

AMERICAN IRON & STEEL WAIVER REQUEST REVIEW APPLICATION

Cape May City

(Project Owner)

Well No. 8

(Name of Project)

0502001-004

(NJSRF Clean Water Funded Project Number)

GENERAL

Description of the Construction Material: 24" carbon steel outer well casing pipe

Quantity and Unit of Measure: 480 linear feet

Price: _____

Time of delivery or availability: _____

Location of the construction project: Block 759, Lot 4.02, Lower Township, Cape May County, New Jersey

Name and address of proposed supplier and/or Manufacturer: Louis P. Canuso, Inc., 401 Crown Point Road, P.O. Box 501, West Deptford, New Jersey 08086-0501(Supplier); CSI Tubular Products, Inc., 14000 San Bernadino Avenue, Fontana, California 92335 (manufacturer)

Detailed justification for the use of foreign construction materials:

The waiver is requested for the installation of 480 linear feet of 24" carbon Steel outer well casing. The waiver relates to the well casing pipe that was manufactured in the United States of America by CSI Tubular Products, Inc. of Fontana California and supplied by Louis P. Canuso, Inc. of West Deptford, New Jersey and purchased by A.C. Schultes, Inc of Woodbury New Jersey, a subcontractor to TKT Construction Company, Inc. of Williamstown, New Jersey. However, the steel coils utilized in the manufacture of the steel casing pipe was produced in Japan. It is our understanding that A.C Schultes relied upon the certification provided by Louis P. Canuso, Inc. indicating that "The pipe was rolled, formed and finished at the CSI mill in California" as well as the language provided on the Certified Test Report from CSI Tubular Products, Inc. indicating "Steel products manufactured in the U.S. from CSI coils qualified as "domestic end product" and "U.S. Made end products" under the Buy American Trade Agreements Acts. "

In accordance with the contractor's original approved baseline schedule, on November 16, 2016, the subcontractor A.C. Schultes, Inc. commenced drilling the borehole for the well which was completed on November 30, 2016. The borehole was drilled to a depth of 835 feet. On December 16, 2016, the 24" carbon steel saltwater casing was set to a depth of 480 feet and grouted in place to prevent the borehole from collapsing. The casing included a Made in America sticker, as shown in the photograph.



The proposed well design was submitted to the NJDEP at this time for approval. However, since the well design was modified from the initial design at the request of the owner to include a fiberglass middle casing and stainless steel inner casing, the NJDEP determined that a permit modification was required. The permit modification application was submitted to the NJDEP on December 21, 2016 and approved on February 8, 2017. The actual AIS certification was received from the contractor on March 3, 2017 and submitted to the NJDEP for review. On March 6, 2017, we were informed the 24" carbon steel casing pipe did not meet the AIS requirements.

It is the City of Cape May's opinion that the installation of the non-compliant 24" carbon steel outer well casing was not intentionally installed by the contractor with the knowledge that it was non-compliant, but based upon the information provided by the material supplier that it was compliant. Therefore, the contractor strongly believed that the 24" casing pipe was fully compliant with the AIS requirements prior to installation. The waiver is needed to allow for the owner to be reimbursed, through the loan from the NJEIT for the project, for the payment for the installation of the 24" carbon steel casing pipe. Presently, the contractor has not been paid for the casing pipe. The City is currently pursuing funding from the NJEIT for the project, all monies reimbursed by the NJEIT will be paid back and the project will eventually be fully funded by the owner. A major financial hardship will be imposed upon the contractor should payment of the 24" carbon steel casing pipe not be made.

NJDEP Project Engineer: Robert M. Hopkins, P.E.

NJDEP Section Chief: William P. Machotka, P.E.

This waiver request was submitted to the EPA by the state of New Jersey. All supporting correspondence and/or documentation from contractors, suppliers or manufacturers included as a part of this waiver request was done so by the recipient to provide an appropriate level of detail and context for the submission. Some 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.