



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

DEC 16 2016

OFFICE OF
WATER

DECISION MEMORANDUM

SUBJECT: Project Waiver of American Iron and Steel Requirements to the San Francisco Public Utilities Commission in California for 16-inch TR Flex Pipe Fittings

FROM: Andrew D. Sawyers, Director
Office of Wastewater Management

A handwritten signature in blue ink, appearing to read "Andrew D. Sawyers", written over the "FROM:" field.

The U.S. Environmental Protection Agency is hereby granting a project waiver pursuant to the "American Iron and Steel" requirements of the Clean Water Act Section 608 under the authority of Section 608(c)(2) to the West County Wastewater District in California for the purchase of 16-inch TR Flex ductile iron pipe fittings. This waiver permits the use of these TR Flex fittings manufactured outside of the United States in the SFPUC's San Francisco Westside Recycled Water Pipeline project because no domestic manufacturers produce alternatives that meet the project's technical specifications. This is a product specific waiver and only applies to the use of the specified products for the proposed project funded by the Clean Water State Revolving Fund. Any other jurisdiction with projects funded by either the Clean Water or Drinking Water State Revolving Fund that wishes to use the same products must apply for a separate waiver.

Rationale: According to Section 608 of the Clean Water Act, CWSRF assistance recipients must use specific domestic iron and steel products that are produced in the United States if the project is funded through the SRFs. The EPA has the authority to determine whether it is necessary to waive this requirement based on certain circumstances set forth in Section 608(c)(2) of the Clean Water Act. The provision states that, "[the requirements] shall not apply in any case or category of cases in which the Administrator of the Environmental Protection Agency... finds that - (2) iron and steel products are not produced in the United States in sufficient and reasonably available quantities and of a satisfactory quality."

The SFPUC provided information to the Agency asserting that there are no manufacturers producing 16-inch TR Flex ductile iron fittings in the United States in sufficient and reasonably available quantities. The SFPUC plans to install a number of TR Flex fittings (including elbows, reducers and tees) as part of its San Francisco Westside Recycled Water Pipeline project. A representative from SFPUC contacted three different distributors, but was unable to find a domestic source for flexible joint pipe restraints, equivalent to TR Flex fittings in the size needed.

While the SFPUC was aware of other methods to restrain pipe besides using TR Flex fittings, the design engineer for the project required TR Flex fittings because switching to a different type of fitting and pipe system would make the new pipe system incompatible with the City's piping

system for pipes larger than 12 inches in diameter. In addition, the engineer claims that the TR Flex joints are needed to provide adequate allowable deflections in the pipe system and also offer restraint at the joint. Unrestrained mechanical joints may offer similar deflections to TR Flex joints, but restraining mechanical joints limits deflection. Using another method of restraining pipe joints would require significant redesign of the project which in turn would cause significant delays in the project schedule.

The EPA conducted market research on the supply and availability of 16-inch TR Flex fittings. The Agency was unable to find a domestic manufacturer of the specified TR Flex fittings and concluded that the applicant's claim is supported by available evidence. The Agency's market research identified two manufacturers that produce TR Flex fittings, but neither manufacturer produces the products domestically in the size required.

Since the applicant established a proper basis to specify a particular product required for this project and EPA substantiated the applicant's claim through market research that this product is not available from a manufacturer in the United States, the SFPUC is hereby granted a waiver from the AIS requirements. This waiver permits the purchase of the specified TR Flex fittings documented in the state of California's waiver request submittal on behalf of the applicant dated November 4, 2016.

If you have any questions concerning the contents of this memorandum, please contact Timothy Connor, Chemical Engineer, Water Infrastructure Division, at connor.timothy@epa.gov or (202) 566-1059.