



OFFICE OF GROUND WATER AND DRINKING WATER

WASHINGTON, D.C. 20460

MEMORANDUM

SUBJECT: Availability-Based Project Waiver of American Iron and Steel Requirements for Globe Style Silent Check Valves for the City of Grand View, Idaho Water System Improvements Project
Waiver Number 10-DWA-0011

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 the City of Grand View, ID (Applicant), for the purchase of globe style silent check valves for the Water System Improvements Project. This waiver permits the use of globe style check valves 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: The project consists of a new treatment building, nitrate treatment system, new water main, and various improvements for the City of Grand View. This project requires the installation of two (2) three-inch globe style silent check valves with unique, stainless-steel trim. These valves are subject to ferric chloride in the water and the stainless-steel trim provides increased corrosion resistance and extend the useful life of the valves.

The Applicant conducted research to find a domestic manufacturer of AIS-compliant globe style silent check valves and provided information to EPA demonstrating that no domestic manufacturers produce globe style silent check valves that meet the project's technical specifications.

Assessment of Waiver Request: The EPA conducted market research on the supply and availability of globe style silent check valves and reached out to nine known globe style silent check valves manufacturers, suppliers, and distributors and received a response from six. Two indicated they could provide domestic globe style silent check valves, but only in bronze and not the required stainless-steel trim. One manufacturer could only provide flanged valves. 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 globe style silent check valves. 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 the City of Grand View, for the Water System Improvements Project with respect to globe style silent check valves. This waiver permits the purchase of globe style silent check valves using DWSRF funds as documented in the State of Idaho's waiver request submittal on behalf of the assistance recipient, dated January 9, 2025.

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 Ivy Shorter, Physical Scientist at shorter.ivy@epa.gov, or Jorge Medrano, Environmental Engineer at medrano.jorge@epa.gov, Drinking Water Infrastructure Development Division.