



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

OFFICE OF WATER

DECISION MEMORANDUM

SUBJECT: Project-Specific Availability Waiver of American Iron and Steel Requirements to the City of Roseville, California for Pressure Regulating and Pressure Relief Valves

FROM: Andrew Sawyers, Director
Office of Wastewater Management

Decision: The U.S. Environmental Protection Agency (EPA) is hereby granting a project waiver pursuant to the “American Iron and Steel” (AIS) requirements of the Clean Water Act Section 608 under the authority of Section 608(c)(2) to the City of Roseville in California (Applicant) for pressure regulating and pressure relief valves. This waiver permits the use of these valves in the Applicant’s Pleasant Grove Wastewater Treatment Expansion and Energy Recovery project because no domestic manufacturers produce alternatives that meet the technical specifications of the project.

This waiver applies only to the proposed project funded by the Clean Water State Revolving Fund (CWSRF). Any other jurisdiction with projects funded by either the CWSRF, the Drinking Water State Revolving Fund (DWSRF), or the Water Infrastructure Finance and Innovation Act (WIFIA) that wishes to use the same products must apply for a separate waiver.

Rationale: Section 608 of the Clean Water Act requires CWSRF assistance recipients for treatment works projects to use specific iron and steel products that are produced in the United States. EPA has the authority to determine whether it is necessary to waive this requirement based on certain circumstances set forth in Section 608(c) 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 EPA] 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.”

Background of Waiver Request: The Applicant provided information to EPA asserting that there are no domestic manufacturers producing pressure regulating or pressure relief valves in sufficient and reasonably available quantities and of a satisfactory quality. The

Expansion and Energy Recovery Project requires ¼-inch, 2-inch, and 3-inch pressure regulating valves at various locations to reduce the process gas pressure to meet the inlet requirements of downstream equipment. The regulating valves must have stainless steel stems, plugs, and trims that can be connected to stainless steel tubing without additional dielectric fittings. The project also requires 1 ¼-inch and 1 ½-inch pressure relief/safety valves to restrict the gas from exceeding the acceptable pressure inside the tank, and to protect the downstream waste gas burner if an upstream pressure reducing valve should fail. The pressure relief valves are required to have a carbon steel body with a threaded cap and 3 psig (pounds per square inch, gauge) to 1400 psig allowable pressure.

Assessment of Waiver Request: EPA conducted market research and a public comment period on the supply and availability of pressure regulating and pressure relief valves. The basis of evaluation included thorough review of the waiver request submission, examination of domestic manufacturer catalogs or other technical data and marketing materials, personal communication with domestic manufacturers, inquiries of state staff, and outreach to contractors and engineers with expertise and familiarity with the project. During market research, EPA contacted eight (8) manufacturers and suppliers of pressure regulating and pressure release valves. None (zero) of the manufacturers stated the products could be produced domestically to meet the technical specifications of the project. EPA received no (zero) public comments to the waiver request.

Finding: Since the Applicant established a proper basis to specify the products required for this project, and because EPA substantiated the Applicant's claim through market research that the products are not available from a manufacturer in the United States, the City of Roseville, California is hereby granted a waiver from the AIS requirements. This waiver permits the purchase of the specified pressure regulating and pressure release valves, as documented in the California Water Board's waiver request submittal on behalf of the Applicant dated February 17, 2023.

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.