OFFICE OF GROUND WATER AND DRINKING WATER

WASHINGTON, D.C. 20460

MEMORANDUM

SUBJECT: Availability-Based Project Waiver of American Iron and Steel Requirements for High Pressure Check Valves for the City of Killington New Public Water System Project Waiver Number 01-DWA-0010

FROM: Jennifer L. McLain, Director JENNIFER MCLAIN Digitally signed by JENNIFER MCLAIN Date: 2025.10.09 10:26:47 -04'00'

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 Town of Killington, VT, (Applicant), for the purchase of high pressure check valves for the Killington New Public Water System Project. This waiver permits the use of high pressure check valves because no known manufacturers produce a domestic product that meets the technical specifications of the project. 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 water source, storage, and piping system that is the initial phase of a larger water system project for the Town of Killington. The current phase of work includes a high service pressure pump station that will convey water from an in-building clearwell to the water storage tank. The raw water and finished water transmission mains are 16-inch diameter ductile iron, a total of 19,800 feet. The high-pressure ductile iron water main is required for the first 3,000 ft of main from the pumps' discharge due to a 700-psi operating pressure. This project requires the installation of six-inch high pressure (1000-psi) stainless steel check valves with class 600 flanges. These valves will be located on each of the high pressure pumps discharge and are used to prevent backflow, protecting the pump and maintaining one-way flow and system pressure.

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

Assessment of Waiver Request: The EPA conducted market research on the supply and availability of high pressure check valves and reached out to nine (9) known high pressure check valves manufacturers, suppliers, and distributors. No (zero) manufacturers indicated that they could provide a domestic option. 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 no public comments.

Finding: The EPA is granting an availability-based waiver from the AIS requirements to the Town of Killington, for the Killington New Public Water System Project with respect to the high pressure check valves. This waiver permits the purchase of high pressure check valves using DWSRF funds, as documented in the State of Vermont's waiver request submittal on behalf of the assistance recipient, dated May 19, 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 Anshu Sinha, Environmental Engineer at sinha.anshu@epa.gov, or Jorge Medrano, Environmental Engineer at medrano.jorge@epa.gov, Drinking Water Infrastructure Development Division.