



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

JUN 11 2015

OFFICE OF
WATER

DECISION MEMORANDUM

SUBJECT: Public Interest Waiver of American Iron and Steel Requirements to the City of Spokane, Washington for Plug Valves

FROM: *Shaile E. Forace*
for Andrew D. Sawyers, Director
Office of Wastewater Management

The EPA is hereby granting a public interest waiver pursuant to the "American Iron and Steel" requirements of the Clean Water Act Section 608 under the authority of Section 608(c)(1) to the City of Spokane, Washington for the purchase of non-domestic plug valves. This waiver permits the use of these plug valves manufactured outside of the United States in the City's Anaerobic Digester project at its Riverside Park Water Reclamation Facility. This is a project specific waiver and only applies to the use of the specified product for the proposed project funded by the Clean Water State Revolving Fund. Any other project funded by either the Clean Water or Drinking Water State Revolving Fund that wishes to use the same product must apply for a separate waiver based on the specific project circumstances.

Rationale: According to the AIS requirements, CWSRF and DWSRF assistance recipients are required to use specific domestic iron and steel products that are produced in the United States if the project is funded through an assistance agreement. The Agency can determine whether it is necessary to waive this requirement based on certain circumstances set forth in Section 608(c)(1) 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 the Environmental Protection Agency... finds that - (1) applying [the requirements] would be inconsistent with the public interest."

The City of Spokane plans to install plug valves in the construction of a new digester at its Riverside Park Water Reclamation Facility. The new digester is needed to satisfy a state redundancy requirement that would allow primary digesters to be taken out of service sequentially for both regular maintenance and periodic repairs. The City plans to install 32 plug valves of various sizes ranging from less than two inches to 20 inches, and the plug valves will be used to service or repair the digester.

The City applied for a public interest waiver from the AIS requirements for the use of a non-domestic brand of plug valve, citing both safety concerns and standardization on the non-domestic valve. In 2004, a fatal accident occurred at the Riverside Park Water Reclamation Facility in which the reinforced concrete dome roof of a digester collapsed, resulting in several injuries and one fatality. Following the accident, there was a general heightened concern for safety at the facility. The facility switched to a different brand of standard plug valve, and the

facility's maintenance staff performed an assessment revealing that the non-domestic plug valves had few issues and were significantly easier to repair when needed.

The City of Spokane has installed the non-domestic plug valves at the Riverside Park Water Reclamation Facility and has standardized on this type of valve at the facility. There are currently over 170 plug valves installed at the facility, with 32 more to be installed as part of the Anaerobic Digester project. The City has trained its staff on the use and repair of these valves, and it would take additional time and training if the City purchased another brand of valves. The City also maintains an inventory of spare parts for the non-domestic valve, which includes over 30 spare valves and repair kits for a range of sizes and types of plug valves. If the City installed a different type of plug valve it would need to maintain an additional inventory of spare parts.

The EPA evaluated the City of Spokane's waiver request and solicited public comments on the supply and availability of plug valves. While public comments indicated that there may be domestic alternatives that meet the project's specifications, the City has provided sufficient justification that it has standardized on the non-domestic brand, and the use of a brand of valve other than the non-domestic brand specified would not alleviate safety concerns at the facility. The EPA is hereby granting a waiver from the AIS requirements to the City of Spokane. This waiver permits the purchase of the specified non-domestic plug valves documented in the state of Washington's waiver request submittal on behalf of the applicant dated March 26, 2015.

If you have any questions concerning the contents of this memorandum, please contact Timothy Connor, Chemical Engineer, Municipal Support Division, at connor.timothy@epa.gov or (202) 566-1059.