**Electronic Transmittal Form for DEEP Remediation and LUST Secure File Transfer (SFT)**

 DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION

 REMEDIATION DIVISION

 LEAKING UNDERGROUND STORAGE TANK COORDINATION PROGRAM

 [**www.ct.gov/deep**](http://www.ct.gov/deep)

This Electronic Transmittal Form must be completed and included as the cover sheet of your electronic document when uploading a document to the Connecticut SFT website. Requirements for Transmittals through the SFT website:

* Only document types identified in the dropdown lists in Part III below may be submitted through the SFT website.
* Documents submitted through the SFT website must include all applicable figures, tables and laboratory data.
* Files must be formatted in Word and use the appropriate naming convention:
	+ For Remediation Filings: **REM\_RemID\_DocumentType\_DateofDocument
	Example:** REM\_1234\_ELUR\_01-01-2001
	+ For LUST Filings: **LUST\_SiteAddress\_Town\_AbbreviationForDocumentType\_DateofDocument
	Example:** LUST\_1MainStreet\_Hartford\_ESA\_01-01-2001 **Note:** For **“**AbbreviationForDocumentType” use appropriate abbreviation at [Transmittal of Documents](https://portal.ct.gov/DEEP/Remediation--Site-Clean-Up/Transmittal-of-Documents#LUST)

**Part I: Primary Recipient\*:** Remediation or LUST(\* required)

|  |  |
| --- | --- |
| For Remediation documents:Primary Program\*: Select a ProgramRem ID\*:        | For LUST documents:UST Facility ID:      Spill Case Number:       |

**Part II: Site Information**

|  |
| --- |
| Site Name\*:      Site Address\*:      City/Town\*:       State: CT Zip Code:       |
| Secondary Programs (complete as many as applicable for this document):Program: Select Secondary Program Project ID:      Program: Select Secondary Program Project ID:      Program: Select Secondary Program Project ID:      Program: Select Secondary Program Project ID:      Provide Project ID for each secondary program if it is known. Each program has a unique ID (i.e. Rem ID, Spill Case #, UST Facility ID, etc.) |

**Part III: Document Information** (document type required for appropriate program[s] only)

|  |
| --- |
| Remediation\*: Remediation Document TypeLUST\*: LUST Document TypeDate of Document\*: Select Date Version: Select version |

**Part IV: Submitter Information**

|  |
| --- |
| Name\*:      E-mail\*:      Name of company/business this document is being submitted on behalf of: \*      |

****

**Environmental Use Restriction Submittal Form**

**DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION**

**BUREAU OF WATER PROTECTION AND LAND REUSE**

**REMEDIATION DIVISION**

**ENVIRONMENTAL USE RESTRICTION PROGRAM** [**www.ct.gov/deep/remediation**](http://www.ct.gov/deep/remediation)

The [Environmental Use Restrictions Regulations](http://eregulations.ct.gov/eRegsPortal/Browse/RCSA?id=Title%2022a|22a-133q|22a-133q-1|22a-133q-1)(EUR Regulations), Regulations of Connecticut State Agencies (RCSA) sections 22a-133q-1 through 22a-133q-5, describe the process and identify the forms to be used for the preparation, approval, and recording of EURs. EURs can be recorded as an Environmental Land Use Restriction (ELUR) or a Notice of Activity and Use Limitation (NAUL). Reference to EUR within this form pertains to either ELUR or NAUL, as applicable.

The Commissioner is authorized by the EUR Regulations and Connecticut General Statutes (CGS) section 22a-133o to approve ELURs and NAULs. Licensed Environmental Professionals (LEPs) are authorized to approve ELURs for parcels undergoing voluntary remediation pursuant to section 22a-133y of the CGS and NAULs per RCSA section 22a-133q-3.

The [Remediation Standard Regulations](https://eregulations.ct.gov/eRegsPortal/Browse/RCSA/%7BEAD3787B-7651-4803-8239-CCD2B569E8A0%7D) (RSRs) RCSA sections 22a-133k-1 through 22a-133k-3, inclusive, specifies the circumstances in which EURs are required. RCSA section 22a-133k-1(e) specifically summarizes the types of EURs required by the RSRs.

The purpose of this form is to document the preparation, approval, and recording of an EUR in one document from beginning to end.

**Form and Fee Submittal Information**

Upload this form to the Remediation Division Connecticut [Secure File Transfer (SFT) website](https://sft.ct.gov/). In order for the Remediation Division to process this form, the fee required by RCSA sections 22a-133q-2 and 22a-133q-3 must be received by the Central Processing Division of the Department of Energy and Environmental Protection (DEEP), along with a completed [Fee Transmittal Form](https://portal.ct.gov/-/media/DEEP/site_clean_up/EUR/EUR-Fee-Form.doc).

**Questions**

Questions and correspondence regarding EURs are to be directed to DEEP.EUR@ct.gov(RE: Property/Facility Name and Address).

**NOTE:**

Within this form, this symbol 🗐 denotes an area to electronically embed a document (see instructions below).

1. Select **Insert** on the toolbar.
2. In the **Text group** click the dropdown arrow for **Object** and select **Object.**
3. The **Object dialog box** will appear. Select **Create from File.**
4. Choose **Browse** and select the file to embed **(saved as PDF, Word, or JPEG).**
5. Click **Display as Icon.**
6. Click **OK.**





The buttons: appear throughout the form, and are links to the ELUR and NAUL webpages that contain required forms.

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**Section A. Type of Submittal**

|  |  |
| --- | --- |
| **Type of Submittal** | **Section(s) to Complete** |
| **Commissioner Approved ELUR (RCSA Section 22a-133q-2)** |
| 1. **Review of ELUR**
 |
| [ ]  | Request for Commissioner Approved ELUR | B, C, E, F |
| 1. **Post Recording Process**
 |
| [ ]  | Submittal of recorded ELUR documents and Certificate of Title | G |

|  |
| --- |
| **LEP Approved ELUR for a Parcel Undergoing Voluntary Remediation (CGS section 22a-133y)** |
| 1. **Review of ELUR**
 |
| [ ]  | Request for Commissioner approval of subordination waiver(s) | B, C, E, F |
| 1. **Post Recording Process**
 |
| [ ]  | Submittal of recorded ELUR documents and Certificate of Title  | H |

|  |
| --- |
| **Commissioner Approved NAUL (RCSA Section 22a-133q-3)** |
| 1. **Review of NAUL**
 |
| [ ]  | Request for Commissioner Approved NAUL | B, D, E, F |
| 1. **Post Recording Process**
 |
| [ ]  | Submittal of recorded NAUL documents | I |

|  |
| --- |
| **LEP Approved NAUL (RCSA Section 22a-133q-3)** |
| 1. **Post Recording Process**
 |
| [ ]  | Submittal of recorded NAUL documents  | B, D, E, F, J |

**Section B. Owner Information**

***Part I. Parcel Information – Physical Location***

|  |
| --- |
| Property/Facility Name: *Enter Property Legal Name* |
| Other Name(s): *Enter Other Name(s)* |
| Street Address: *Enter Street Address* |
| City/Town: *Enter City/Town* | State: *State* | Zip Code: *Zip* |
| County: *Enter County* |
| Remediation Division Site Identification Number (REM ID#): *Enter REM ID#*  |
| For NAULs - Zoning District Identification with description:*Zoning District* |

***Part II. Owner Information***

|  |
| --- |
| Name of Parcel Owner: *Enter Owner Legal Name* |
| Primary Contact Name: *Enter Contact Name* |
| E-mail Address: *Enter E-mail Address* |
| Street Address: *Enter Street Address* |
| City/Town: *Enter City/Town* | State: *State* | Zip Code: *Zip* |
| Phone Number: (*Area Code*) *Phone*-*Number* | Ext.: *Enter Ext.* |
| CT Secretary of State Business ID# (as provided by [Online Business Services](https://service.ct.gov/business/s/onlinebusinesssearch?language=en_US)): *Enter Business ID#* |

***Part III. Party Recording EUR Information (if not owner)***

|  |
| --- |
| Name of Party Responsible for EUR: *Enter Responsible Party* |
| Primary Contact Name: *Enter Contact Name* |
| E-mail Address: *Enter E-mail Address*  |
| Street Address: *Enter Street Address* |
| City/Town: *Enter City/Town*  | State: *State*  | Zip Code: *Zip*  |
| Phone Number: (*Area Code*) *Phone*-*Number* | Ext.: *Enter Ext.* |

***Part IV. Licensed Environmental Professional Information***

|  |  |
| --- | --- |
| Name: *Enter LEP Name* | LEP License #: *Enter License #* |
| Firm Name: *Enter Firm Name* |
| E-mail Address: *Enter E-mail Address* |
| Street Address: *Enter Street Address* |
| City/Town: *Enter City/Town* | State: *State*  | Zip Code: *Zip*  |
| Phone Number: (*Area Code*) *Phone*-*Number* | Ext.: *Enter Ext.* |

***Part V. Attorney Information***

|  |
| --- |
| Name: *Enter Attorney Name* |
| Firm Name: *Enter Firm Name* |
| E-mail Address: *Enter E-mail Address* |
| Street Address: *Enter Street Address* |
| City/Town: *Enter City/Town* | State: *State*  | Zip Code: *Zip*  |
| Phone Number: (*Area Code*) *Phone*-*Number* | Ext.: *Enter Ext.* |

***Part VI. Land Surveyor Information***

|  |  |
| --- | --- |
| Name: *Enter Surveyor Name* | License #: *Enter License #* |
| Firm Name: *Enter Firm Name* |
| E-mail Address: *Enter E-mail Address* |
| Street Address: *Enter Street Address* |
| City/Town: *Enter City/Town* | State: *State*  | Zip Code: *Zip*  |
| Phone Number: (*Area Code*) *Phone*-*Number* | Ext.: *Enter Ext.* |

***Part VII. Program Involvement for the Parcel***

|  |
| --- |
| [ ]  Property Transfer under sections 22a-134 through 22a-134e of the General Statutes  |
| [ ]  Voluntary Remediation under section 22a-133x of the General Statutes |
| [ ]  Resource Conservation and Recovery Act (RCRA) Corrective Action Program |
| [ ]  State or Federal Superfund Program |
| [ ]  Final administrative (unilateral or consent) order issued by the Department or final judicial stipulated judgment which requires investigation and remediation of hazardous wastes or substances to achieve the requirements of the Remediation Standard Regulations (RSRs) sections 22a-133k-1 through 22a-133k-3, inclusive, of the Regulations of Connecticut State Agencies  |
| [ ]  Other Department Program that requires investigation and remediation of hazardous wastes or substances to the satisfaction of the Commissioner or the RSRs  **Specify**: *Enter Applicable Department Program* |
| [ ]  The parcel or release is subject to regulation pursuant to Part 761, Title 40 of the Code of Federal Regulations (40 CFR Part 761, PCBs) |

***Part VIII. Existing EURs Recorded on the Municipal Land Records***

|  |
| --- |
|  Are there **existing EURs** recorded for the property? [ ]  **No** If yes, enter the following:[ ]  ELUR [ ]  NAUL |
| Parcel Owner Name: *Enter Owner Legal Name* |
| Date existing EUR recorded on the municipal land records: *Choose Date* Volume/Page: *Volume/Page* |
| Will the **proposed EUR** replace the **existing EUR(s)**? [ ]  **No** If yes, a permanent release must be recorded simultaneously with the new EUR on the land records.  |

***Part IX. Public Notice of Remediation***

|  |
| --- |
| [ ]  Remediation at the parcel is in compliance with the requirements of RCSA Section 22a-133k-1(d)  |

|  |  |
| --- | --- |
| 🗐 Public Notice Affidavit: |  |



***Part X*. *Fee Transmittal Form***

|  |  |
| --- | --- |
| 🗐 Copy Of Fee Transmittal Form: |  |

***Part XI. Affirmative LEP Statement***

For 133y ELUR the affirmative determination statement as required by RCSA section 22a-133q-2(f)(1):

|  |  |
| --- | --- |
| 🗐 Affirmative LEP Statement for 133y: |  |

For NAULs the affirmative determination statement as required by RCSA section 22a-133q-3(c)(2):

|  |  |
| --- | --- |
| 🗐 Affirmative LEP Statement for NAUL: |  |



**Section C. Preparation of ELUR**

Forms prescribed by the Commissioner must be used in the preparation of an ELUR. Once prepared, the draft ELUR is embedded below.

With the exception of the supplemental information and factsheet, these documents when finalized, will be recorded on the municipal land records.

|  |  |
| --- | --- |
| **Draft ELUR document** | 🗐 |
| Draft Declaration and Property Description (Exhibit A) |  |
| Draft EUR Overview (Exhibit B) *add EUR Opinions in table below*  |  |
| Draft Simplified Survey (Exhibit C) |  |
| Draft Survey (Exhibit C) |  |

**Draft Factsheet:**

|  |  |
| --- | --- |
| 🗐 Factsheet: |  |

| **EUR Opinion (Exhibit B) AND** **Supplemental Information (SI)** | 🗐 | **EUR Opinions (Exhibit B) AND Supplemental Information (SI)** | 🗐 |
| --- | --- | --- | --- |
| Residential Activity – Soil (Non-PCBs) |  | Residential Activity – Soil (PCBs) |  |
| Inaccessible Soil (Non-PCBs) |  | Inaccessible Soil and Residential Activity (PCBs) |  |
| Soil Polluted with Pesticides (Residential Activity) |  | Soil Polluted with Pesticides (Industrial / Commercial Activity) |  |
| Environmentally Isolated Soi |  | Alternative Release-Specific Direct Exposure Criteria |  |
| Widespread Polluted Fill Variance |  | Engineered Control Variance – LEP Certification |  |
| Engineered Control Variance – Commissioner Approval |  | Non-Aqueous Phase Liquids (NAPL) Variance |  |
| Residential Activity – Groundwater |  | Vapor Mitigation |  |
| Alternative Release-Specific Volatilization Criteria Alternative Method of Demonstrating Compliance with Volatilization Criteria |  | No Build Restriction |  |
| Indoor Air Monitoring |  | Technical Impracticability Variance |  |
| Groundwater Polluted with Pesticides |  | Other Supplemental Information |  |

**Section D. Preparation of NAUL**

Forms prescribed by the Commissioner must be used in the preparation of a NAUL. Once prepared, the draft NAUL is embedded below. With the exception of the supplemental information forms and factsheet, these documents when finalized, will be recorded on the municipal land records.

|  |  |
| --- | --- |
| **Draft NAUL document** | 🗐 |
| Draft Declaration and Property Description (Exhibit A) |  |
| Draft EUR Overview (Exhibit B) *add EUR Opinions in table below* |  |
| Draft Simplified Survey (Exhibit C) |  |
| Draft Survey (Exhibit C) |  |

**Draft Factsheet:**

|  |  |
| --- | --- |
| 🗐 Factsheet: |  |

| **EUR Opinions (Exhibit B) AND** **Supplemental Information (SI)** | 🗐 | **EUR Opinions (Exhibit B) AND****Supplemental Information (SI)** | 🗐 |
| --- | --- | --- | --- |
| Residential Activity – Soil (Non-PCBs) |  | Soil Polluted with Pesticides (Industrial / Commercial Activity) |  |
| Inaccessible Soil (Non-PCBs) |  | Alternative Release-Specific Direct Exposure Criteria |  |
| Soil Polluted with Pesticides (Residential Activity) |  | Engineered Control Variance – LEP Certification |  |
| Environmentally Isolated Soil |  | Vapor Mitigation |  |
| Widespread Polluted Fill Variance |  | No Build Restriction |  |
| Engineered Control Variance – Commissioner Approval |  | Groundwater Polluted with Pesticides |  |
| Residential Activity – Groundwater |  | Alternative Release-Specific Volatilization Criteria Alternative Method of Demonstrating Compliance with Volatilization Criteria |  |
| Other Supplemental Information |  |  |  |

**Section E. Signatory Responsibility and Ownership Form**

***Part I. Applicant Type and Duly Designated Agent***

**All Entities must include as Attachment A:**

|  |
| --- |
| The deed that identifies the current owner of the parcel: *Volume/Page* |

|  |  |
| --- | --- |
| 🗐 Current Deed: |  |

**All Entities must include as Attachment B:**

Unless the parcel is owned by an individual, provide documentation that demonstrates the duly designated agent is authorized to sign on behalf of the parcel owner (as described below).

|  |  |
| --- | --- |
| 🗐 Duly Designated Authorization: |  |

|  |  |  |
| --- | --- | --- |
| **Applicant Type:** | **Documents Signed by:** | **Certification of Duly Designated Agent:** |
| [ ]  Individual or Sole Proprietorship | The individual or proprietor or other duly designated agent | NA |
| [ ]  Corporation  | Duly designated agent of the Corporation | Certified resolution of the Board of Directors or other appropriate documentation. |
| [ ]  Limited Partnership | A general partner or other duly designated agent | Certified resolution of the Partnership or other appropriate documentation. |
| [ ]  Municipality | A person authorized by charter or resolution of the board of selectmen or town council or other governing body | Certified copy of a Governing Body Resolution or other appropriate documentation. |
| [ ]  State or Federal Entity | A statutorily authorized official, duly authorized state employee, or other representative who has received legal delegation of authority | Copy of the statute or regulation authorizing the representative, certified copy of the delegation of authority for the representative or other appropriate documentation. |
| [ ]  Other Governmental or Quasi-Public Entity | A person who is authorized by such governmental or quasi-public entity | Describe Documentation *Enter Description* |
| [ ]  Limited Liability Company  | Duly designated agent | Certified resolution of the Board of Directors or other appropriate documentation. |
| [ ]  Statutory Trust | Duly designated agent | Describe Documentation *Enter Description* |
| [ ]  Other Entity Type Not Listed Above Specify Type: *Other Entity Type* | Duly designated agent | Describe Documentation *Enter Description* |

***Part II. Duly Designated Agent***

|  |
| --- |
| Name: *Enter Duly Designated Agent Name* |
| Title: *Enter Title* |
| E-mail Address: *Enter E-mail Address* |
| Street Address: *Enter Street Address* |
| City/Town: *Enter City/Town* | State: *State* | Zip Code: *Zip* |
| Phone Number: (*Area Code*) *Phone*-*Number* | Ext.: *Enter Ext.* |
| Effective Date of Authorization: *Choose Date*  |

***Part III. Duly Designated Agent (if more than one Duly Designated Agent***)

|  |
| --- |
| Name: *Enter Duly Designated Agent Name* |
| Title: *Enter Title* |
| E-mail Address: *Enter E-mail Address* |
| Street Address: *Enter Street Address* |
| City/Town: *Enter City/Town* | State: *State* | Zip Code: *Zip* |
| Phone Number: (*Area Code*) *Phone*-*Number* | Ext.: *Enter Ext.* |
| Effective Date of Authorization: *Choose Date*  |

****

**Section F. Land Title Analysis**

Forms prescribed by the Commissioner must be used in the preparation of the Land Title Analysis

***Part I. Title Search Preparer Information***

|  |
| --- |
| Name: *Enter Preparer Name* |
| Firm Name: *Enter Firm Name* |
| E-mail Address: *Enter E-mail Address* |
| Street Address: *Enter Street Address* |
| City/Town: *Enter City/Town* | State: *State*  | Zip Code: *Zip* |
| Phone Number: (*Area Code*) *Phone*-*Number* | Ext.: *Enter Ext.* |
| Name of Client: *Enter Client Name* |

***Part II. Title Search Information***

|  |
| --- |
| Date of title search (must be less than 90 days prior to EUR submittal date): *Choose Date*  |
| Number of items listed in the search: *# of Items* |

Title search per the requirements of RCSA section 22a-133q-2(b)(4) or 22a-133q-3(b)(4):

|  |  |
| --- | --- |
| 🗐 Title Search: |  |

Title report per the requirements of RCSA section 22a-133q-2(b)(5) or 22a-133q-3(b)(5):

|  |  |
| --- | --- |
| 🗐 Table 1 Title Report: Review and Evaluation of Recorded Interests: |  |
| 🗐 Table 2 Title Report: Survey Analysis and EUR Preliminary Parcel Owner Affidavit Analysis: |  |

***Part III. Title Report Preparer Information***

|  |
| --- |
| Name: *Enter Preparer Name* |
| Firm Name: *Enter Firm Name* |
| E-mail Address: *Enter E-mail Address* |
| Street Address: *Enter Street Address* |
| City/Town: *Enter City/Town* | State: *State*  | Zip Code: *Zip* |
| Phone Number: (*Area Code*) *Phone*-*Number* | Ext.: *Enter Ext.* |
| Name of Client: *Enter Client Name* |

***Part IV. EUR Preliminary Parcel Owner Affidavit and Attorney Statement***

EUR Preliminary Parcel Owner Affidavit per the requirements of RCSA section 22a-133q-2(b)(7) and 22a-133q-3(b)(6):

|  |  |
| --- | --- |
| 🗐 EUR Preliminary Parcel Owner Affidavit: |  |

For 133y and LEP Approved NAUL – provide the Attorney Statement per the requirements of RCSA section 22a-133q-2(f)(1) and 22a-133q-(3)(c)(2):

|  |  |
| --- | --- |
| 🗐 Attorney Statement of Compliance: |  |

**Section G. Commissioner Approved ELUR**

**Recording an ELUR and Post-Recording Submittals**

After recording the fully executed ELUR in accordance with the process required by RCSA section 22a-133q-2(e),

embed the following items:

* A certificate of title (COT) prepared by an attorney with a current and valid license to practice in the State of Connecticut:

|  |  |
| --- | --- |
| **Recorded ELUR document** | 🗐 |
| COT |  |
| Recorded ELUR |  |
| Recorded Survey (Exhibit C) |  |

**Section H. LEP Approved ELUR (CGS section 22a-133y)**

**Recording an ELUR and Post-Recording Submittals**

After recording the fully executed ELUR in accordance with the process required by RCSA section 22a-133q-2(f),

embed the following items:

* A certificate of title prepared by an attorney with a current and valid license to practice in the State of Connecticut:

|  |  |
| --- | --- |
| **Recorded ELUR document 133y** | 🗐 |
| COT |  |
| Recorded ELUR |  |
| Recorded Survey (Exhibit C) |  |

**Section I. Commissioner Approved NAUL**

**Recording a NAUL and Post-Recording Submittals**

After recording the fully executed NAUL in accordance with the process required by RCSA section 22a-133q-3(e)(2), embed the following items:

|  |  |
| --- | --- |
| **Recorded NAUL document**  | 🗐 |
| Recorded NAUL |  |
| Recorded Survey |  |
| EUR Opinion signed and sealed by LEP |  |
| NAUL Parcel Owner Statement A statement in which the owner attests that there has been no change to the information provided in the owner’s affidavit |  |
| Title Search The title search as required by RCSA section 22a-133q-3(b)(4) updated to include any interest in the parcel listed on the land records at the time the NAUL was recorded. |  |

**Section J. LEP Approved NAUL**

**Recording a NAUL and Post-Recording Submittals**

After recording the fully executed NAUL in accordance with the process required by RCSA section 22a-133q-3(e)(3), embed the following items:

|  |  |
| --- | --- |
| **Recorded NAUL document**  | 🗐 |
| Recorded NAUL |  |
| Recorded Survey |  |
| EUR Opinionsigned and sealed by LEP |  |
| NAUL Parcel Owner StatementA statement in which the owner attests that there has been no change to the information provided in the owner’s affidavit |  |
| Title SearchThe title search as required by RCSA section 22a-133q-3(b)(4) updated to include any interest in the parcel listed on the land records at the time the NAUL was recorded. |  |