OFFICE OF GROUND WATER AND DRINKING WATER

WASHINGTON, D.C. 20460

MEMORANDUM

SUBJECT: Availability-Based Project Waiver of American Iron and Steel Requirements for Space Frame Structures for Southern Nevada Water Authority River Mountains Ozone Replacement System Project
Waiver Number 09-DWA-0034

FROM: Jennifer L. McLain, Director JENNIFER MCLAIN Digitally signed by JENNIFER MCLAIN Date: 2025.10.22 17:22:46 -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 Southern Nevada Water Authority, NV (Applicant), for the purchase of space frame structures for use in its River Mountains Ozone Replacement System Project. This waiver permits the use of non-domestic space frame structures 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 replacing aging ozone treatment equipment, standardizing equipment controls, and enhancing system resiliency. The project specifications call for manufactured steel space frame structures consisting of steel tubes, steel

nodes, steel bolts, and aluminum sunshade panels to be installed on the roof of the River Mountain Water Treatment Facility. These structures will protect the ozone control valves and flow meters from the extreme heat and sun of the Las Vegas desert in order to prevent equipment degradation.

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

Assessment of Waiver Request: The EPA conducted market research on the supply and availability of space frame structures and reached out to ten (10) known space frame structures 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.

Finding: The EPA is granting an availability-based waiver from the AIS requirements to Southern Nevada Water Authority, for the River Mountains Ozone Replacement System Project with respect to space frame structures. This waiver permits the purchase of space frame structures using DWSRF funds, as documented in the State of Nevada's waiver request submittal on behalf of the assistance recipient, dated August 7, 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 Jorge Medrano, Environmental Engineer at medrano.jorge@epa.gov, Drinking Water Infrastructure Development Division.