



OFFICE OF GROUND WATER AND DRINKING WATER

WASHINGTON, D.C. 20460

MEMORANDUM

SUBJECT: Availability-Based Project Waiver of American Iron and Steel Requirements for Double Check Valves for Oklahoma City, Draper Water Treatment Plant Electrical Improvements Project
Waiver Number 06-DWA-0016

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 Oklahoma City, OK (Applicant), for the purchase of double check valves for the Draper Water Treatment Plant Electrical Improvements Project. This waiver permits the use of double 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 improvements to the HVAC systems that are required to maintain the high service pump station and the auxiliary high service pump station at the Draper Water Treatment Plant. The project requires the installation of 6-inch double check valves to prevent the reverse flow of chilled water into the potable water supply when the new HVAC unit uses makeup water for filling, as required by the Oklahoma Department of Environmental Quality.

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

Assessment of Waiver Request: The EPA conducted market research on the supply and availability of double check valves and reached out to nine (9) known double 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 Oklahoma City, for the Draper Water Treatment Plant Electrical Improvements Project with respect to double check valves. This waiver permits the purchase of 6-inch double check valves using DWSRF funds as documented in the State of Oklahoma's waiver request submittal on behalf of the assistance recipient, dated July 18, 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, Drinking Water Infrastructure Development Division.