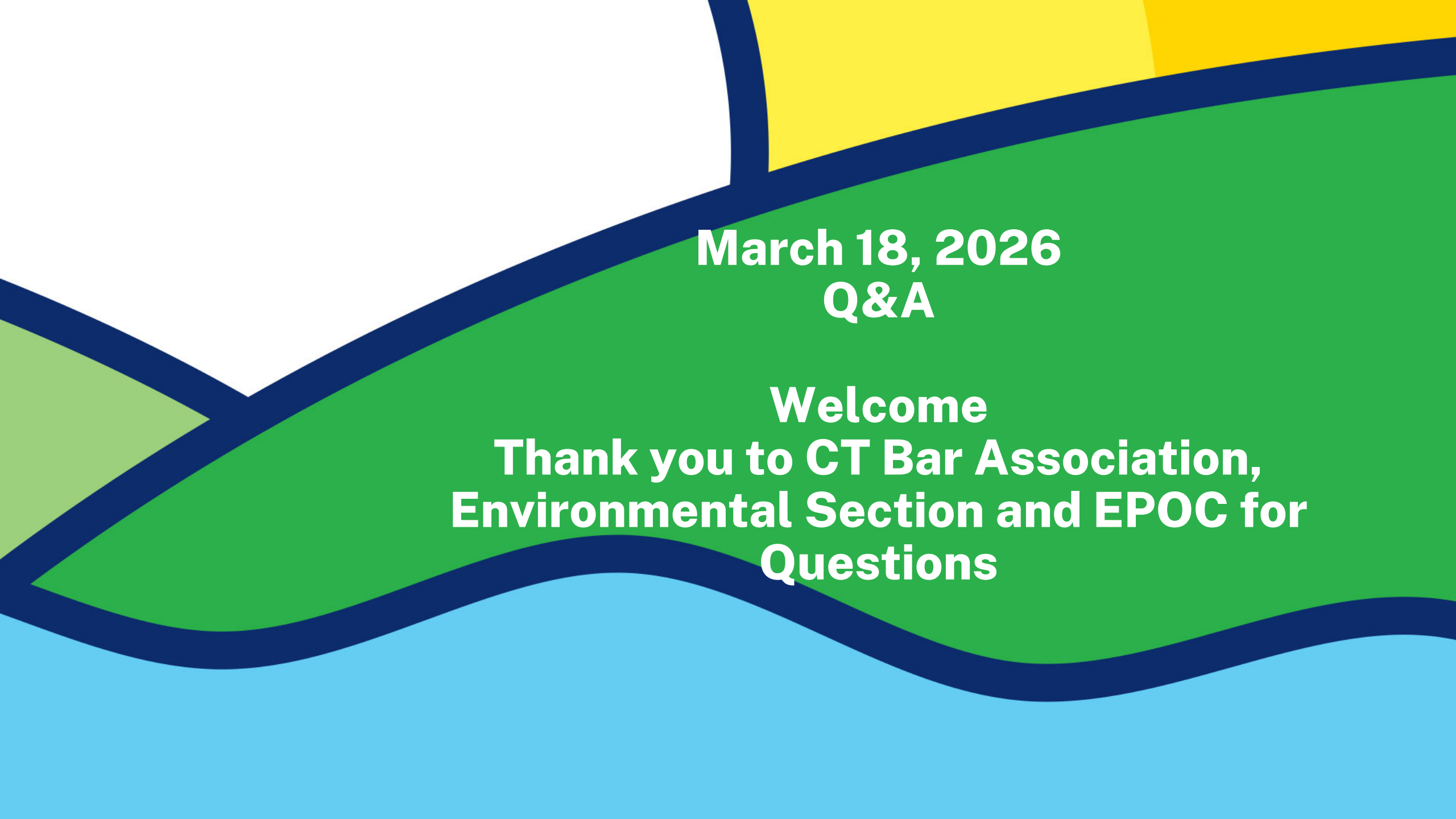




RELEASE BASED CLEANUP REGULATIONS: EXISTING CLEANUPS AND PROGRAMS **Q&A SESSION**

Hosted by Legal Counsel's Office; Remediation Division, Bureau of Water Protection & Land Reuse; Questions curated by EPOC and CBA
March 18, 2026














**March 18, 2026
Q&A**

**Welcome
Thank you to CT Bar Association,
Environmental Section and EPOC for
Questions**

TRAINING WEBPAGE

<https://portal.ct.gov/deep/remediation--site-clean-up/comprehensive-evaluation-and-transformation/react-and-release-based-cleanup-regulation-training>

Date	Topic	Training Course	Location/Zoom Registration or Access Link	Questions & Answers
December 11, 2025, 2:00 - 4:00 p.m.	RBCRs	The Basics  rev. 1-23-26	Zoom recording	Q&A 
January 21, 2026, 10:00 a.m. - 3:00 p.m. (with an hour lunch)	RBCRs 101	Introduction to RBC Regulations and Programs  rev. 2-4-26	Zoom recording	
January 28, 2026, 10:30 a.m. - 12:00 p.m.	RBCRs	Focused Session - Discovery and Reporting  rev. 2-9-26	Zoom recording	Q&A 
February 11, 2026, 10:30 a.m. - 12:00 p.m.	RBCRs	Focused Session - Immediate Actions (ERRs and SERs) 	Zoom recording	Q&A 
February 18, 2026, 10:30 a.m. - 12:00 p.m.	RBCRs	Focused Session - Heating Oil Provisions and PEP Certifications 	Zoom recording	
February 18, 2026, 2:00 p.m. - 3:00 p.m.	RBCRs	RBCR Office Hours-Q&A- Focus on Existing Programs	Not recorded	Q&A 
February 25, 2026, 10:30 a.m. - 12:00 p.m.	RBCRs	Transition from SEHs to SERs 	Zoom recording	
March 4, 2026, 10:30 a.m. - 12:00 p.m.	PTP/new Parcel-Wide	Bridge from Property Transfer Program and process for the new Voluntary Parcel-Wide Cleanup Program 	Zoom recording	

Upcoming Training Schedule from today through June 17.

Summer break
[Slides, recordings, Q&A will remain on webpage]

Classes resume in Fall

March 18, 2026, 2:00 - 3:00 p.m.	RBCRs	RBCRs - Office Hours - Q&A	Register for March 18
March 25, 2026, 10:30 a.m. - 12:00 p.m.	RBCRs	New Remedy Solutions - Focused Session 7	Register for March 25
April 1, 2026, 10:30 a.m. - 12:00 p.m.	RBCRs	LEP Verifications and Audits - Focused Session 8	Register for April 1
April 8, 2026, 10:30 a.m. - 12:00 p.m.	RBCRs	Road Salt and PFAS - Focused Session 9	Register for April 8
April 15, 2026, 10:30 a.m. - 12:00 p.m.	RBCRs	Tiering and Fees - Focused Session 10	Register for April 15
April 2 - June 4 Thursdays 10:00 a.m. - 12:00 p.m.	REACT	REACT Training first hour; Questions and Help during second hour	Register for April, May, June sessions
February 5, February 19, February 26, March 5, March 19, March 26, 2026 All sessions Thursdays 10:00 a.m. - 12:00 p.m.	REACT	Introduction to REACT Portal Training Session	Click to join Feb-March training session
February 6, February 20, February 27, March 6, March 20, March 27 All sessions Fridays 10:00 a.m. - 12:00 p.m.	REACT	Help Session--Q&A on how to use REACT online portal	Click to join Feb-March help session

Training and help sessions continue into early June. REACT Sessions on Thursdays, 10:00 a.m. - noon.
Future dates for RBCR Focused Sessions and Q&A Sessions, dates subject to change, topics TBD: April 29, May 6, May 13, May 20, June 3, June 10, June 17

BROWNFIELDS PROGRAMS AND COORDINATION

1. If a client has been awarded Brownfields assessment funding but no decision has been made to enter into a Brownfields program, will the RBCRs apply to these sites?

yes, RBCRs apply

2. If a site is being investigated with Brownfield funding from DECD, but not yet in a "Brownfield program", is it exempt from discovery under the RBCRs?

no, must be enrolled in a brownfield program

****Note the nuance - RBCRs cleanup standards will apply to ALL cleanup, even in brownfield programs****

13. Many DECD (and EPA) brownfield grants are used to assess properties that have no viable owner. What happens with these sites when a release is discovered at one of these sites?

Depends on the details of your grant language. The ideal scenario would be the site then is entered into a liability relief program or 133y (which it would have to be in order to access a cleanup grant).

also see CGS 32-764

22A-133X

4. For 133x, for sites that have remediation "mostly complete" and can therefore remain in 133x and verify, can you please clarify what "mostly complete" specifically means to CTDEEP?

see next slide (slide 11 from March 11th)

5. For sites enrolled in 133x if we are close to verification (i.e. compliance groundwater monitoring) can we STAY in 133x and verify under 133x without discovering/reporting into the RBCRs?

see next slide

6. If a client had previously enrolled in 133x for a release only (not site-wide) and is on the cusp of verification (only ELUR filing is outstanding) is it appropriate to stay the course and take it through the Verification stage without having to enroll in a new program?

see next slide

7. For sites in 22a-133x and not in ABC, please confirm that "Discovery" of releases is post-March 1?

yes

133X TRANSITIONS

133x program remains in place,
does not exempt releases from RB
Process

*If a new or existing
release is discovered*, it
must be reported and
cleaned up under the
RB process

Consider entering the new
Voluntary **Parcel-Wide**
Cleanup Program to
coordinate newly discovered
and existing work together.

If remediation is already
mostly complete and *no*
new releases
discovered

May continue under 133x and
submit your verification when
you are ready

ABC Brownfield
Program and
133x

Exempt from RB
Process because it is in
a "**Brownfield
Program**"

22A-133X

10. For a site that is transitioning into the new Voluntary Site Wide Program (133y) from the 133x program, is completion of an ECAF and documentation that the site has previously been fully investigated (the historic Phase II/Phase III reports) sufficient for entry or is a new site investigation required?

Yes, sufficient – more details on next slide

22A-133Y

9. Will a completed ECAF suffice to enroll a site that is currently in the 133y program into the Parcel-Wide VRP?

yes – complete an ECAF and enroll in 133y in REACT by creating a Voluntary Parcel-Wide Cleanup Case and uploading the ECAF [will fully demo during REACT Training March 19]

Program Type
Select the program type you are submitting information for today.

Select Program Type

Release-Based
I want to enroll in a Release-Based Cleanup program

Sitewide
I want to enroll in a Sitewide Remediation program

Select "Sitewide" for Voluntary Parcel-Wide Cleanup and all other cases except Release-Based Cleanup.

Cancel Next

22A-133X

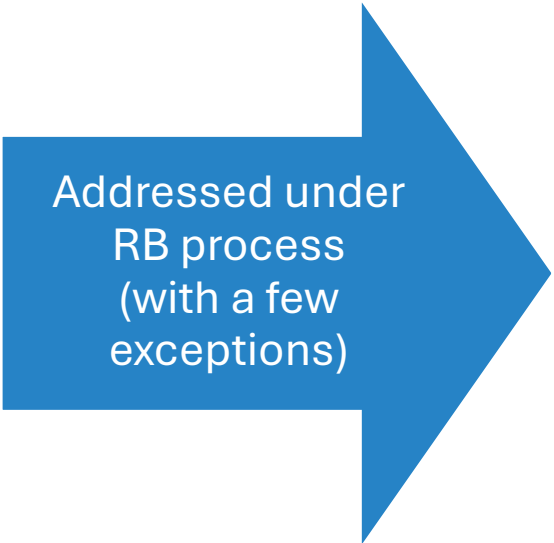
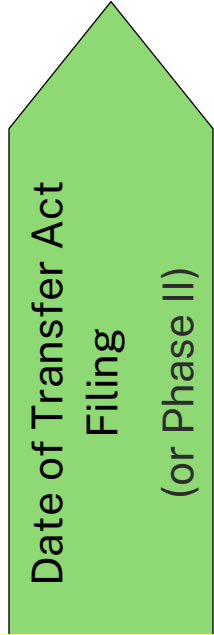
12. What if you have a Site in 133x and has a previous Transfer Act filing? Can you just stay in the TA program? what happens with the 133x filing?

*The 133x will be resolved once the TA filing is completed if the TA work completed **sitewide investigation and cleanup, provided post-Phase II has been addressed.** We recommend taking PTP bridge or entering 133y Voluntary Parcel-Wide Cleanup [see next slide (Slide 9 from March 4th) TA graphic].*

I just discovered a release at a Property Transfer site, do I need to report under the release-based (RB) process?

When did the release occur?

Releases that occurred before the transfer filing are addressed under Property Transfer (Legacy releases)



Releases that occur after the transfer filing / Phase II are addressed under RB process

New spills must be reported to DEEP Dispatch and are typically addressed with RB process

[PTP info sheet on DEEP website](#)

MISCELLANEOUS REMEDIATION PROGRAMS

3. How will the RBCRs apply to sites undergoing an EPA-approved cleanup under TSCA and CT DEEP approved PCB cleanup that are not enrolled in any Connecticut remedial program? For example, would the RBCR reporting, investigation, or closure requirements still apply, or would the federal TSCA remedy effectively supersede the RBCR framework?

Both 40 CFR 761 requirements [for TSCA] and CT DEEP requirements [for the non-TSCA contaminants] will apply. The regulatory programs will be harmonized to prevent duplication of processes.

8. If you have an undocumented landfill but have an old conceptual solid waste closure plan and Disruption Authorization Permit Application and Approval but nothing has been done since, under what program/regulations would this "landfill" need to be addressed?

A historic unpermitted solid waste disposal area needs to be closed and maintained per a closure/post-closure plan CGS 22a-208a(c) to be considered already regulated by CGS Title 22a.

11. For sitewide enforcement action, how do we get DEEP to acknowledge that site is on track? Do we need to report under RBCRs and submit the "petition" previously mentioned in prior trainings to get that acknowledgment? Or just request via email from our case manager?

See next slide (slide 31 from March 11th); DEEP will confer with CBA and EPOC to clarify details.

DEEP FORMAL ENFORCEMENT ACTIONS **DRAFT**

General information for administrative practices consistent with DEEP and EPA Enforcement Response Policies. Also refer to Statutes and Regulations for specific cases-actual. Case-Specific situations determine how case is addressed.

Context of other programs "Also in..."	Is this release a new discovery that needs to be reported?	Primary Case Process and Timelines follow...	Tier? Pay Fees?
<p>Sitewide Enforcement Action</p>	<p>Not necessarily --if in compliance with required provisions of enforcement action to date [DEEP can acknowledge].</p> <p>May need to Report per RBCR if Respondent not in compliance with required provisions of enforcement action, unless DEEP approves a modification request</p> <p>or</p> <p>Respondent may always choose to Report per RBCR</p>	<p>Enforcement Case</p> <p>Modified Enforcement Case Respondent may request modification of enforcement action schedule, using DEEP-prescribed order modification language for consent orders. Or DEEP may direct enrollment in Voluntary Parcel-Wide Cleanup Program.</p> <p>Release-Based Case; DEEP may consolidate RB Case with Enforcement Case and will close out Enforcement when Resolved</p>	<p>No Tier Checklist or Fees</p> <p><i>However, take Immediate Actions per SEH/SER process or language in the enforcement action if specified.</i></p>
<p>Not Sitewide</p>	<p>Report</p>	<p>Release-Based Case, unless DEEP directs otherwise based on scope and schedule of existing action</p>	<p>Yes, submit tiering checklist, pay fees.</p>

SITE DISCOVERY

1. Can the Department provide bright line requirements for notifying a creator/ maintainer when the environmental professional is a subcontractor to another contractor or professional?

It is very common for Environmental Professionals to work for Architects or Construction Managers, where several layers of contracts exist between the EP and the creator/maintainer.

In this situation, is it incumbent on the environmental professional to tell their client and try to notify the creator or maintainer?

yes

Can creator/maintainers hide behind multiple layers of subcontractors, legal counsel, or contractual agreements?

no, can't use NDAs to limit state laws and regulations; Contracts cannot violate state law or regulations

SITE DISCOVERY

3. How do environmental professionals address reporting requirements for sediment?
There are no sediment criteria in the RSRs to use for calculations.

Response: *Report the release. Use the 120 timeframe.*

Discussion: *Reporting a release, not reporting sediment.*

EPOC suggestion: As a rule of thumb, any detection of a compound related to a release at a concentration above background in sediment becomes a 365-day reportable condition and 2x the RDEC is a 120-day reportable. These values would apply only to reporting timeframes, and an appropriate ecological risk assessment would need to be completed to demonstrate compliance with the RBCRs.

SITE DISCOVERY

4. Can the Department provide additional guidance for the required number of samples for metals included on the Naturally Occurring Background Metals Values for Connecticut table that do not have an RDEC (approximately half of the metals identified on the table).

If one or more concentrations is above the CT high value, would 5 samples be needed or would 7 samples be needed?

Response:

1. ***There are APS criteria.*** The APS Res DEC could be used to determine if they need 5 or 7 samples to demonstrate natural background.
 2. ***There is no APS criterion*** – use 22a-134tt-2(f)(1)(E), which is choosing some other method that also requires Department approval.
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What happens if a professional disagrees with DEEP's interpretation of the RBCR or sees different answers to the scenarios used in training sessions?

DEEP will work with EPOC and CBA to clarify any training, instructions, or webpages that would help close perceived differences.

Please send us your questions and observations.

We can identify areas for further clarification and work through together in Working Groups.

QUESTIONS?

Questions about the RBCRs and the REACT portal may be submitted using this [Question submittal tool](#)

Responses to submitted questions will be provided in

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

