



OFFICE OF WASTEWATER MANAGEMENT

WASHINGTON, D.C. 20460

DECISION MEMORANDUM

SUBJECT: Project-Specific Availability Waiver of American Iron and Steel Requirements to the Hampton Roads Sanitation District in Virginia Beach, Virginia for 12-Inch Restrained Couplings and ½-Inch to 2-Inch Seamless Stainless Steel Fittings

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 the Hampton Roads Sanitation District in Virginia Beach, Virginia (Applicant) for 12-inch restrained couplings and ½-inch to 2-inch seamless stainless steel fittings. This waiver permits the use of these couplings and fittings, manufactured outside of the United States, in the Boat Harbor Treatment Plant Pump Station Conversion 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 through 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 products 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 provided information to the EPA asserting that there are no domestic manufacturers producing 12-inch restrained couplings or ½-inch to 2-inch

seamless stainless steel fittings in sufficient and reasonably available quantities and of a satisfactory quality. The restrained couplings must be mechanical joint restraints, maintain a restrained bubble tight seal under operating pressure, and be for multipurpose use on various pipe diameters for various pressure class pipe materials. The small-bore fittings must be ½-inch to 2-inch class 150# 304/304L seamless stainless steel, conforming to ASTM A312.

Assessment of Waiver Request: The EPA conducted market research and a public comment period on the supply and availability of these restrained couplings and fittings. 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, the EPA contacted eight (8) manufacturers and suppliers of these restrained couplings. There were no (zero) manufacturers who indicated they could provide AIS-compliant couplings that meet the technical specifications of the project.

The EPA also contacted nine (9) manufacturers and suppliers of these fittings. One (1) of the manufacturers initially stated they could make the AIS-compliant fittings. Upon further communication between the EPA and the manufacturer in November 2025, the manufacturer indicated that they were unable to offer AIS-compliant products meeting the technical specifications of the project. There were no (zero) other manufacturers who indicated they could provide AIS-compliant fittings that meet the technical specifications of the project.

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, the Hampton Roads Sanitation District in Virginia Beach, Virginia is hereby granted a waiver from the AIS requirements. This waiver permits the use of 12-inch restrained couplings and ½-inch to 2-inch seamless stainless steel fittings, as documented in the Commonwealth of Virginia's waiver request submittals on behalf of the Applicant dated August 27, 2025, and September 25, 2025, respectively.

If you have any questions concerning the contents of this memorandum, please contact the American Iron and Steel inbox, at SRF_AIS@epa.gov.