



# Environmental Permitting Fact Sheet for 3i Determinations

## Background

The Regulations of the Connecticut State Agencies (“RCSA”) require that the Department be notified of certain facility modifications in accordance with RCSA Section 22a-430-3(i)(2), and obtain prior written approval for certain changes to any wastewater collection or treatment systems in accordance with RCSA Section 22a-430-3(i)(3). These regulatory provisions are commonly referred to as “3i determinations”.

If a facility modification and/or wastewater treatment system change is “significant” requiring a determination pursuant to the above referenced regulation(s), permittees are required to complete the “*Facility and Wastewater Treatment System Modification Request for Determination*” using form DEEP-WPED-APP-02 and submit such request to the Department prior to implementing any proposed changes. Conversely, if a facility modification and/or wastewater treatment system change is non-significant pursuant to the above-referenced regulation(s), a request for a 3i determination is not required to be submitted to the Department.

The Department has identified a list of facility modifications and wastewater treatment system changes that are considered **non-significant** and **do not** require submission of a request for a 3i determination to the Department. The list provided below is not inclusive of all conditions which may be present at a permitted facility and is provided as guidance only.

The Department has also developed a checklist entitled “*Preliminary Checklist for Submitting a Request for 3i Determinations*” to help permittees evaluate whether a proposed facility modifications and/or wastewater treatment system change requires a written determination from the Department.

**Note: All process and wastewater treatment system changes regardless of significance must be documented in your facility’s Operation and Maintenance Plan and facility drawings in all scenarios pursuant to RCSA Section 22a-430-3(f).**

## Non-Significant Process Changes (RCSA Section 22a-430-3(i)(2))

Non-significant process changes can include the following, with certain qualifications:

- Moving a wastewater generating process from one location of the facility to another. The wastewater must be conveyed in the same manner and to the same endpoint and discharge

serial number. There shall be no changes to the process, wastewaters generated, sequence, flow, or wastewater characteristics.

- Changes to and/or replacement of process equipment:
  - Pumps—must have same conveyances, pump rate and location
  - Piping—must have same conveyances, connections and be of same material
  - Tanks—must have same conveyances, volume and location
  - Instrumentation—must be of like kind in function and operation
  - Secondary containment—must be same volume
- Maintenance of process equipment—must comply with the bypass requirements of RCSA Section 22a-430-3(k).
- Temporary and/or permanent addition or removal of process equipment—cannot result in the discharge of any new water, substance or material, or increase the quantity or concentration of an existing pollutant beyond permit conditions or constitute a new source.
- Introduction of a new material or reintroduction of a previously approved material with the same chemical constituents.

## **Non-Significant Changes to a Wastewater Treatment and Collection System (RCSA Section 22a-430-3(i)(3))**

**Non-significant process changes can include the following, with certain qualifications:**

- Moving chemical feed pumps and/or chemical feed system controllers. The location and method of chemical feed/addition must remain the same.
- Installing redundant equipment/controls—must serve as backup only and data collection and recording must continue through existing equipment/control.
- Replacement of wastewater collection or treatment equipment:
  - Pumps—must have same conveyances, same pump rate and location
  - Piping—must have same conveyances, connections and be of same material
  - Tanks—must have same conveyances, volume and location
  - Valves—must be same type of valve and be in the same location
  - Instrumentation, Monitoring Equipment and Recording Devices—must be of same design, materials, function, operation and in the same location. Must maintain data quality, continuity and retention.
  - Treatment equipment (e.g. scrubber, clarifier, filter press)—must be of like-kind, same capacity, functioning, operation, and conveyances
- Maintenance of wastewater collection or treatment equipment:
  - Installation of clean-outs
  - Must comply with the bypass requirements of RCSA Section 22a-430-3(k)