



OFFICE OF WASTEWATER MANAGEMENT

WASHINGTON, D.C. 20460

DECISION MEMORANDUM

SUBJECT: Project-Specific Availability Waiver of American Iron and Steel Requirements to the City of Sanford, North Carolina for 18x8-Inch Wye Fittings — Not Approved

FROM: Raffael Stein, Division Director
Water Infrastructure Division

Decision: The U.S. Environmental Protection Agency (EPA) does not approve the City of Sanford's request for waiver pursuant to the American Iron and Steel (AIS) requirements of the Clean Water Act Section 608 for the City of Sanford in North Carolina (Applicant) for 18x8-inch wye fittings in the Little Buffalo Creek Sewer Outfall Rehabilitation Project. Public comments indicated that manufacturers could supply domestic products that meet the project's technical specifications. In addition, after the public comment period the EPA learned that fittings produced outside the United States had already been permanently installed by the Applicant. Therefore, the EPA does not approve this waiver request.

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 18x8-inch wye fittings in a reasonably available timeframe to meet the project specifications. The 18x8-inch wye fittings are needed in the Little Buffalo Creek Sewer Outfall Rehabilitation Project which includes upsizing of existing sanitary sewer with new larger ductile iron pipe sewer main with open cut installation methods, replacing manholes, installing new manholes, replacing and reconnecting existing sewer service laterals with new pipe and fittings within the right of

way, and installing steel casings. The 18x8-inch wye fittings were to be ductile iron pipe, manufactured in accordance with ANSI/AWWA C110/A21.10. The wye fittings were to be all bell mechanical joint per ANSI/AWWA C110/A21.10 with interior cement mortar lining in accordance with ANSI/AWWA C104/A21/4.

Assessment of Waiver Request: The Applicant requested a waiver for the wye fittings in May 2026 and asserted in its waiver request submission that no manufacturers could provide AIS-compliant valves that meet the project requirements in a reasonable amount of time. According to the project schedule, the wye fittings were planned to be installed only 4 weeks later, in June 2026. Installation of noncompliant products, absent a waiver is not allowable under the AIS requirements.

The EPA conducted market research and a public comment period on the supply and availability of the wye 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, and outreach to contractors and engineers with expertise and familiarity with the project. During market research, the EPA contacted ten (10) manufacturers and suppliers of wye fittings. None (zero) of the manufacturers stated they could make AIS-compliant wye fittings.

The EPA published the waiver request for public comment June 2026 and received two (2) public comments from manufacturers stating that they can supply AIS-compliant wye fittings. After subsequent communication between the project and the manufacturers, it was confirmed that they could provide the compliant fittings within about 12-15 weeks. While this lead time would result in changes to the project schedule, the waiver process was still ongoing at the time that the Applicant permanently installed noncompliant products.

During the time in which the EPA was completing market research and public comment, the Applicant ordered readily available non-compliant foreign-manufactured fittings which were delivered to the project site; some of which were permanently installed in June 2026. The Applicant declined the option to replace the installed fittings with compliant products.

Finding: The EPA does not grant an availability-based waiver from the AIS requirements for City of Sanford in North Carolina (Applicant) for 18x8-inch wye fittings as documented in the State of North Carolina's waiver request submittal on behalf of the assistant recipient, dated May 18, 2026. The EPA finds that waiving the requirement based on circumstances set forth in Section 608(c) of the Clean Water Act is not warranted in this case.