



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

OFFICE OF WATER

**DECISION MEMORANDUM**

**SUBJECT:** Project-Specific Public Interest Waiver of American Iron and Steel Requirements for Insertion Valves in the City of Ravenswood, WV Water System Improvements Project Waiver Number 03-DW-0003

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

**JENNIFER  
MCLAIN** Digitally signed by  
JENNIFER MCLAIN  
Date: 2022.04.11  
10:18:22 -04'00'

**Decision:** The U.S. Environmental Protection Agency (EPA) is hereby granting a project-specific public interest waiver pursuant to the American Iron and Steel (AIS) requirements to the City of Ravenswood, West Virginia, for the purchase of insertion valves for the Water System Improvements Project. This waiver permits the use of 4-inch through 12-inch insertion valves in the Water System Improvements Project. 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. EPA has the authority to issue waivers in accordance with section 1452(a)(4)(C)(i) of the Safe Drinking Water Act. The provision states in part: "[the requirements] shall be waived in any case or category of cases in which the Administrator finds that... applying [the requirements] would be inconsistent with the public interest."

**Background of Waiver Request:** The City is currently completing various water system improvements, including replacement of pumps, water meters and non-functional valves; installation of water mains, fencing, and a new water storage tank; and upgrades to pumps and electrical panels. This project requires insertion valves to allow uninterrupted water service to homes, schools, and businesses while future repairs and upgrades occur.

The City applied for a public interest waiver from the AIS requirements for the use of non-domestic insertion valves, citing both standardization on the non-domestic valve and product quality concerns. The City has standardized on the use of the non-domestic insertion valves for several years, and the valves are still functional and in good working order. Continued standardized use of these insertion valves allows for consolidated inventory of parts and maintenance needs. If the City was required to purchase the domestic insertion valves, it would need to stock additional inventory of spare valves and

internal components and spend time training maintenance personnel on the operation and maintenance of the other brand of insertion valves. The City's water system personnel are comfortable and trained in the installation and maintenance of this non-domestic insertion valve, creating efficiency and confidence in operations throughout the system.

Based on their experience, the City claims the non-domestic brand is more reliable and has the required design and safety features. The installation process maintains pipe integrity by milling a slot instead of removing a complete section from the host main. In using a built-in isolation gate, this valve can be installed, maintained, and serviced with hand tools. The City has tried various insertion valves but has not been satisfied with the product performance or been confident with the ability to completely isolate portions of the distribution system when needed. For the reasons stated herein, it would not be in the public's interest to use a different brand of insertion valve.

Assessment of Waiver Request: EPA conducted market research on the supply and availability of insertion valves and found one domestic manufacturer of these products that meets the project's technical specifications. However, the City notified EPA that they have experienced issues with the quality of this product, including sedimentation build up, which affects the ability to shut off the valves. Per statutory requirement, the waiver request was posted on EPA's AIS website for the mandatory 15-day public comment period. EPA received one comment from a manufacturer stating they had a potential domestic alternative. However, the manufacturer's product does not meet the project's technical specifications.

Finding: EPA is granting a project-specific public interest waiver from the AIS requirements to the City of Ravenswood, West Virginia, for the Water System Improvements Project with respect to insertion valves. This waiver permits the purchase of 4-inch through 12-inch insertion valves using DWSRF funds as documented in the State of West Virginia's waiver request submittal on behalf of the assistance recipient, dated January 4, 2022.

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 Dallas Shattuck, Physical Scientist, Drinking Water Protection Division, at [shattuck.dallas@epa.gov](mailto:shattuck.dallas@epa.gov) or (202) 564-0972.