



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 18-inch Wrought Steel Well Casing in the Village of Pingree Grove, IL Water Treatment Plant No. 2 and Well No. 3 Project
Waiver Number 05-DW-0018

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 to the Village of Pingree Grove, Illinois, for the purchase of 18-inch wrought steel well casing for the Water Treatment Plant No. 2 and Well No. 3 Project. This waiver permits the use of well casing 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. 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."

Background of Waiver Request: The Village's population has significantly increased since 2008, and expansions to the water system are necessary to meet current drinking water demands. This project includes constructing a new 1,100 gallons per minute (gpm) treatment plant and drilling

and developing a 1,100-gpm groundwater well to serve the new treatment plant. The groundwater well portion of this project is critical and the first activity in the construction schedule. To proceed as scheduled and continue work through winter, the Village needs the well casing ordered and delivered on-site by mid-August 2022.

The Village contacted domestic manufacturers to find AIS-compliant well casing and provided information to EPA demonstrating that no domestic manufacturers of well casing meet the project's technical specifications.

Assessment of Waiver Request: EPA conducted market research on the supply and availability of 18-inch wrought steel well casing 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 EPA's AIS website for the mandatory 15-day public comment period. EPA received no public comments.

Finding: EPA is granting an availability-based waiver from the AIS requirements to the Village of Pingree Grove, Illinois, for the Water Treatment Plant No. 2 and Well No. 3 Project with respect to well casing. This waiver permits the purchase of 18-inch wrought steel well casing using DWSRF funds as documented in the State of Illinois's waiver request submittal on behalf of the assistance recipient, dated May 16, 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 or (202) 564-0972.