



OFFICE OF GROUND WATER AND DRINKING WATER

WASHINGTON, D.C. 20460

June 4, 2024

MEMORANDUM

SUBJECT: Availability-Based Project Waiver of American Iron and Steel Requirements for Restrained Joint Fittings for City of Laurinburg, North Carolina Distribution System Improvements Project
Waiver Number 04-DW-0019

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

Decision: 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 of the Safe Drinking Water Act (SDWA) to the City of Laurinburg, NC, for the purchase of restrained joint fittings for the Distribution System Improvements Project. This waiver permits the use of restrained joint fittings because no known domestic manufacturers produce a product that meets the project's technical specifications. This project-specific waiver applies only 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 the DWSRF, Clean Water State Revolving Fund, or the Water Infrastructure Finance and Innovation Act 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 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 SDWA. The provision states in part: “[the requirements] shall be waived 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.”

Background of Waiver Request: This project consists of performing distribution system improvements to increase the reliability to deliver water within the system’s service area, including replacing approximately 10,700 LF of an aged 20-inch cement watermain, 640 LF of 16-inch and 900 LF of 12-inch watermains, tie-ins, and service lines. This work requires the installation of multiple restrained joint

fittings: thirty-five (35) bends to facilitate direction of the pipe across the distribution system, twenty-six (26) tees to connect to the new and existing distribution system to include install of new fire hydrants, and six (6) reducers sized 6-inch to 20-inch to connect between different diameter pipes. All restrained joints must utilize mechanical locking systems resulting in a metal-to-metal joint restraint that prevents the pipe joint from separating.

The City conducted research to find a domestic manufacturer of AIS-compliant restrained joint fittings and provided information to EPA demonstrating that no domestic manufacturers of restrained joint fittings meet the project's technical specifications.

Assessment of Waiver Request: The EPA conducted market research on the supply and availability of restrained joint fittings and reached out to 11 known restrained joint fittings manufacturers, suppliers, and distributors. None indicated they could provide domestic restrained joint fittings 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. The EPA received no public comments.

Finding: The EPA is granting an availability-based waiver from the AIS requirements to the City of Laurinburg, for the Distribution System Improvements Project with respect to restrained joint fittings. This waiver permits the purchase of restrained joint fittings using DWSRF funds as documented in the State of North Carolina's waiver request submittal on behalf of the assistance recipient, dated March 20, 2024.

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

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