



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

FEB 20 2015

OFFICE OF
WATER

DECISION MEMORANDUM

SUBJECT: Project Waiver of American Iron and Steel Requirements for Double Offset Butterfly Valves in the Duchesne County Water Conservancy District Victory Pipeline Project
Waiver Number 08-DW-0001c

FROM: Peter Grevatt, Director
Office of Ground Water and Drinking Water

A handwritten signature in black ink, appearing to read "Peter Grevatt", written over the "FROM:" line.

The U.S. Environmental Protection Agency is hereby granting a project-specific waiver pursuant to the American Iron and Steel requirements to the Duchesne County Water Conservancy District for the purchase of non-domestic double offset butterfly valves. This waiver permits the use of double offset butterfly valves manufactured outside of the United States to be used in the DCWCD Victory Pipeline Project in Duchesne County, Utah, because no known domestic manufacturers produce an alternative that meets the project's technical specifications. This is a project-specific waiver and only applies to the use of the specified product for the referenced project funded by the Drinking Water State Revolving Fund. Any other project funded by either the Drinking Water or Clean Water State Revolving Fund that wishes to use the same product must request a separate waiver based on the specific project circumstances.

Rationale: The AIS provisions require DWSRF assistance recipients to use specific domestic iron and steel products that are produced in the United States if the project is funded through an SRF assistance agreement unless the Agency determines that it is necessary to waive this requirement. EPA has the authority to issue waivers in accordance with Section 424(b)(2) of Public Law 113-235, the "Consolidated and Further Continuing Appropriations Act, 2015." The provision states in part: "[the requirements] shall not apply in any case or category of cases in which the Administrator of the Environmental Protection Agency... finds that... iron and steel products are not produced in the United States in sufficient and reasonably available quantities and of a satisfactory quality."

The purpose of the double offset butterfly valves in the DCWCD Victory Pipeline Project is to isolate both the upstream and downstream water sources to the flow and anti-cavitation control plunger valves, which are located below grade in limited access confined space vaults. The vaults must remain dry since they contain electrically and electronically charged devices, especially when DCWCD personnel are present. The double offset design ensures a 100 percent

leak-free valve by preventing the elastomeric seal from being compressed when the valve is in the open position. The compression set or permanent indentation(s) of the elastomeric seal on single offset or zero offset valves could become a leak path. The project's technical specifications also require that the valves comply with the American Water Works Association C504 Standard, meaning that the valves must allow a maximum velocity of 16 feet per second. DCWCD found no domestically manufactured double offset butterfly valves that meet this velocity criterion. In addition, the project's technical specifications require the butterfly valves to have a high velocity elastomeric seal, which is rated to over 300 fps, because very high localized velocities could be produced when the valve is being closed. The assistance recipient was unable to find double offset butterfly valves manufactured domestically that meet the project's technical specifications.

EPA conducted market research on the supply and availability of double offset butterfly valves and concluded that there are no domestic manufacturers of these valves that meet the project's technical specifications, supporting DCWCD's claim. EPA identified two manufacturers capable of providing domestically produced double offset butterfly valves in the sizes required for the project; however, one of the manufacturers could not provide valves that meet the 100 percent leak proof requirement and the other manufacturer could not provide a product that meets the AWWA C504 Standard for high velocity design.

Having established both a proper basis to specify the particular product required for this project and that this product was not available from a manufacturer in the United States, DCWCD is hereby granted a waiver from the AIS requirements for the Victory Pipeline Project. This waiver permits the purchase of non-domestic double offset butterfly valves using DWSRF funds as documented in the State of Utah's waiver request submittal on behalf of the assistance recipient, dated October 30, 2014.

Legal Authority: Legal authority for the AIS requirements for DWSRF projects is included under P.L. 113-235, the "Consolidated and Further Continuing Appropriations Act, 2015," under the authority of Section 424(b)(2) and also previously under P.L. 113-76.

If you have questions concerning the contents of this memorandum, please contact Kiri Anderer, Environmental Engineer, Drinking Water Protection Division, at anderer.kirsten@epa.gov or (202) 564-3134.