



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 two 20-inch and one 36-inch Double Offset Butterfly Valves for the Central Utah Water Conservancy District, UT Tyzack Vault Capital Replacement Project Waiver Number 08-DW-0014

**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 two 20-inch and one 36-inch double offset butterfly valves for the Tyzack Vault Capital Replacement Project. This waiver permits the use of two 20-inch and one 36-inch 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 product 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 Tyzack Vault Capital Project is located at the Ashley Valley Water Treatment Plant (AVWTP), which receives its influent water from the Red Fleet Reservoir. The transmission line from the Red Fleet Reservoir is normally turned off and drained during the winter. The butterfly valve in this vault isolates AVWTP from the Red Fleet Reservoir and is at the end of its useful life. The valve leaks when fully closed and is left open during the winter due to difficulty opening and closing. There is no access to the valve for maintenance because the vault is buried.

The Red Fleet Bypass Vault flow control valve and flow meter are also near failure and need to be replaced as well. This project will install double offset butterfly valves to provide isolation and shut-off service to control flow and allow for maintenance on the Red Fleet and Red Fleet Bypass lines. It is essential that the butterfly valves do not leak, since they are located below grade in confined spaces. The vaults must remain dry since they contain power cables and electronic devices. 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, and also is specified to improve butterfly valve performance by withstanding pressures that could cause leakage in the vault.

All three valves must comply with the American Water Works Association C504 Standard, meaning that the valves must allow a maximum velocity of 16 feet per second. The products must be suitable for contact with drinking water in accordance with NSF Standard 61.

The CUWCD conducted research to find a domestic manufacturer of 20-inch and 36-inch double offset butterfly valves and provided information to EPA demonstrating that no manufacturers produce these valves domestically.

EPA conducted market research on the supply and availability of 20-inch and 36-inch double offset butterfly valves 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, and the Agency received one comment from a manufacturer stating they had a potential domestic alternative. The CUWCD reviewed the proposed alternative and concluded that the product does not meet the project's technical specifications.

EPA is granting an availability-based waiver from the AIS requirements to the Central Utah Water Conservancy District, Utah for the Tyzack Vault Capital Replacement Project with respect to two 20-inch and one 36-inch double offset butterfly valves. This waiver permits the purchase of two 20-inch and one 36-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 June 29, 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.