



OFFICE OF GROUND WATER AND DRINKING WATER

WASHINGTON, D.C. 20460

MEMORANDUM

SUBJECT: Availability-Based Project Waiver of American Iron and Steel Requirements for Water Meter Boxes for Selma Waterworks, Alabama Lead Service Line Replacement Project Waiver Number 04-DW-0020

FROM: Jennifer L. McLain, Director

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 of the Safe Drinking Water Act (SDWA) to Selma Waterworks, AL (Applicant), for the purchase of water meter boxes for the Lead Service Line Replacement Project. This waiver permits the use of water meter boxes 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. The EPA has the authority to issue waivers in accordance with Section 1452(a)(4)(C)(ii) of the SDWA. The provision states in part: “[the requirements] shall be waived 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: This project consists of replacing lead and galvanized service lines within the system. These improvements will eliminate potential health hazards associated with lead piping and lead component material and improve compliance with the Lead and Copper Rule. This work requires the installation of two hundred (200) water meter boxes with unique, customized dimensions that provide ease of access to facilitate repairs and reduce the potential for damage caused by vehicular traffic.

The Applicant conducted research to find a domestic manufacturer of AIS-compliant water meter boxes and provided information to EPA demonstrating that no domestic manufacturers of water meter boxes meet the project's technical specifications.

Assessment of Waiver Request: The EPA conducted market research on the supply and availability of water meter boxes and reached out to 13 known water meter boxes manufacturers, suppliers, and distributors. Three indicated they could provide domestic water meter boxes options. Two of those manufacturers could not comply with the specified dimensions required for access, and the other only offered a thermos-plastic option, but the project specifies cast-iron meter boxes to reduce damage from vehicular traffic. After contacting the manufacturers, the Applicant determined and documented to the EPA that those options do not meet the project's technical specifications.

Per statutory requirement, the waiver request was posted on the EPA's AIS website for the mandatory 15-day public comment period. The EPA received one public comment from a manufacturer indicating they had potential domestic water meter boxes. This manufacturer could not comply with the customized specified dimensions; therefore, this option does not meet the project's technical specifications.

Finding: The EPA is granting an availability-based waiver from the AIS requirements to Selma Waterworks, for the Lead Service Line Replacement Project with respect to water meter boxes. This waiver permits the purchase of water meter boxes using DWSRF funds as documented in the State of Alabama's waiver request submittal on behalf of the assistance recipient, dated June 10, 2024.

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

If you have questions concerning the contents of this memorandum, please contact Jorge Medrano, Environmental Engineer, Drinking Water Infrastructure Development Division, at medrano.jorge@epa.gov.