



OFFICE OF WASTEWATER MANAGEMENT

WASHINGTON, D.C. 20460

DECISION MEMORANDUM

SUBJECT: Project Waiver of American Iron and Steel Requirements to Silicon Valley Clean Water in Redwood City, California for 4-8" Butterfly Valves for the Wastewater Treatment Plant Reliability Upgrades Project (WIFIA – 20158CA)

FROM: Andrew D. Sawyers, Director

Decision: The U.S. Environmental Protection Agency (EPA) is hereby granting a project waiver pursuant to the "American Iron and Steel" (AIS) requirements of 33 U.S.C. § 3914 under the authority of 33 U.S.C. § 3914(c)(2) to the Silicon Valley Clean Water in Redwood City, California (Applicant) for 4-8" butterfly valves. This waiver permits the use of this product, produced outside the United States, and in the specific size requested, at the Wastewater Treatment Plant Reliability Upgrades Project (Project) because no known domestic manufacturers produce AIS-compliant 4-8" butterfly valves in sufficient and reasonably available quantities to meet the Project's technical specifications and schedule.

This is a product-specific waiver and only applies to the use of the specified products for the proposed Project funded by the Water Infrastructure Finance and Innovation Act (WIFIA). Any other jurisdiction with projects funded by either WIFIA the State Revolving Funds (SRFs), or the Community Grants Program that wishes to use the same products must apply for a separate waiver.

Rationale: According to WIFIA at 33 U.S.C. § 3914, WIFIA loan recipients must use specific domestic 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 33 U.S.C. § 3914(c)(2). The applicable provision states that the requirements shall not apply: "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 Applicant provided information to the EPA asserting that there are no domestic manufacturers producing 4-8" high performance soft seated butterfly valves in sufficient and reasonably available quantities and of a satisfactory quality. The product is located on low-pressure and high-pressure digester gas piping adjacent to the anaerobic digesters and gas conditioning skid. The valves are critical because they control the flow of digester gas to the gas conditioning skid and linear generators, allowing downstream systems to be commissioned, operated, and maintained.

Assessment of Waiver Request: The EPA conducted market research and a public comment period on the supply and availability of 4-8" butterfly valves. 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. For market research, the EPA contacted eleven (11) manufacturers or suppliers. None of the responses indicated that any manufacturer or supplier had potential domestic alternatives that met the technical specifications required for the Project. The EPA also posted the waiver request for a 15-day public comment period. The EPA received no (zero) public comments to the waiver. Therefore, the EPA agrees with the assessment that no domestic manufacturers produce 4-8" butterfly valves meeting the Project's timeline and technical specifications.

Finding: Since the Applicant established a proper basis to specify the 4-8" butterfly valves required for the Project, and because the EPA substantiated the Applicant's claim that these products are not produced or readily available from a manufacturer in the United States, the Silicon Valley Clean Water in Redwood City, California is hereby granted a waiver from the AIS requirements for these products for the Wastewater Treatment Plant Reliability Upgrades Project. This waiver permits the purchase of the specified products as documented in the Applicant's waiver request submittal to WIFIA, dated March 6th, 2026.

If you have any questions concerning the contents of this memorandum, please contact Samuel Ramsland, Environmental Engineer, WIFIA Program, at ramsland.samuel@epa.gov.