



## ARRA Buy American Requirement

- Use U.S.-made iron, steel, and manufactured products in ARRA-funded water projects
- **OR**
- Request a waiver to allow use of foreign-made products

## What is a Buy American Waiver?

- A waiver allows you to use foreign-made products on an ARRA-funded water project

## Basis for Issuing Waivers

- **Public Interest.** Use of U.S. made product would be inconsistent with public interest
- **Availability.** Product not produced in sufficient quantity or quality in the U.S.
- **Cost.** Use of U.S. product would increase cost of overall project by more than 25%

## Existing National Waivers

- **Refinancing waiver** (for projects that incurred debt obligations between 10/1/2008 and 2/17/09 that were refinanced by the SRF using ARRA funds).
- **Bid waiver** (for projects that solicited bids between 10/1/2008 and 2/17/09).
- **Revised De Minimus waiver** (for de minimus incidental components of projects that comprise no more than 5% of total materials cost).

## How to Apply for a Waiver

- **Already Covered?** If you are already covered by a national waiver you don't have to do anything except maintain documentation showing that you are covered. But it is a very good idea to email someone in the state SRF program (who will email someone in the EPA SRF program) to confirm that you are actually covered.

## How to Apply for a Waiver

- **Not Already Covered.** If you are not already covered by a national waiver and your project involves use of foreign-made goods, you need to apply.  
Here's how:
  1. Fill out the Buy American waiver checklist and assemble the required documentation. Specific details (and the checklist) can be found at: [http://www.epa.gov/water/eparecovery/docs/04-29-2009\\_BA\\_waiver\\_process\\_final.pdf](http://www.epa.gov/water/eparecovery/docs/04-29-2009_BA_waiver_process_final.pdf)
  2. Submit the application materials in electronic format to: [region10waiver@epa.gov](mailto:region10waiver@epa.gov)
  3. Goal is for EPA to process waiver request within 2 weeks of receiving complete application.

## Not Sure If You Need a Waiver?

- Review the Buy American waiver guidance documents, national waivers, and regional waivers. All of these can be found at:
  - <http://www.epa.gov/water/eparecovery>

## If You Still Have Questions

- **DWSRF projects:**
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  - **Michelle Tucker**
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