



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

OFFICE OF WATER

DECISION MEMORANDUM

SUBJECT: Availability-Based Project Waiver of American Iron and Steel Requirements for Double Offset Butterfly Valves for the Central Utah Water Conservancy District, UT Duchesne Valley Water Treatment Plant Process Improvement Project Waiver Number 08-DW-0018

FROM: Jennifer L. McLain, Director
Office of Ground Water and Drinking Water

The U.S. Environmental Protection Agency (EPA) is hereby granting an availability-based project-specific waiver pursuant to the American Iron and Steel (AIS) requirements to the Central Utah Water Conservancy District (CUWCD), Utah, for the purchase of twenty-seven double offset butterfly valves (four 6-inch, three 8-inch, four 14-inch, four 16-inch, five 18-inch, one 20-inch, and six 24-inch) for the Duchesne Valley Water Treatment Plant Process Improvement Project. This waiver permits the use of twenty-seven double offset butterfly valves, because no known domestic manufacturers produce a product that meets the project's technical specifications. This project-specific waiver only applies to the use of the specified products for the referenced project funded by the Drinking Water State Revolving Fund (DWSRF). Any other project funded by either the Drinking Water or Clean Water State Revolving Fund (SRF) that wishes to use the same product must request a separate waiver based on the specific project circumstances.

Rationale: The AIS provision requires DWSRF assistance recipients to use specific domestic iron and steel products if the project is funded through an SRF assistance agreement unless EPA determines that it is necessary to waive this requirement. EPA has the authority to issue waivers in accordance with section 1452(a)(4)(C)(ii) of the Safe Drinking Water Act. 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 project is located at the Duchesne Valley Water Treatment Plant (DVWTP). The project includes the conversion of the DVWTP to conventional treatment with sedimentation because of degradation of source water quality. The purpose of the double-offset butterfly valves in the DVWTP Process Improvement Project is to provide isolation and shut-off service so that plant facilities and equipment can be maintained. It is essential that the butterfly valves do not leak.

These valves are located in below grade confined space manholes and vaults, as well as mechanical, chemical and electrical spaces where leakage may cause hazards to plant staff. The spaces must remain dry since they contain power cables and electronic devices, especially when CUWCD personnel are present and conducting maintenance activities. The double offset design ensures a 100 percent leak free valve by preventing the elastomeric seal from being compressed by the disc when the valve is in the open position. 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.

The CUWCD conducted research to find a domestic manufacturer of double offset butterfly valves ranging in size from 4-inch to 24-inch and provided information to EPA demonstrating that based on its research, no manufacturers produce these valves domestically.

EPA conducted market research on the supply and availability of double offset butterfly valves ranging in size from 4-inch to 24-inch and concluded that there are no domestic manufacturers of these products that meet the project's technical specifications. Per statutory requirement, the waiver request was posted on EPA's AIS website for the mandatory 15-day public comment period. The Agency received no (zero) public comments.

EPA is granting an availability-based waiver from the AIS requirements to the Central Utah Water Conservancy District, Utah for the Duchesne Valley Water Treatment Plant Process Improvement Project with respect to four 6-inch, three 8-inch, four 14-inch, four 16-inch, five 18-inch, one 20-inch, and six 24-inch double offset butterfly valves. This waiver permits the purchase of four 6-inch, three 8-inch, four 14-inch, four 16-inch, five 18-inch, one 20-inch, and six 24-inch 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 August 13, 2020.

Legal Authority: Legal authority for the AIS requirements for DWSRF projects is included under the Safe Drinking Water Act, under the authority of section 1452(a)(4).

If you have questions concerning the contents of this memorandum, please contact Jorge Medrano, Environmental Engineer, Drinking Water Protection Division, at medrano.jorge@epa.gov or (202) 564-1968.