



Division of Water

# Alaska Clean Water Actions Grants

Nonpoint Source Water Quality Program

## American Iron and Steel (AIS)

All “treatment works” (as defined in the Clean Act Section 212) projects are subject to the American Iron and Steel (AIS) requirements regardless of what percentage of the project is funded by the Alaska Clean Water Actions (ACWA) grant program. Most ACWA grants are nonpoint source pollution projects and are not defined as “treatment works”. If unsure, contact the DEC ACWA program for more information to discuss if AIS may be required for your project.



### Iron and Steel Products Subject to AIS

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\*\*.

*\*Structural steel is defined as rolled flanged shapes, having at least one dimension of their cross-section three inches or greater, which are used in construction of buildings.*

*\*\*Construction materials are defined as articles, materials, or supplies (such as, but not limited to, rebar, fasteners, framing joists, railings, doors, etc.), not including mechanical and/or electrical components, equipment, and systems.*

### Definition of “Produced in the U.S.”

All manufacturing processes such as melting, refining, forming, rolling, drawing, finishing, and fabricating must occur in the U.S. Further, if a domestic iron and steel product is taken out of the U.S. for any part of the manufacturing process, it becomes a foreign source material.



### Does This Product Have to Comply with AIS?

1. Is the product a listed product? (See the list above)
2. Is the product made of primarily iron or steel? (products greater than 50% iron or steel, measured by material costs only)
3. Is the product permanently incorporated into the project?

If the answers to these three questions are all “yes,” then this is an iron and steel product subject to AIS requirement, and the product must be produced in the U.S. or otherwise be covered by a waiver.



### Methods of AIS Compliance

#### Certification Letters

A certification letter from the manufacturer asserting that all manufacturing processes for the purchased product(s) occurred in the U.S. Additionally, each certification letter must include the 5 elements listed below.

1. SRF construction project name and location
2. A list of specific product(s) delivered to the project site

#### Waivers

The AIS waiver process allows EPA to grant waivers from AIS requirements if one or more of the following criteria applies:

1. Applying AIS requirements would be inconsistent with the public interest;
2. Iron and steel products are not produced in the U.S. in sufficient and reasonably available quantities as well as of a satisfactory quality; or



3. Location of the foundry/mill/factory where the product was manufactured (City and State)
4. Signature of a company representative
5. A statement that the product is in compliance with AIS requirement as managed in EPA's SRF Program

3. Inclusion of iron and steel products produced in the U.S. will increase the cost of the overall project by more than 25 percent.

*For additional information on the waiver process, a list of current approved or proposed waivers, and/or the requirements, please visit the EPA AIS Requirement Waiver Process webpage.*

Additional AIS information is available at:

<https://www.epa.gov/cwsrf/american-iron-and-steel-requirement-guidance-and-questions-and-answers>

