



OFFICE OF GROUND WATER AND DRINKING WATER

WASHINGTON, D.C. 20460

MEMORANDUM

SUBJECT: Availability-Based Project Waiver of American Iron and Steel Requirements for Small Diameter Stainless Steel Pipe for JXN Water, MS, Corrosion Control Project Waiver Number 04-DWA-0025

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 JXN Water for the purchase of small diameter stainless steel pipe (1-inch and ½-inch) for the Corrosion Control Project in the City of Jackson, Mississippi. This waiver permits the use of small diameter stainless steel pipe because no known domestic manufacturers produce a product that meets the project's technical specifications. 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 is a part of ongoing improvements at the O.B. Curtis Water Treatment Plant (WTP). The small diameter stainless steel pipe is for the CO₂ compressed gas lines that are being installed from the CO₂ panels to High Service Pump Stations 1 & 2 and the Raw Water Station injection points.

JXN Water conducted research to find a domestic manufacturer of AIS-compliant small diameter stainless steel pipe and provided information to the EPA demonstrating that no domestic manufacturers of small diameter stainless steel pipe meet the project's technical specifications.

Assessment of Waiver Request: The EPA conducted market research on the supply and availability of small diameter stainless steel pipe by contacting known manufacturers, suppliers and distributors. During market research, the EPA reached out to twelve (12) known manufacturers of small diameter stainless steel pipe. No domestic manufacturers were identified which could meet the technical specifications for the small diameter stainless steel pipe.

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 three (3) comments from manufacturers indicating that they could provide AIS compliant small diameter stainless steel pipe. When contacted, one manufacturer informed the project that they do not manufacture pipe. The other two commenters informed the project that they do not offer or manufacture seamless versions of the product. Therefore, they do not meet the technical specifications of the project.

Finding: The EPA is granting an availability-based waiver from the AIS requirements to JXN Water, for the Corrosion Control Project with respect to small diameter (1-inch and ½-inch) stainless steel pipe. This waiver permits the purchase of small diameter stainless steel pipe using DWSRF funds as documented in the State of Mississippi's waiver request submittal on behalf of the assistance recipient, dated November 11, 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 Daniel La Bella, Environmental Engineer, Drinking Water Infrastructure Development Division, at labella.daniel@epa.gov.