

Department of Energy
Build America, Buy America Act
Proposed Project Specific Non-Availability Waiver
25kV RMAG Circuit Breakers
BABA WAV 2026-10

Proposed Waiver Summary: The United States Department of Energy (DOE) Grid Deployment Office (GDO) is proposing a project nonavailability waiver of the manufactured products domestic preference requirement of section 70914 of the Build America, Buy America Act (BABA) included in the Infrastructure Investment and Jobs Act (Pub. L. No. 117-58) as applied to one federal financial assistance award for Sumter Electric Cooperative, Inc. This proposed limited nonavailability waiver allows the recipient to purchase 8 non-BABA compliant 25kV RMAG circuit breakers and associated components.

Duration of the Waiver: This is a proposed time-limited waiver, with an effective date through the project performance period (until September 2029).

Applicability: The waiver will apply to eligible expenditures incurred by the recipient on or after the effective date of the final waiver for the period of the project performance.

Recipient: Sumter Electric Cooperative, Inc. (CMH6VC5FYG93)

Total estimated project cost related to infrastructure: \$39,431,509

Estimated total cost of the products being waived: \$280,808

Waiver Type: Non-availability waiver of the BABA manufacturer product requirement for the products listed below.

Waiver Level: Project-specific waiver for one award.

Funding Mechanics: Funding for the infrastructure project is made available through the 2023 Funding Opportunity Announcement for Grid Resilience and Innovation Partnerships (GRIP) – Bipartisan Infrastructure Law (BIL), (DE-FOA-0002740). The location of the project is Eustis, FL.

Description of Covered Items: 25kV RMAG Breaker, NEMA 4 Outdoor Enclosure, Magnetic actuator for open and close, 2000A Continuous Current, 25kA Interrupting Rating (NAICS: 221122 and PSC: 6110).

Description of Market Research: The recipient conducted market research and industry outreach. With only two manufacturers available for consideration that produced the required magnetic-actuated breakers. Both were contacted, but neither had the necessary availability. DOE conducted market research between April 2025 – July 2025. The DOE utilized both online searches and consulted with industry experts. While the DOE market research did yield domestically available vacuum circuit protection (VCP) circuit breakers, it did not have success in identifying BABA compliant R-MAG circuit breakers. In consultation with the recipient, it

was determined that the R-MAG circuit breaker had several benefits over the VCP, including less maintenance, superior safety and reliability, and less mechanically complex.

Justification: The recipient's and DOE's market research was not able to yield manufacturers who were able to meet the 55% cost of components requirement for the manufactured products listed above that are required for the project's completion. After extensive outreach, no domestic manufacture was able to meet both the BABA requirements and the quality standard set by the R-MAG circuit breaker detailed in this waiver. These requirements are important for grid resilience and decarbonization goals of the FOA.

Impact Absent the waiver: Absent this waiver, Sumter Electric Cooperative, Inc. will be unable to fulfill its obligations for the construction of the Round Lake Substation, directly impacting its ability to meet the growing electrical demands of its members. The existing substation serving this area is operating near capacity, and this project is critical to expanding capacity, ensuring system reliability, and maintaining member satisfaction. Without this expansion, the risk of service constraints and potential outages will increase, directly affecting the community and hindering future growth.

Assessment of Cost Advantage of a Foreign-Sourced Product: Under OMB M-24-02, agencies are expected to assess "whether a significant portion of any cost advantage of a foreign sourced product is the result of the use of dumped steel, iron, or manufactured products or the use of injuriously subsidized steel, iron, or manufactured products" as appropriate before granting a nonavailability waiver. DOE's analysis has concluded that this assessment is not applicable to this waiver as this waiver is not based on the cost of foreign-sourced products.

Summary of Public Comments: The proposed waiver request was publicly posted by the Department of Energy for comments during the period of March 2, 2026, through March 20, 2026. No comments were received from the public, and therefore no substantive changes were made in response.