American Iron and Steel (AIS)

**Guidance for SRF Projects in North Carolina**

This state guidance **summarizes** the requirements under Subsection 436 (a)(2) of the Consolidated Appropriations Act of 2014 that SRF recipients only use iron and steel products produced in the United States. The Environmental Protection Agency provides full guidance on the requirements at the following website: <http://water.epa.gov/grants_funding/aisrequirement.cfm>.

Recipients of subject SRF awards must submit the executed **Certification for SRF Projects** and any waiver requests with their Bid Package. The recipient cannot receive a promissory note without these items.

Manufacturers can use the template “Compliance Certification” to document that materials are “produced in the United States.”

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American Iron and Steel (AIS)

**Certification for SRF Projects**

Recipients of subject SRF awards must submit **this executed form and any waiver requests** with their Bid Information package to the State SRF program in order to receive funding.

The \_\_(Applicant)\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ certifies that their contractors performing construction, alteration, maintenance and repair of the public treatment works under project number \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ will comply with subsection 436 (a)(2) of the Consolidated Appropriations Act of 2014 and only use iron and steel products produced in the United States.

**Contractor Representative** **Project Applicant/Owner** **Representative**

(print)\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (print)\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(sign and date)\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (sign and date)\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Company Name** **Applicant/Owner Name and Project No.**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**AIS Waiver Instructions**

Approved national waivers can be found at this website:

<http://water.epa.gov/grants_funding/aisrequirement.cfm>

Please note that a national waiver for “*de minimis*” iron and steel components has been approved. A table is included in this document for use in documenting what items are to be considered as covered under this waiver. Note that no single *de minimis* item can be more than 1% of the total material cost of the project and the total of all *de minimis* items must not exceed 5% of the **total material cost of the project**.

Waiver Requests are provided for in subsection 436(b) of the Act. It states they will be granted if the Administrator of the EPA finds that:

1. Applying subsection (a) would be inconsistent with the public interest;
2. Iron and steel products are not produced in the United States in sufficient and reasonably available quantities and of a satisfactory quality; or
3. Inclusion of iron and steel products produced in the United States will increase the cost of the overall project by more than 25 percent.

A checklist of items for a complete waiver application package can be found in the EPA guidance document for AIS found here:

<http://water.epa.gov/grants_funding/upload/AIS-final-guidance-3-20-14.pdf>

* Submit DWSRF waiver requests to [vincent.tomaino@ncdenr.gov](mailto:vincent.tomaino@ncdenr.gov).
* Submit CWSRF waiver requests to [mark.hubbard@ncdenr.gov](mailto:mark.hubbard@ncdenr.gov).

The State will forward these to the EPA for a final determination.

**Materials Covered by AIS**

Lined and unlined pipes and fittings, manhole covers, municipal castings (detailed below), hydrants, tanks, flanges, pipe clamps and restraints, valves, structural steel (detailed below), reinforced precast concrete and construction materials (detailed below). Products must be composed of greater than 50% iron and steel measured by cost and permanently incorporated into the project to be subject to the provision.

|  |  |  |
| --- | --- | --- |
| **Municipal Castings** | **Structural Steel** | **Construction Material** |
| Access Hatches  Ballast Screen  Benches  Bollards  Cast Bases  Cast Iron Hinged Hatches  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  Drainage Grates, Frames and Inlets  Inlets  Junction Boxes  Lampposts  Manhole Covers, Rings, Frames and Risers  Meter Boxes  Service Boxes  Steel Hinged Hatches  Steel Riser Rings  Trash Receptacles  Tree Grates  Tree Guards  Trench Grates  Valve Boxes, Covers and Risers | Wide Flange shapes  I-beams  Channels  Angles  Tees  Zees  H-piles  Sheet piling  Tie Plates  Cross Ties  (note: at least one dimension must be 3 inches or greater to be subject) | Wire Rod  Bar  Angles  Concrete Reinforcing Bar  Wire  Wire Cloth  Wire Rope and Cables  Tubing  Framing  Joists  Trusses  Fasteners  Welding Rods  Decking  Grating  Railings  Stairs  Access Ramps  Fire Escapes  Ladders  Wall Panels  Dome Structures  Roofing  Ductwork  Surface Drains  Cable Hanging Systems  Manhole Steps  Fencing and Fence Tubing  Guardrails  Doors Stationary Screens |

Mechanical and electrical components, equipment and systems are not subject to AIS. See the EPA guidance for details.

**Template Compliance Certification For Materials Covered by AIS**

Company Name:

Company Address:

SRF Project name and project number:

I\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, certify that the following products were produced at the following location or steps in the production of the listed products, occurred at the following location:

Location:

Product Step in production (Final production, melting, bending, etc.)

1)

2)

3)

Therefore, these materials are “produced in the United States.”

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(signature and title of company representative) (date)

*De Minimis* List

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| --- | --- |
| **Item** | **Cost** |
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**Total *De Minimis* Cost: $**

**Total Material Cost For Project: $**

**De Minimis Cost is percent of total material costs.**