



U.S. EPA OFFICE OF WATER LUNCH AND LEARN SERIES

CERTIFICATION OF AIS AND BABA PRODUCTS

JANUARY 2026



Clean Water
State Revolving Fund

Disclaimer

This presentation cannot substitute for official guidance, nor can it change existing guidance or statute. The purpose of this session is to provide an information on the domestic preference requirements, including American Iron and Steel and the Build America, Buy America Act, as currently understood by the Environmental Protection Agency. We hope to provide you with a better understanding of the requirements, with the caveat that we are human and any potential incorrect statements or errors we may make during this presentation do not change official statute or guidance.

THE AMERICAN IRON AND STEEL REQUIREMENT (AIS)

AIS requires the use of iron and steel products that are produced in the United States for the construction, alteration, maintenance, or repair of a public water system or treatment works.

THE BUILD AMERICA, BUY AMERICA ACT (BABA)

“[N]one of the funds made available for a Federal financial assistance program for infrastructure...may be obligated for a project unless all of the iron, steel, manufactured products, and construction materials used in the project are **produced in the United States.**”

AMERICAN IRON AND STEEL

- AIS covers listed products that are greater than 50% iron and steel
- **Produced in the United States means:**
 - All manufacturing processes, **from the initial melting stage** must occur in the U.S. except the application of coatings and refining of steel additives



BABA: IRON AND STEEL

- Includes items that are **predominantly (>50%) iron or steel**, or a combination of the two materials, unless another standard applies under law or regulation
- **Produced in the United States means:**
 - All manufacturing processes, **from the initial melting stage through the application of coatings**, must occur in the U.S.





BABA: CONSTRUCTION MATERIALS

1. Non-ferrous metals
2. Plastic and polymer-based products (including PVC, composite building materials, and polymers)
3. Glass
4. Fiber optic cable
5. Optical fiber
6. Lumber
7. Drywall
8. Engineered wood

Produced in the United States means: all manufacturing processes must occur in the United States. Specific compliance details for each construction material can be found at 2 CFR 184.6.

BABA: MANUFACTURED PRODUCTS

- Articles, materials, or supplies that have been:
 - (i) Processed into a specific form and shape; or
 - (ii) Combined with other articles, materials, or supplies to create a product with different properties than the individual articles, materials, or supplies.
- **Produced in the United States means:**
 - **Final manufacturing in the United States**
 - Cost of components that are mined, produced, or manufactured in the U.S. **is greater than 55% of the total cost of all components** of the manufactured product



ON THE TOPIC OF KITS

- A product is a “**kit**” and can be evaluated as a single and distinct manufactured product when it is acquired from a **single manufacturer** and is **assembled on the work site**. Kits are limited to **discrete products** that **perform a unified function**. Kits are distinguished from more wide-ranging systems.

WHERE DOES EACH REQUIREMENT APPLY?

AIS

- Applies to all **SRF projects** at Public Water Systems and Publicly Owned Treatment Works
- Community Grants, WIFIA, and some USDA projects

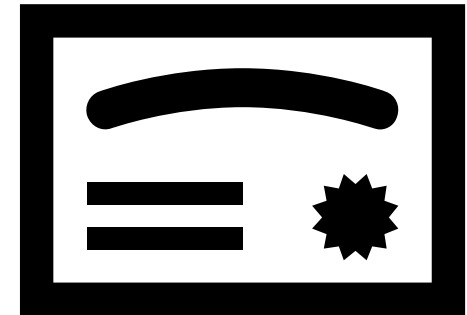
BABA

- Applies to **all infrastructure projects receiving federal financial assistance.**
 - Which includes Community Grants and WIFIA
- Specific to the SRFs, the BABA requirement applies to a subset of projects which are receiving federal funds.



SO, NOW WHAT? AIS + BABA?

- Individual projects that are subject to both requirements will **not** be required to demonstrate compliance with AIS and BABA for the same product
- **Both AIS and BABA certification letters are acceptable for iron and steel products.**



HOW CAN PROJECTS COMPLY?

1. Certification Letters

- Manufacturer-provided letter asserting that the purchased product was produced in the U.S.
- Projects can comply with AIS and BABA through the collection of certification letters for covered products

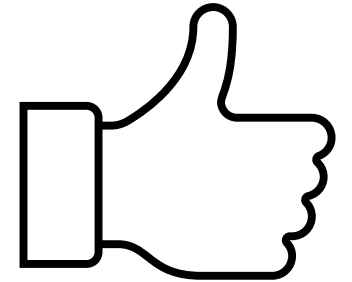
2. Waivers

- EPA has authority to waive the AIS and/or BABA requirement
- Projects can request waivers based on three statutory justifications

CERTIFICATION LETTER DOS

Certification letters must be:

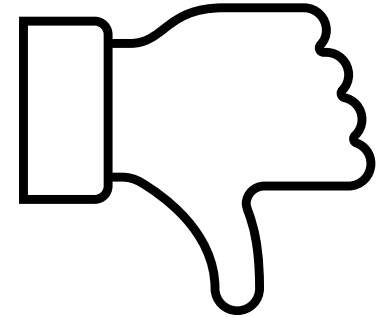
- ☑ An original document
- ☑ Specific to an individual project
- ☑ Written for a specific product or products
- ☑ Specific to AIS and/or BABA



CERTIFICATION LETTER DON'TS

Certification letters must not be:

- ☒ Provided by a supplier/distributor
- ☒ Generic, blanket certification letters
- ☒ Publicly available and fillable online
- ☒ Certifying compliance with “Buy America” or other requirements
- ☒ Certifying future compliance



CERTIFICATION LETTERS: KEY ELEMENTS

1. A **project identifier** (name, location, contract number, or project number)
2. The identity of the **product(s)** being supplied to the project (can be simple)
3. A statement **attesting that the products supplied are compliant** with AIS or BABA requirements (the “certification”)
 - a) **BABA cert letters must also list the applicable product category** (e.g., manufactured product or construction material).
4. The **location(s)** of manufacturing being certified (city and state)
 - a) Minimum: documenting final point of manufacturing in the United States
5. The **signature** of a qualified company representative making the certification (on company letterhead, signature can be electronic)

Sample certification letters are available at: <https://www.epa.gov/baba/build-america-buy-america-baba-resources>

CERTIFICATION LETTER BEST PRACTICES

- ✓ Step certification
- ✓ Certification letter notes the use of the Minor Components waiver for iron and steel products, if applicable





ZYX Manufacturing

5/26/24

ZYX Manufacturing

9876 Industrial Way

Sometown, AL 99999

Subject: Build America, Buy America Act Certification for The POTW Upgrades Project in Othertown, South Carolina

I, Jane Doe certify that the forming, rolling, drawing of the following products and/or materials shipped/provided to the subject project are in full compliance with the American Iron and Steel Requirement (AIS), and for the iron/steel category of products in the Build America, Buy America Act requirement, as mandated in the Infrastructure Investment and Jobs Act (IIJA) Pub. L. No. 117-58, §§ 70901-52 and in EPA's State Revolving Fund Programs.

Items, Products and/or Materials and relevant Product Service Code (PSC) and North American Industry Classification System (NAICS) code:

1. Pipe
2. Tube
3. Fittings

Such product manufacturing process(es) took place at the following location: Sometown, AL

If any of the above compliance statements change, we will immediately notify the subject project prime contractor.

A handwritten signature in black ink, consisting of a series of loops and a long horizontal stroke at the end.

Jane Doe
Vice President
Jane.doe@email.com
987-654-3210



ZYX Manufacturing

5/26/24

ZYX Manufacturing

9876 Industrial Way

Sometown, AL 99999

Subject: Build America, Buy America Act Certification for The POTW Upgrades Project in Othertown, South Carolina

I, Jane Doe certify that the forming, rolling, drawing of the following products and/or materials shipped/provided to the subject project are in full compliance with the American Iron and Steel Requirement (AIS), and for the iron/steel category of products in the Build America, Buy America Act requirement, as mandated in the Infrastructure Investment and Jobs Act (IIJA) Pub. L. No. 117-58, §§ 70901-52 and in EPA's State Revolving Fund Programs.

Items, Products and/or Materials and relevant Product Service Code (PSC) and North American Industry Classification System (NAICS) code:

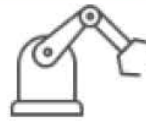
1. Pipe
2. Tube
3. Fittings

Such product manufacturing process(es) took place at the following location: Sometown, AL

If any of the above compliance statements change, we will immediately notify the subject project prime contractor.

Jane Doe
Vice President
Jane.doe@email.com
987-654-3210

- Iron and Steel products mentioned but where the melting of the iron/steel happened is not included in the manufacturing processes listed in the letter
- Product descriptions are too general



ABC MANUFACTURING

10/12/2024

ABC Manufacturing

1234 Whosawhatsit St

Forgetaboutit, TX, 00000

Subject: Build America, Buy America Act Certification

I, John Smith certify that the manufactured products provided to the subject project will be in full compliance with the Build America, Buy America Act requirement as mandated in the Infrastructure Investment and Jobs Act (IIJA) Pub. L. No. 117-58, §§ 70901-52 and in EPA's State Revolving Fund Programs (if applicable). These products will meet the 55 percent component cost test, where the cost of components that are mined, produced, or manufactured in the United States is greater than 55 percent of the total cost of all components; and final manufacturing occurred in the United States.

Items, Products and/or Materials and relevant Product Service Code (PSC) and North American Industry Classification System (NAICS) code:

1. Centrifugal blowers

Final product manufacturing process(es) will take place at the following location(s):

1. Forgetaboutit, TX

If any of the above compliance statements change, we will immediately notify the subject project prime contractor.

John Smith
Compliance Specialist
Johnsmith@email.com
123-456-7890

10/12/2024

ABC Manufacturing

1234 Whosawhatsit St

Forgetaboutit, TX, 00000

Subject: Build America, Buy America Act Certification

I, John Smith certify that the manufactured products provided to the subject project will be in full compliance with the Build America, Buy America Act requirement as mandated in the Infrastructure Investment and Jobs Act (IIJA) Pub. L. No. 117-58, §§ 70901-52 and in EPA's State Revolving Fund Programs (if applicable). These products will meet the 55 percent component cost test, where the cost of components that are mined, produced, or manufactured in the United States is greater than 55 percent of the total cost of all components; and final manufacturing occurred in the United States.

Items, Products and/or Materials and relevant Product Service Code (PSC) and North American Industry Classification System (NAICS) code:

1. Centrifugal blowers

Final product manufacturing process(es) will take place at the following location(s):

1. Forgetaboutit, TX

If any of the above compliance statements change, we will immediately notify the subject project prime contractor.



John Smith
Compliance Specialist
Johnsmith@email.com
123-456-7890

- Project is not mentioned in the letter
- Letter is provisional



AQUA PRODUCTS

1/10/2024

Aqua Products

567 Welding Ct

Townville, FL, 11111

Subject: Build America, Buy America Act Certification for the SBR Expansion Project in
Townname, CT

I, Ann Jones certify that the manufactured product provided to the subject project is in full compliance with the Build America, Buy America Act requirement as mandated in the Infrastructure Investment and Jobs Act (IIJA) Pub. L. No. 117-58, §§ 70901-52. This product meets the 55 percent component cost test, where the cost of components that are mined, produced, or manufactured in the United States is greater than 55 percent of the total cost of all components; and final manufacturing occurred in the United States.

Items, Products and/or Materials and relevant Product Service Code (PSC) and North American Industry Classification System (NAICS) code:

1. Sequencing Batch Reactor

Final product manufacturing processes took place at the following location:

1. Townville, FL

If any of the above compliance statements change, we will immediately notify the subject project prime contractor.

Anne Jones
Compliance Specialist
annjones@email.com
234-567-8901



AQUA PRODUCTS

1/10/2024

Aqua Products

567 Welding Ct

Townville, FL, 11111

Subject: Build America, Buy America Act Certification for the SBR Expansion Project in
Townname, CT

I, Ann Jones certify that the manufactured product provided to the subject project is in full compliance with the Build America, Buy America Act requirement as mandated in the Infrastructure Investment and Jobs Act (IIJA) Pub. L. No. 117-58, §§ 70901-52. This product meets the 55 percent component cost test, where the cost of components that are mined, produced, or manufactured in the United States is greater than 55 percent of the total cost of all components; and final manufacturing occurred in the United States.

Items, Products and/or Materials and relevant Product Service Code (PSC) and North American Industry Classification System (NAICS) code:

1. Sequencing Batch Reactor

Final product manufacturing processes took place at the following location:

1. Townville, FL

If any of the above compliance statements change, we will immediately notify the subject project prime contractor.

Anne Jones
Compliance Specialist
annjones@email.com
234-567-8901

- The project is for the SBR Expansion
- Certification letter certifies entire project as a kit

A GOLD STAR CERTIFICATION LETTER



REBELLION MANUFACTURING, INC

- ✓ A project identifier
- ✓ A description of the product(s) being supplied
- ✓ A statement attesting that the products supplied are compliant with BABA requirements
- ✓ Product category included
- ✓ Location(s) of manufacturing being certified (city and state)
- ✓ Signature of company representative making the certification

June 31, 2024

Rebellion Manufacturing, Inc.
123 Dune Sea Road
Tatooine, AZ 85000

Subject: Build America, Buy America Act Certification for the **Coruscant WWTP upgrade**

I, P. Leia Organa, certify that the manufactured product provided to the subject project is in full compliance with the **Build America, Buy America Act** requirement as mandated in the Infrastructure Investment and Jobs Act (IIJA) Pub. L. No. 117-58, §§ 70901-52 and in EPA's State Revolving Fund Programs. **This product meets the 55 percent component cost test** where the cost of components that are mined, produced, or manufactured in the United States is greater than 55 percent of the total cost of all components, and final manufacturing occurred in **Corellia, Texas.**

Items, Products and/or Materials and North American Industry Classification System (NAICS) code:

1. **UV disinfection assembly, NAICS code 335139**

If any of the above compliance statements change, we will immediately notify the subject project prime contractor.

P. Leia Organa

P. Leia Organa
President
leia.organa@rebellionmanufacturing.com
+1 (555) 123-4567

EVERYONE HAS A ROLE TO PLAY

Manufacturers	Provides signed certification letters to projects
Contractors	Verify products received are compliant prior to installation
Assistance Recipients and Representatives	Collect and maintain compliance documentation for products received at the project site
Regions	Support projects and oversee compliance
States/EPA HQ	Work closely with projects to ensure awareness of requirements. Compliance authority, depending on funding source

RESOURCES

Contact us:

- SRF_AIS@epa.gov (underscore!)
- BABA-OW@epa.gov (hyphen!)

EPA Websites:

- www.epa.gov/cwsrf/state-revolving-fund-american-iron-and-steel-ais-requirement
- www.epa.gov/baba

QUESTIONS AND DISCUSSION