



# Release Based Office Hours Q&A Session 3

April 29, 2026

Presented/prepared jointly by: Emergency Response & Spill Prevention Division;  
Remediation Division

4/29/2026

Connecticut Department of Energy & Environmental Protection

# Training Disclaimer

The following presentation was delivered by the Connecticut Department of Energy and Environmental Protection on April 29, 2026. This presentation is intended to be an overview of the Release Based Cleanup Regulations (RBCRs) Sections 22a-134tt-1 through 22a-134tt-13 inclusive, and 22a-134tt-App1 through 22a-134tt-App12, which became effective on March 1, 2026. This presentation is designed to answer general questions and provide basic information. You should refer to the appropriate statute or regulation for specific language. It is your responsibility to comply with all applicable laws and regulations. The information contained in this presentation is intended only to acquaint you with the RBCRs and does not constitute the Department's interpretation of the applicable laws and regulations.

For case studies, please note that they are hypothetical scenarios tailored specifically for training purposes.

# Housekeeping

Today's goal is to have open discussion in support of understanding the RBCRs.

To support a respectful environment and hopefully allow time for all content to be discussed, please:

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**Place questions into Q&A (this helps track for responses if not answered today)**

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**Raise hand for follow-up questions or discussion**

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**Stay muted unless called upon**

# **Q - Can an ERR become an SER?**

**A – No.**

**If a release is an ERR, it remains an ERR until it is fully removed or achieves an IA transition-point**

# **Q - Why are the deadlines and distances different for ERRs and SERs when impacting similar receptors or media?**

**A - ERRs are emergent situations with the goal of removing as much impact as quickly as possible in order to prevent further migration or exposure. Whereas SERs are existing and have been present in the environment for a longer period of time increasing the likelihood that they have migrated.**

**Q – What ERRs need to have removal initiated within 2 hours? And do they then need to be completed in the same timeframe as SERs?**

**A – All ERRs must have removal initiated within 2 hours and must continue until they are fully removed or reach an IA transition-point. Therefore, the timeframe for completion is different than SERs.**

# IMMEDIATE ACTIONS (IAs)

If compliance with cleanup standards is not achieved, then meet an IA Transition Point and submit an Immediate Action Report:

Media	IA Condition	IA Transition Point
		ERR [-5h)(1)]
Groundwater	Drinking water well impacted	<ul style="list-style-type: none"> <li>With or without treatment: 4 quarters &lt; criteria</li> <li><i>or</i></li> <li>Water main connection</li> </ul>
	Volatile substances in GW near a building	<ul style="list-style-type: none"> <li>Mitigation installed (ELUR not recorded yet)</li> <li>9 monthly samples meet TACs</li> </ul>
	Drinking water well threatened	<ul style="list-style-type: none"> <li>Enter cleanup tier with DEEP oversight (Tier 1A)</li> </ul>
Surface Water	Surface water threatened or impacted	<ul style="list-style-type: none"> <li>Source removed/mitigated to maximum extent practicable</li> <li>No visible sheen</li> </ul>
Soil	Soil impacted	<ul style="list-style-type: none"> <li>Removal to maximum extent practicable</li> <li>Direct exposure risk mitigated</li> </ul>

**Q – How are the clean-up standards different for an ERR to an improved surface if the release is not a material of special concern vs a release that is such a material?**

**A – If a release that is an ERR does not contain a material of special concern, it must be removed from the improved surface to the extent necessary to prevent migration to soil. If it does contain such material, it must be cleaned to ND.**

[See appendix in section 22a-450-6](#)

**Q – What if a release that is an ERR is petroleum (which contains several substances on the materials of special concern list) and it impacts an improved surface made of asphalt (which also contains such substances)? How do you get to ND?**

**A – An ERR release of petroleum is not a release of a material of special concern. A release of such material means an actual release of one of those listed materials. Petroleum is referenced in the regulation as a specific substance.**

**A – An improved surface containing a material of special concern does not constitute a release. Only the release must be removed to ND. If the release is completely removed on an improved surface that contains that material thereby impacting the ability to reach ND, that must be explained in the documentation.**

**Q – For an ERR to an improved surface, not of a material of special concern, would it need to be cleaned until all visible traces are gone?**

**A – No. The ERR need only be cleaned to the extent necessary to prevent migration.**



**Q - Is it correct that PEP ERR closure certification requires ALL impacted soil to be removed (i.e., analytical results of ND), but LEP ERR closure verification for the same ERR scenario requires analytical results confirming all soil meets applicable criteria?**

**A - For an ERR, all soil impacted by a release must be removed, not just soil above a numeric cleanup standard. The Department is encouraging over-excavation for emergent reportable releases impacting soil so that no additional remediation is necessary.**

**Q – What if soil excavation at an ERR cannot continue due to structural integrity concerns? Just document it in report and EUR required to cap the soils left in place?**

**A – Except for the Residential Special Path, an ERR to soil must be removed to the maximum extent practicable, including use of structural engineering to support further excavation and possibly in-situ treatment, if necessary.**

**Q – To confirm, a consultant retained by a client (to facilitate investigation/spill response) cannot become a PEP? Only the Spill response contractor OR someone that is an actual employee of the responsible party can become a PEP?**

**A – Only someone associated with a permit pursuant to CGS 22a-454 can become a PEP. This means either an individual permit holder (spill contractor) OR a PEP GP holder (an employee of an eligible company or a company involved in residential UST removal).**

**Q – 22a-134tt-1(a)(23)- For closure of a release we need to reach ND OR determine extent ... "in a manner consistent with prevailing standards or guidelines". What manner consistent with standards and guidelines would be acceptable for not reaching ND to achieve closure? Can we show that concentrations are decreasing away from the source and are below applicable criteria for closure?**

**A – Meeting cleanup criteria in soil with decreasing concentrations further away from the source of the release is one way to delineate the extent without reaching ND. However, this approach also requires a defensible conceptual model for the release and the possible migration pathways of the associated pollution. For example, when removing an above ground fuel oil storage tank there is typically an obvious route of the release, and grossly polluted soil may be removed as part of that release response. If confirmatory sidewall samples indicate residual impacts below applicable cleanup standards, in the absence of other information suggesting an atypical migration pathway, this would generally be considered sufficient for closure characterization.**

**The Release Characterization Guidance lays out some general principles for release delineation but is not a substitute for best professional judgment.**

**Q – Are there requirements about getting lab data? 72 hours from when the consultant gets the results will be a different timeline if the samples are rush vs standard turnaround time**

**A – The speed at which the lab runs the samples does not have any effect on the 72 hours to report because it's not a matter of the moment the samples get to the lab, but the moment the data is in the hands of the data user.**

**Q – Please define "all measures necessary" regarding ERR visible impact action.**

**A – Required Immediate Actions are listed in 22a-134tt-5. For required actions specific to visible releases to surface water bodies, see 22a-134tt-5(e)(5)(A):**

**"As soon as practicable, but not more than 2 hours after the discovery of such release, undertake all measures necessary to remove all impacts that are recoverable and ensure that further migration of such release is mitigated or prevented, which may include, but shall not be limited to, physical barriers such as booms, interceptor trenches, slurry walls, other physical barriers, or vacuum extraction"**

## **Q – For an SER where we detect contamination in a potable well and don't know the source, how do we install physical barriers?**

**A – For an SER of contamination in a potable well, you would be required per 22a-133tt-5(d)(1)(B) to install an appropriate treatment system or engage in active remediation techniques. This could include, but is not limited to, a GAC filter.**

**Placement of "physical barriers" would be applicable when the release source or the release migration path is known; examples of physical barriers are listed in RCOSA 22a-133tt(5)(e)(1)(A) for ERRs and RCOSA 22a-133tt(5)(f)(1)(A) for SERs, with examples including interceptor trenches, sheet piles, slurry walls.**

# Upcoming Trainings



Next Up...

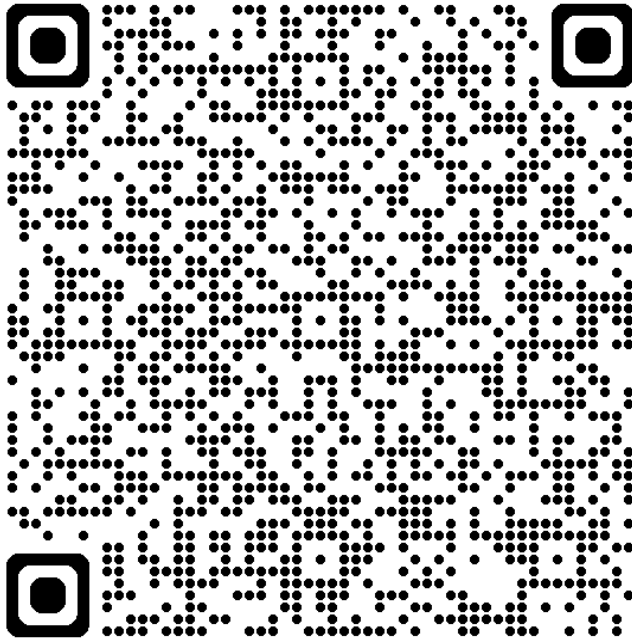
Reminder: Registration for upcoming RBCR & REACT Training Available on DEEP's webpage:

[REACT and Release-Based Cleanup Regulation Training](#)

**REACT Trainings** every Thursday morning from 10:00 a.m. – noon

Date	Topic	Training Course	Location/Zoom Registration or Access Link	Questions & Answers
April 29, 2026, 2:00 p.m. - 3:00 p.m.	RBCR	RBCR Office Hours Q&A Session	<a href="#">Register for April 29</a>	
May 6, 2026, 10:30 a.m. - 12:00 p.m.	RBCR	Soil Topics - Focused Session 11	<a href="#">Register for May 6</a>	
May 13, 2026, 10:30 a.m. - 12:00 p.m.	RBCR	Scenarios - Focused Session 12	<a href="#">Register for May 13</a>	
May 20, 2026, 2:00 p.m. - 3:00 p.m.	RBCR	RBCR Office Hours Q&A Session	<a href="#">Register for May 20</a>	
June 3, 2026, 10:30 a.m. - 12:00 p.m.	RBCR	ERR and PCB Topics - Focused Session 13	<a href="#">Register for June 3</a>	
June 10, 2026, 10:30 a.m. - 12:00 p.m.	RBCR	Scenarios - Focused Session 14	<a href="#">Register for June 10</a>	
June 17, 2026, 2:00 p.m. - 3:00 p.m.	RBCR	RBCR Office Hours Q&A Session	<a href="#">Register for June 17</a>	

# Questions?



Questions on RBCRs and REACT portal may be submitted using this

[Question submittal tool](#) or send an email to

[DEEP.ERR@ct.gov](mailto:DEEP.ERR@ct.gov)

[DEEP.LeakingUST@ct.gov](mailto:DEEP.LeakingUST@ct.gov)

[DEEP.PCBProgram@ct.gov](mailto:DEEP.PCBProgram@ct.gov)

[DEEP.PEPEnforcement@ct.gov](mailto:DEEP.PEPEnforcement@ct.gov)

[DEEP.RemediationDivision@ct.gov](mailto:DEEP.RemediationDivision@ct.gov)

[DEEP.REACT@ct.gov](mailto:DEEP.REACT@ct.gov)

Responses to submitted questions will be provided in:

- updates to Frequently Asked Questions documents,
- Q&A annexes to training courses, or
- individually if appropriate.