



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

OFFICE OF WATER

DECISION MEMORANDUM

SUBJECT: Project-Specific Availability Waiver of American Iron and Steel Requirements to the City of Hollywood, Florida for Restrained Joint Fittings

FROM: Andrew 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 the Clean Water Act Section 608 under the authority of Section 608(c)(2) to the City of Hollywood, Florida (Applicant) for restrained joint fittings. This waiver permits the use of these fittings, manufactured outside of the United States, in the Southern Regional Wastewater Treatment Plant project, because no domestic manufacturers produce alternatives that meet the technical specifications of the project.

This waiver applies only to the proposed project funded by the Clean Water State Revolving Fund (CWSRF). Any other jurisdiction with projects funded by either the CWSRF, the Drinking Water State Revolving Fund, or the Water Infrastructure Finance and Innovation Act that wishes to use the same product must apply for a separate waiver.

Rationale: Section 608 of the Clean Water Act requires CWSRF assistance recipients for treatment works projects to use specific iron and steel products that are produced in the United States. EPA has the authority to determine whether it is necessary to waive this requirement based on certain circumstances set forth in Section 608(c) of the Clean Water Act. 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 domestic manufacturers producing 16-inch diameter restrained joint ductile iron fittings in sufficient and reasonably available quantities and of a satisfactory quality. The project requires these 16-inch diameter restrained joint ductile iron fittings

for a 16-inch diameter pressurized process drain pipeline and non-potable water pipeline. The piping system consists of a shop-applied weld bead and rubber-backed ring containing ductile iron segments. The plain end of the pipe is fully assembled into the bell of the restrained push-on fitting which leads to the ductile iron segments automatically closing on the pipe behind the weld bead providing a flexible restrained joint.

Assessment of Waiver Request: EPA conducted market research and a public comment period on the supply and availability of these restrained joint fittings. 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. During market research, EPA contacted seven (7) manufacturers and suppliers of these restrained joint fittings. None of the manufacturers stated they could make the AIS compliant restrained joint fittings. EPA received no (zero) public comments to the waiver request.

Finding: Since the Applicant established a reasonable basis to specify the products required for this project, and because EPA substantiated the Applicant's claim through market research that these products are not available from a manufacturer in the United States, the City of Hollywood, Florida is hereby granted a waiver from the AIS requirements. This waiver permits the purchase of restrained joint fittings, as documented in the State of Florida's waiver request submittal on behalf of the Applicant dated March 1, 2023.

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 or (202) 566-1059.