November 24, 2014

Mr. Walter Gills, Program Director
Commonwealth of Virginia
Department of Environmental Quality
629 E. Main Street
Richmond, Virginia 23219

Re: American Iron and Steel Waiver Request
Future VCWRLF Projects
City of Norfolk Department of Utilities

Dear Mr. Gills:

A waiver from the American Iron and Steel (AIS) requirements of the Consolidated Appropriations Act of 2014 (CCA) is requested for the following reason. The City's standard sewer cleanout box and cover which are manufactured of cast iron are not produced in the United States. The attachments to this request are submitted to document the accuracy of this statement.

This waiver request relates to possible future contracts between general contractors and the City of Norfolk in conjunction with construction projects that may be funded with monies made available by the Virginia Clean Water Revolving Loan Fund (VCWRLF).

If you have any questions please contact me at 757-664-6745.

Sincerely,

Chad Edralin, PE
Civil Engineer IV

CC: Kimberly S. Butler, PE, DEQ
Christopher J. Krus, PE, Norfolk Utilities
American Iron and Steel Waiver Request  
Future VCWRLF Projects  
City of Norfolk Department of Utilities  

Attachment A  
SUPPORTING DOCUMENTATION  

General Information  

This Waiver Request has been prepared in accordance with the Virginia Clean Water Revolving Loan Fund (VCWRLF) 2014 Contract Insert; Subpart J, American Iron and Steel Requirements; Item 3, EPA Waiver. The following information has been formatted to directly correspond with Attachment No. 8, Review Checklist for Waiver Request.  

This Waiver Request applies solely to the City’s standard sewer cleanout box and cover.  

- Description of the foreign and domestic construction materials  
  The City’s required material specification for the standard sewer cleanout and cover is cast gray iron manufactured in accordance with ASTM A48, Class 35B. The product is graphically shown on Attachments C1 and C2.  
  Foreign construction materials have complied with the preceding requirements. Domestic construction materials are not in used for this specific purpose.  

- Unit of measure  
  The City’s standard sewer cleanout box and cover is typically bid on an each basis.  

- Quantity  
  On average the City bids approximately 10 construction projects per year that require about 20 to 30 of the City’s standard sewer cleanout boxes and covers.  

- Price  
  Unit prices bid for furnishing and installing the City’s standard sewer cleanout box and cover on September 4, 2014 ranged from $150 each to $500 each with an average of $284 each. The apparent low bidder’s price was $220 each.  

- Time of delivery or availability  
  The City has not encountered any difficulty in obtaining the foreign manufactured product in a timely manner and in sufficient quantity. The City has been unable to obtain the required product from a domestic manufacturer.
- Location of construction project
  The City of Norfolk, Virginia

- Name and address of the proposed supplier
  The prime contractors who perform work for the City rely on numerous suppliers. The supplier associated with the City’s standard sewer cleanout box and cover is:
  Capital Foundry of Virginia, Inc., 2856 Crusader Circle, Virginia Beach, Virginia 23453.

- A detailed justification for the use of foreign construction materials is described in the following Availability Waiver Request section of this documentation.

- This Waiver Request is submitted according to the State’s instructions to SRF assistance recipients.

- As an assistance recipient the City has made numerous good faith efforts to solicit bids for domestic iron and steel products, as demonstrated by language in requests for proposals, contracts, and communications with prime contractors.

**Availability Waiver Request**

This Waiver Request includes the following supporting documentation to demonstrate the availability, quantity and/or quality of the materials for which this waiver is requested.

- Supplier information or pricing information from a reasonable number of domestic suppliers indicating availability/delivery date for construction materials.
  By an e-mail dated October 31, 2014 the City requested information from 38 manufacturers who are members of the American Foundry Society. See Attachment B. Thirteen (13) replies were received by November 14, 2014. Of the 13 received, one indicated that the request was not applicable to their products, one forwarded the message to another manufacturer and the remaining 11 respondents indicated that the City’s standard sewer cleanout box and cover was not available. No one indicated that the required product was manufactured domestically. Attachment D is a list of the manufacturers contacted with their location, e-mail address and indicating if they replied. See Attachment E which consists of one page for each of the 11 applicable responses.

- Documentation of the assistance recipient’s (owner’s) efforts to find available domestic resources, such as a description of the process for identifying suppliers and a list of contacted suppliers.
  The required process description and list is addressed by the preceding narrative.
• Project schedule
  This Waiver Request applies to current projects that may be eligible subsequent to the
  approval of this request and to projects in the future that may be funded in Fiscal Years
  2015 and beyond. Therefore there are no project specific schedules at this time.

• Relevant excerpts from project plans, specifications, and permits indicating the required
  quantity and quality of construction materials.
  The quantities required are estimated at about 200 to 300 units per year. The required
  quality is addressed by the City’s established standards.

• Waiver request includes a statement from the prime contractor confirming the non-
  availability of the domestic construction materials for which the waiver is sought.
  There is no prime contractor associated with this Waiver Request.

• Has the State received other waiver requests for the materials described in this waiver
  request, for comparable projects?
  It is the City’s understanding that the Virginia Department of Environmental Quality
  has received only one other such waiver request, but the City does not know if it was for
  comparable projects.
The waiver request from the City of Norfolk included five 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 potential manufacturers and their attempts to locate domestic supply meeting their specifications in addition to item drawings. These attachments can be requested from EPA by submitting an email to SRF_AIS@epa.gov.