



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

OFFICE OF WATER

**DECISION MEMORANDUM**

**SUBJECT:** Availability-Based Project Waiver of American Iron and Steel Requirements for Axial Flow Control Valves for the Great Lakes Water Authority, MI 14 Mile Road Transmission Loop Project  
Waiver Number 05-DW-0009

**FROM:** Jennifer L. McLain, Director  
Office of Ground Water and Drinking Water

The U.S. Environmental Protection Agency (EPA) is hereby granting an availability-based project-specific waiver pursuant to the American Iron and Steel (AIS) requirements to the Great Lakes Water Authority, Michigan, for the purchase of two (2) 24-inch axial flow control valves for the Phase II - 14 Mile Road Transmission Loop Project. This waiver permits the use of two non-domestic axial flow control valves because no known domestic manufacturers produce a product that meets the project's technical specifications. This project-specific waiver only applies to the use of the specified product for the referenced project funded by the Drinking Water State Revolving Fund (DWSRF). Any other project funded by either the Drinking Water or Clean Water State Revolving Fund (SRF) that wishes to use the same product must request a separate waiver based on the specific project circumstances.

Rationale: The AIS provision requires DWSRF assistance recipients to use specific domestic iron and steel products if the project is funded through an SRF assistance agreement unless the EPA determines that it is necessary to waive this requirement. The EPA has the authority to issue waivers in accordance with section 1452(a)(4)(C)(ii) of the Safe Drinking Water Act. The provision states in part: "[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."

This project involves installation of approximately 8 miles of a 54-inch water transmission main between 14 Mile Road and 8 Mile Road in the cities of Novi and Farmington Hills to provide redundancy and prevent future loss of service in this area. The purpose of the axial flow valves is to control the pressure and flow in the water transmission system. The flow in the new 54-inch main could exceed the rated capacity and may result in low pressures for the wholesale customers connected to the system depending on the direction of the flow. The proposed valves

can accommodate the anticipated hydraulic conditions and prevent excessive flow (and associated low pressures) in the water transmission system.

The Authority examined alternate valve designs including cone valves and sleeve valves. Both designs presented issues and couldn't be used for this project. Therefore, the axial flow control valves were selected. The Authority conducted research to find a domestic manufacturer of 24-inch axial flow control valves and provided information to the EPA demonstrating that no manufacturers produced these valves domestically.

The EPA conducted market research on the supply and availability of 24-inch axial flow control valves and concluded that there are no domestic manufacturers of these products that meet the project's technical specifications. Per statutory requirement, the waiver request was posted on the EPA's AIS website for the mandatory 15-day public comment period, and the Agency received one comment. It was from a manufacturer of sleeve valves, which the Authority had already ruled out for this project.

The EPA is granting an availability-based waiver from the AIS requirements to the Great Lakes Water Authority, Michigan for the 14 Mile Road Transmission Loop Project with respect to two (2) 24-inch axial flow control valves. This waiver permits the purchase of two 24-inch axial flow control valves using DWSRF funds as documented in the State of Michigan's waiver request submittal on behalf of the assistance recipient, dated April 9, 2020.

Legal Authority: Legal authority for the AIS requirements for DWSRF projects is included under the Safe Drinking Water Act, under the authority of section 1452(a)(4).

If you have questions concerning the contents of this memorandum, please contact Jorge Medrano, Environmental Engineer, Drinking Water Protection Division, at [medrano.jorge@epa.gov](mailto:medrano.jorge@epa.gov) or (202) 564-1968.