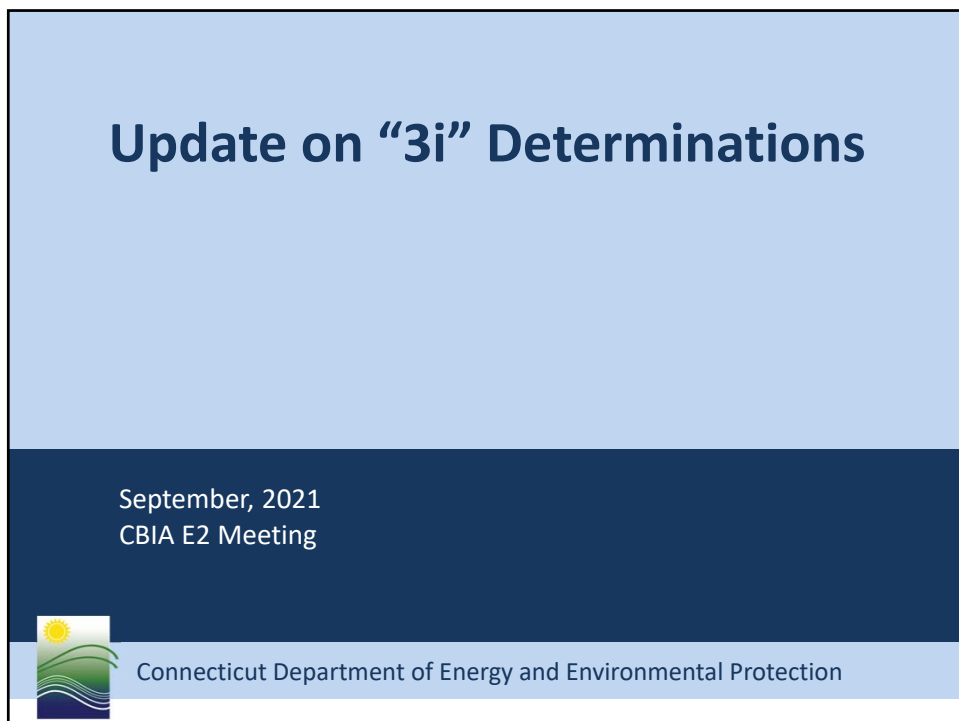




1



2

## Background

- Many discussions between DEEP and CBIA that highlighted a need to evaluate the “3(i)” determination process.
- 3(i)(2) – Process changes which may result in a discharge beyond permit terms and conditions
- 3(i)(3) – Changes to wastewater collection and treatment systems.



Connecticut Department of Energy and Environmental Protection

3

## Key Feedback DEEP Heard:

- Permittees need flexibility in order to promptly accommodate process modifications
- Permittees may benefit from improved guidance regarding what types of modifications require notification to and evaluation by DEEP



Connecticut Department of Energy and Environmental Protection

4

## Outcome of Discussion

- Establishing Clear Distinction between significant and non-significant changes
  - Significant = Submit
  - Non-Significant = No Submit
- New tools to help with Sig vs. Non-Sig evaluation
- Shorter application
- DEEP focuses resources on significant and does not respond to non-significant



Connecticut Department of Energy and Environmental Protection

5

## Implementation Tools

- New Informational Fact Sheet
- New Guiding Checklist
- Revised Application
- Revised Instruction Form



Connecticut Department of Energy and Environmental Protection

6

## New Fact Sheet

- Discusses 3(i) request applicability (sig vs. non-sig)
- Provides examples of non-significant changes

### 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/controllers—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).



Connecticut Department of Energy and Environmental Protection

7

## New Guiding Checklist

- 9 sections of commonly requested changes
- Y/N questions to help 3(i) applicability evaluation

### Section 4. Process and/or Wastewater Treatment Pumps, Pipes, Tanks, Valves

RCSA 22a-430-3(i)(2) and 22a-430-3(i)(3)


	Yes	No
If replacing a pump, piping, tank or valve:		
a. Will the replacement equipment be in the same location?	<input type="checkbox"/>	<input type="checkbox"/>
b. Will the replacement equipment have the same conveyance(s)?	<input type="checkbox"/>	<input type="checkbox"/>
c. If replacing a pump, will the replacement pump have the same pump rate?	<input type="checkbox"/>	<input type="checkbox"/>
d. If replacing piping, will the replacement piping consist of the same material and dimensions?	<input type="checkbox"/>	<input type="checkbox"/>
e. If replacing a tank, will the replacement tank be the same volume and with the same material?	<input type="checkbox"/>	<input type="checkbox"/>



Connecticut Department of Energy and Environmental Protection

8

## Revised Application and Instruction Form



Connecticut Department of  
Energy & Environmental Protection  
Bureau of Material Management and Compliance Assurance  
Water Permitting and Enforcement Division

### Facility and Wastewater Treatment System Modification Request for Determination


Please complete this form in accordance with the instructions to ensure the proper handling of your request. Print or type unless otherwise noted. Complete the "Preliminary Checklist for Submitting a Request for 3(i) Determinations" to determine if you need to fill out and submit this form.

Completion and submission of this form constitutes the request for determination pursuant to section 22a-430-3(i) of the Regulations of Connecticut State Agencies (RCSA). This form may be used for wastewater generating activities currently licensed to discharge to the waters of the state by either an individual surface water discharge permit or pretreatment permit issued in accordance with Section 22a-430 of the Connecticut General Statutes and RCSA sections 22a-430-3 and 22a-430-4.

**Part I: Request Type and Description**  
Check the appropriate box(es) identifying the permit type.

Type of Receiving Water (select one)	CPPU USE ONLY
<input type="checkbox"/> NPDES (Surface water) (select one below) <input type="checkbox"/> Facility or process modification (3(i)(2)) (R1129) <input type="checkbox"/> Wastewater treatment system modification (3(i)(3)) (R1129) <input type="checkbox"/> Both (3(i)(2) and 3(i)(3)) (R1129 + R1129)	Program: Industrial NPDES Permits
<input type="checkbox"/> POTW (sewer) (select one below) <input type="checkbox"/> Facility or process modification (3(i)(2)) (R1129) <input type="checkbox"/> Wastewater treatment system modification (3(i)(3)) (R1129) <input type="checkbox"/> Both (3(i)(2) and 3(i)(3)) (R1129 + R1129)	Program: Industrial Pre-treatment Permits

1. Existing permit or authorization number: \_\_\_\_\_  
 2. Expiration Date: \_\_\_\_\_



Connecticut Department of  
Energy & Environmental Protection  
Bureau of Material Management and Compliance Assurance  
Water Permitting and Enforcement Division

### Instructions for Completing the Facility and Wastewater Treatment System Modification Request for Determination Form

Use these instructions to complete the 3(i) request for determination form and prepare the necessary supporting documents. These instructions are not a substitute for the requirements of the relevant statutes or regulations. You should review all applicable laws prior to completing your request. Remember that it is your responsibility to comply with all applicable laws.

**Introduction**  
Pursuant to section 22a-430-3(i) of the Regulations of Connecticut State Agencies (RCSA), a permittee must notify and obtain a written determination from the Department of Energy and Environmental Protection (DEEP) for any facility expansion or process change that may result in an increased or new discharge or constitute a new source, and of any expansion or significant changes made to a wastewater collection or treatment system or its method of operation. Unless necessary to correct or avoid an imminent permit violation, the permittee may not undertake the proposed modification(s) until DEEP provides a written determination that either a permit modification is unnecessary or the permittee must obtain a modification of its permit in accordance with subsection (g) of section 22a-430-4 RCSA.

Upon receipt of DEEP's written determination, and permit modification, if applicable, for the proposed modification(s), the permittee may initiate the approved modification(s) in compliance with the terms and conditions of its existing permit.

**What Activities Require 3(i) Approval?**  
Any activity that will result in at least one of the following:

- Discharge of new water, substance, or material
- A new source
- Correction or avoidance of a permit violation
- Expansion or modification of an existing wastewater collection or treatment system or its method of operation

**Additional guidance on what activities require a 3(i) approval can be found in the "Environmental Permitting Fact Sheet for 3(i) Determinations".**

**How to File a Request**  
Complete the Facility and Wastewater Treatment System Modification Request for Determination form, including all applicable supporting documentation and submit it to:

CENTRAL PERMIT PROCESSING UNIT  
DEPARTMENT OF ENERGY & ENVIRONMENTAL PROTECTION  
19 ELM STREET  
HARTFORD, CT 06106

**The Facility and Wastewater Treatment System Modification Request for Determination does not constitute the application required for permit issuance or renewal, transfer, or modification, and must be filed by the permittee prior to initiating a change, unless a modification to any wastewater collection or treatment facility or**

Connecticut Department of Energy and Environmental Protection

9

## Major Changes

- Removed POTW Notification Attachment
- Removed Discharge Summary Table
- Separated and refined Application questions
- Instructions updated to reflect changes to the Application

10

## Positive Impact of Changes

- Shorter Application
- Easier to Complete
- Better information received
- Quicker to Review



Connecticut Department of Energy and Environmental Protection

11

## Posting New 3i Determination Tools



- [Link to Industrial Wastewater webpage](#)
- Links will also be maintained in the current location on the [Wastewater Discharge Permits and General Permits webpage](#)



Connecticut Department of Energy and Environmental Protection

12

# Discussion



Connecticut Department of Energy and Environmental Protection