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December 5, 2014

Michele Marsh, P.E.
Montana Department of Environmental Quality (MDEQ)
Technical and Financial Assistance Bureau
PO Box 200901
Helena, Montana 59620-0901

RE: Butte-Silver Bow WWTP Phase 2 MBR Upgrades
Check Valve Waiver Request

Dear Michele:

This letter constitutes a formal request on behalf of Butte-Silver Bow (BSB) to MDEQ/EPA for a waiver from the American Iron and Steel (AIS) requirements for three (3) check valves on the above referenced project.

Background Conditions. During design of the Phase 2 Upgrades, we decided to remove the existing actuated plug valves on the discharge side of the existing influent pump station and replace them with check valves in order to reduce maintenance frequency and expense associated with this facility. Our engineer, Morrison-Maierle, was only able to find one manufacturer that produced a spring-assisted swing check valve with a lay length that fit within the existing piping constraints. During bidding, Morrison-Maierle received notice from this manufacturer that the check valve could not be made domestically. A note to all bidders was issued in Addendum No. 2 alerting them of this fact and directing them to assume that a waiver from the AIS requirements will be obtained during construction. The general contractor indicated at our last construction progress meeting that he would like to order these check valves soon due to their long lead time and would like to have an approved AIS waiver prior to doing so. We have included additional information from the contractor that addresses the items in the waiver request checklist.

AIS Waiver Request. BSB requests that EPA grant a waiver for the use of these non-AIS compliant check valves due to the fact that our engineer and contractor were not able to identify a manufacturer that produced these items domestically. In addition, we are not able to use other swing check valves for this application due to the specific lay length and piping constraints of our existing influent pump station. Therefore, we believe that a waiver should be granted for this situation since the specified check

valves are not produced in the United States in sufficient and reasonably available quantities and of a satisfactory quality. Please let us know if you have any questions or need additional information regarding this request.

Sincerely,



David Schultz, P.E.
Director of Public Works

cc: Frank Shields, BSB WWTP Superintendent
Matt Moore, BSB Public Works
Scott Murphy, P.E., MMI
Jeremy Perlinski, P.E., MMI
Neal Levang, PE. MMI

Appendix 1: Information Checklist for Waiver Request

– Description of the foreign and domestic construction materials.

- Wafer Swing Check Valves. Valves shall be 16-inch diameter with ANSI Class 150 semi-lug, swing check design utilizing an external tension spring to assist in faster closure. The valve must be capable of gravity closure should the loss of spring tension occur using system backpressure. The external spring must be field adjustable and the weight arm must be removable back to the spring assembly. The valve body shall be one-piece construction with a machined groove for seal retention. Vulcanized or chemical bonding is not allowable to facilitate seat retention. Resilient seals shall be field replaceable and provide positive shut-off at both low and high pressures. The disc shall completely cover the seat of ring/seal when in the closed position to provide a positive seal regardless of disc orientation. Valves shall have a 316 stainless steel body, 316 stainless steel disc/arm, 304 stainless steel stem, bronze bushing, carbon steel lever, carbon steel spring, and Buna-N seat. Valves shall be Pentair Tyco Figure 815; or approved equal.

– Unit of measure.

- Each valve.

– Quantity.

- Three (3).

– Price.

- \$19,177.37 each. See the attached HD Supply price quotation.

– Time of delivery or availability.

- 14 to 16 weeks after approval.

– Location of the construction project.

- 800 Centennial Avenue, Butte, MT 59701.

– Name and address of the proposed supplier.

- Pentair Valves & Controls. 10707 Clay Road, Houston, TX 77041.
- Manufacturing facilities located in Mexico.

– A detailed justification for the use of foreign construction materials.

- As described on the cover letter included with this request.



7372 Interstate Place
Missoula MT 59808

Mr. Bob Meinhardt
Swank Enterprises
PO Box 10007
Kalispell MT 59904

Bob, here is the pricing for the Tyco check valves on the Butte-Silver Bow MBR upgrade job you have requested:

3 ea- Tyco 16" wafer swing check valve \$ 19,177.37 each

Total: \$ 57,532.11

Please let me know should you need any further information.

Tyler Miller
HD Supply Waterworks
7372 Interstate Place
Missoula, MT 59808

The waiver request from Butte-Silver Bow, MT included additional attachments. . These attachments did not meet the accessibility requirements for posting on EPA's website, therefore they have been withheld from this waiver publication. In general, the additional attachments included the City's correspondence with suppliers regarding their attempts to locate domestic supply meeting their specifications in addition to item specifications and project schedules. These attachments may be requested from EPA by submitting an email to SRF_AIS@epa.gov.