



## State of New Jersey

CHRIS CHRISTIE  
Governor

KIM GUADAGNO  
Lt. Governor

MAIL CODE 401-03D  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
DIVISION OF WATER QUALITY  
MUNICIPAL FINANCE & CONSTRUCTION ELEMENT  
PO BOX 420  
TRENTON, NJ 08625-0420  
TEL: # (609) 633-1180  
FAX # (609) 292-1381  
[www.state.nj.us/dep/dwq](http://www.state.nj.us/dep/dwq)

BOB MARTIN  
Commissioner

AIS Waiver:

MAR 21 2016

Loan Project Number 1209002-500  
Old Bridge Municipal Utilities Authority  
Route 516 Fuel Storage Facility

The Old Bridge Municipal Utilities Authority (OBMUA) is seeking a waiver on the AIS requirements. The waiver request is for dual-wall stainless steel piping to be used for transmission of gasoline and diesel fuel between fuel storage tanks and fuel dispensers. The specified piping consists of factory assembled dual-wall stainless steel piping, with both inner and outer walls being stainless steel, fire rated and UL971A listed.

The consultant (CME Associates) for OBMUA has stated that it has been unable to find a domestic manufacturer for the specified dual-wall stainless steel piping. With OBMUA's request, is correspondence from CME Associates indicating that the only manufacturer able to meet the requirements of the specifications is Brugg Pipe Systems. Brugg Pipe Systems has indicated that they do not produce the required product domestically.

We respectfully request your review and approval of this waiver request allowing for dual-wall stainless steel piping to be obtained non-domestically and utilized on the subject project.

Thank you for your attention to this matter.

Please contact Mr. David Helfrich ([dave.helfrich@dep.nj.gov](mailto:dave.helfrich@dep.nj.gov)) if you have any questions at 609-633-1180.

Sincerely,

Eugene J. Chebra, P.E.  
Assistant Director  
Municipal Finance and Construction Element, NJDEP

Enclosures

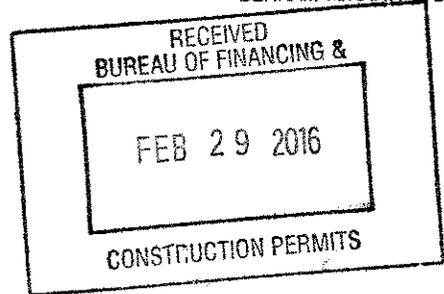
cc: William Machotka, MFCE  
Dave Helfrich, MFCE  
Jason Nizolek, CME Associates  
Mike Roy, OBMUA

JOHN H. ALLGAIR, PE, PP, LS (1983-2001)  
DAVID J. SAMUEL, PE, PP, CME  
JOHN J. STEFANI, PE, LS, PP, CME  
JAY B. CORNELL, PE, PP, CME  
MICHAEL J. McCLELLAND, PE, PP, CME  
GREGORY R. VALES, PE, PP, CME



TIMOTHY W. GILLEN, PE, PP, CME  
BRUCE M. KOCH, PE, PP, CME  
LOUIS J. PLOSKONKA, PE, CME  
TREVOR J. TAYLOR, PE, PP, CME  
BEHRAM TURAN, PE, LSRP

February 23, 2016



Mr. David Helfrich  
New Jersey Department of Environmental Protection  
Mail Code 401-03D  
Division of Water Quality  
P.O. Box 420  
Trenton, New Jersey 08625-0420

**RE: New Jersey Environmental Infrastructure Financing Program (NJEIFP)  
Route 516 Fuel Storage Facility  
NJDEP Project No. 1209002-500  
Old Bridge Municipal Utilities Authority (OBMUA)  
CME File No. POB-00440.01  
AIS Availability Waiver Request**

Dear Mr. Helfrich:

This letter serves as request on behalf of the Old Bridge Municipal Utilities Authority (OBMUA) for an Availability Waiver of the American Iron and Steel requirements for a component of the above referenced project. Specifically, we are herein requesting permission to utilize dual-wall stainless steel piping as manufactured by BRUGG Pipe Systems for the purpose of transmission of gasoline and diesel fuel between fuel storage tanks and fuel dispensers. The following information is included for your review and reference:

1. The referenced project is being constructed in Old Bridge, NJ to provide the OBMUA with emergency fuel storage capabilities to increase resiliency and address deficiencies in their potable water distribution system discovered as a result of Superstorm Sandy. The project consists of installation of two (2) 10,000 gallon capacity above ground fuel storage tanks (one for gasoline, one for diesel fuel), four (4) fuel dispensers, an open-air canopy, roughly 200 linear feet of petroleum product piping between tanks and dispensers, fuel management hardware and software, associated storm sewer installations and a backup diesel fuel generator with resistive load bank at the OBMUA maintenance yard.
2. Project Specifications for petroleum product piping (attached) specified BRUGG dual-wall stainless steel piping as manufactured by BRUGG Pipe Systems, or approved equal. The specified piping consists of factory assembled dual-wall stainless steel piping, with both inner and outer walls being stainless steel, fire rated and UL 971A listed. The dual wall is a requirement of both State and Federal agencies for underground hazardous liquid transmission applications for leak containment and detection. Data sheets for the BRUGG Flexwell piping are attached for your information.
3. This piping system was specifically required in the Project Specifications due to its UL 971A listing, corrosion resistance in acidic soils, wide range of hazardous fluid application, longevity, ease of installation, ability to be installed seamlessly from tank to dispenser without the need for buried fittings or couplings, and for its fire rating on both inner and outer walls.



Mr. David Helfrich, Project Engineer  
New Jersey Department of Environmental Protection  
February 23, 2016  
Page 2 of 2

4. Following our determination that the Specified piping is not domestically sourced and no domestic manufacturer of stainless steel dual-wall piping exists, alternatives including dual-wall Fiberglass piping and field fabrication of domestically manufactured dual-wall stainless steel piping segments and fittings was explored. The fiberglass piping did not provide the same fire rating desired for this project, nor did it provide the same impact resistance for above grade applications nor seamless installation from tank to dispenser. Further, field fabrication and welding of domestically sourced dual-wall stainless steel pipe segments and fittings would significantly increase the overall project cost, require numerous couplings and fittings in the petroleum product piping which serve as potential leak points, and would not carry the same 30-year warranty as does the BRUGG piping. Field fabrication and welding of the dual-wall piping would not have the same quality controls available through factory assembly, resulting in an inferior final product. For these reasons, neither the Fiberglass nor field fabrication of domestically sourced dual-wall stainless steel piping components was pursued.

For the reasons presented above we hereby request a waiver of the America Iron and Steel requirements for the stainless steel dual-wall petroleum product piping. The BRUGG piping, which is fabricated in Germany and warehoused domestically in Rome, Georgia, has no current domestic equivalent and allows for a superior end product which is warranted for 30 years of leak-free underground service for the transmission of petroleum products. To our knowledge, no waiver requests for this product have previously been submitted to the EPA, likely due to the limited installations of petroleum product piping in CWSRF and DWSRF projects.

Accordingly, should you find the above information and enclosed documentation suitable, we kindly request that your office forward this request to the appropriate party of the EPA for their timely review and approval.

Should you have any questions regarding this matter, please do not hesitate to contact this office.

Very truly yours,  
**CME ASSOCIATES**



Jason M. Nizolek

**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](mailto:SRF_AIS@epa.gov).**