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January 21, 2020

Martin Taylor  
Loan & Grant Administration Section  
Division of Financial Assistance  
State Water Resources Control Board  
1001 "T" Street, 16<sup>th</sup> Floor  
Sacramento, CA 95841

Dear Mr. Taylor,

The Fallbrook Public Utility District (FPUD) would like to apply for a project waiver pursuant to the "American Iron and Steel" requirements for a plunger valve to be used at the new Santa Margarita Groundwater Treatment Plant in Fallbrook, CA, which is a part of the Santa Margarita River Conjunctive Use Project (SMRCUP) facilities currently under construction (Project Number 3710008-003C).

Per AIS requirements, SRF recipients are required to comply with federal award conditions including the use of specific domestic iron and steel products that are produced in the United States; however, recipients may receive a waiver if certain circumstances are met. For this project, we are requesting a waiver based on insufficient and reasonably available quantities. Pursuant to the Environmental Protection Agency (EPA) availability request, FPUD is providing the attached general project information and availability waiver request information to facilitate the waiver review.

Based on the attached information, we are requesting that a waiver for the use of an AV-TEK Plunger Valve be granted for use on the SMRCUP facilities. If you have any questions or comments, please contact me at 760-999-2713 (email: [acook@fpud.com](mailto:acook@fpud.com)).

Sincerely,

Aaron Cook  
Senior Engineer

cc: Jack Bebee – FPUD General Manager  
John Paul Blanco – DFA Project Manager

Attachments: General project information and Availability Waiver request information

## AIS Waiver Request

### General Project Information

- The work generally consists of facilities related to the Santa Margarita Conjunctive Use Project, including groundwater treatment plant, modifications to the Gheen Reservoir site, and distribution system pipeline. The construction estimate for this project is \$54 MILLION.
  - SMCUP Ground Water Treatment Plant Site
    - Steel Equalization, RO Feed, Clearwell, and Waste Wash Water Recovery tanks
    - Iron Manganese (IM) removal system
    - IM backwash, RO feed booster, RO high pressure, product water, and waste wash water sludge pumps
    - RO system
    - Yard piping
    - RO building with control, restroom, and electrical room, and separate product water pump station building
    - Chemical unloading storage and feed facility
  - Gheen Facilities Site
    - 4MG Steel Storage tank (Alternative bid item)
    - Pump station and building
  - 24" CML&C Distribution System Pipeline

- Description of the Foreign and Domestic Construction Materials

The subject valve for which the waiver is sought is a plunger valve made by AV-TEK located in Salt Lake City, Utah. The foreign iron and steel materials contained in the AV-TEK plunger valve consist of:

- Valve bodies: ductile iron
  - Valve shaft, crank, rods, piston: 304 & 420 stainless steel
  - Bushings: bronze
- Unit of Measure of Plunger Valve
    - The unit of measure for the proposed plunger valve is "Per Valve"
  - Quantity and Price of Plunger Valve
    - There is only one (1) plunger valve
    - Price of plunger valve: [REDACTED] (quote attached)
  - Time of Delivery or Availability for Plunger Valve
    - Time of Delivery for proposed plunger valve is as follows:
      - 16-18 weeks upon approval of shop drawings (email attached)
  - Location of Construction Project
    - The SMCUP is located within the City of Fallbrook, California, at the Fallbrook Public Utilities District Wastewater Treatment Plant at 1425 Alturas Rd.

- Name and Address of Proposed Supplier
  - Av-Tek Water Management
  - 1310 Swaner Rd Suite B
  - Salt Lake City, Utah 84104
  - T: (385)325-2504
  - M: (801) 637-8541
  - E-mail: Info@avtekvalves.com
  
- Detailed Justification for Use of Foreign Construction Materials
  - The purpose of the proposed AV-TEK plunger valve is to control the pressure and flow of the water through the FPU D system to Camp Pendleton as an emergency connection for the base. The proposed plunger valve can accommodate the hydraulic service conditions for anticipated system operations and prevent excessive pressure drop in the water transmission system.
  - FPU D did not examine alternate valve designs because at the time of design, the specified manufacturer made compliant valves. However, alternative valve designs may include cla-val valves or sleeve valves. There are several issues with those options. Cla-val valves require multiple flow control valves in series or parallel. Sleeve valves are more expensive and would require a larger footprint. Maintenance on sleeve valves requires that the entire valve be pulled from the site for maintenance off-site. Plunger valves can be repaired in-situ with reduced downtime
  
- Good Faith Effort to Solicit Bids from Domestic Manufacturers
  - As previously stated, at the time of design, it was understood that plunger valves were made domestically.
  - AIS Requirement in Specifications, Section 00475:
    - 1. Identification of American-made Iron and Steel Products: The Bidder certifies that this bid reflects the Bidder's best, good faith effort to identify domestic sources of iron and steel products for every component contained in the bid solicitation where such American-made components are required. The term "iron and steel products" means the following products made primarily of iron or steel - lined or unlined pipes and fittings, manhole covers and other municipal castings, hydrants, tanks, flanges, pipe clamps and restraints, valves, structural steel, reinforced precast concrete, and construction materials.
    - 2. Verification of U.S. Production: If this bid is accepted, the Bidder agrees that it will provide, to the Fallbrook Public Utility District, reasonable, sufficient, and timely verification of the U.S. production of each Iron and Steel Product incorporated into the Project.
    - 3. Documentation Regarding Non-American-made Iron and Steel: The Bidder certifies that for any Iron or Steel Product that is not American-made but was incorporated in the development of this bid, is allowed by waiver of the U.S. Environmental Protection Agency and such waiver is attached to this certification.
    - 4. Warranty of Bidder: The Bidder hereby represents and warrants to and for the benefit of Fallbrook Public Utility District that (a) Bidder has reviewed and understands the American Iron and Steel Requirement, and (b) if the bid is selected, all of the iron and steel products used in the project will be produced

in the United States in a manner that complies with the American Iron and Steel Requirement, unless a waiver of the requirement is attached to this certification.

### Availability Request Waiver Information

- Supplier information or pricing information from a reasonable number of domestic suppliers
  - There are no domestic suppliers of plunger valves that comply with AIS
- Supporting Documentation to Demonstrate the Availability of Materials for Which Waiver is Requested
  - Documents from vendors are attached stating no domestic suppliers of plunger valves
  - Other agencies and projects have filed for and been granted waivers for plunger valves
- Project Schedule
  - Notice to Proceed: 09/23/2019
  - Return Flow Control Facility: 01/07/2021
  - Final Completion: 09/10/2021
- Relevant Excerpts from Specification Indicating the Required Quality of Construction
  - Except from Valve Spec (15100):
    - General:
      - 1. Conform to the requirements of the attached at the end of this Section. The partial valve schedule is not intended to list all valves under this Contract. The Drawings indicate all valves to be provided and shall be used in conjunction with the partial valve schedules to determine the total number of valves required to complete the work.
      - 2. Not all valves listed herein may be required under this Contract. Valves shall be of the type specified in the partial valve schedule and as shown on the Drawings.
      - 3. Valves shall be inline size except as shown otherwise on the Drawings or otherwise specified. Ratings specified are minimum and are water working pressure, unless noted otherwise or otherwise specified.
      - 4. Valve Reference Number: Where the valves listed below are utilized under this Contract they are identified in the Contract Documents by the valve tag number and valve reference number, or in some cases, by the valve reference number alone.
      - 5. Chemical Services: Where valves are specified or shown for "chemical service", the CONTRACTOR shall submit data confirming the compatibility of the wetted valve materials being furnished with the specific chemical service for the valve. Chemical service shall be as defined in Section 01600, and as noted in the valve list for the specific valve.
    - Plunger Valve
      - 1. Valve Reference Number – V404

- a. Type of Valve: Flow control
  - b. Type of Service: Water
  - c. Type of Connection: AWWA C207 Class E or ANSI B16.5, Class 150 Flanges
  - d. Size (inches): 8" - 16"
  - e. Rating and Description: 250 psi rated pressure, ductile iron body with stainless steel plunger, regulating cylinder, seat and retaining ring, and hardware
  - f. Valve shall have air admission system downstream
  - g. Manufacturer:
    - 1) Pratt
    - 2) Or Equal
- Statement from Prime Contractor and Supplier
  - A statement from the plunger valve supplier indicating the non-availability of domestically produced plunger valves is provided as an attachment to this letter
- Other Waiver Requests for the Material Described in the Waiver Request for Comparable Projects
  - FPUD is not aware of other waiver request that have been received by the State of California, but waiver requests for comparable requests have been granted by the EPA for other projects for the following Utilities:
    - Great Lakes Water Authority, Detroit, Michigan
  - The Project Waiver for this Utility has been provided as an attachment to this document