



# American Iron & Steel (AIS)

## REQUIREMENTS FOR STATE REVOLVING FUND (SRF) PROJECTS



The Water Resources Reform and Development Act of 2014, the Consolidated Appropriations act of 2014 ([Public Law 113-76](#)), and subsequent laws continue to require the use of American made iron and steel products for all projects (construction, alteration, maintenance or repair of a public water system or treatment works) receiving financial assistance from the Clean Water and Drinking Water State Revolving Funds (SRF). The AIS provision applies to construction materials made primarily of iron or steel (50% or greater based on material costs) that are permanently incorporated into an SRF project.

*\*Please see the reverse page for a list of applicable products.*

### ROLES & RESPONSIBILITIES

**Loan Recipient** - Incorporates AIS requirements into all contracts (see "[front-end](#)" templates). Obtains manufacturer certifications and maintains documents in project files. Submits [De minimis Use Tracking Form](#) with each disbursement request and "project" AIS certification at substantial completion.

**Contractor** - Procures U.S. made products and obtains certifications from manufacturers and maintains a list of incidental items covered by the De minimis Use Waiver (see reverse page for more information). Submits the [AIS certification form](#) (D-2.2) with each payment application.

**Manufacturer** - Provides product certifications to loan recipient.

**State** - Conducts inspections and examines documentation for incorporated products. Reviews the De minimis tracking form.

**Engineer/Consultant** - Assists loan recipient to comply with requirements by ensuring AIS is incorporated into all contracts and all prospective bidders are aware of AIS components incorporated into design. When approving shop drawings and materials, verify AIS compliance and assist with collecting certifications.

**Be Proactive! Identify AIS components upfront and obtain certifications early in the process.**

### MANUFACTURER'S CERTIFICATION REQUIREMENTS

The Contractor, through its subcontractors, suppliers, and manufacturers, shall provide to the Owner written certification that all iron and steel materials provided for the project comply with the AIS requirements of the SRF programs.

Manufacturer's certification letters **must include** the following:

-  Manufacturer name.
-  SRF construction project name and location.
-  A list of specific product(s) delivered to the project site
-  A statement that the product is in compliance with the American Iron and Steel requirement as mandated in EPA's SRF programs.
-  The location of the foundry/mill/factory where the product was manufactured (City and State).
-  A signature by a manufacturer's responsible party.

A Sample Manufacturer's Certification is included as Appendix B of the EPA's [American Iron and Steel Requirements Guidance](#) document.



For additional information regarding the AIS provision and requirements, please visit:  
<https://www.epa.gov/cwsrf/state-revolving-fund-american-iron-and-steel-ais-requirement> or  
<https://www.des.nh.gov/organization/divisions/water/dwgb/capacity/dwsrf.htm>



# AMERICAN IRON & STEEL (AIS) - REQUIREMENTS FOR STATE REVOLVING FUND (SRF) PROJECTS

## IRON & STEEL PRODUCTS subject to AIS include:

- Lined/unlined pipes or fittings
- Manhole covers
- Municipal castings
- Hydrants
- Tanks
- Pipes, clamps, & restraints
- Valves
- Structural Steel
- Reinforced precast concrete

### Construction Materials:

- Wire & wire rod/cloth/rope/cable
- Stairs
- Access ramps
- Fire escapes
- Ladders
- Wall panels
- Trusses
- Decking
- Grating
- Railings
- Concrete reinforcing bars (rebar)
- Angles
- Tubing
- Joists
- Framing
- Welding rods
- Fasteners
- Dome Structures
- Roofing
- Fencing & fence tubing
- Ductwork
- Doors & Door Frames
- \*More...

\*For additional information and a more detailed list, please review EPA's [American Iron and Steel Requirements Guidance](#) document.



## Non-construction materials not subject to AIS includes mechanical and electrical components, equipment, and systems such as:

- Pumps
- Motors
- Gear Reducers
- Drives (i.e., VFDs)
- Electric/pneumatic/manual accessories to operative valves
- Gates
- Meters
- Sensors
- Compressors
- Controls and switches
- Blowers/aeration equipment
- Mixers
- Motorized screens
- Supervisory control and data acquisition
- \*More...



\*For additional information and a more detailed list, please review EPA's [American Iron and Steel Requirements Guidance](#) document.

The **AIS waiver process** allows EPA to grant waivers from the 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 US in sufficient quantities and reasonably available quantities and of a satisfactory quality; or
- (3) Inclusion of AIS component will increase cost of project by more than 25%

For additional information on the waiver process, a list of current approved or proposed waivers, and/or the requirements, please visit: <https://www.epa.gov/cwsrf/american-iron-and-steel-requirement-waiver-process>

**Note:** Until a waiver is granted by EPA, the AIS requirements apply.

The **AIS De minimis waiver** applies to miscellaneous low-cost components that are incidental to the project purpose. De minimis materials include small washers, screws, fasteners (such as "off the shelf" nuts and bolts), miscellaneous wire, corner bead, ancillary tube, signage, trash bins, door hardware, etc.

Loan recipients may utilize this waiver by tracking all incidental project materials on the [De Minimis Tracking Report](#). Costs for incidental components cumulatively may comprise no more than a total of five percent (5%) of the total project materials cost and the cost of an individual item may not exceed one percent (1%) of the total project materials costs.

## QUESTIONS



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<https://www.epa.gov/cwsrf/state-revolving-fund-american-iron-and-steel-ais-requirement> or <https://www.des.nh.gov/organization/divisions/water/dwgb/capacity/dwsrf.htm>