



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

MAR - 9 2016

OFFICE OF WATER

DECISION MEMORANDUM

SUBJECT: Public Interest Waiver of American Iron and Steel Requirements to the City of Belleville, Illinois for Air Release/Vacuum Valves

FROM: Andrew D. Sawyers, Director
Office of Wastewater Management

A handwritten signature in black ink, appearing to read "Andrew D. Sawyers".

The U.S. Environmental Protection Agency 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 Belleville, Illinois for the purchase of non-domestic stainless steel air release/vacuum valves. This waiver permits the use of these air release/vacuum valves manufactured outside of the United States in the City's Phase 3 CSO Lift Station project. 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 Section 608 of the Clean Water Act, CWSRF assistance recipients must use specific domestic iron and steel products that are produced in the United States if the project is funded through the SRFs. EPA has the authority to 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 Belleville plans to install stainless steel air release/vacuum valves as part of the Phase 3 CSO Lift Station project. The project involves construction of a new lift station and installation of new force main and gravity sewers to alleviate combined sewer overflows. The valves are needed to release accumulated air during the operation of the system to protect against surges and also to admit air into the system when pressure in the pipeline drops below atmospheric pressure. The City plans to install a total of 18 air release/vacuum valves as part of the project. The valves range in flange sizes from two inches to six inches.

The City applied for a public interest waiver from the AIS requirements for the use of a non-domestic brand of air release/vacuum valve, citing both standardization on the non-domestic valve, and environmental and public health concerns. The City has standardized on the use of the non-domestic air release/vacuum and has 46 of these valves throughout their collection system. The City also stocks spare valves and the internal components of the non-domestic valve in case

of a valve failure or maintenance issue. If the City purchased another brand of air release/vacuum valves it would need to stock an additional inventory of spare valves and internal components.

Based on their experience, the City of Belleville claims the non-domestic brand is more reliable and less prone to clogging than other brands of air release/vacuum valves that the City has used in the past. The City documented four incidents between the years 2011 to 2015 where other brands of air release/vacuum valves clogged and corroded as a result of grease buildup within the valve. Several of these incidents resulted in the discharge of sewer waste, which potentially compromised public health. In each of these instances, the City replaced the other brands of valves with the non-domestic brand and the City claims that they have not experienced any valve failures due to clogging using the non-domestic brand, which they claim reduces environmental and public health concerns. In addition, the City notes that the non-domestic brand has a smaller venting orifice and outlet than other brands of air release/vacuum valves, and if a blockage or failure should occur, it would result in less sewage discharge.

The EPA solicited public comments on the supply and availability of air release/vacuum valves. The EPA received one public comment from a manufacturer indicating that they could produce an AIS compliant air release valve, and the City of Belleville was also approached by the same manufacturer. After the City provided the manufacturer with project plans and specifications, the manufacturer did not provide the City with information indicating the alternate valve meets the specifications for the project. 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 the City's concerns regarding maintenance or the possibility of sewage discharges that may impact public health. The EPA is hereby granting a waiver from the AIS requirements to the City of Belleville. This waiver permits the purchase of the specified non-domestic air release/vacuum valves documented in the state of Illinois's waiver request submittal on behalf of the applicant dated February 10, 2016.

The EPA notes that the product in this waiver has been the subject of other applications for public interest waivers. In the case of Belleville, the City was able to provide detailed, community-specific information and justification supporting their application. Without the specific information and the supporting rationale relating to the community in question, the EPA is reluctant to approve public interest waivers.

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.