



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

OFFICE OF WATER

**DECISION MEMORANDUM**

**SUBJECT:** Availability-Based Project Waiver of American Iron and Steel Requirements for one 18-inch Plunger Valve for the Central Utah Water Conservancy District, UT Tyzack Vault Capital Replacement Project  
Waiver Number 08-DW-0013

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

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 Central Utah Water Conservancy District (CUWCD), Utah, for the purchase of one 18-inch plunger valve for the Tyzack Vault Capital Replacement Project. This waiver permits the use of one non-domestic 18-inch plunger valve, 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 EPA determines that it is necessary to waive this requirement. EPA has the authority to issue waivers in accordance with section 1452(a)(4)(C)(ii) 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 Tyzack Vault Capital Replacement Project is located at the Ashley Valley Water Treatment Plant, which receives its influent water from the Red Fleet Reservoir. For this project, an existing valve that is at the end of its useful life will be replaced with one 18-inch plunger valve. The plunger valve will be used to control the pressure and flow of water transmission in a bypass vault. The performance of the plunger valve was designed to meet the range of flow and pressure specified without cavitation to the valve or downstream piping. The product must also be suitable for contact with drinking water in accordance with NSF Standard 61.

The CUWCD conducted research to find a domestic manufacturer of 18-inch plunger valves and provided information to EPA demonstrating that no manufacturers produce this valve domestically.

EPA conducted market research on the supply and availability of 18-inch plunger 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 EPA's AIS website for the mandatory 15-day public comment period, and the Agency received no public comments.

EPA is granting an availability-based waiver from the AIS requirements to the Central Utah Water Conservancy District, Utah for the Tyzack Vault Capital Replacement Project with respect to one 18-inch plunger valve. This waiver permits the purchase of one 18-inch plunger valve using DWSRF funds as documented in the State of Utah's waiver request submittal on behalf of the assistance recipient, dated June 29, 2020.

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).

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.