OFFICE OF WATER

DECISION MEMORANDUM

SUBJECT: Project-Specific Availability Waiver of American Iron and Steel
Requirements to the City of Columbus, Ohio for Drip Leg Steam Traps

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 Columbus, Ohio (Applicant) for drip leg steam traps. This waiver permits the use of these steam traps, manufactured outside of the United States, in the Southerly Wastewater Treatment Plant (SWWTP) Digester Process Expansion 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, or the Water Infrastructure Finance and Innovation Act that wishes to use the same product 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 drip leg steam traps in sufficient and reasonably available quantities and of a satisfactory quality. The SWWTP Digester Process Expansion project requires the installation of ½ -inch drip leg steam traps. These steam traps are an essential part of the overall heater assembly and are critical to the

heaters ability to function properly by preventing the buildup of condensation during the startup and cool down of the heater.

Assessment of Waiver Request: EPA conducted market research and a public comment period on the supply and availability of these drip leg steam traps. 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 twenty (20) manufacturers and suppliers of these steam traps. There were no (zero) manufacturers who indicated they could provide drip leg steam traps that met the technical specifications of the project and were AIS compliant. EPA received no (zero) public comments to the waiver request.

Finding: Since the Applicant established a reasonable basis to specify the product required for this project, and because EPA substantiated the Applicant's claim through market research that this product is not available from a manufacturer in the United States, the City of Columbus, Ohio is hereby granted a waiver from the AIS requirements for their SWWTP Digester Process Expansion project. This waiver permits the purchase of drip leg steam traps, as documented in the State of Ohio's waiver request submittal on behalf of the Applicant dated March 21, 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.