



OFFICE OF WASTEWATER MANAGEMENT

WASHINGTON, D.C. 20460

DECISION MEMORANDUM

SUBJECT: Project-Specific Availability Waiver of American Iron and Steel Requirements to the City of Daytona Beach, Florida for a 6-Inch Flanged Strainer

FROM: Andrew Sawyers, Director

Decision: The U.S. Environmental Protection Agency is hereby granting a project-specific 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 Daytona Beach, Florida (Applicant) for a 6-inch flanged strainer. This waiver permits the use of this strainer, manufactured outside of the United States, in the Westside Regional Water Reclamation Facility Influent Pump Station and Headworks 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. The 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 the 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 the EPA asserting that there are no domestic manufacturers producing 6-inch flanged strainers in sufficient and reasonably available quantities and of a satisfactory quality. The City of Daytona Beach is replacing their existing headworks structure to reduce maintenance costs and increase the efficiency and the capacity of the plant. The strainer will be on the influent line to the booster

pump station to keep sediment from building up in the pressure reducing valve downstream. The strainer should have a U.S. Mesh value of 10 and a C_v (Valve Flow Coefficient) of at least 500.

Assessment of Waiver Request: The EPA conducted market research and a public comment period on the supply and availability of this 6-inch flanged strainer. 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, the EPA contacted twenty-one (21) manufacturers and suppliers of these flanged strainers. Zero (0) manufacturers indicated they could provide a 6-inch flanged strainer that met the technical specifications of the project and was AIS compliant. The EPA received three (3) public comments to the waiver request. One comment affirmed that their domestic manufacturing company could not provide the product. A second commenter requested clarification about the reason for public comments. The last comment came from a manufacturer, who was originally contacted during the market research period. The manufacturer stated that it could domestically produce this 6-inch strainer. Upon further communication between the EPA and the manufacturer in April 2024, it was discovered that the product would not be cast domestically and, therefore, would not be AIS compliant.

Finding: Since the Applicant established a reasonable basis to specify the products required for this project, and because the 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 Daytona Beach, Florida is hereby granted a waiver from the AIS requirements. This waiver permits the use of a 6-inch flanged strainer, as documented in the State of Florida's waiver request submittal on behalf of the Applicant dated February 27, 2024.

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.