



PUBLIC NOTICE OF INTENTION NOT TO PREPARE AN ENVIRONMENTAL IMPACT EVALUATION

Project Name: City of Derby Water Pollution Control Plant Upgrade

Project Location: 1 Elizabeth Street, Derby Connecticut

Project Description:

The City of Derby (Derby) owns and operates a wastewater collection and treatment facility permitted to discharge into the Housatonic River under National Pollutant Discharge Elimination System (NPDES) permit No. CT0100161. The facility is proposed to be modified in accordance with a 20-year facilities planning study prepared by Weston & Sampson, dated March 2014 and updated June 30, 2023 (the Study). The Study evaluated the current condition and future needs (20-year planning horizon) of the wastewater treatment plant and the collection system. The break between studies included the Naugatuck Valley Council of Governments study for regionalization which concluded that regionalization would not occur. During that time, Derby completed major upgrades at all four of their wastewater pumping facilities in anticipation of regionalization.

NVCOG completed an EIE to regionalize the Ansonia WPCF, Derby WPCF, and Seymour WPCF with one discharge in Derby. A Record of Decision was completed for the EIE in March 2022 and approved by OPM on August 30, 2022. The currently proposed project has abandoned regionalization and is only focused on the scope of work listed. The improvements include modifications to the influent pumping station, modifications to the grit facility, a new primary clarifier facility, aerobic digester modifications, aeration system modifications, addition of a supplemental carbon storage and feed system, a new reaeration system, secondary clarifier system modifications, refurbishment of the disinfection system, a new dewatering facility, modifications to the secondary control building for odor control, administration/Maintenance building modifications to construct new administration spaces and a new laboratory, and site and utility modifications.

The facilities to be provided under the proposed upgrades:

- will not create a new or relocate an existing discharge to surface or ground water,
- will result in no increase in the volume of discharge and will result in a decrease in loadings of pollutants to the receiving water,
- will not provide capacity to serve a population greater than the existing population,
- will not be in conflict with state or other regional growth plans or strategies,
- will not directly or indirectly relate to upgrading or extending infrastructure systems primarily for the purposes of future development.

General Information:

The Commissioner of the Department of Energy and Environmental Protection (DEEP) is required to ensure that the requirements of section 40 CFR Part 6 of the National Environmental Policy Act (NEPA) have been met.

The DEEP has reviewed the planning study documents submitted in regard to this project. This review found that all of the proposed improvements will take place within existing wastewater treatment plant and collection system sites, and the design flow of the wastewater plant will remain the same with no significant environmental impact. Based upon this review and the environmental benefits to be realized, staff has recommended that preparation of an Environmental Impact Evaluation is not required.

The Commissioner of the DEEP has also reviewed this project to ensure that the requirements of the Connecticut Environmental Policy Act (Sections 22a-1a through 22a-1h of the Connecticut General Statutes (CGS)) have been met. The proposed action does not fall within the categories of actions contained on DEEP's environmental classification document as actions requiring review under the Connecticut Environmental Policy Act. Therefore, the proposed action does not require public scoping as outlined under Section 22a-1b of the CGS.

Interested persons who wish to submit comments on this decision and/or obtain more information including inspection of supporting documentation may do so by contacting Ann Straut at (860) 424-3137. Written comments must be received within thirty (30) days of the date of this public notice. Comments should be e-mailed to ann.straut@ct.gov or mailed to Ann Straut, Environmental Engineer 3, Department of Energy and Environmental Protection, Bureau of Water Protection and Land Reuse, 79 Elm Street, Hartford, CT 06106-5127.

/s/ Nisha Patel

Nisha Patel, P.E.

Director

Water Planning and Management Division

Bureau of Water Protection & Land Reuse

DATED: September 3, 2025