



OFFICE OF WASTEWATER MANAGEMENT

WASHINGTON, D.C. 20460

DECISION MEMORANDUM

SUBJECT: Project Waiver of American Iron and Steel Requirements to the City of Pflugerville, Texas in Pflugerville, Texas for 16-inch Ductile Iron Plug Valves in the City of Pflugerville Master Program – Water and Wastewater CIP Tranche 2 Project (WIFIA - N22164TX)

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 the City of Pflugerville in Pflugerville, Texas (Applicant) for 16-inch ductile iron plug valves. This waiver permits the use of this product, produced outside the United States, and in the specific size requested, in the City of Pflugerville Master Program – Water and Wastewater CIP Tranche 2 Project as domestic 16-inch ductile iron plug valves that meet the Project’s technical specifications are not currently available, and the extended lead times after approval are not sufficient to meet the Project’s 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 16-inch ductile iron plug valves in sufficient and reasonably available quantities and of a satisfactory quality on a reasonable schedule. The Project includes components related to force main installation, which relies heavily on 16-inch ductile iron plug valves along the alignment.

Assessment of Waiver Request: The EPA conducted market research and a public comment period on the supply and availability of 16-inch ductile iron plug valves. 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 15 manufacturers or suppliers. Responses were received from all companies. Four (4) of the 15 companies indicated they could provide AIS compliant 16-inch ductile iron plug valves that closely match the project specifications. However, three (3) of these companies confirmed that the lead time for the produce would range from 18 to 42 weeks, which would significantly impact the Project's schedule. One (1) company did not respond to the request for lead time information.

The remaining eleven (11) companies indicated that they could not provide AIS-compliant 16-inch ductile iron plug valves that meet the Project's technical specifications. 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 16-inch ductile iron plug valves meeting the Project's technical specifications or in a reasonably available manner due to lead times.

Finding: Since the Applicant established a proper basis to specify the 16-inch ductile iron plug valves required for this Project, and because the EPA substantiated the Applicant's claim that these products are not produced or reasonably available from a manufacturer in the United States, the City of Pflugerville in Pflugerville, Texas is hereby granted a waiver from the AIS requirements for 16-inch ductile iron plug valves for the City of Pflugerville Master Program – Water and Wastewater CIP Tranche 2 Project. This waiver permits the purchase of the specified products as documented in the Applicant's waiver request submittal to WIFIA, dated August 4, 2025.

If you have any questions concerning the contents of this memorandum, please contact Dan-Tam Nguyen, Environmental Engineer, WIFIA Program, at Nguyen.Dan-Tam@epa.gov.