



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

NOV 30 2018

OFFICE OF WATER

DECISION MEMORANDUM

SUBJECT: Project Waiver of American Iron and Steel Requirements to the Stony Brook Regional Sewerage Authority in Princeton, New Jersey for Ball Valves

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

A handwritten signature in black ink, appearing to read "Andrew D. Sawyers", is written over the "FROM:" line.

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 Stony Brook Regional Sewerage Authority (SBRSA) for the purchase of four (4) 6-inch ball valves. This waiver permits the use of these valves manufactured outside of the United States in SBRSA’s River Road Wastewater Treatment Plant in Princeton, New Jersey for their Dewatered Sludge Handling Pump Replacement Project because no domestic manufacturer can produce alternatives that meet the project’s technical specifications within a reasonable timeframe. 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.”

SBRSA provided information to the Agency demonstrating that there are no manufacturers producing 6-inch ball valves in the United States in sufficient and reasonably available quantity or quality to allow the project to meet its specifications within an acceptable timeframe. The project specifications require the ball valves to be ANSI 300# flanged, trunnion mounted and automated design for high pressure (700 psi minimum working pressure) and high solids service. The ball valves will be installed for sludge cake transport.

The Agency has conducted market research on the supply and availability of the 6-inch ball valves and concluded that SBRSA’s claim that there are no domestic manufacturers that can supply a similar product to meet the project’s specifications within a reasonable timeframe is supported by available evidence. No public comments were received.

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 within a reasonable timeframe, the Stony Brook Regional Sewerage Authority is hereby granted a waiver from the AIS requirements. This waiver permits the purchase of the specified ball valves documented in SBRSA's waiver request submittal on behalf of the applicant received February 12, 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 or (202) 566-1059.