



OFFICE OF GROUND WATER AND DRINKING WATER

WASHINGTON, D.C. 20460

MEMORANDUM

SUBJECT: Availability-Based Project Waiver of American Iron and Steel Requirements for Pressure Reducing Valves and Safety Valves for the Johnson County Wolcott Horizontal Collector Well Pumphouse Project
Waiver Number 07-DWA-011

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 Johnson County, KS (Applicant), for the purchase of pressure reducing valves and safety valves. This waiver permits the use of pressure reducing valves and safety 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 the 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 constructing a new horizontal collector well, including a pumphouse and transmission main. In addition, the project will install new vertical wells along the Kansas River and replace a concrete cylinder transmission main and

parallel 6-inch and 8-inch distribution mains. The pressure reducing valves and safety valves are integral to the function of the pumphouse.

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

Assessment of Waiver Request: The EPA conducted market research on the supply and availability of pressure reducing valves and safety valves and reached out to fifteen (15) manufacturers, suppliers, and distributors. No (zero) manufacturers indicated that they could provide a domestic option that meets 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 no public comments during the public comment period.

Finding: The EPA is granting an availability-based waiver from the AIS requirements to Johnson County, for the Wolcott Horizontal Collector Well Pumphouse Project, with respect to the pressure reducing valves and safety valves. This waiver permits the purchase of pressure reducing valves and safety valves using DWSRF funds, as documented in the State of Kansas's waiver request submittal on behalf of the assistance recipient, dated August 16, 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 Alexis Johnson, Physical Scientist at johnson.alexis.j@epa.gov, Drinking Water Infrastructure Development Division.