



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

APR 18 2018

OFFICE OF WATER

**DECISION MEMORANDUM**

**SUBJECT:** Project Waiver of American Iron and Steel Requirements to the Great Lakes Water Authority in Detroit, Michigan for Butterfly Valves

**FROM:** Andrew D. Sawyers, Director  
Office of Wastewater Management

A handwritten signature in black ink, appearing to read "Andrew D. Sawyers", is positioned to the right of the "FROM:" field.

The EPA is hereby granting a project waiver pursuant to the "American Iron and Steel" requirements of the Clean Water Act Section 608 under the authority of Section 608(c)(2) to the Great Lakes Water Authority (GLWA) for the purchase of two (2) 18-inch butterfly valves and three (3) 6-inch butterfly valves. This waiver permits the use of these valves manufactured outside of the United States in GLWA's Water Resource Recovery Facility (WRRF) in Detroit, Michigan for their Rouge River Outfall Disinfection project because no domestic manufacturer can produce alternatives that meet the project's technical specifications. This is a project specific waiver and only applies to the use of the specified product for the proposed project funded by the Clean Water State Revolving Fund. Any other project funded by either the Clean Water or Drinking Water State Revolving Fund that wishes to use the same product must apply for a separate waiver based on the specific project circumstances.

**Rationale:** According to the AIS requirements, CWSRF and DWSRF assistance recipients are required to use specific domestic iron and steel products that are produced in the United States if the project is funded through an assistance agreement. The agency can determine whether it is necessary to waive this requirement based on certain circumstances set forth in Section 608(c)(2) 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 Environmental Protection Agency...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."

GLWA provided information to the Agency demonstrating that there are no manufacturers producing 18-inch or 6-inch butterfly valves in the United States in sufficient and reasonably available quantity or quality to allow the project to meet its specifications. Based on information provided by the applicant, the 18-inch butterfly valves will be installed on the chlorine solution feed system to isolate sections of piping, and the 6-inch butterfly valves will be installed on the chlorine solution recirculation pumping system to control flow recirculation, both of which are components of the WRRF's disinfection system. The valves must have a PTFE inner liner to protect the valve components against degradation and corrosion during use with 0.35% chlorine solution in the feed service and with 12-15% sodium hypochlorite solution in the recirculation service. The project requires the valves to be on-site by June 1, 2018.

The Agency has conducted market research on the supply and availability of the 18-inch and 6-inch butterfly valves and concluded that GLWA's claim that there are no domestic manufacturers that can supply a similar product to meet the project's specifications is supported by available evidence. EPA market research could not identify any domestic manufacturer who responded that they would be able to produce this product.

Since the applicant established a proper basis to specify a particular product required for this project and EPA substantiated the applicant's claim through market research that this product is not available from a manufacturer in the United States, the Great Lakes Water Authority is hereby granted a waiver from the AIS requirements. This waiver permits the purchase of the specified butterfly valves documented in GLWA's waiver request submittal on behalf of the applicant dated January 16, 2018.

If you have any questions concerning the contents of this memorandum, please contact Timothy Connor, Chemical Engineer, Water Infrastructure Division, at [connor.timothy@epa.gov](mailto:connor.timothy@epa.gov) or (202) 566-1059.