

US EPA ARCHIVE DOCUMENT

♦♦♦ **OKLAHOMA PUMP COMPANY, INC. ♦♦♦**
P.O. Box 123 * 4567 Shaft Drive
New City, Oklahoma 76543
PH: (222) 333-4444 FAX: (222) 333-4445

CERTIFICATE OF COMPLIANCE TO STANDARDS

COMPLIANCE WITH ARRA BUY AMERICAN REQUIREMENT

Oklahoma Pump Company, Inc. certifies that the pump you purchased on June 25, 2010 (Model Number XJ699TR) for the Main Street Pump Station project, was manufactured at our plant at 927 Industrial Avenue, Newark, New Jersey.

Note: Our Model Number PBJ123 centrifugal pumps are not manufactured in the United States. This specific type of pump is not being supplied for the Main Street Pump Station project.

Jonathan Doe, President
Pumps R Us

EPA's Analysis

- ❖ Specific to product (model number)
- ❖ Specific project
- ❖ Specific manufacturing location
- ❖ Clarity on products that are not domestic

A Series of Hypothetical Examples of Buy American Documentation

WIRE, INC.



WIRE INC.
5730 ALPINE DRIVE
CARROLLTON, GA 30119
TELE: 800-444-5555
WWW.WIREINC.COM

Re: Canyon Ferry Lake Treatment Plant Project

To Whom It May Concern:

Thank you for your interest in Wire, Inc. products.

This letter serves to certify the origin of the electrical wire products manufactured by WIRE, Inc. Our electrical wire products (wire and cable, tubing, and connectors) are wholly manufactured in the United States at one or more of our four plants listed below. These products qualify for NAFTA and the Buy American Act of 1933 as well as the American Recovery and Reinvestment Act of 2009. Feel free to contact me should you have any further questions or requests.

Manufacturing Plants for Aforementioned Products:

WIRE Inc.-Building Wire
5730 Alpine Drive
Carrollton, GA 30119

WIRE North- Bare Copper
111 Lions Dr.
Detroit, MN 48226

WIRE South- MC Cable
3017 Wallabee Way
Mobile, AL 36602

WIRE West-Mineral Wells
2630 Swartenager Ln
Long Beach, CA, 90807

Regards,

Frank Steelman
Marketing Operations
Wire, Inc.
Phone: 800-444-5555
Email: frank.steelman@wireinc.com

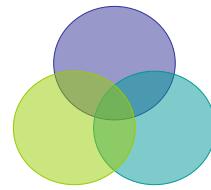
EPA's Analysis

- ❖ Specific project cited
- ❖ Four possible locations – all the U.S.
- ❖ Electric wire has straight-forward manufacturing processes
- ❖ Compliance with NAFTA and BA Act nice, but irrelevant

Certification Example #2: Adequate Certification

*A Series of Hypothetical Examples of Buy American Documentation***PVC Industrial Solutions**

1213 Main Street
Smithtown, Georgia 30000
Tele: 800-444-5555
Fax: 222-333-4444
www.pvcinc.com



February 1, 2010

Harold Brown
Elkhorn Water Utility
City of Elkhorn
456 Water Drive
Elkhorn, Idaho 65432

RE: American Recovery and Reinvestment Act of 2009

To Whom It May Concern:

PVC Industrial Solutions certifies that all PVC pipe it supplies is in full compliance with the Buy American provision of the American Recovery and Reinvestment Act of 2009 (ARRA). All pipe supplied by PVC Industrial Solutions is manufactured at our only facility in Smithtown, Georgia, USA.

If additional information or clarification is needed, please visit our website
www.pvcindsoln.com for additional supporting documents.

If you have any additional questions or comments, please do not hesitate to contact us.

Best Regards,

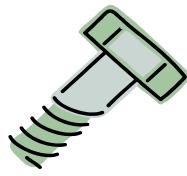
Jane Doe
Marketing Director
PVC Industrial Solutions
Phone: 222-333-4343
Fax: 222-333-3434
Email: jdoe@pvcindsoln.com

EPA's Analysis

- ❖ Simple but sufficient
- ❖ Generic statement, but covers all PVC made by this company
- ❖ Company's only manufacturing site located in the U.S.
- ❖ Pipe has straight-forward manufacturing process

Certification Example #3: Adequate Certification

A Series of Hypothetical Examples of Buy American Documentation



Big Time Bolts, Inc.

1234 Flange Way
Midcounty, TX 77700
www.bigtimebolts.com

December 30, 2009

City of Mountainville
234 Main Street
Mountainville, ND 58888

Attn: Mr. Dan Doe

Dear Dan,

Per your request, we certify that all materials supplied on this project will be domestic. Please be sure to specify "Domestic" on all Purchase Orders.

Thank you for your support and if you have any questions or concerns, please call me.

Sincerely,

Jack B. Quick

Jack B. Quick
Production Manager
Big Time Bolts, Inc
Phone: 800-444-5555
Email: jquick@bigtimebolts.com

EPA's Analysis

- ❖ Certification is vague
- ❖ No mention of ARRA
- ❖ No mention of plant location(s)
- ❖ No mention of specific products – "all material"
- ❖ Future tense – products "will be" domestic rather than "everything we supplied was domestic"

A Series of Hypothetical Examples of Buy American Documentation

**PPI
PIPES AND PUMPS, INC.**

November 14, 2009

City of Waterville
234 Lake Street
Waterville, NE 68686

Attn: Ms. Sara Smith

Dear Ms. Smith,

Thank you for your interest in Pipes and Pumps, Inc. This letter is to let you know that our products are certified “Buy American” compliant.

If you have any questions, please contact our corporate office at 555-345-6789.

Sincerely,

Jim Jones

Facilities Manager
Pipes and Pumps, Inc.
9874 Pipeline Way
Frontier, AZ 81234
Phone: 800-444-5555
Fax: 222-333-4444
jones@pipesandpumps.com

EPA's Analysis

- ❖ Certification is vague
- ❖ No specific product(s)
- ❖ No mention of plant location(s)
- ❖ No mention of ARRA
- ❖ No entity is “certifying” compliance

A Series of Hypothetical Examples of Buy American Documentation



D.I.P., Inc.

123 Meadow Drive
Erie, PA 16500
Tele: 800-454-7800

Re: City of Big Sky Distribution System Project

To Whom it May Concern:

D.I.P., Inc. certifies that all fabricated ductile iron pipe we supply is in full compliance with the Buy American Provision of the American Recovery and Reinvestment Act of 2009. Our sole supplier of domestic iron slab (Ironworks VA) is in Timberland, Virginia, United States, and all of our ductile iron pipe is manufactured at our only foundry in Erie, Pennsylvania, United States.

If you have any questions, please contact our corporate office at 800-454-7800 or visit our Web site at www.dip-inc.com.

Sincerely,

Jimmy Smith

Jimmy Smith, Facilities Manager
D.I.P., Inc.
123 Meadow Drive
Erie, PA 16500
Phone: 800-454-7800
Fax: 555-454-2222
jsmith@dip-inc.com

EPA's Analysis

- ❖ Simple but sufficient
- ❖ Generic statement, but covers all ductile iron pipe made by this company
- ❖ Only one foundry located in the U.S.
- ❖ U.S. supplier of domestic iron slab

*A Series of Hypothetical Examples of Buy American Documentation***Pipe Solutions, Inc.**

6565 Park Way
Goldstown, West Virginia 25000
Tel. 555-444-5555

City of Cloverville, CA
1567 River Drive
Cloverville, CA 92000-1234

Subject: American Recovery and Reinvestment Act of 2009 (ARRA) Requirements

To: Utility Director

This letter is to inform you that we comply with the Buy American provision of Section 1605 of the American Recovery and Reinvestment Act (ARRA). The ductile iron pipe produced at our foundries undergoes substantial transformation. To support this claim, we have attached the Substantial Transformation Checklist to this letter. We have also provided information about our company and the processes we perform at our foundries.

Pipe Solutions, Inc. has been manufacturing cast iron and ductile iron pipe in the United States for 53 years. We have two foundries in the United States: Small City, West Virginia and Big Town, Michigan. We employ a total of 105 employees.

We purchase the iron from our supplier, ABC Iron, in Canada. At our foundries in West Virginia and Michigan, we melt the iron in the blasting furnaces. The molten iron is then poured into casts. The casting process forms the molten iron into pipe thus changing the physical properties and narrowing the uses of the iron.



To the left is a picture of one of our foundries in Goldstown, West Virginia.

EPA's Analysis

- ❖ Product is completely made of iron
- ❖ Iron material is from Canada
- ❖ Iron is not a manufactured good under ARRA and cannot be considered substantially transformed

QUESTIONS FOR DETERMINING WHETHER SUBSTANTIAL TRANSFORMATION HAS OCCURRED IN THE US

Question	Yes	No
1. Were all of the components of the manufactured good manufactured in the United States, and were all of the components assembled in to the final product in the U.S.? (If the Answer is yes, then this is clearly manufactured in the U.S., and the inquiry is complete)		X
2. Was there a change in character or use of the good or the components in America? (These questions are asked about the finished good as a whole, not about each individual component) (The answer to Question 2 is "yes" if the answer to one or more subparts is "yes")	X	
a. Was there a change in the physical and/or chemical properties or characteristics designed to alter the functionality of the good?	X	
b. Did the manufacturing or processing operation result in a change of a product(s) with one use into a product with a different use?		X
c. Did the manufacturing or processing operation result in the narrowing of the range of possible uses of a multi-use product?	X	
3. Was/(were) the process(es) performed in the U.S. (including but not limited to assembly) complex and meaningful? (The answer to Question 3 is "yes" if the answer to two or more subparts is "yes")		X
a. Did the process(es) take a substantial amount of time?		X
b. Was/(were) the process(es) costly?		X
c. Did the process(es) require particular high level skills?		X
d. Did the process(es) require a number of different operations?		X
e. Was substantial value added in the process(es)?		X

AS SUBMITTED BY MANUFACTURER

A Series of Hypothetical Examples of Buy American Documentation

Mixing Solutions, Inc.
123 Madoc Way
Treeville, KS 67000

December 9, 2009

City of Scenic, NV
Scenic Water Treatment Plant
456 Scenic View Drive
Scenic, NV 89000

Subject: Documentation of compliance with the American Recovery and Reinvestment Act of 2009 (ARRA) Requirements

The purpose of this letter is to demonstrate to the City of Scenic that our product, the Flocculation Mixer 2000, complies with the provisions of ARRA. Specifically, we comply with the Buy American provision of Section 1605 of the ARRA. To assure that we do meet the Buy American provision, we have attached the Substantial Transformation Checklist to this letter. We have also provided information about our company, the mixer manufacturing process and additional information to specifically address the questions on the checklist.

Mixing Solutions, Inc. has been manufacturing mixing systems in the United States for 22 years. We employ 40 people at our facility in Treeville, Kansas. We purchase the main components of the Flocculation Mixer 2000 (the motor, gearbox, and impeller) from our supplier in France. All components of the Flocculation Mixer 2000 are produced by ABC Components, a leader in the field of specialty mixers. The components come packaged as a unit to ensure that the final product is assembled as designed. Mixing Solutions then assembles the components to make our one of a kind Flocculation Mixer 2000. The manufacturing process itself is relatively low cost and we generally do not require long lead times to assemble the mixers.

Question 3.c.: Our process requires a high skill level. After the product is assembled, one of our staff engineers must test the mixer to ensure it works appropriately. In addition, we will send engineers to the customer site to assist with installation, if needed.

- Page 1 of 2-

A Series of Hypothetical Examples of Buy American Documentation

Question 3.d.: Our process requires a number of different operations; we assemble the components and then test the mixer to make sure it is functioning properly. There are two main steps in assembly. The first step involves seating the motor on the gearbox and the second step is attaching the impeller to the gearbox using an impeller shaft coupling assembly. Once the mixer is assembled, we then run it through a series of tests to ensure proper functionality. If there are issues in testing, our staff engineers make necessary modifications to ensure the mixer will operate properly.

Question 3.e.: Our process adds substantial value. The components by themselves would not be useful or have value. By assembling the components together, Mixing Solutions, Inc. has created a functional mixer.

Sincerely,

Ed Smith

Edward Smith
Marketing Manager
Mixing Solutions, Inc.

- Page 2 of 2-

EPA's Analysis

- ❖ Claims of multiple operations and high level skill not substantiated
- ❖ Processes are assembly and testing only
- ❖ Value added is not quantified

Questions for Determining Whether Substantial Transformation has Occurred in the United States

Question	Yes	No
1. Were all of the components of the manufactured good manufactured in the United States, and were all of the components assembled in to the final product in the U.S.? (If the Answer is yes, then this is clearly manufactured in the U.S., and the inquiry is complete)		✓
2. Was there a change in character or use of the good or the components in America? (These questions are asked about the finished good as a whole, not about each individual component) (The answer to Question 2 is "yes" if the answer to one or more subparts is "yes")		✓
a. Was there a change in the physical and/or chemical properties or characteristics designed to alter the functionality of the good?		✓
b. Did the manufacturing or processing operation result in a change of a product(s) with one use into a product with a different use?		✓
c. Did the manufacturing or processing operation result in the narrowing of the range of possible uses of a multi-use product?		✓
3. Was/(were) the process(es) performed in the U.S. (including but not limited to assembly) complex and meaningful? (The answer to Question 3 is "yes" if the answer to two or more subparts is "yes")	✓	
a. Did the process(es) take a substantial amount of time?		✓
b. Was/(were) the process(es) costly?		✓
c. Did the process(es) require particular high level skills?	✓	
d. Did the process(es) require a number of different operations?	✓	
e. Was substantial value added in the process(es)?	✓	

AS SUBMITTED BY MANUFACTURER

Advanced Water Solutions

To: City of Jamestown
From: Fred Smith, Production Manager
CC: Nick Booth, Utility Director for the City of Jamestown
Date: 11/16/2009
Re: Substantial Transformation of True-IX Resin to document compliance with the 2009 American Recovery and Reinvestment Act

Section 1605 in the 2009 American Recovery and Reinvestment Act (ARRA) requires compliance with Buy American provisions. It has come to our attention that there is concern as to whether our product, TRUE-IX Resin, meets this provision. We assert that our product is manufactured in the United States. Although the raw material is supplied from a facility outside the United States, the product is substantially transformed at our domestic facility. To support this statement, we have included the Substantial Transformation Checklist from EPA's guidance. Information about our company and clarifications to our responses in the checklist are provided below.

Company Information and Clarifications

Advanced Water Solutions has been an employer in Stone City, Michigan for over 15 years. Our company began with 20 people and has grown to over 100 people. We mainly manufacture specialty resin including our TRUE-IX Resin series.

The processes at *Advanced Water Solutions* change the character and use of the good in the U.S. In response to question 2 of the checklist, we have answered "yes" to parts "a" and "c." Below is our justification for those "yes" responses.

In order to manufacture True-IX Resin, a standard anion resin product is shipped from our supplier in Japan. At our manufacturing facility, the anion resin undergoes a proprietary process in which a magnetic component is infused with the resin. We manufacture the magnetic component onsite. Adding the magnetic component **changes the physical and chemical properties** of the resin by increasing the settling properties and narrowing the resin's selectivity. Regarding settling, True-IX Resin can

A Series of Hypothetical Examples of Buy American Documentation

readily settle negatively-charged particles in less time as compared to standard anion resins. Regarding resin selectivity, traditional anion exchange resins will remove anions in order of preference. True-IX Resin focuses on removal of dissolved organic carbon (DOC). Therefore, the chemical alteration of the resin also **narrows the range of its possible uses**.

The other unique benefit for True-IX Resin is that it does not require the use of traditional ion exchange columns. Instead, it can be introduced as a slurry ahead of the flocculation process.

The resin manufacturing process at *Advanced Water Solutions* also requires a high skill level. We have engineers and chemists on-site who play an integral role in our manufacturing process. The chemists test the resin during various stages of the process to ensure that the product meets specifications. The production engineers work to optimize the overall production process and troubleshoot any issues. Their primary responsibility is development of new resin products.

Below are pictures of our resin and of our manufacturing facility in Stone City, MI.



EPA's Analysis

- ❖ Manufacturer has demonstrated compliance through Question #2
- ❖ Resin undergoes fundamental changes in U.S. that change physical and chemical properties and narrow its use
- ❖ Pictures help visualize the facility in question

Substantial Transformation Example #2: Adequate Documentation

QUESTIONS FOR DETERMINING WHETHER SUBSTANTIAL TRANSFORMATION HAS OCCURRED IN THE U.S.

Question	Yes	No
1. Were all of the components of the manufactured good manufactured in the United States, and were all of the components assembled in to the final product in the U.S.? (If the Answer is yes, then this is clearly manufactured in the U.S., and the inquiry is complete)		No
2. Was there a change in character or use of the good or the components in America? (These questions are asked about the finished good as a whole, not about each individual component) (The answer to Question 2 is "yes" if the answer to one or more subparts is "yes")	Yes	
a. Was there a change in the physical and/or chemical properties or characteristics designed to alter the functionality of the good?	Yes	
b. Did the manufacturing or processing operation result in a change of a product(s) with one use into a product with a different use?		No
c. Did the manufacturing or processing operation result in the narrowing of the range of possible uses of a multi-use product?	Yes	
3. Was/(were) the process(es) performed in the U.S. (including but not limited to assembly) complex and meaningful? (The answer to Question 3 is "yes" if the answer to two or more subparts is "yes")		No
a. Did the process(es) take a substantial amount of time?		No
b. Was/(were) the process(es) costly?		No
c. Did the process(es) require particular high level skills?	Yes	
d. Did the process(es) require a number of different operations?		No
e. Was substantial value added in the process(es)?		No

AS SUBMITTED BY MANUFACTURER

Steeple

Memo

To: The City of Waterville
From: Steeple Electric
Date: 11/5/09
Re: American Recovery and Reinvestment Act of 2009

Per your request, we are supplying information about our product, the MODEL 8VKL Motor Control Center (MCC). Section 1605 of the American Recovery and Reinvestment Act of 2009 (ARRA) requires that all iron, steel, and manufactured goods used in ARRA funded projects be manufactured in the United States. Our MODEL 8VKL MCC qualifies as a domestic manufactured good because complex and meaningful processes are performed in the United States at our facility.

The Steeple Electric manufacturing plant is located in Big City, New Jersey. We employ 210 people. Approximately 40 percent of the components used in our MODEL 8VKL MCC are made in China; the remaining components are made in the U.S. by Components Inc. located in Small Town, Georgia. We also fabricate the housing for the unit and some of the specialized components in our facility in Big City, New Jersey. Once we obtain all components, we then must engineer the product to meet the specifications of each individual customer. Essentially, our product undergoes substantial transformation at our facility. As support for this statement, please see the enclosed Substantial Transformation Checklist and the additional information provided below.

The processes performed in the U.S. to produce the MODEL 8VKL MCC take a substantial amount of time. Building and testing of the MODEL 8VKL MCC per a customer's specifications takes at least 80 hours of production time. We anticipate the City of Waterville's MCC will take approximately 95 hours to complete. The product is also tested at various stages of production. During these tests, any necessary engineering modifications are employed to ensure the product will meet customer specifications.

The processes performed in the U.S. to produce the MODEL 8VKL MCC are costly. Steeple Electric's U.S. direct labor cost to produce the MODEL 8VKL MCC comprises approximately 30 percent (roughly \$40,000) of the total cost of the product. Please note, this information is confidential and we request that it not be disclosed to a third-party, except where necessary to show we comply with the Buy American provisions.

The processes performed in the U.S. require particular high level skills. We have a full-time staff of manufacturing engineers that oversee the production of the MODEL 8VKL MCC. Electrical technicians perform the in-process testing at different stages of production. The manufacturing engineers must resolve issues and make any necessary modifications throughout this process.

*A Series of Hypothetical Examples of Buy American Documentation***The processes performed in the United States require a number of different operations.**

The processes performed in the U.S to produce the MODEL 8VKL MCC require multiple operations. The housing that encloses the MCC is built at our facility in Big City, New Jersey, in accordance with the mechanical drawings. There is an area in our facility dedicated to fabrication of some housing components (e.g. brackets and barriers) and modifications of other housing components (e.g. bending and drilling to accommodate a specific configuration). The components of the motor control center itself are wired to fit the customer's unique application in accordance with the electrical drawings. At various stages during production, in-process testing is conducted and, if necessary, modifications to the design or the bill of materials are made to meet the required specification. Once production is complete, the MODEL 8VKL MCC is tested to confirm that it meets the customer's specification and, if not, further modifications are made. The MODEL 8VKL MCC does not leave the facility until the system passes final testing.

The processes performed in the United States add substantial value. The MODEL 8VKL MCC is an engineered-to-order product that is produced in the U.S. Substantial value is added at our facility because the product is manufactured in accordance with the configuration and performance specifications necessary to meet a customer's unique requirements. As a result of the processes performed, components suited to many different applications are combined to produce a MODEL 8VKL MCC that is unique and useful only to the customer's specific motor control application. The "value added" can vary based on the customized specifications of the final product, but including direct labor costs and parts produced by our facility, the added value is estimated to be approximately 60 percent of the product's total value (\$72,000). Please note, this information is confidential and we request that it not be disclosed to a third-party, except where necessary to show we comply with the Buy American provisions.

Sincerely,

Cindy Williams

Cindy Williams
Steeple Electric Factory Manager
18 Oak Street
Mason, New Jersey 08000

EPA's Analysis

- ❖ Manufacturer has demonstrated compliance through Question #3
- ❖ Complex and meaningful processes in U.S.
- ❖ Specific information provided on time, cost, skills, operations, and value added

Substantial Transformation Example #3: Adequate Documentation

Questions for Determining Whether Substantial Transformation has Occurred in the United States

Question	Yes	No
1. Were all of the components of the manufactured good manufactured in the United States, and were all of the components assembled in to the final product in the U.S.? (If the Answer is yes, then this is clearly manufactured in the U.S., and the inquiry is complete)		X
2. Was there a change in character or use of the good or the components in America? (These questions are asked about the finished good as a whole, not about each individual component) (The answer to Question 2 is "yes" if the answer to one or more subparts is "yes")		X
a. Was there a change in the physical and/or chemical properties or characteristics designed to alter the functionality of the good?		X
b. Did the manufacturing or processing operation result in a change of a product(s) with one use into a product with a different use?		X
c. Did the manufacturing or processing operation result in the narrowing of the range of possible uses of a multi-use product?		X
3. Was/(were) the process(es) performed in the U.S. (including but not limited to assembly) complex and meaningful? (The answer to Question 3 is "yes" if the answer to two or more subparts is "yes")	X	
a. Did the process(es) take a substantial amount of time?	X	
b. Was/(were) the process(es) costly?	X	
c. Did the process(es) require particular high level skills?	X	
d. Did the process(es) require a number of different operations?	X	
e. Was substantial value added in the process(es)?	X	

