



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

OFFICE OF WATER

**DECISION MEMORANDUM**

**SUBJECT:** Project Waiver of American Iron and Steel Requirements to Miami-Dade Water and Sewer Department in Florida for Seamless Steel Well Casing

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

Decision: The U.S. Environmental Protection Agency (EPA) is hereby granting a project waiver pursuant to the “American Iron and Steel” (AIS) requirements of 33 U.S.C. §3914 under the authority of §3914(c)(2) to the Miami-Dade Water and Sewer Authority in Florida (Applicant) for seamless 24-inch steel final well casing. This waiver permits the use of this casing, produced outside the United States and in the specific sizes and length requested, at the North and Central District Wastewater Treatment Plants because no domestic manufacturers produce alternatives that meet the project’s technical specifications for the final well casing.

This is a product specific waiver and only applies to the use of the specified products for the proposed project funded by the Water Infrastructure Finance and Innovation Act (WIFIA). Any other jurisdiction with projects funded by either WIFIA or the State Revolving Funds (SRFs) that wishes to use the same products must apply for a separate waiver.

Rationale: According to 33 U.S.C. §3914, WIFIA loan recipients must use specific domestic iron and steel products that are produced in the United States if the project is funded through WIFIA. EPA has the authority to determine whether it is necessary to waive this requirement based on certain circumstances set forth in 33 U.S.C. §3914(c)(2). The provision states that, “[the requirements] shall not apply in any case or category of cases in which the Administrator [of 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 EPA asserting that there are no manufacturers producing seamless 24-inch steel final casing in sufficient and reasonably available quantities and of a satisfactory quality. Approximately 20,000 linear feet of seamless 24-inch steel casing (0.5-inch thickness) meeting the specifications of ASTM A53 Grade B or API 5L Grade B is required as the final casing for municipal injection wells to be installed at the North and Central District Wastewater Treatment Plants.

Assessment of Waiver Request: EPA conducted market research and a public comment period on the supply and availability of the final casing. 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. For market research, EPA contacted 12 potential manufacturers and suppliers of seamless 24-inch steel casing. None responded indicating they had potential domestic alternatives. EPA received one public comment to the waiver request. The manufacturer who commented asserted it could provide domestic steel casing. However, it cannot provide seamless final casing, which is required under Florida Administrative Code (FAC 62-528.410(4)(b)) for municipal injection wells. Therefore, EPA agrees with the assessment that no domestic manufacturers produce available products meeting the project's specifications.

Finding: Since the Applicant established a proper basis to specify the final well casing required for this project, and because EPA substantiated the Applicant's claim that these products are not produced or readily available from a manufacturer in the United States, the Miami-Dade Water and Sewer Department is hereby granted a waiver from the AIS requirements for the North and Central District Wastewater Treatment Plants. This waiver permits the purchase of the specified seamless 24-inch steel final well casing as documented in the Applicant's waiver request submittal to WIFIA, dated April 5, 2021.

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.