



April 3<sup>rd</sup>, 2024

**Waiver request prepared on behalf of assistance recipient. Waiver submitted by State to EPA.**

Matt Livingston  
Nevada Division of Environmental Protection  
Staff Associate Engineer

Subject: 80015 Paso Robles Tank Inc. Availability Waiver for Fin Neck Locking Hardware (SRF Agreement No. DW-2310, Project No. NY-2023-449, Beatty Water and Sanitation District Water Storage Tank Recoat Project/45k Bolted Tank)

Dear Matt,

This letter serves as a request on behalf of Paso Robles Tank Inc. (Subcontractor) to obtain an American Iron and Steel (AIS) Availability Waiver for the specified Fin Neck Hardware (Bolts, Nuts, Washers) necessary to erect the forty-five thousand gallon (45,000) Bolted Steel storage tank located in the Town of Beatty, Nevada. This request is predicated on the basis that the specified component is not available in the required quantities in the United States, and that no domestically manufactured alternatives can be used to meet the requirements.

The goal behind erecting a new forty-five thousand gallon (45,000) Bolted Steel Tank is to provide the Town of Beatty Nevada and its neighboring communities adequate water supply throughout the dry season each year. The project originally had an anticipated completion date of May 30<sup>th</sup>, 2024. Timely procurement of the hardware needed to erect the Bolted Steel Tank is critical to the project schedule. The specified Fin Neck Hardware fastens each of the Tank's roof, shell & floor panels to one another. The tank cannot be assembled in any capacity without the specified Fin Neck hardware.

The Fin Neck Hardware must satisfy the project specification and drawings (see Exhibit A). However, while Paso Robles Tank Inc. selected the appropriate grade hardware as required by the project specification and structural calculations, we have found that the required Fin Neck Hardware is not AIS-compliant, and we have been unable to identify any manufacturers capable of supplying an AIS-compliant equivalent. The reasoning provided by the hardware manufacturers was that the quantities did not meet the minimum quote requirements due to the small nature of the Bolted Steel Tank.

Although minimal, the cost of the specified Fin Neck Hardware exceeds the five percent (5%) of total cost allotted within the National De Minimus waiver exemption clause. Paso Robles Tank Inc. & the State Representative believe that the overall cost of the tank should be considered when making this decision as once our American labor performed in Southern California required to transform stacks of flat, unprocessed, cold rolled steel into a forty-five thousand gallon Bolted Tank would increase the cost well above the five percent (5%) specified within the National De Minimus Waiver. Paso Robles Tank Inc. has been instructed by



an environmental engineer representing the DWSRF Team that this is not the case and for this reason PRT is requesting an AIS Availability Waiver on this project.

Exhibit B includes product data for the proposed Fin Neck Hardware.

### General Waiver Requirements

#### 1. Description of the Material: Locking Fin Neck Hardware (bolts, nuts & washers)

- a. Bolt, Polycap, Fin Neck 1/2"-13.
  - SAE J429-Gr8 (Material Composition)
  - NZF3000 (Exterior Coating)
- b. Bonded Washer, 1/2".
  - SAE J429 (Material Composition)
  - HDG (Exterior Coating)
- c. Nut, 1/2" HEX.
  - SAE J429-Gr5 (Material Composition)
  - NZF3000 (Exterior Coating)

#### 2. Unit of Measure, Quantity, and Price:

### FIN NECK BOLT TAKE-OFF (01-15-24)

Job Number: 80015-BF-01  
 Customer Name: Town of Beathh  
 Tank Description: 45,000 Gallon Bolted Steel Tank  
 Tank Location: Beatty, NV  
 Prepared By: JEF

#### BILL OF MATERIALS

	QTY	DESCRIPTION	MATERIAL	EXT COATING
4500	min. 4,286	BOLT, POLYCAP, FIN NECK, Ø1/2"-13 X 1 1/4"	SAE J429-Gr8	NZF3000
1200	min. 980	BOLT, POLYCAP, FIN NECK, Ø1/2"-13 X 1 1/2"	SAE J429-Gr8	NZF3000
300	min. 48	BOLT, POLYCAP, FIN NECK, Ø1/2"-13 X 1 3/4"	SAE J429-Gr8	NZF3000
	0	BOLT, POLYCAP, FIN NECK, Ø1/2"-13 X 2"	SAE J429-Gr8	NZF3000
	0	BOLT, POLYCAP, FIN NECK, Ø1/2"-13 X 2 1/4"	SAE J429-Gr8	NZF3000
	0	BOLT, POLYCAP, FIN NECK, Ø1/2"-13 X 2 1/2"	SAE J429-Gr8	NZF3000
7500	min. 5,314	BONDED WASHER, Ø1/2"	SAE J429	HDG
6000	min. 5,314	NUT, Ø1/2" HEX	SAE J429-Gr5	NZF3000
	<del>XX106X</del>	<del>NUT CAP PUSH ON Ø1/2" NATURAL (FLOOR)</del>	<del>POLYCAP 13X</del>	<del>XX106X</del>



3. Anticipated Lead Time and Availability:

- a. The hardware specified in this waiver has an estimated lead time of eight (8) weeks.

4. Location of Construction Project:

- a. 36°54'28.8"N 116°46'17.0"W, Beatty, NV 89003
b. Located off the South side of the 374, in between Rhyolite Rd. and Mcr927513Rd.

5. [Redacted]

- [Redacted]

6. Justification for Use of Foreign Construction Materials

- a. Fin Neck Hardware that meets the requirements listed in item one (1) is not reasonably available in the United States. Large-scale suppliers that may potentially stock AIS hardware refuse to quote the quantities required.

7. Paso Robles Tank Inc. made a good faith effort to solicit bids for domestic iron and steel products, as demonstrated by the language in requests for proposals and communications with multiple hardware manufacturers and suppliers.

- a. AIS compliance documentation was specified to be required when issuing requests for all hardware proposals. Furthermore, the executed agreement demonstrates that Paso Robles Tank Inc. has in fact acknowledged the AIS compliance requirements.
b. Paso Robles Tank Inc. contacted three (3) manufacturers regarding AIS compliant Fin Neck Hardware as shown in Exhibit D, none of these manufacturers were able to provide AIS-compliant Fin Neck Hardware required for the tanks erection.



Availability Waiver Requirements

- 1. [Redacted]
2. Project Schedule:
a. The project was originally scheduled to be completed on May 30th, 2024. However, the project cannot move forward until hardware has been sourced.
b. Attached is an Updated Project Schedule based on the specified 8-week waiver review and additional Fin Neck Hardware lead times.
3. Relevant excerpts from project plans. Specifications, and permits indicating the required quantity and quality of construction materials:
a. Contract requirements including the applicable specification language and project plans for the required pressure regulating valve are provided in Exhibit A.
4. Documentation of the efforts to locate available domestic sources including a list of contacted suppliers:
a. Paso Robles Tank Inc. contacted three (3) manufacturers by telephone and email. Exhibit D includes email conversations between the suppliers documenting these communications. The following are the manufacturers that were contacted:
- [Redacted]
- [Redacted]
- [Redacted]
5. Contractor and/or supplier to provide a statement confirming the nonavailability of the domestic construction material which is sought:



a. Statements from the suppliers issued to Paso Robles Tank Inc. are provided in Exhibit D.

Sincerely,

Travis J. Rose, PM  
Project Manager



Paso Robles Tank, Inc.



Office: 775-525-2862 ext. 428 / Cell: 951-852-1581  
Website: [www.pasoblestank.com](http://www.pasoblestank.com)

Cc:

Christopher Reynolds, Paso Robles Tank Inc., Vice President  
Lyndsey Tsiopos, Olympus & Associates, Project Manager

Attachments:

- Exhibit A – American Iron and Steel Requirements
- Exhibit B – Fin Neck Product Data and Quote
- Exhibit C – EPA Confirmation of AIS Waiver Requirement
- Exhibit D – Confirmation of Nonavailability

This waiver request was submitted to the EPA by the state of Nevada and applies only to the project in the subject line. 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. There may be documents with project diagrams, schedules, and supplier correspondence 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 [DWSRFWaiver@epa.gov](mailto:DWSRFWaiver@epa.gov).