



## OFFICE OF WASTEWATER MANAGEMENT

WASHINGTON, D.C. 20460

### **DECISION MEMORANDUM**

**SUBJECT:** Project Waiver of American Iron and Steel Requirements for the King County Wastewater 2022 Improvements Projects – Project 1 [N21121WA] to King County in King County, Washington for Small Bore Stainless Steel Fittings Class 150# ¼ to 2-inch sizes

**FROM:** Andrew D. 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 33 U.S.C. § 3914 under the authority of 33 U.S.C. § 3914(c)(2) to King County, Washington (Applicant) for small bore stainless steel fittings class 150# ¼ inch to 2-inch sizes. This waiver permits the use of this product, produced outside the United States, and in the specific size requested, at the West Point Treatment Plant (WPTP) Raw Sewage Pumps (RSP) and Grit Classifier Replacement Project because no known domestic manufacturers produce AIS-compliant small bore stainless steel fittings class 150# in ¼ inch to 2-inch sizes in sufficient and reasonably available quantities to meet the project’s technical specifications and schedule.

This is a product-specific waiver and only applies to the use of the specified products for the proposed project funded by the Water Infrastructure Finance and Innovation Act (WIFIA). Any other jurisdiction with projects funded by either WIFIA or the State Revolving Funds (SRFs) that wishes to use the same products must apply for a separate waiver.

Rationale: According to WIFIA at 33 U.S.C. §3914, WIFIA loan recipients must use specific domestic 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 33 U.S.C. § 3914(c)(2). The applicable provision states that the requirements shall not apply: “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 Applicant provided information to the EPA asserting that there are no domestic manufacturers producing small bore stainless steel fittings class 150# in ¼ inch to 2-inch sizes in sufficient and reasonably available quantities and of a satisfactory quality. The mechanical component for the fittings is associated with the work for hose bibbs, flushing connections, instruments, and other components located in and around the RSP and Grit Classifier Buildings at the West Point Treatment Plant.

Assessment of Waiver Request: The EPA conducted market research and a public comment period on the supply and availability of small bore stainless steel fittings class 150# in ¼ inch to 2-inch sizes. 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. For market research, the EPA contacted nine (9) manufacturers or suppliers. One responded as a potential AIS-compliant option for stainless steel fittings, and King County followed up with the manufacturer. However, after further communication, the manufacturer stated they could not provide the product that would meet the technical specifications for the project. None of the remaining eight (8) manufacturers or suppliers responded indicating they had potential domestic alternatives. The EPA also posted the waiver request for a 15-day public comment period. The EPA received no (zero) public comments to the waiver. Therefore, the EPA agrees with the assessment that no domestic manufacturers produce small bore stainless steel fittings class 150# in ¼ inch to 2-inch sizes meeting the project's technical specifications.

Finding: Since the Applicant established a proper basis to specify the Stainless Steel Fittings required for this project, and because the EPA substantiated the Applicant's claim that these products are not produced or readily available from a manufacturer in the United States, King County, Washington is hereby granted a waiver from the AIS requirements for the West Point Treatment Plant (WPTP) Raw Sewage Pumps (RSP) and Grit Classifier Replacement Project. This waiver permits the purchase of the specified products as documented in the Applicant's waiver request submittal to WIFIA, dated June 4, 2025.

If you have any questions concerning the contents of this memorandum, please contact Samuel Ramsland Environmental Engineer, WIFIA Program, at [ramsland.samuel@epa.gov](mailto:ramsland.samuel@epa.gov).