



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

SEP 04 2019

OFFICE OF WATER

DECISION MEMORANDUM

SUBJECT: Project Waiver of American Iron and Steel Requirements to Douglas, Georgia for 16-inch Plug Valves

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

A handwritten signature in black ink, appearing to read "Andrew D. Sawyers", written over a horizontal line.

The U.S. Environmental Protection Agency (EPA) hereby grants 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 City of Douglas, Georgia, for the purchase of three 16-inch plug valves. This waiver permits the use of the plug valves manufactured outside of the United States for the force main portion of the Douglas Wastewater Treatment Plant Improvement project because no domestic manufacturers produce alternatives that meet the project's technical specifications. This is a project specific waiver and only applies to the use of the specified products for the proposed project funded by the Clean Water State Revolving Fund (CWSRF). Any other jurisdiction with projects funded by either the Clean Water or Drinking Water State Revolving Fund (DWSRF) 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 City of Douglas provided information to the Agency asserting that there are no manufacturers producing 16-inch, mechanical joint, eccentric plug valves in the United States in sufficient and reasonably available quantities, within a reasonable timeframe to meet the specifications of the project. The Douglas Wastewater Treatment Plant requires three 16-inch AWWA mechanical joint eccentric plug valves. The valve body must be of AWWA C517 ductile iron, bi-directional, and the valve plug is to be of buna-encapsulated ductile iron. Port size is specified at 100 percent full flow, the paint is to be NSF61 two-part epoxy, and the hardware is to be of stainless steel. The gear is specified as AWWA C517 worm gear w/stainless steel pinion shaft and the operator as a 2-inch OP nut. Additionally, these valves must be installed and tested on the force main before the local wet weather season, which coincides with the project's completion schedule. One manufacturer stated they could produce the valves domestically, however, the lead time and delivery would be twelve weeks beyond the delivery estimate for non-domestic

plug valves. Consequently, the City of Douglas, Georgia asserted that use of domestic plug valves will adversely delay project completion.

The EPA conducted market research on the supply and availability of 16-inch plug valves suitable to the project specifications. The Agency's market research identified no domestic manufacturers that produce plug valves to meet the specifications of the project and within an adequate time to install and test the valves before the scheduled completion of the project (which coincides with the area's wet weather season). The EPA contacted all known manufacturers or suppliers of plug valves. Only one of twelve companies contacted by the Agency could produce alternative plug valves domestically. However, this company could not meet the specifications or schedules of the project due to a delay of 12 weeks in lead and delivery time for the valves. None of the other companies contacted could provide a domestic product to meet the specifications of the project or within the required timeframe for installation and testing. During public comment solicitation, the EPA received no (zero) comments from any interested party, manufacturer, or other. An additional email was sent to these specific manufacturers and national trade associations concurrent with the 15-day public comment period, alerting them to the waiver and requesting that they provide comments within 15 days. There was no response to the email from any manufacturer. The EPA concluded that the applicant's claims are supported by available evidence.

Since the applicant established a proper basis to specify a product required for this project and since the EPA substantiated the applicant's claims through market research that the products are not available from a manufacturer in the United States within the required timing for installation and testing, the City of Douglas, Georgia is hereby granted a waiver from the AIS requirements. This waiver permits the purchase of the specified plug valves, as requested by the recipient on July 30, 2019.

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.