



**DRINKING WATER FUND AGREEMENT
ADEC LOAN NUMBER XXXXXX
ABC Community
XYZ Upgrade Project**

THIS AGREEMENT is entered into as of [Month] XX, 20__ by the Alaska Department of Environmental Conservation (the Department) and the ABC Community, acting pursuant to Ordinance Number XXXX-XX (herein after referred to as "this Ordinance") approved by the ABC Community for a loan amount of \$XXX with a loan term of 20 years.

SECTION I – DEFINITIONS

Section 1.1. ...

(e) "iron and steel products" means the following products made primarily of iron or steel: lined or unlined pipes and fittings, manhole covers and other municipal castings, hydrants, tanks, flanges, pipe clamps and restraints, valves, structural steel, reinforced precast concrete, and construction materials.

SECTION III - ACQUISITION OF PROJECT SITE, CONSTRUCTION OF PROJECT FACILITY, LOAN DISBURSEMENT, AND PAYMENT OF COSTS

Section 3.2. In connection with the construction of the project, the Community agrees that: ...

(e) American Iron and Steel: None of the funds made available to the borrower shall be used for a project for the construction, alteration, maintenance, or repair of a public water system or treatment works unless all of the iron and steel products used in the project are produced in the United States. This requirement applies to the entire project receiving a loan agreement that is fully signed on and thereafter the effective date of January 17, 2014 through October 1, 2015. However, if approved engineering plans and specifications by a State agency are completed prior to the enactment date, this requirement will not apply. Consideration for exclusions to this requirement are as follows: being inconsistent with the public interest; iron and steel products that are not produced in the United States in sufficient and

reasonably available quantities and of a satisfactory quality; or inclusion of iron and steel products produced in the United States that will increase the cost of the overall project by more than 25 percent. For these exclusions to apply, a request for a waiver must be submitted to the Environmental Protection Agency (EPA) for consideration of approval. Borrowers have the option of sending a waiver request directly to EPA with a copy to the Department, or they can submit the waiver to the Department who will then forward it on to the EPA. EPA will then make available to the public on an informal basis (EPA's public internet web site) a copy of the request and information available to the Administrator concerning the request, and shall allow for informal public input on the request for at least 15 days prior to making a finding based on the request.