



## OFFICE OF WASTEWATER MANAGEMENT

WASHINGTON, D.C. 20460

### **DECISION MEMORANDUM**

**SUBJECT:** Project-Specific Availability Waiver of American Iron and Steel Requirements to Talbot County, Maryland for Combination Curb-Stop and Check Valve Assemblies

**FROM:** Andrew Sawyers, Director

Decision: The U.S. Environmental Protection Agency is hereby granting a project waiver pursuant to the “American Iron and Steel” (AIS) requirements of the Clean Water Act Section 608 under the authority of Section 608(c)(2) to Talbot County, Maryland (Applicant) for combination curb-stop and check valve assemblies. This waiver permits the use of these combination curb-stop and check valve assemblies, manufactured outside of the United States, in the Region II Sewer System – Extension of Sewer (Resolution 250) project, because no domestic manufacturers produce alternatives that meet the technical specifications of the project.

This waiver applies only to the proposed project funded by the Clean Water State Revolving Fund (CWSRF). Any other jurisdiction with projects funded by either the CWSRF, the Drinking Water State Revolving Fund, the Community Grants Program, or the Water Infrastructure Finance and Innovation Act that wishes to use the same product must apply for a separate waiver.

Rationale: Section 608 of the Clean Water Act requires CWSRF assistance recipients for treatment works projects to use specific iron and steel products that are produced in the United States. The EPA has the authority to determine whether it is necessary to waive this requirement based on certain circumstances set forth in Section 608(c) of the Clean Water Act. The provision states that, “[the requirements] shall not apply in any case or category of cases in which the Administrator [of the EPA] finds that – . . . (2) 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 Applicant is undertaking a phased project to extend sewer service to residences currently served by septic systems. Phase 1-A of this project extends sewer service to the Villages of Bozman and Neavitt, and Phase 1-C extends service to the Mount

Pleasant Area. Combination curb -stop and check valve assemblies will be installed in both phases of the project between residential grinder pump stations and the sewer main. The Applicant provided information to the EPA asserting that there are no domestic manufacturers producing combination curb-stop and check valve assemblies in sufficient and reasonably available quantities and of a satisfactory quality. The combination curb-stop and check valve assemblies will be constructed of 316 stainless steel with two-piece cast 316 stainless steel housing. The assemblies will include plastic compression fittings that are molded from polypropylene, and the valves will have female iron pipe end connections. Assemblies are needed for 200 PSI and 235 PSI service.

Assessment of Waiver Request: In January 2026, the EPA conducted market research and a public comment period on the supply and availability of these combination curb-stop and check valve assemblies. The basis of evaluation included thorough review of the waiver request submission, examination of domestic manufacturer catalogs or other technical data and marketing materials, personal communication with domestic manufacturers, inquiries of state staff, and outreach to contractors and engineers with expertise and familiarity with the project.

During market research for the Region II Sewer System – Extension of Sewer (Resolution 250), the EPA contacted ten (10) manufacturers and suppliers of these combination curb-stop and check valve assemblies. No (zero) manufacturers stated they could make AIS-compliant combination curb-stop and check valve assemblies. The EPA received no (zero) public comments to the waiver request.

Finding: Since the Applicant established a reasonable basis to specify the products required for this project, and because the EPA substantiated the Applicant’s claim through market research that these products are not available from a manufacturer in the United States, Talbot County, Maryland is hereby granted a waiver from the AIS requirements. This waiver permits the purchase of combination curb-stop and check valve assemblies, as documented in the State of Maryland’s waiver request submittals on behalf of Talbot County dated January 16, 2026.

If you have any questions concerning the contents of this memorandum, please contact the American Iron and Steel inbox, at [SRF\\_AIS@epa.gov](mailto:SRF_AIS@epa.gov).