



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

NOV 12 2019

OFFICE OF WATER

DECISION MEMORANDUM

SUBJECT: Availability-Based Project Waiver of American Iron and Steel Requirements for a 24" Insertion Valve in the City of Hollywood, FL Water Main Replacement Program Project No. 14-5122
Waiver Number 04-DW-0008

FROM: Jennifer L. McLain, Director
Office of Ground Water and Drinking Water

A handwritten signature in black ink, appearing to read "Jennifer L. McLain", is written over the "FROM:" line.

The U.S. Environmental Protection Agency (EPA) is hereby granting an availability-based project-specific waiver pursuant to the American Iron and Steel (AIS) requirements to the City of Hollywood, Florida for the purchase of one 24-inch insertion valve for the Water Main Replacement Program Project No. 14-5122. This waiver permits the use of one 24-inch insertion valve that has not been produced domestically because no known domestic manufacturers produce a product that meets the project's technical specifications. This project-specific waiver only applies to the use of the specified product for the referenced project funded by the Drinking Water State Revolving Fund (DWSRF). Any other project funded by either the Drinking Water or Clean Water State Revolving Fund (SRF) that wishes to use the same product must request a separate waiver based on the specific project circumstances.

Rationale: The AIS provision requires DWSRF assistance recipients to use specific domestic iron and steel products if the project is funded through an SRF assistance agreement unless the EPA determines that it is necessary to waive this requirement. The EPA has the authority to issue waivers in accordance with section 1452(a)(4)(A) of the Safe Drinking Water Act. The provision states in part: "[the requirements] shall not apply in any case or category of cases in which the Administrator of the Environmental Protection Agency ... finds that ... iron and steel products are not produced in the United States in sufficient and reasonably available quantities and of a satisfactory quality."

The Water Main Replacement Program project consists of installing over 21 miles of new distribution water mains. Some of these new water mains will connect to an existing 24-inch transmission main, which currently feeds the existing water distribution systems throughout the City, including some that serve critical facilities. Therefore, shutdowns must be kept to a minimum. During construction, the City of Hollywood Underground Utilities staff realized that the few existing valves along the 24-inch transmission main do not close properly. To prevent water loss and minimize down time, an insertion valve is needed to disconnect existing distribution mains to be abandoned from the transmission main.

The City, through their contractor, conducted research to find a domestic manufacturer of 24-inch insertion valves and provided information to the EPA demonstrating that no manufacturers produced these valves domestically.

The EPA conducted market research on the supply and availability of 24-inch insertion valves and concluded that there are no domestic manufacturers of these products that meet the project's technical specifications. Per statutory requirement, the waiver request was posted on the EPA's AIS website for the mandatory 15-day public comment period, and the Agency received no public comments.

The EPA is granting an availability-based waiver from the AIS requirements to the City of Hollywood, Florida for the Water Main Replacement Program Project No. 14-5122 with respect to one 24-inch insertion valve. This waiver permits the purchase of one 24-inch insertion valve using DWSRF funds as documented in the State of Florida's waiver request submittal on behalf of the assistance recipient, dated October 20, 2019.

Legal Authority: Legal authority for the AIS requirements for DWSRF projects is included under the Safe Drinking Water Act, under the authority of section 1452(a)(4)(A).

If you have questions concerning the contents of this memorandum, please contact Jorge Medrano, Environmental Engineer, Drinking Water Protection Division, at medrano.jorge@epa.gov or (202) 564-1968.