



Connecticut Brownfields Liability Relief Programs Fact Sheet

Abandoned Brownfield Cleanup Program ([CGS Section 32-768](#))

- For property unused/ significantly underutilized 5 years prior
- Redevelopment of regional or municipal benefit
- No obligation to investigate/remediate off-site, must stop off-site migration
- Liability relief from state and third parties
- No fee, Property Transfer Act exempt
- Must apply prior to property acquisition
- Must enroll/remains in DEEP's Voluntary Remediation Program ([CGS Section 22a-133x](#)) \$3250 program fee
- Eligible for free Covenant Not To Sue ([CGS Section 22a-133aa](#)) at cleanup completion

Brownfield Remediation and Redevelopment Program ([CGS Section 32-769](#))

- For bona fide prospective purchaser, innocent landowner, or contiguous landowner
- No off-site investigation/remediation, must stop off-site migration
- Must investigate/remediate within site boundaries
- Liability relief from state & third party
- Fee is 5% of land value (collected by DEEP Central Processing)
- No fee for municipality but new owner must pay when acquiring from municipality
- Exempt from Property Transfer Act

Municipal Brownfields Liability Relief ([CGS Section 22a-133ii](#))

- Open to municipalities, development corporations and CT Brownfield Land Banks that are not responsible parties
- Simple application submitted prior to acquisition
- State and third party liability relief, exempt from Property Transfer Act
- Not required to fully investigate or cleanup the Site but must be good stewards of the land
- Municipality must submit plan & schedule to facilitate investigation, remediation & redevelopment

Covenants Not To Sue ([CGS Section 22a-133aa](#))

- Available early in the process. Plan/schedule for investigation and remediation needed
- Agreement with DEEP that releases claims related to pollution/contamination on or emanating from the property that resulted from a discharge, spillage, uncontrolled loss, seepage, or filtration on such property prior to the effective date of the Covenant
- Property must be remediated in accordance with Remediation Standard Regulations (RSR), and any Environmental Use Restriction necessary to comply with RSRs must be recorded on the land records and must remain in effect
- Fee 3% of property value appraised as if not contaminated, free for municipalities
- Transferable for qualifying new owners, can extend to lenders

Covenants Not To Sue ([CGS Section 22a-133bb](#))

- DEEP will not require additional remediation in the future even if the RSRs change after the covenant is executed
- No fee, not transferable to new owner

Municipal Access Liability Relief ([CGS Section 22a-133dd](#))

Any municipality, economic development entity, or LEP may enter a property to conduct an investigation without liability if:

- Owner cannot be located, or
- Property encumbered by tax lien, or
- Notice of eminent domain filed, or
- Municipality finds investigation in public interest to determine if property should be redeveloped, or
- Municipal official determines investigation necessary to assess potential risk to health or environment

For further information, contact:

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