



Release Based Focused Training Session *ERR and PCBs*

June 3, 2026

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

6/3/2026

Training Disclaimer

The following presentation was delivered by the Connecticut Department of Energy and Environmental Protection on June 3, 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.

Overview

ERRs

PCB

Other

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	- With or without treatment: 4 quarters < criteria <i>or</i> - Water main connection
	Volatile substances in GW near a building	- Mitigation installed (ELUR not recorded yet) 9 monthly samples meet TACs
	Drinking water well threatened	Enter cleanup tier with DEEP oversight (Tier 1A)
Surface Water	Surface water threatened or impacted	- Source removed/mitigated to maximum extent practicable - No visible sheen
Soil	Soil impacted	- Removal to maximum extent practicable - Direct exposure risk mitigated

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 – 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 – What is the definition of "initiate remediation"? It frequently takes more than 2 hours to mobilize excavation equipment

A – “Initiate remediation” means begin remedial activities. Permitted spill cleanup contractors are required by their permit to respond within 2 hours.

As an example, in terms of transformers (PCBs) it would include the time it takes to make the situation safe ie. De-energize the power.

Q –If the immediate action is not fully successful and follow-up removal is needed, can a PEP still certify?

A – Yes, as long as all the requirements of 134tt-8 are met, as well as all the requirements of permit.

Q – It appears that there is no significant reporting program for regulated UST releases discovered after March 1 as the RBCRs exempt UST releases and the legislative change to the SEH law does not include UST releases.

A – If it is a regulated UST (or even if it's not), must be reported under 22a-450-1 through 6 and such release shall not to be considered discovered under RBCRs. Cleanup of releases from a regulated UST is required under 22a-449(d)(1) through 22a-449(d)-114.

Q- Are you required to report an existing release, discovered after 3/1/26, that emanated from a former UST system?

A – Yes. The UST regulations apply to releases from all regulated USTs including those that have been removed. If a confirmed release that originated from a regulated UST is found, it must be reported pursuant to 22a-449(d)-106 to DEEP Dispatch if it has not already been reported.

Q – When performing utility work (i.e. working on a sewer line) and the soil has PCB impacts, can it be reused?

A – No.

Q – What is the difference between infrastructure/construction vs remediation as it relates to PCBs?

A – If PCBs are discovered during construction work, the entity digging up PCBs cannot put PCB contamination back in the hole, as this is considered illegal disposal under 22a-467. It must be properly disposed of either by the construction company or the RP. The RP is then obligated to investigate the degree and extent of the contamination and remediate which means it would have to be reported as having been discovered. "(7) No provision of this subsection shall relieve any person of the requirement to comply with all federal, state, and local requirements, including, but not limited to, 40 CFR 761, all permits, and other required authorizations.

Upcoming Trainings



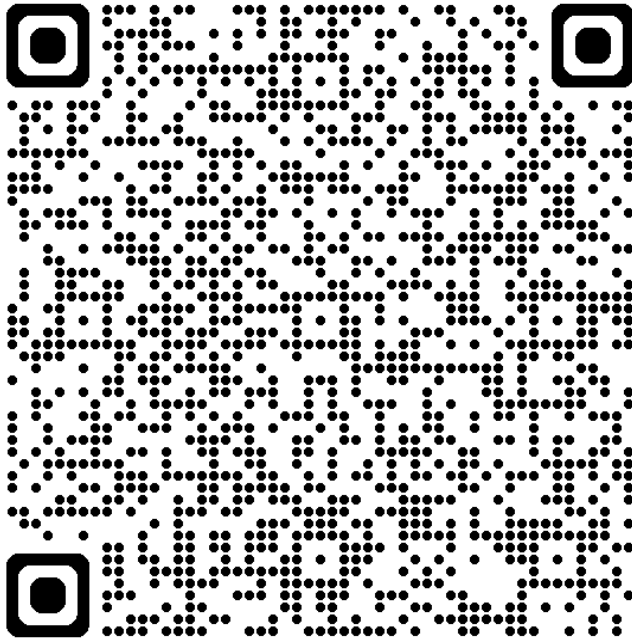
Next Up...

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

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

Date	Topic	Training Course	Location/Zoom Registration or Access Link	Questions & Answers
June 3, 2026, 10:30 a.m. - 12:00 p.m.	RBCR	ERR and PCB Topics - Focused Session 13	Register for June 3 	
June 10, 2026, 10:30 a.m. - 12:00 p.m.	RBCR	Scenarios - Focused Session 14	Register for June 10 	
June 17, 2026, 2:00 p.m. - 3:00 p.m.	RBCR	RBCR Office Hours Q&A Session	Register for June 17 	

Questions?



Questions on RBCRs and REACT portal may be submitted using this

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

DEEP.ERR@ct.gov

DEEP.LeakingUST@ct.gov

DEEP.PCBProgram@ct.gov

DEEP.PEPEnforcement@ct.gov

DEEP.RemediationDivision@ct.gov

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.