzam, Ph.D., M.D.
Chief Medical Officer

Compliance Agreement

23 July 2020

The following is a Compliance Schedule agreed upon by Ben Wilkinson and the Nevada Division of Public & Behavioral Health, Environmental Health Section (DPBH-EHS).

The goal of this agreement is to provide Mr. Wilkinson with domestic water at his occupied residence located at 1020 Bafford Lane in Fallon, NV, while protecting groundwater and the public health.

Mr. Wilkinson has occupied his residence since 1968. The Churchill County Assessor's records show the property as first developed in 1940, and continuously occupied since that time. The depth to static groundwater in the area averages approximately 30 ft. The nearest surface waters to the property are agricultural canals at least 330 ft from the septic system. A new well on the property would tap a lower aquifer approximately 100 ft below the surface.

The residence is on a lot of 0.60 acres and is served by a domestic well and septic system. The well serving the residence ceased providing water on or about May 12, 2020. Nevada Administrative Code (NAC) 444.790(1) requires a minimum area of 1 acre for a residence served by a well.

NAC 439.280(3) provides that, in areas of the State which are not in a health district, or in case of a regulation enforced exclusively by the State Board of Health, the State Health Officer may postpone the enforcement of and agree to a schedule for compliance with the regulation for a period of up to 45 days. The matter must be submitted to the Board of Health to review if the period will exceed 45 days.

Mr. Wilkinson agrees to hire a well-drilling contractor appropriately licensed by the Nevada Division of Water Resources to:

1. Cap the existing well;
2. Install the new well in accordance with NAC 445A, including a sanitary seal to at least 50 ft below the surface; and
3. Locate the new well at least 100 ft from any existing septic tank or leachfield.

DPBH-EHS and the State Health Officer agree to postpone enforcement of NAC 444.790(1) with regard to occupancy of an undersized lot for a period not to exceed 45 days.

The above agreement shall be effective July 2020 and remain in effect for 45 days. This matter shall be brought to the State Board of Health for consideration of a variance to NAC 444.790(1) on September 2020.

Ben Wilkinson Date 7-23-20
Ben Wilkinson, Property Owner

Lindsay M Doolittle Date _____
Teresa R. Hayes, REHS, DPBH-EHS Program Manager

Margaret Chappel FOR Date 7/23/2020
Ihsan Azzam, Ph.D., M.D., Chief Medical Officer