



American Iron and Steel (AIS) Requirements for SRF and WIFIA projects



Clean Water
State Revolving Fund



National Refresher Webinar

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Presented by
U.S. EPA

Training Logistics

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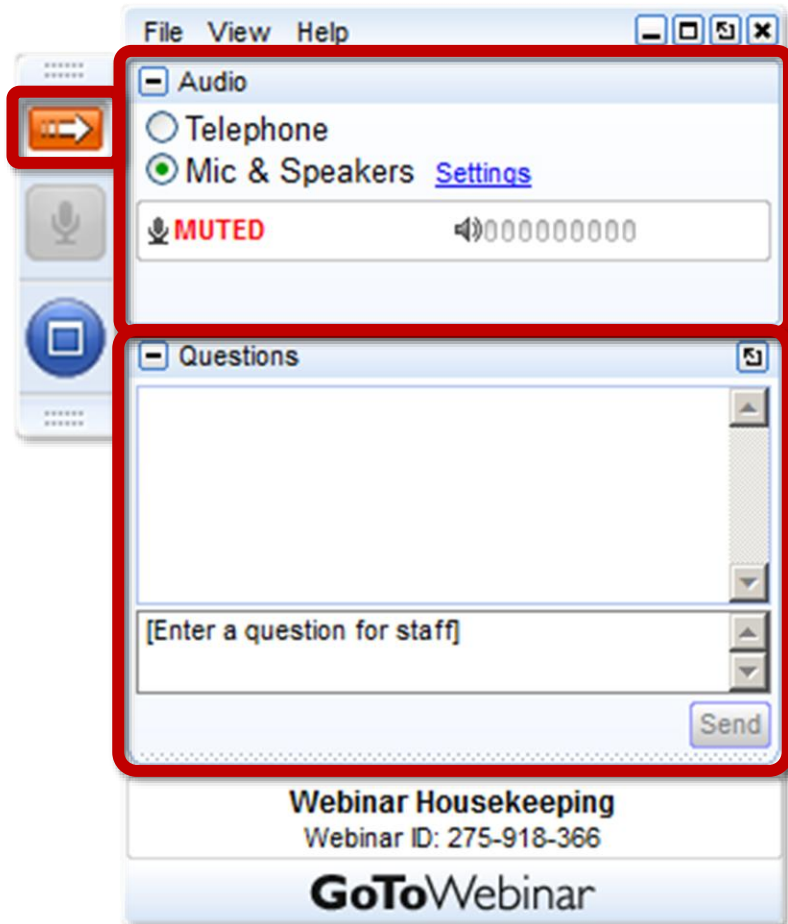
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Webcast Logistics



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Presentation Topics

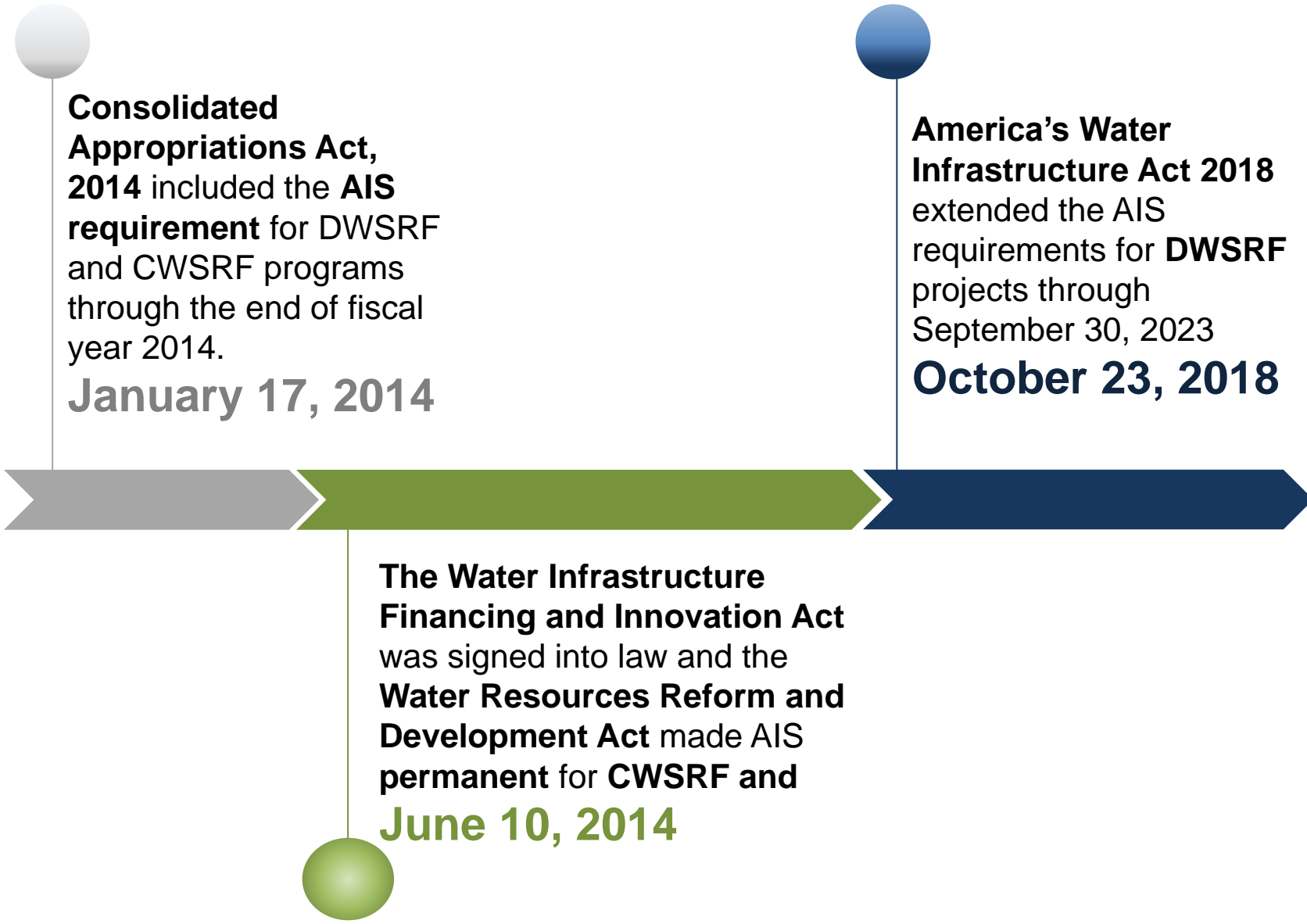
- ⦿ Background
- ⦿ AIS Requirements
 - Roles and Responsibilities
 - Project Coverage
 - Product Coverage
- ⦿ Documenting Compliance
- ⦿ Waivers
- ⦿ AIS Resources



Background – What is AIS?

- ◎ The "American Iron and Steel" provision requires assistance recipients to use iron and steel products that are produced in the United States for the construction, alteration, maintenance, or repair of a public water system or treatment works (Consolidated Appropriations Act of 2014 P.L. 113-76)
- ◎ The term “iron and steel products” means products made primarily of iron or steel

Background – History of AIS



Consolidated Appropriations Act, 2014 included the **AIS requirement** for DWSRF and CWSRF programs through the end of fiscal year 2014.

January 17, 2014

America's Water Infrastructure Act 2018 extended the AIS requirements for **DWSRF** projects through September 30, 2023

October 23, 2018

The Water Infrastructure Financing and Innovation Act was signed into law and the **Water Resources Reform and Development Act** made AIS permanent for **CWSRF** and

June 10, 2014

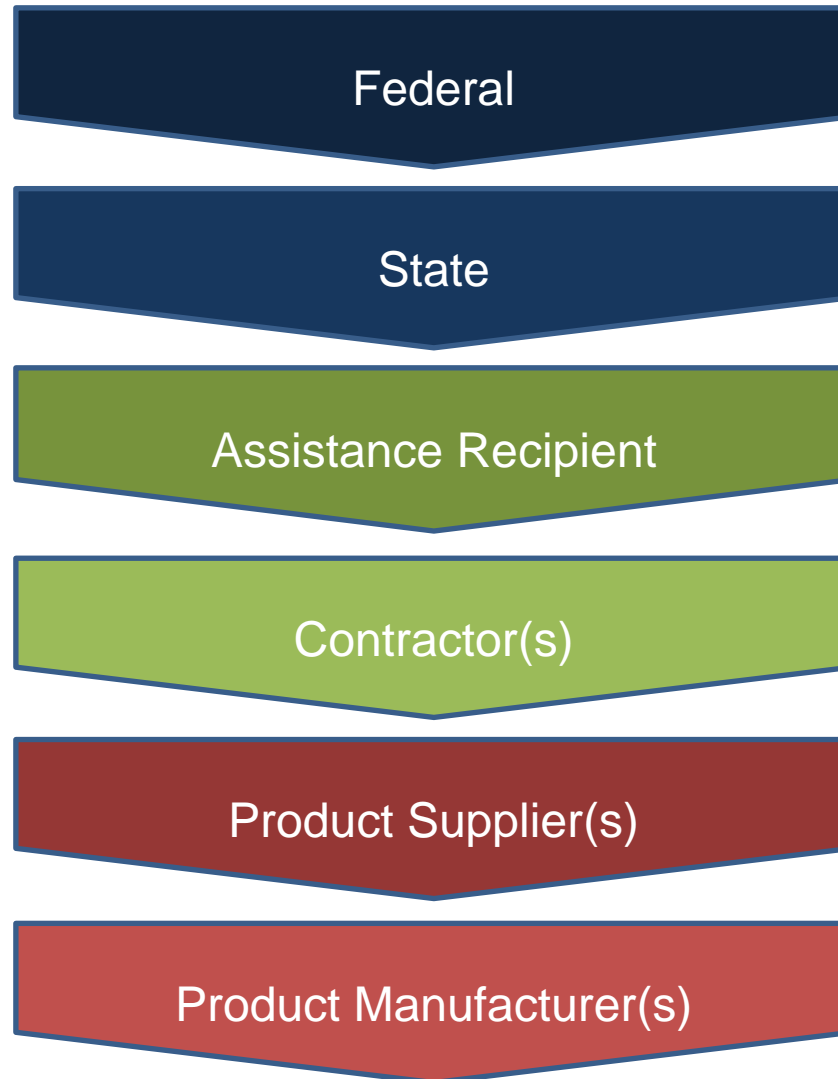


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WHO IS RESPONSIBLE FOR AIS COMPLIANCE?



Roles and Responsibilities: Who is responsible for AIS compliance?



Roles and Responsibilities – Federal

- ⦿ Communicate AIS requirements
- ⦿ Assist in the proper implementation of the requirements
- ⦿ Activities include:
 - Informal AIS site visits
 - Conferences
 - State-sponsored training and outreach
 - Waiver request review and decision
 - Technical assistance through SRF_AIS@epa.gov

Roles and Responsibilities – State

- ◉ Reinforce AIS requirements
- ◉ Oversee AIS implementation
- ◉ Activities include:
 - Ensuring AIS language in assistance agreements
 - Technical assistance and training
 - Waiver request assistance
 - Project inspections
 - Addressing project non-compliance

Roles and Responsibilities – Assistance Recipient/Engineer

- ⦿ Communicate AIS requirements to all engineers and contractors
- ⦿ Document AIS compliance for project
- ⦿ Activities include:
 - Ensuring AIS language in construction contracts
 - Requesting and maintaining proper AIS documentation
 - Submitting waiver requests to the state
 - Maintain de minimis list of products

Roles and Responsibilities – Contractor

- ⦿ Communicate project need for AIS-compliant products to suppliers/distributors
- ⦿ Procure AIS-compliant products
- ⦿ Obtain necessary AIS certifications from product manufacturers as early as possible in construction and bid process

Roles and Responsibilities – Supplier/Distributor

- ◉ Procure AIS-compliant products
- ◉ Obtain necessary AIS certifications from product manufacturers
- ◉ When ordering products, let manufacturers know that AIS applies

Roles and Responsibilities – Product Manufacturer

- ⦿ Supply AIS-compliant products
- ⦿ Provide AIS certification letters documenting all manufacturing processes for product occurred in the U.S.
- ⦿ Provide other relevant product documentation regarding AIS requirements
 - Example: Cost calculation showing a product is not primarily iron or steel (<50%) when necessary or requested by assistance recipient



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WHAT PROJECTS HAVE TO COMPLY WITH AIS?



What Projects Are Covered By AIS?

- ⦿ All treatment works projects funded by a CWSRF assistance agreement
- ⦿ All public water system projects funded by a DWSRF assistance agreement
- ⦿ All treatment works and public water system projects funded by a WIFIA assistance agreement
- ⦿ Projects with an assistance agreement signed on or after January 17, 2014

Phased Projects

- ◉ Intentional splitting of projects into separate and smaller contracts or assistance agreements will not avoid AIS coverage on a portion of a larger project.
- ◉ Multi-phased projects are considered a single project if they are closely related in **purpose, place and time.**
- ◉ If a project receives any SRF or WIFIA funding, the entire project must comply with AIS.

SRF Projects Without Any Iron/Steel Products

- ⦿ SRF projects which do not have any iron/steel products should still include the AIS requirement language in the assistance agreement and construction contracts.
- ⦿ This covers the state and assistance recipient if anything changes with the project requiring iron/steel products.

AIS is Not Required For:

- ⦿ Tribes that receive grants from the national SRF set aside
 - However, if a tribe receives a loan from a state SRF program, then the project must comply with AIS
- ⦿ DC and Territories (except Puerto Rico)
 - However, they may have other domestic preference requirements they have to follow
- ⦿ DWSRF set-aside activities

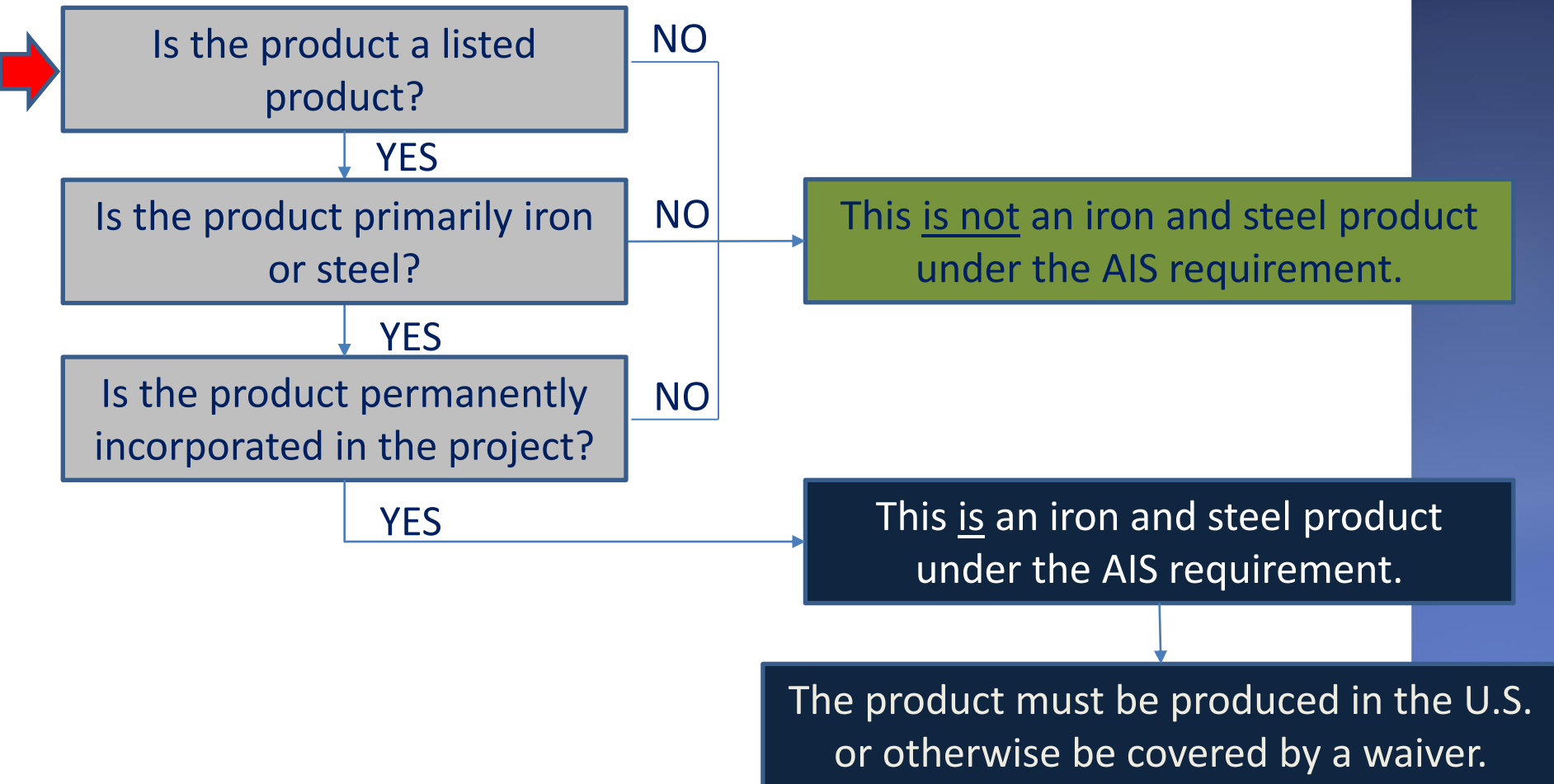


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WHAT IS AN IRON AND STEEL PRODUCT UNDER THE AIS REQUIREMENT?



What is an Iron and Steel Product Under the AIS Requirement?





Is the product a listed product?

- Consolidated Appropriations Act, 2014 identified a list of products that are covered under the AIS provision
 - Lined or unlined pipes or fittings
 - Manhole Covers
 - Municipal Castings
 - Hydrants
 - Tanks
 - Flanges
 - Pipe clamps and restraints
 - Valves
 - Structural steel
 - Reinforced precast concrete
 - Construction materials
- Several “listed products” are categories of products

Listed Products:

- Lined or Unlined Pipes or Fittings
- Pipe Clamps and Restraints
- Flanges



Listed Products:

- Municipal Castings
- Manhole Covers



Listed Products:

Municipal Castings

- Access Hatches
- Ballast Screen
- Benches (Iron or Steel)
- Bollards
- Cast Bases
- Cast Iron Hinged Hatches, Square and Rectangular
- Cast Iron Riser Rings
- Catch Basin Inlet
- Cleanout/Monument Boxes
- Construction Covers and Frames
- Curb and Corner Guards
- Curb Openings
- Detectable Warning Plates
- Downspout Shoes (Boot, Inlet)
- Drainage Grates, Frames and Curb Inlets
- Inlets
- Junction Boxes
- Lampposts
- Manhole Covers, Rings and Frames, Risers
- Meter Boxes
- Service Boxes
- Steel Hinged Hatches, Square and Rectangular
- Steel Riser Rings
- Trash receptacles
- Tree Grates
- Tree Guards
- Trench Grates
- Valve Boxes, Covers and Risers

Listed Products:

- Hydrants
- Tanks



Listed Products: Valves



Listed Products:

Structural Steel

- Rolled flanged shapes, having at least one dimension of their cross-section three inches or greater, which are used in construction of buildings (such as treatment plants, pump stations, etc.)



- Such shapes are designated as:
 - Wide-flange shapes
 - Standard I-beams, channels, angles, tees and zees
 - H-piles
 - Sheet piling
 - Tie plates
 - Cross ties
 - Other special purpose

Listed Products:

Reinforced Precast Concrete

- ◉ Typically, not primarily iron and steel, but is a listed product
- ◉ Reinforcing bar and wire must be domestic
- ◉ Casting of concrete must occur domestically
- ◉ Raw materials (e.g., cement, additives) do not need to be domestic.



Listed Products:

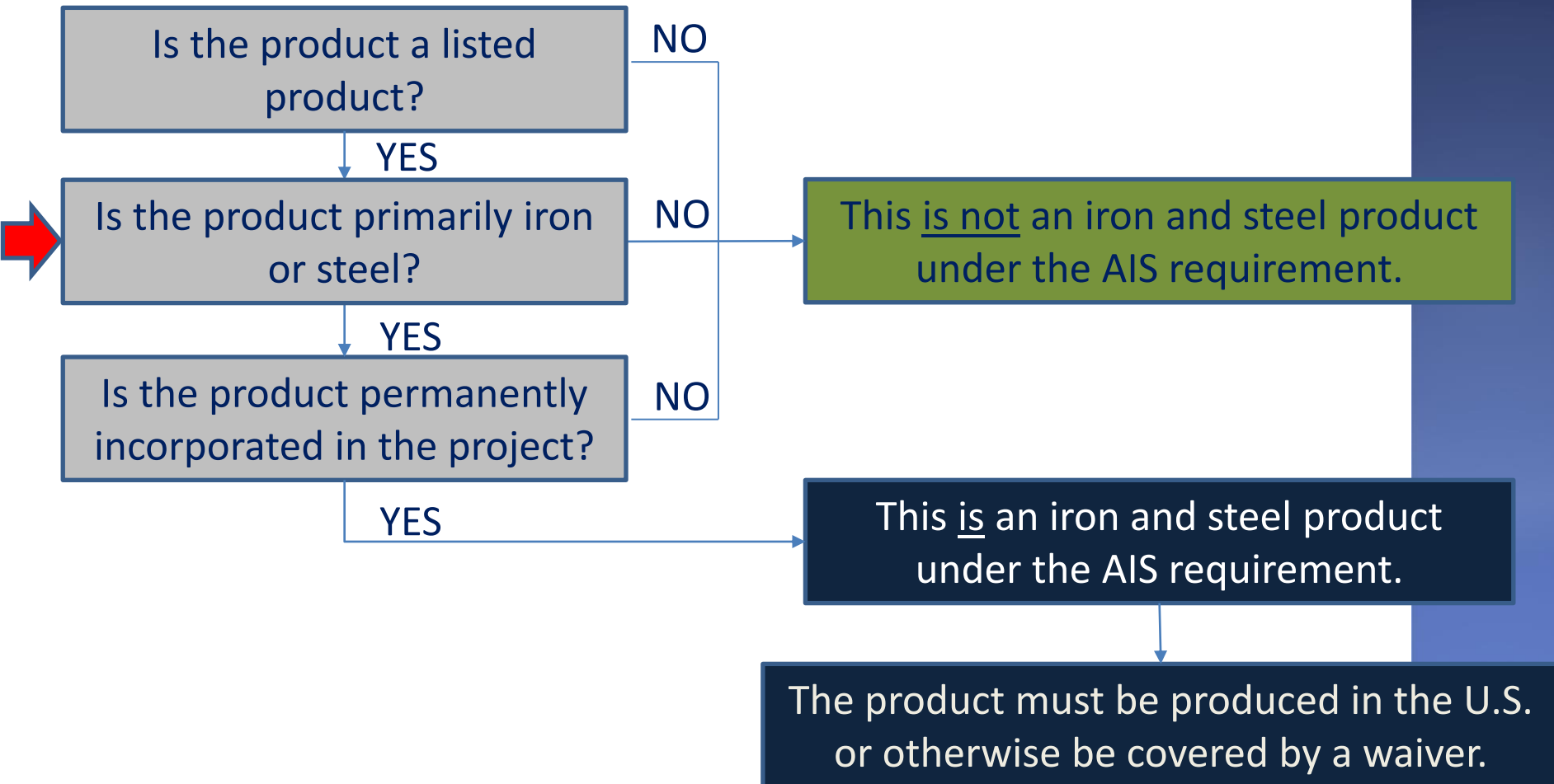
Construction Materials

- Articles, materials, or supplies, not including mechanical and/or electrical components, equipment and systems
- Examples:
 - Concrete reinforcing bar, rebar, wire rod
 - Fasteners
 - Framing, joists, trusses
 - Decking, grating, railings, stairs, ladders
 - Fencing, doors

Listed Products: Construction Materials



What is an Iron and Steel Product Under the AIS Requirement?





Is the product “Primarily” Iron or Steel?

- Products greater than 50% iron or steel, measured by material costs only (not labor, overhead, shipping, etc.)
- How do I calculate material cost?
 - Fire hydrant example:
 - Typical iron/steel components – bonnet, body and shoe
 - Other non-iron/steel material costs – stem, coupling, valve, seals, etc
 - Assembly of the internal workings into the hydrant body would not be included in cost calculation

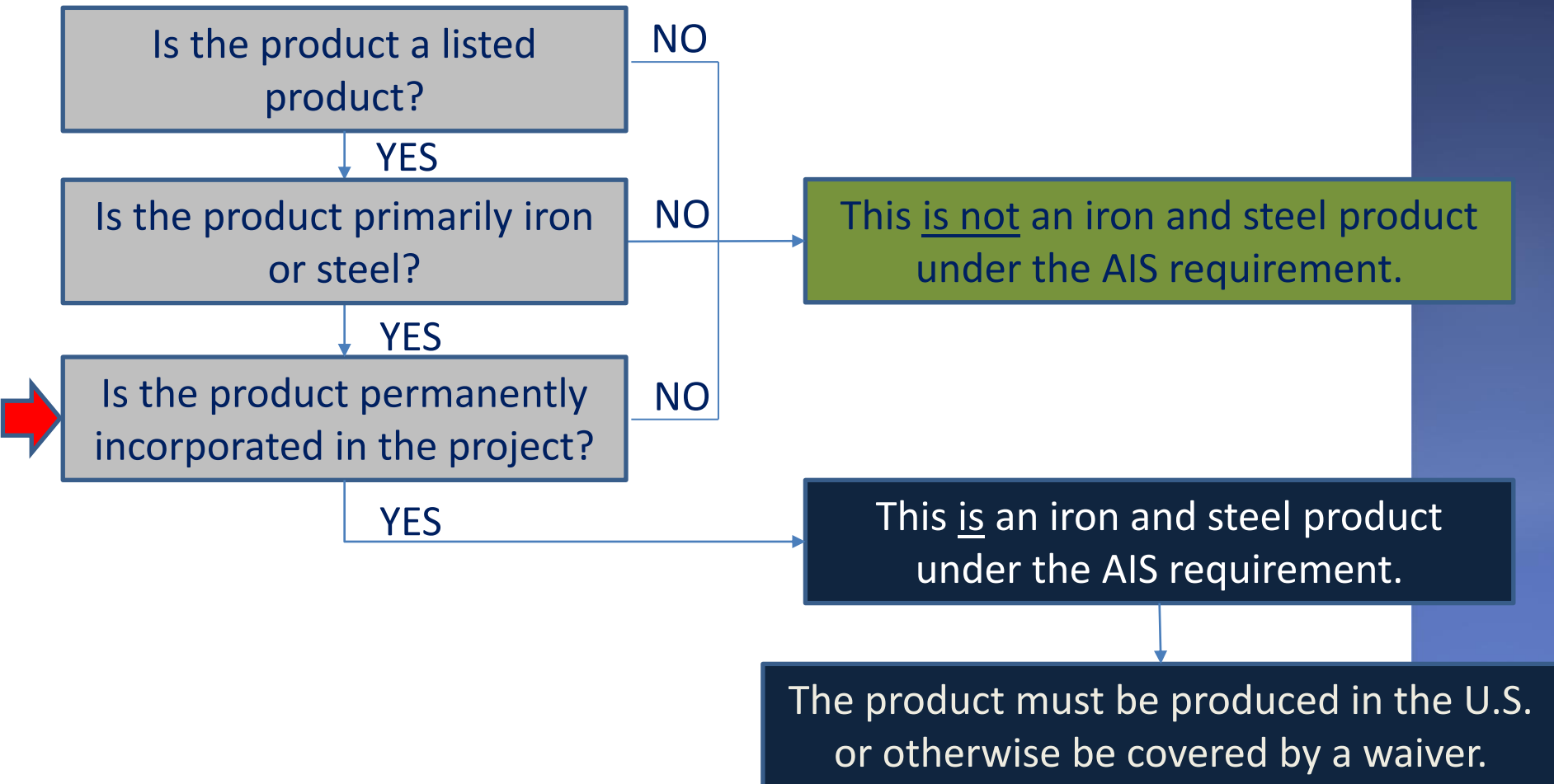


Primarily Iron or Steel:

Under 50% Materials Cost

- Products less than 50% iron or steel, by material cost
 - Not required to have certification letters
 - But if product appears to be more than 50%, EPA recommends the assistance recipient obtain a letter from manufacturer stating why under 50%

What is an Iron and Steel Product Under the AIS Requirement?





Is it permanently incorporated in the project?

- Products that are intended to be permanently installed at the project site, including:
 - Spare parts
 - Materials left in place or buried
 - Examples: sheet piling, bypass valves



What is an Iron and Steel Product Under the AIS Requirement?

- ^{YES} Is the product a listed product?
- ^{YES} Is the product primarily iron or steel?
- ^{YES} Is the product permanently incorporated in the project?

If the product meets all the criteria above ^{YES}, then it is an iron and steel product under the AIS requirement and must be produced in the United States.

What is “Produced in the United States?”

- ⦿ Manufacturing and processing of iron or steel must occur in the U.S, including:
 - Melting
 - Drawing
 - Refining
 - Finishing
 - Forming
 - Fabricating
 - Rolling
 - Assembly
- ⦿ All processes must take place in the U.S., except:
 - Steel additives refining
 - External coating surface of iron/steel components

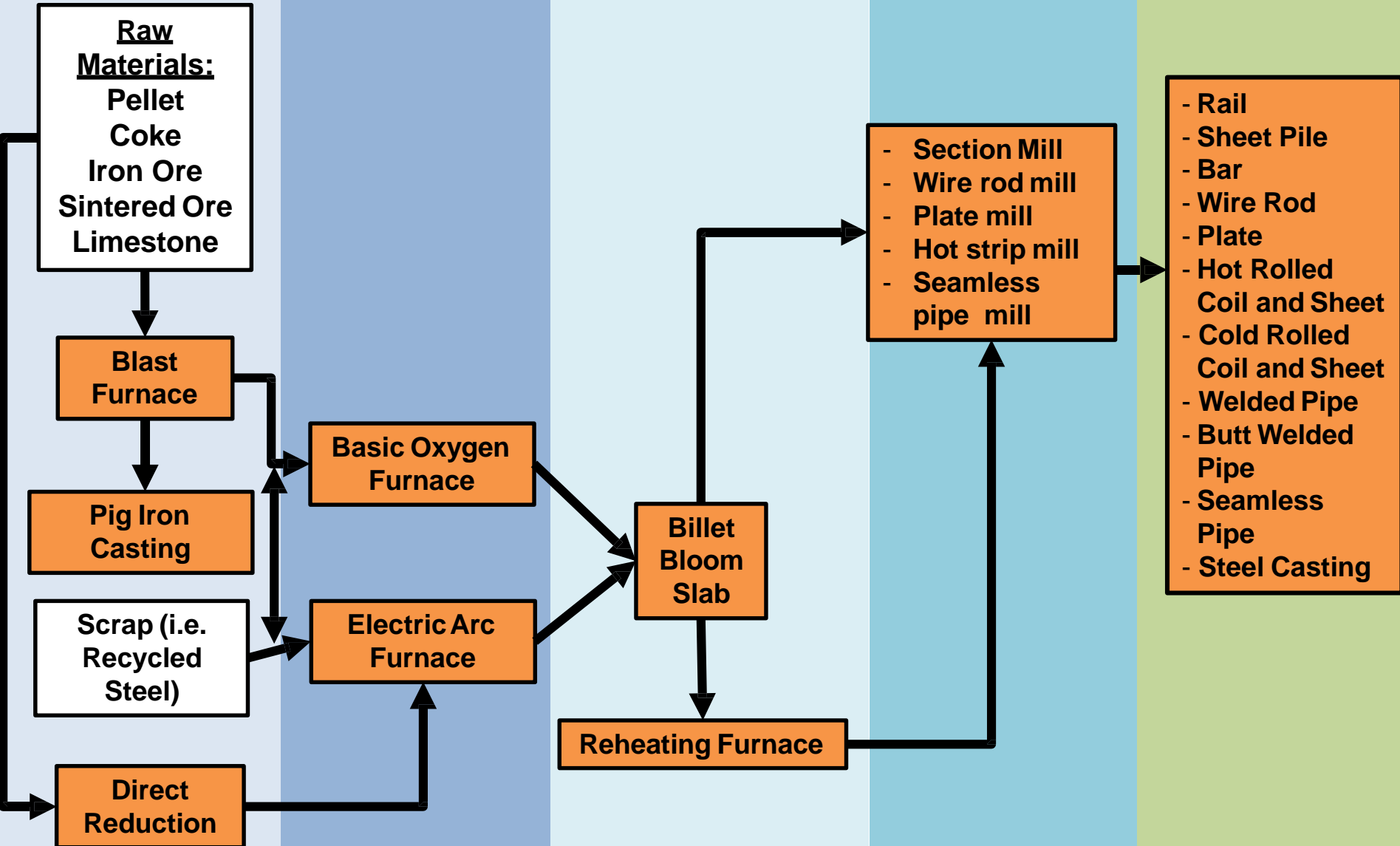
Ironmaking

Steelmaking

Continuous Casting

Rolling

Example Products



Exceptions: Which products do not have to be produced in the U.S.?

- ⦿ Raw materials, such as iron ore, limestone and iron and steel scrap
- ⦿ Non-iron or non-steel components of a primarily iron and steel product
- ⦿ Products that do not fall under any of the listed products
- ⦿ Mechanical/electrical equipment (if not a listed product)
- ⦿ Appurtenances of assemblies where the primary component is a non-covered product

Which products do not have to be produced in the U.S.?

Non-Construction Materials

- Materials that are not considered construction materials for the purpose of the AIS requirement, including mechanical and electrical components, equipment and systems
- Examples:
 - Pumps, motors, VFDs, valve actuators
 - Flow meters, sensors, SCADA
 - Disinfection systems, membrane filtration systems

Which products do not have to be produced in the U.S.?

Assemblies that are not listed products

- ⦿ AIS requirements only apply to final products, as delivered to the work site and incorporated into the project
- ⦿ Assemblies, such as a pumping assembly or a reverse osmosis packaged plant, are products with a distinct purpose.
- ⦿ Assemblies with primary components that are not listed as covered iron and steel products do not need to be made in the U.S. or composed of all U.S. parts.

Which products do not have to be produced in the U.S.?

Appurtenances of non-listed products

- ⦿ Appurtenances are items that are used for re-assembling after shipping and connecting the assembly to the rest of the treatment system.
- ⦿ If an assembly is exempt from AIS requirements, those appurtenances shipped as part of the assembly are also exempt.
- ⦿ Items that are not purchased as part of the assembly (i.e., purchased separately), are not considered appurtenances to an assembly that may be subject to this exemption.



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HOW CAN YOUR PROJECT COMPLY WITH THE AIS REQUIREMENT?



Compliance Under the AIS Requirement

1. Certification Letter

- Letter asserting that all manufacturing processes for the purchased product occurred in the U.S.

2. Waiver

- EPA has authority to waive the AIS requirement and to issue waivers for a case or category of cases



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WHAT IS AIS CERTIFICATION?



What is AIS Certification?

- A letter asserting that all manufacturing processes for the purchased product occurred in the U.S.
- Can be a Step Certification if there are multiple parties involved in the manufacturing processes.
 - Step Certification means each handler (supplier, fabricator, manufacturer, etc.) certifies their individual step(s) in the process occurred in the U.S.

Who is Responsible for AIS Certification?

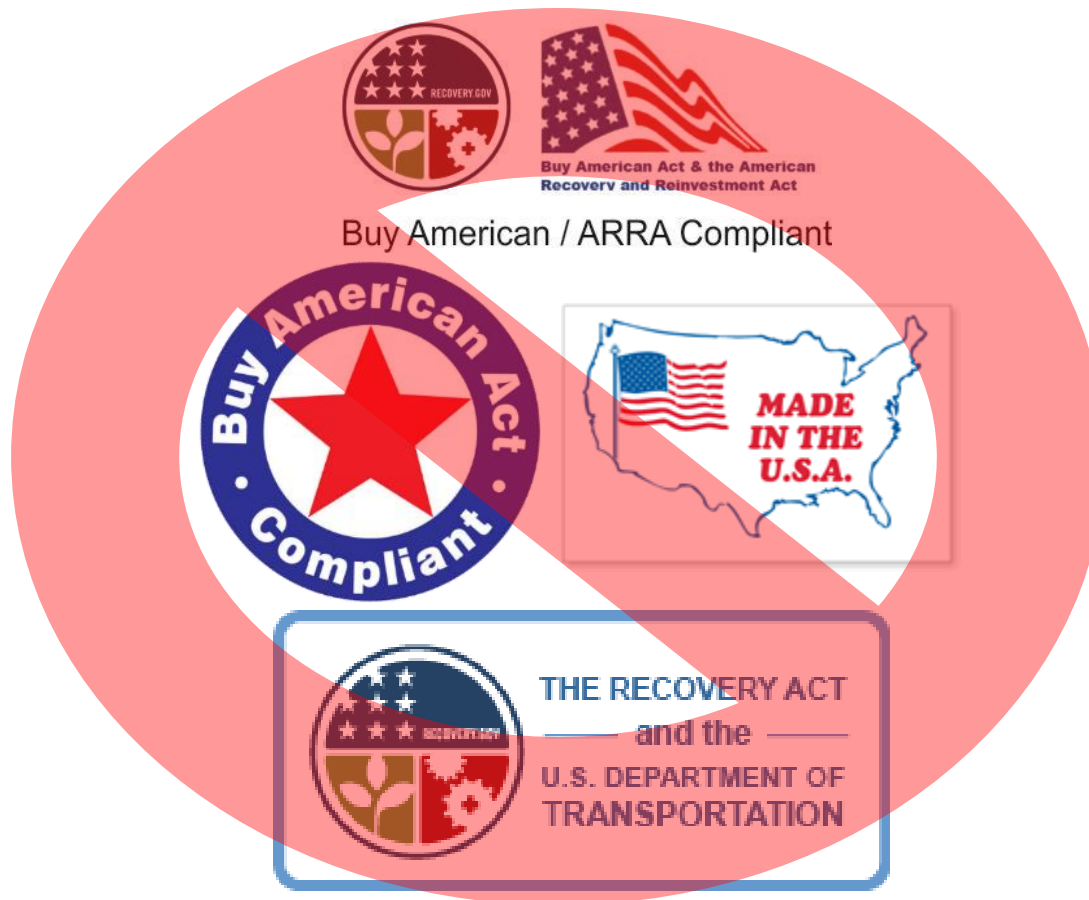
- ◉ Product manufacturer should provide the AIS certification letter for each AIS-compliant product
- ◉ Supplier collects and provides AIS certification letters for products that they sell to customers
 - If a supplier certifies a product as AIS-compliant, they are liable.
- ◉ Assistance recipient (either through engineer or construction contractor) maintain documentation for all iron and steel products that require AIS certification and are used on the SRF-funded project.

Certification Letter – Key Elements

- ◉ What is the product? The letter should list the specific product(s) delivered to the project site.
- ◉ Where was it made? The letter should include the location(s) of the foundry/mill/factory where the product was manufactured (City and State).
- ◉ To whom was it delivered? The letter should include the name of the project and/or jurisdiction where the product was delivered.
- ◉ Signature of company representative. Sales representative or QC engineer is fine.
- ◉ Reference AIS requirements. Especially if reference other domestic preference laws.

Do Other 'Buy American' Letters Work for EPA's AIS Requirement?

- Short answer: No!



Does this Certification Letter Meet the AIS requirements?

- ⦿ The EPA AIS Team is here to help review and provide feedback on certification letters.
- ⦿ Submit an email to us at: *SRF_AIS@epa.gov*
Subject line '*Cert Letter Review*'

Sample Certification Letter

The following information is provided as a sample letter of **step** certification for AIS compliance. Documentation must be provided on company letterhead.

Date

Company Name

Company Address

City, State Zip

Subject: American Iron and Steel Step Certification for Project (XXXXXXXXXXXX)

I, (company representative), certify that the (melting, bending, coating, galvanizing, cutting, etc.) process for (manufacturing or fabricating) the following products and/or materials shipped or provided for the subject project is in full compliance with the American Iron and Steel requirement as mandated in EPA's State Revolving Fund Programs.

Item, Products and/or Materials:

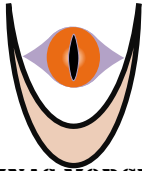
1. Xxxx
2. Xxxx
3. Xxxx

Such process took place at the following location:

If any of the above compliance statements change while providing material to this project we will immediately notify the prime contractor and the engineer.

Signed by company representative

Certification Letters Examples



MINAS MORGUL

Minas Morgul Steel, Inc.
1245 Barad Dur Ave.
Mordor, Middle Earth
+1 555 867 5309

Material Certification

August 29, 2017
Gondor Supply Co.
3477 One Ring Ln.
Fort Tirth, IA 50501

RE: Job Name: Saruman Contracting
Project#: Hobbiton Water Treatment Plant, The Shire, WY
Order Type: Submittal

<u>QUANTITY</u>	<u>DESCRIPTION</u>
30	8550350 66-S VLV BOX 26T 36B 1.5 WTR

Dear Valued Partner:

We hereby certify that the iron used to make the construction castings manufactured by MMS for the above referenced project is in full compliance with ASTM A48, Class 35B and AASHTO M105 for gray iron castings and ASTM A536, Grade 70-50-05 for ductile iron castings. Thank you for specifying and using products manufactured by Minas Morgul Steel, Inc.

The above listed castings are melted and manufactured 100% in the United States of America at our foundries in Moria, OK and Isengard, MI. These castings comply with the applicable provisions of the Code of Federal Regulations 23 CFR 635.410 BUY AMERICA Requirements.

We also certify that the above listed products supplied to the subject project are in full compliance with the American Iron and Steel (AIS) requirement as mandated in EPA's State Revolving Fund Programs.

Meriadoc Brandybuck

Product Quality Manager
Minas Morgul Steel, Inc.

AIS elements:

- ✓ Project reference
- ✓ Specific list of products
- ✓ Location of manufacturing (city and state)
- ✓ Signature of a company representative
- ✓ AIS reference

Certification Letters Examples



Water and Industrial

311 and 313 Ductile Iron Service Saddle

Product Specifications

TaperSeal Gasket:
Nitrile (Buna-N), NSF 61 listed, compounded to resist natural gas, water, oil, acids, alkalies, most (aliphatic) hydrocarbon fluids and many chemicals.
Temperature Range: -20°F to +180°F.

Body:
Ductile iron per ASTM A536.

Finish:
Fusion bonded Flexi-Coat epoxy.

Nuts:
Cold formed, semi-finished, heavy hex steel A563, electro-galvanized with di-chromate seal per ASTM B633.

Washers:
Carbon steel per ASTM A108, electro-galvanized with di-chromate seal per ASTM B633.

Option: Bales, nuts and washers 304 Stainless Steel. Nuts fluoropolymer coated.

Bales:
Carbon steel per ASTM A108 (C1018), electro-galvanized with di-chromate seal per ASTM B633.

Features:

- Certified to NSF/ANSI 61-G.
- Meets applicable AWWA C800 Standards.
- The wide saddle body provides stability on the pipe.
- The gasket is fully cemented in a cavity to hold it in place.
- NPT, AWWA and other threaded outlets available in sizes 5/8" thru 4".
- The gasket's TaperSeal hydro-mechanical lip enables the saddle to hold high pressures with just a few pounds of torque.
- At recommended torque, the saddle will exceed the working pressure of most standard pipes.
- A closed lug on one side, combined with the bale or strap, acts as a hinge for easier installation.
- Provides maximum support of the pipe for better performance in the tapped area - nearly 360°.

MARIO BROS., INC.

APPROVED	APPROVED AS NOTED	RETURNED FOR CORRECTIONS	NOT ACCEPTABLE
X			
DATE: 4/13/15			

AIS elements:

- Project reference
- Specific list of products
- Location of manufacturing (city and state)
- Signature of a company representative
- AIS reference

Saddle Number	Size	Working Pressure
311	1" - 12" Nominal	Up to 300 PSI
313	1 1/4" - 18" Nominal	Up to 300 PSI

Certification Letters Examples

January 1, 2015

Made in America

Manufacturer's Certification

This certification applies to the following products that have been manufactured in the United States, at Tatooine Iron Co., located at Mos Eisley, AZ:

- Rigid Stainless Steel Conduit, Nipples, Elbows, and Couplings

It is hereby certified that the above referenced product:

1. Meets the provisions of the American Recovery and Reinvestment Act (ARRA)
2. Meets or exceeds the UL 6A Standard for Electrical Rigid Metal Conduit -Aluminum, Bronze, and Stainless Steel requirements and are listed with the Underwriters Laboratories, File #E337297
3. Meets or exceeds the American National Standard Institute (ANSI) C80.5 Standard
4. Meets or exceeds Federal Specification WW.C.540c
5. Meets or exceeds ASTM Specification 8221
6. Meets or exceeds CSA Standard C22.2 No. 45.2

Under penalty of perjury, I declare that I have examined this certification statement, and to the best of my knowledge and belief, the facts presented are true, correct and complete.

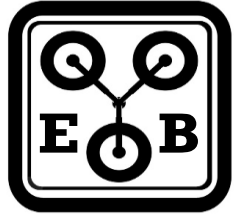
All the best,

Jurgen Murano
President & CEO
Tatooine Iron Co.

AIS elements:

- Project reference
- Specific list of products
- Location of manufacturing (city and state)
- Signature of a company representative
- AIS reference

Certification Letters Examples



**ATTACHMENT 01 62 13-01
CERTIFICATION OF COMPLIANCE
AMERICAN IRON AND STEEL**

11/30/17

Emmett Brown's Welding & Tank Company
1640 Riverside Drive
Hill Valley, CA

Subject: American Iron & Steel Certification for Project OUTATIME1985
South Elevated Water Storage Tank Rehabilitation
City of Twin Pines, CA

I, certify that the **bending, forming, rolling, cutting processes** for manufacturing the following products and/or materials shipped or provided for the subject project are in full compliance with the American Iron & Steel requirement as mandated in EPA's State Revolving Fund Programs.

Item, Products, and/or Materials:

1. Roof Handrail
2. Painter's Rail
3. Flap Gate

Such processes took place at the following location(s):
Our shop located at 9303 Lyon Drive, Hill Valley, CA.

If any of the above compliance statements change while providing material to this project we will immediately notify the prime Contractor and the Engineer.

Respectfully,

Doc Emmett Brown

CEO, Emmett Brown's Welding & Tank Maintenance

AIS elements:

- Project reference
- Specific list of products
- Location of manufacturing (city and state)
- Signature of a company representative
- AIS reference

AIS Certification – Common Mistakes

- ⦿ Manufacturers not referencing specific project and product information
- ⦿ Suppliers or customers relying on ‘made in the USA’ stampings or stickers as proof of AIS compliance
- ⦿ Manufacturers misinforming suppliers or consultants on AIS certification requirements
- ⦿ Manufacturers not referencing AIS requirements for the SRF
- ⦿ Certification letters from suppliers



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WHAT IS AN AIS WAIVER?



First and Foremost...

- ⦿ Assistance recipients should procure domestic iron and steel products.
- ⦿ A state or assistance recipient can contact EPA if they are having trouble finding a product and EPA can provide product research.

Waiver Authority

- ⦿ The statute permits EPA to issue waivers for a case or category of cases where EPA finds:
 - That applying these requirements would be inconsistent with the public interest
 - OR
 - Iron and steel products are not produced in the U.S. in sufficient and reasonably available quantities and of a satisfactory quality
 - OR
 - Inclusion of iron and steel products produced in the U.S. will increase the cost of the overall project by more than 25%.

National Waivers

- EPA has the authority to issue waivers that are national in scope
 - National waivers may be for availability of specific products or in the public's interest
 - Five national waivers approved to date
 - De Minimis
 - Minor Components
 - Stainless Steel Nuts/Bolts in Pipe Restraint Type Products (EXPIRED)
 - Pig Iron
 - Plans and Specs
- ** These national waivers are immediately available for project use. You do not need EPA approval to use these waivers.**

National Waiver: De Minimis

- ⦿ Public Interest
- ⦿ Allows SRF project a small percentage of incidental products of unknown or non-domestic origin
 - 5% total material cost
 - 1% max for any single item
- ⦿ Any listed product can be covered by this waiver, as long as the product meets the conditions above

National Waiver:

De Minimis - Documentation

- Users of the de minimis waiver should maintain documentation of all the de minimis items in a project
 - Recommended minimum documentation: tabular list of de minimis items with units and price, with summation.
 - Total material costs can be estimated if not known; however, if approaching threshold then better costs should be obtained

National Waiver:

Minor Components in Iron and Steel Products (with Cost Ceiling)

- Public Interest
- Allows the product manufacturer to include non-domestic, minor components in AIS-compliant products (up to 5% of material cost of the product)
 - Example: a fire hydrant with stainless steel pins and springs could make use of the waiver.
- Manufacturers should be prepared to provide documentation when requested by recipients

National Waiver:

De Minimis vs Minor Components

For the SRF
Assistance
Recipients

VS

For the Iron or
Steel Product
Manufacturers

National Waiver:

De Minimis vs Minor Components

For whole
products

VS

For
components
of products

National Waiver:

De Minimis vs Minor Components

5% of total
product cost
for project

VS

5% of total
materials cost
of product

National Waiver:

De Minimis vs Minor Components

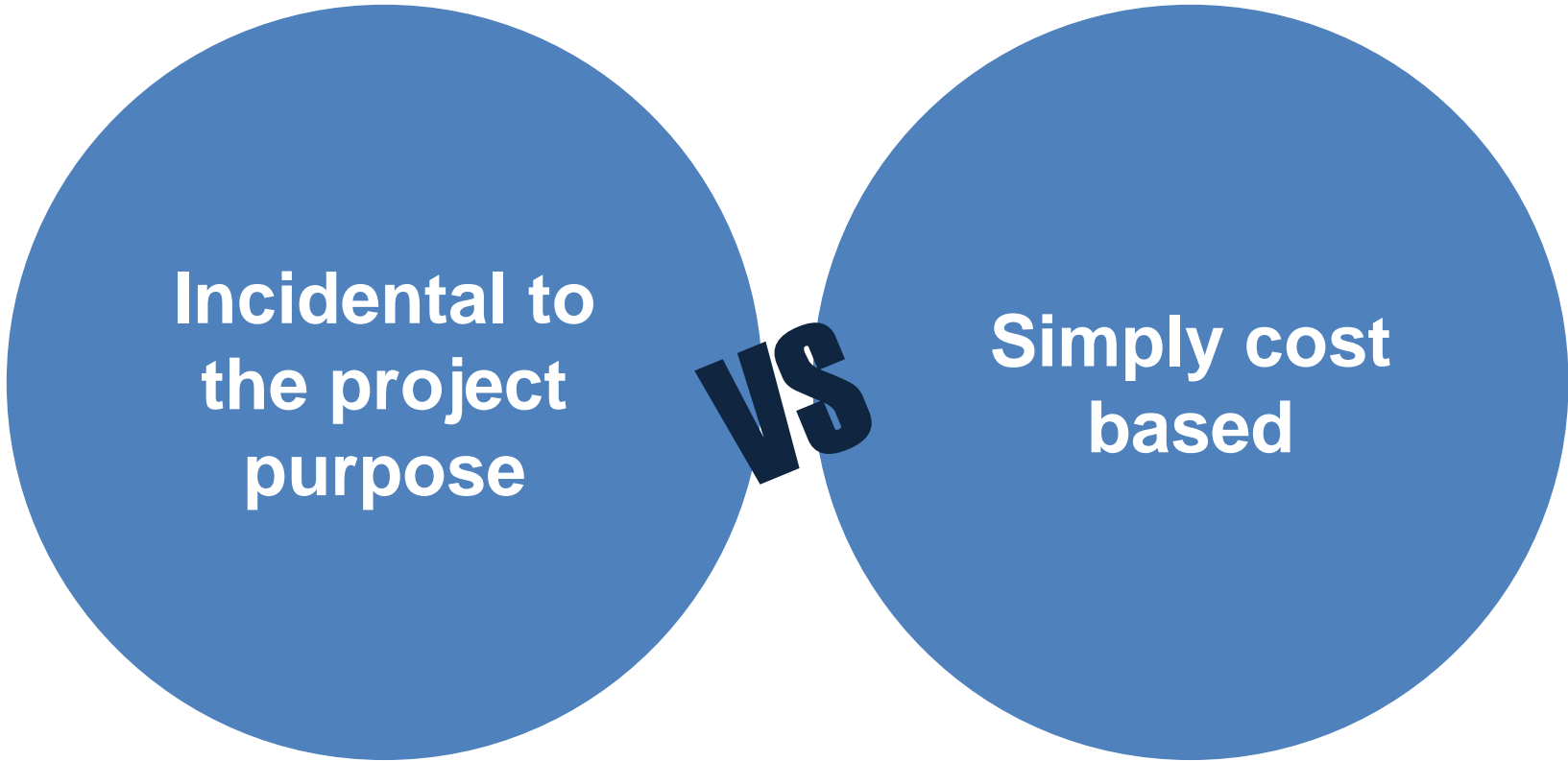
**Tabular
List
(recommended)**

VS

**Include in
Certification
Letter
(recommended)**

National Waiver:

De Minimis vs Minor Components



Incidental to
the project
purpose

VS

Simply cost
based

National Waiver:

Short-Term Stainless Steel Nuts and Bolts Used in Pipe Couplings, Restraints, Joints, Flanges, and Saddles (EXPIRED)

- ◉ Waiver expired February 24, 2020
- ◉ Availability
- ◉ Short-Term
- ◉ Allowed product manufacturer the use of non-domestic stainless steel nuts and bolts in certain products
- ◉ Products must have been purchased by the assistance recipient (or their contractor) prior to February 24, 2020

Project/Product-Specific Waivers

- ⦿ A recipient may apply (through the state) for a project-specific waiver
- ⦿ These waivers request the use of a specified non-domestic product for a specific project.
- ⦿ Other CWSRF- or DWSRF-funded projects that wish to use the same non-domestic product must apply for a separate waiver.
- ⦿ Never too early to request a waiver

Project/Product-Specific Waiver: Availability Waiver

- Availability Waivers (most common):
 - “Sufficient and reasonably available quantities and of a satisfactory quality”
 - Available Quantity
 - The quantity of iron or steel products is not available or will not be available at the time needed and place needed, and in the proper form or specification as specified in the project plans and design
 - Satisfactory Quality
 - The quality of iron or steel products, as specified in the project plans and design

Project/Product-Specific Waiver: Public Interest Waiver

- ⦿ EPA has the authority to issue public interest waivers.
- ⦿ Evaluation of a public interest waiver request is more complicated, so they take more time for a decision to be made.
- ⦿ These waiver requests have always had a higher bar.

Project/Product-Specific Waiver: Cost Waiver

- ⦿ Assistance recipient must show that a project cost increased more than 25%
- ⦿ This is a very high threshold to meet
- ⦿ To date, only one cost waiver has been approved

Waiver Process – Project-Specific

Step 1: Borrower puts together a request

Step 2: Borrower emails the request to the State SRF program

Step 3: State SRF determines if all information was provided

Step 4: State SRF forwards the application to EPA Headquarters

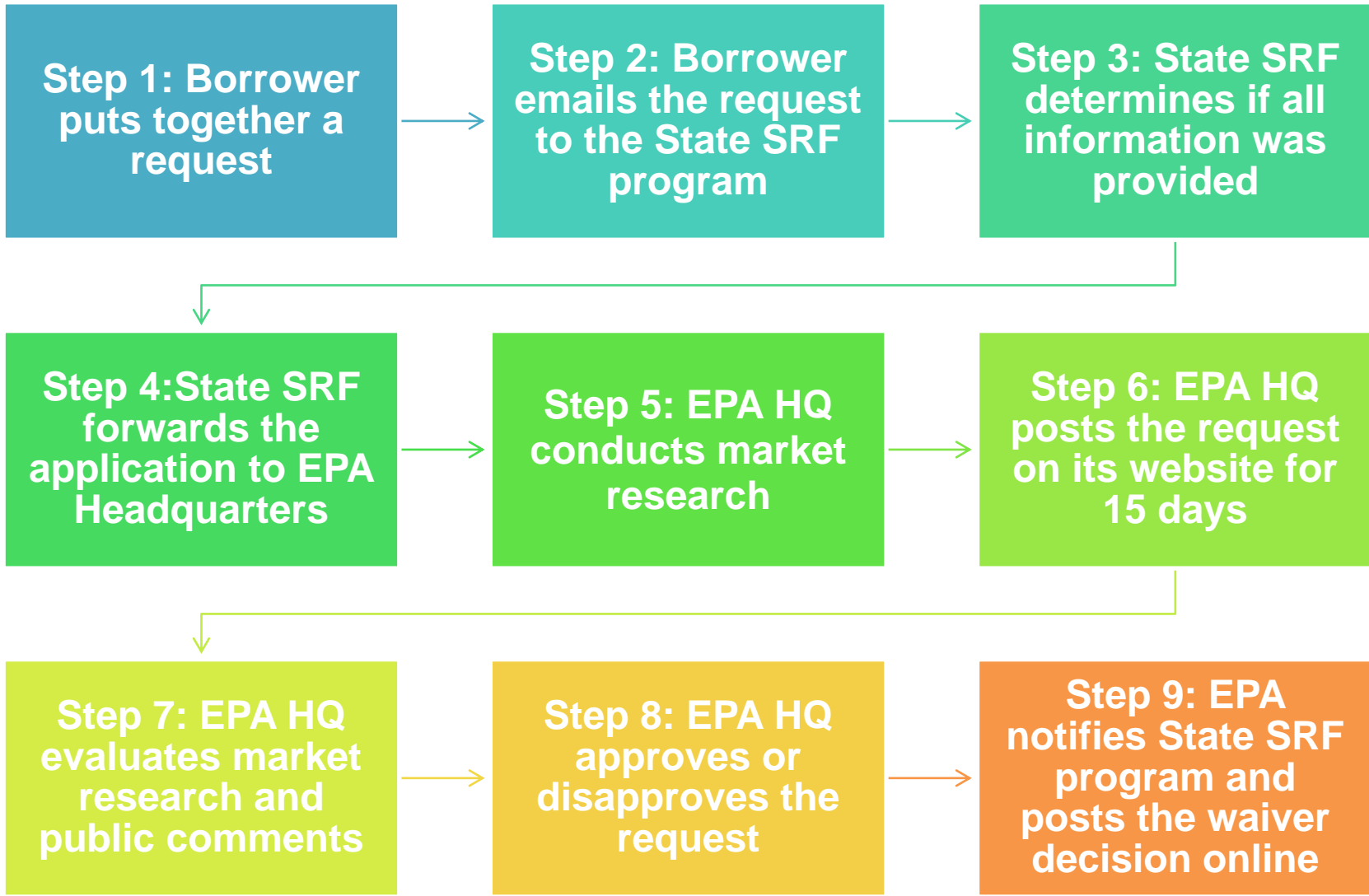
Step 5: EPA HQ conducts market research

Step 6: EPA HQ posts the request on its website for 15 days

Step 7: EPA HQ evaluates market research and public comments

Step 8: EPA HQ approves or disapproves the request

Step 9: EPA notifies State SRF program and posts the waiver decision online



Assistance recipients are strongly encouraged to:

- ⦿ Hold pre-bid conferences with potential bidders.
 - The need for a waiver request can be identified at any point before, during, or after the bid process.
- ⦿ Identify iron and steel products needed to complete the project
- ⦿ Identify the need to seek a waiver
- ⦿ Provide proper and sufficient documentation in the waiver request, including:
 - Timeline for product need
 - Product specifications (very important!)



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WHAT IS NON-COMPLIANCE?



What is non-compliance?

- ⦿ Intentional or unintentional use of a non-domestic iron or steel product that is covered under the AIS requirement
- ⦿ Non-domestic iron or steel items may be used **temporarily**, but must be removed before project completion
 - Example: Installing a non-domestic butterfly valve as a placeholder until the domestic valve is delivered and installed in its place.

How to address non-compliance?

- ◉ Steps to take if a non-compliant product is permanently installed on a project site:
 - State should notify assistance recipient of potential non-compliance
 - Evaluate alternatives – i.e., can the product be covered by a waiver?
 - If assistance recipient does not take corrective action, State should issue a non-compliance letter and notify EPA
 - EPA is available to assist the State in developing non-compliance letters and can provide example letters

Where can I find EPA AIS resources?

- Website: <http://www.epa.gov/cwsrf/state-revolving-fund-american-iron-and-steel-ais-requirement> (Or just search “SRF AIS”)
- Website Contents
 - Guidance: Implementation memorandum and subsequent Q&A documents to assist SRF recipients in complying with AIS requirements
 - Training Materials
 - Waivers: Information about project-specific and national waivers, and the waiver process



Related Topics: [Clean Water State Revolving Fund](#)

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State Revolving Fund American Iron and Steel (AIS) Requirement

The American Iron and Steel (AIS) provision requires Clean Water State Revolving Fund (CWSRF) and Drinking Water State Revolving Fund (DWSRF) assistance recipients to use iron and steel products that are produced in the United States. This requirement applies to projects for the construction, alteration, maintenance, or repair of a public water system or treatment works.

The AIS provision is a permanent requirement for all CWSRF projects. The America's Water Infrastructure Act of 2018 extends the AIS provision for DWSRF projects through Fiscal Year 2023. For details, see [Legal Authority](#) below.

The appropriation language sets forth certain circumstances under which EPA may waive American Iron and Steel requirements. For details, see [Waiver Request Process](#).

AIS Topics

- [AIS Overview and Guidance](#)
- [Waiver Requests Received by EPA](#)
- [Approved National Waivers](#)
- [Approved Project Waivers](#)
- [Draft National Waivers](#)
- [Withdrawn or Denied Waivers](#)
- [Waiver Request Process](#)

On this page:

- [AIS Online Webinars](#)
- [AIS Guidance, Questions and Answers, and Training Materials](#)
- [Annual Reports](#)
- [Inquiries and Comments](#)
- [AIS Legal Authority](#)

Where can I find EPA AIS resources?

- ◉ Email: SRF_AIS@epa.gov
- ◉ Typical inquiries received:
 - What is AIS and what do I need to do?
 - Does this product need to be AIS-compliant?
 - Is this certification letter appropriate to use?
 - What is the waiver request process?



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American Iron and Steel (AIS) Requirements for SRF and WIFIA projects

THANK YOU!

AIS Questions:

- SRF_AIS@epa.gov

EPA AIS website:

<https://www.epa.gov/cwsrf/state-revolving-fund-american-iron-and-steel-ais-requirement>