

WISCONSIN DNR
Department of Natural Resources

Environmental Loans Program


- DNR Webinar: Use of American Iron and Steel
- February 12, 2015
- Format:
 - 15 minute presentation
 - Up to 30 mins. for questions/answers
- Panel:
 - Becky Scott – WDNR
 - Andy Bielanski – US EPA Region V
- Moderator:
 - Robin Schmidt - WDNR



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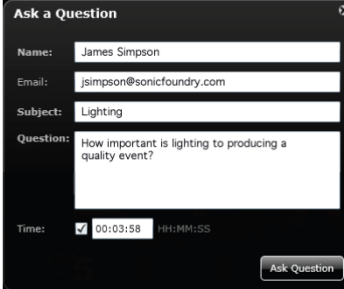
How to Ask a Question

Click **Ask a question** icon at bottom of page:




A box will appear similar to this:

Enter your name,
email address (optional),
the subject your question and
your question.






Click **Ask Question** ↑


Click **Close** to exit the window.



UAIS Background

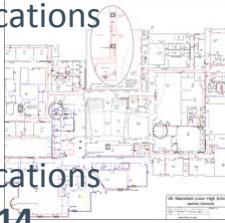
- Congressional Requirement
 - Consolidated Appropriations Act of 2014
 - Clean Water Fund Program (CWFP)
 - Safe Drinking Water Loan Program (SDWLP)
 - Water Resources Reform and Development Act
 - **Permanent** requirement for **CWFP** projects
 - Consolidated and Further Continuing Appropriations Act of 2015
 - SDWLP



UAIS Applicability

- CWFP
 - All projects for which plans and specifications were approved **after June 9, 2014**
- SDWLP
 - All projects for which plans and specifications were approved **after December 15, 2014**



Notes:


- If plans and specifications have multiple approvals, the date of the first approval (assuming they all relate to a discrete project) is the date that determines compliance
- The passage of the most recent appropriation act and WRRDA re-set previously established compliance dates\
- Please review EPA UAIS guidance for more information

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UAIS Definition

“iron and steel products” include 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
- construction materials




This is NOT the same as the ARRA *Buy American* Requirement!

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Documenting Compliance


- Include UAIS language in each contract
 - Purchase agreements
 - RFPs and bid solicitation
 - Construction contracts
- Assistance recipients
 - Must certify that successful bidders certified their understanding of and compliance with the UAIS requirements
 - complete an additional UAIS certification of compliance at project closeout after construction is completed



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Documenting Compliance

- Step Certification:
 - Includes each handler of the iron and steel (supplier, fabricator, manufacturer, processor, etc.)
 - certifications collected and maintained by the assistance recipient.
 - the name of the manufacturer;
 - the location of the **manufacturing** facility (not its headquarters);
 - a description of the product; and
 - a signature from a responsible party representing the manufacturer.
- See EPA guidance for more information and sample language




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UAIS Certification

- WDNR Certification Forms
 - required for all applicable projects
 - Separate form for CWF and SDWLP
 - Must be submitted prior to loan closing
 - Can't be submitted until bidding
 - <http://dnr.wi.gov/Aid/UAIS.html>
- EPA Guidance
 - guidance to ensure compliance


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



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UAIS Waivers


- Legislation allows for waivers if the EPA Administrator finds:
 - Applying the UAIS requirements is inconsistent with public interest
 - American-made iron and steel products not produced in sufficient and reasonably available quantities and of satisfactory quality
 - Overall cost of the project is increased by more than 25% due to UAIS products



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UAIS Waivers


- **2 National *Public Interest* Waivers Approved**
 - De minimis
 - Allows use of non-compliant iron and steel if funds used for these are $\leq 5\%$ of total cost of materials and any individual component does not exceed 1%
 - Plan and Specifications
 - No longer applicable to new funding agreements since recent legislation clarified applicable dates



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UAIS Waivers

- **2 Draft National *Public Interest* Waivers**
 - Short Term:
 - National product waiver for stainless steel nuts and bolts used in pipe couplings, restraints, joints, flanges and saddles
 - Pig iron and direct reduced iron

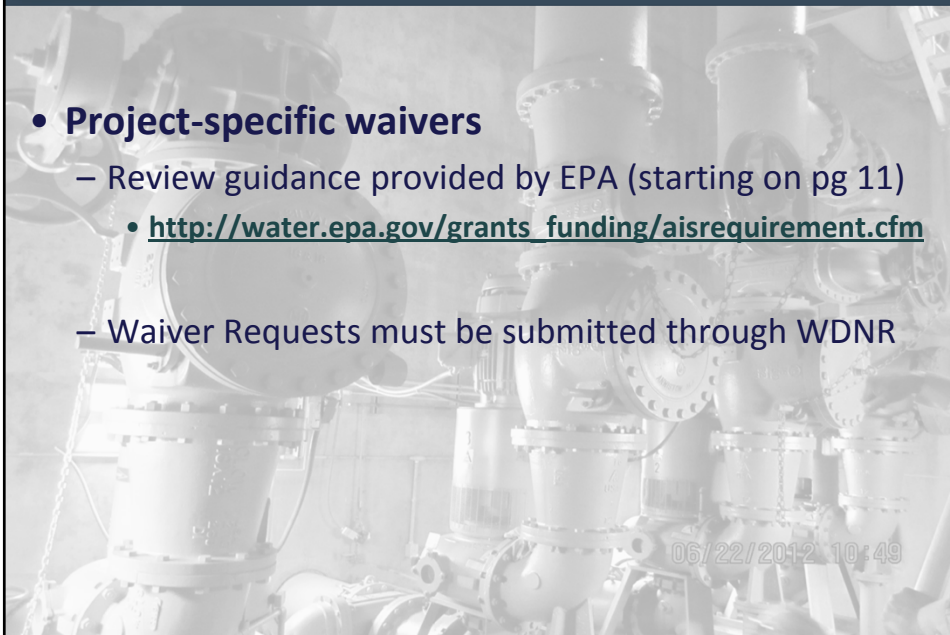


Note: USEPA awaiting signature authority delegation to help expedite waiver approvals

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UAIS Waivers


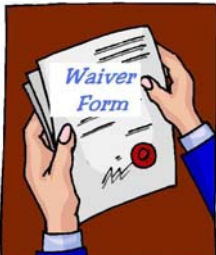

- **Project-specific waivers**
 - Review guidance provided by EPA (starting on pg 11)
 - http://water.epa.gov/grants_funding/aisrequirement.cfm
 - Waiver Requests must be submitted through WDNR



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UAIS Waivers


- WDNR Process for Project-Specific Waivers
 - Submit waiver request to Becky Scott at:
 - rebecca.scott@wisconsin.gov
 - No specific form needed
 - Include supporting documentation to justify waiver

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UAIS Helpful Hints

- If concerned about cost increases, bid your project with an alternate for non-UAIS compliance
 - Helps justify waiver for 25% cost increase
- If you are requesting a waiver, submit the request as soon as possible
 - 15 day posting for comment
 - Likely to be 30 days or more for approval
- Keep your paperwork handy - EPA will be conducting field audits on UAIS compliance



Contacts

- Becky Scott – WDNR/UAIS specialist
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 - 312-886-0208
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