



BAYSHORE REGIONAL SEWERAGE AUTHORITY

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Robert C. Fischer
EXECUTIVE DIRECTOR

October 5, 2016

New Jersey Department of Environmental Protection
Division of Water Quality - Municipal Finance & Construction Element
401 E. State Street
Trenton, NJ 08625-0420

Attention: Steven Betz, PE

Re: New Jersey Environmental Infrastructure Financing Program
Project No. S340697-06
Contract 80S Combined Blower Building
Bayshore Regional Sewerage Authority
Monmouth County
American Iron and Steel Waiver Request for 10-inch, 20-inch, and 24-inch Butterfly Valves

Mr. Betz,

The Bayshore Regional Sewerage Authority (BRSA) hereby applies for a project waiver pursuant to the "American Iron and Steel" requirements of the Clean Water Act Section 608 under the authority of Section 608(c)(2) for the purchase and installation of 10-inch, 20-inch, and 24-inch stainless steel Butterfly Valves for use in the Contract 80S Combined Blower Building Project, NJDEP Project No. S340697-06.

According to the AIS requirements, CWSRF and DWSRF assistance recipients are required to use specific domestic iron and steel products that are produced in the United States if the project is funded through an assistance agreement. However the assistance recipient may receive a waiver if certain circumstances set forth in Section 608(c)(2) of the Clean Water Act are met. In this instance, condition number two "Iron and steel products are not produced in the United States in sufficient and reasonably available quantities and of a satisfactory quality" is met.

The overall purpose of the Contract 80S Combined Blower Building Project at the BRSA wastewater treatment plant (WWTP) in Union Beach, New Jersey is: the restoration and/or replacement of the equipment in the blower buildings damaged during Superstorm Sandy, the consolidation of the process aeration system and protection of the system to mitigate future flood damage, and the upgrade of the process aeration system with new diffusers and a dissolved oxygen control system.

This project requires fabrication and installation of 10-inch, 20-inch, and 24-inch stainless steel butterfly valves to be utilized for isolation and/or throttling of process air in the wastewater treatment process. The project requires eight (8) new 10-inch valves, one (1) new 20-inch valve, and five (5) new 24-inch

Committed to a Clean Environment for Today, Tomorrow and Generations to Come
BRSA staff, November 2006

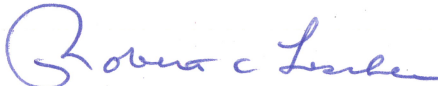
valves. This process air application requires high-performance, resilient-seated, stainless steel butterfly valves that are suitable for continuous operation at temperatures up to 300°F.

In order to maintain process aeration operations required for NJPDES compliance during construction, the project work needs to be executed in accordance with a nine phase construction sequence. The phased construction sequence is detailed in Attachment 1. Phase 1 requires the fabrication and installation of two (2) 24-inch stainless steel butterfly valves, and subsequent phases require the fabrication and installation of the remaining 10-inch, 20-inch, and 24-inch valves. Therefore, the stainless steel butterfly valves are required to initiate and advance the construction sequence. Accordingly, the fabrication and delivery of the butterfly valves is on the critical path as shown in the Critical Path Method (CPM) Baseline Schedule included as Attachment 2.

The BRSA included clear language outlining AIS terms in all requests for proposals, solicitations for bids, and contract specifications (Attachments 3 and 4). After extensive research and communications with multiple valve manufacturers, neither the BRSA's General Construction Contractor (Stone Hill Contracting, Co.) nor the Engineer (Hazen and Sawyer) was able to locate a manufacturer in the United States producing 10-inch, 20-inch, and 24-inch stainless steel butterfly valves in sufficient and reasonably available quantities and of satisfactory quality to meet the project schedule constraints and the required technical specifications. A record of correspondence with manufacturers is provided in Attachment 5.

Based upon information publicly available on the EPA's website, multiple other projects have encountered similar issues with acquiring AIS compliant butterfly valves, and have been granted AIS waivers. We respectfully request similar consideration for this project with regards to a waiver for 10-inch, 20-inch, and 24-inch stainless steel butterfly valves.

Sincerely,



Robert C. Fischer
Executive Director

Attachments:

- Attachment 1: Construction Sequence
- Attachment 2: CPM Baseline Schedule
- Attachment 3: Contract Specifications – Information for Bidders
- Attachment 4: Contract Specifications – Butterfly Valves
- Attachment 5: Record of Manufacturer Correspondence

CC: Peter J. Canal, Staff Engineer, BRSA
Edward S. Barboe PE, Project Director, Hazen
Bryan G. Atieh, Project Manager, Hazen
Lewis Coutts, Compliance Officer, NJDEP
George Rolon, Project Manager, NJEIT

NOTE: The referenced attachments with project diagrams, schedules, and supplier correspondence are in formats that do not meet the Federal accessibility requirements for publication on the Agency's website. Hence, these exhibits have been omitted from this waiver publication. They are available upon request by emailing SRF_AIS@epa.gov.