



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 Triple Offset Ball Valves, Double Check Valves, and Chlorine and Ammonia Tanks in the City of Arlington, TX Pierce-Burch Water Treatment Plant Improvements Project
Waiver Number 06-DW-0007

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

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Date: 2022.08.17 10:34:39 -04'00'

Decision: 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 Arlington, Texas, for the purchase of 30-inch triple offset ball valves, 4-inch through 10-inch double check valves, and chlorine and ammonia bulk storage tanks for the Pierce-Burch Water Treatment Plant Improvements Project. This waiver permits the use of triple offset ball valves, double check valves, and bulk chemical storage tanks because no known domestic manufacturers produce a product that meets the project's technical specifications. This project-specific waiver applies only 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 the DWSRF, Clean Water State Revolving Fund, or the Water Infrastructure Finance and Innovation Act 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."

Background of Waiver Request: The City is upgrading the Pierce-Burch Water Treatment Plant to address equipment limitations and allow the water system to operate reliably at full capacity. This project includes design and construction of a new chemical facility, clearwells, pump station, surge tanks, filter backwash water recycle basin, associated valve vaults, site drainage, and related piping at the Pierce-Burch Water Treatment Plant. The new high service pump station will serve both the lower and upper pressure zone of the City's distribution system, with a maximum pumping capacity of 75 million gallons per day. Triple offset ball valves are necessary for adequate isolation, tight seal for bi-directional flow conditions, and transfer of surge forces through the valve body supports in the high service pump station. Double check valves are required to prevent cross contamination of the new chemical facility from the City's potable water system, as required by the State. The chlorine and anhydrous ammonia welded carbon steel pressure tanks will store bulk amounts of liquid chemicals on site to meet State storage requirements.

The City contacted domestic manufacturers to find AIS-compliant triple offset ball valves, double check valves, and bulk chemical storage tanks and provided information to EPA demonstrating that no domestic manufacturers of triple offset ball valves, double check valves, and bulk chemical storage tanks meet the project's technical specifications.

Assessment of Waiver Request: EPA conducted market research on the supply and availability of triple offset ball valves, double check valves, and bulk chemical storage tanks 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. EPA received no public comments.

Finding: EPA is granting an availability-based waiver from the AIS requirements to the City of Arlington, Texas, for the Pierce-Burch Water Treatment Plant Improvements Project with respect to triple offset ball valves, double check valves, and bulk chemical storage tanks. This waiver permits the purchase of 30-inch triple offset ball valves, 4-inch through 10-inch double check valves, and chlorine and ammonia bulk storage tanks using DWSRF funds as documented in the State of Texas's waiver request submittal on behalf of the assistance recipient, dated June 15, 2022.

Legal Authority: Legal authority for the AIS requirements for DWSRF projects, including waiver authority, is included in the Safe Drinking Water Act 1452(a)(4).

If you have questions concerning the contents of this memorandum, please contact Dallas Shattuck, Physical Scientist, Drinking Water Infrastructure Development Division, at shattuck.dallas@epa.gov or (202) 564-0972.