



RELEASE BASED CLEANUP REGULATIONS: EXISTING CLEANUPS AND PROGRAMS

Prepared and Presented by: Remediation Division, Bureau of Water Protection & Land Reuse
March 11, 2026 rev. 3/31/2026

AGENDA AND WELCOME

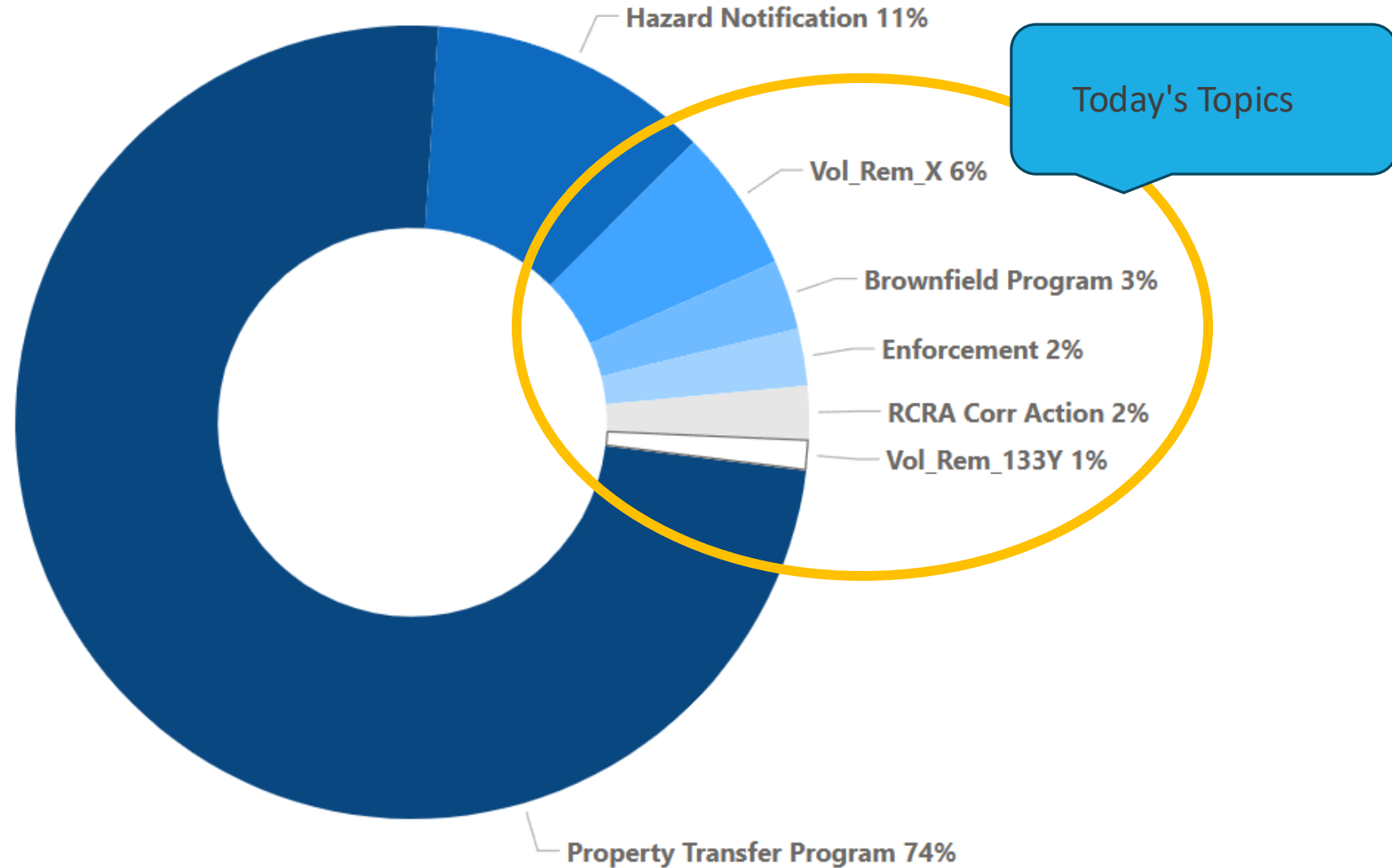
- Welcome
- Overview-Review and Context

- Voluntary X
- Voluntary Y
- Brownfields
- Permitted Solid Waste Landfills
- CERCLA NPL & EPA Enforcement
- RCRA
 - Case Studies
- Existing DEEP Enforcement [DRAFT]
 - Case studies
- Questions

REMEDIATION CASES BY PROGRAM

Property Transfer and Significant Hazards were the subject of prior training sessions.

Today is about the remainder of existing Remediation programs.



A stylized, colorful landscape illustration. The top right corner features a bright yellow sun. Below it is a large green hill with a dark blue outline. The bottom of the image shows a light blue body of water, also outlined in dark blue. The overall style is simple and graphic.

How Does RBCR Harmonize with Existing
Cleanup Programs Underway?

DISCOVERY AND REPORTING OF RELEASES/REPORTABLE CONDITIONS

RCSA 22a-134tt-2
Discovery of Releases



RCSA 22a-134tt-3
Reporting Newly Discovered Existing Releases



Not every observation of evidence of a release counts as discovery. It depends on what the evidence is, who observed it, and under what conditions- ***including what administrative processes are already regulating that release's cleanup through an existing enforceable framework.***

CGS 22a-134xx Nothing contained in the RBCR statutes shall be construed to affect the authority of the Commissioner pursuant to any other statute or regulation.

TYPES OF RELEASES: EMERGENT AND EXISTING

Emergent Reportable Releases (ERRs)

New releases (including "spills")

Sec 22a-134tt-1(a)(37)

Report ERRs to DEEP Dispatch and handle per Connecticut

RRR and RBCR ERR requirements as well as all other applicable requirements.*

*For CERCLA, RCRA, and EPCRA, also follow up per applicable notification, reporting, and imminent hazard action requirements in federal and state regulations, plans, and permits.

CGS 22a-134xx *Nothing contained in the RBCR statutes shall be construed to affect the authority of the Commissioner pursuant to any other statute or regulation.*

Existing Releases

Historical pollution

Sec 22a-134tt-2

Including

Significant Existing Releases (SERs)

Historical pollution that presents an immediate risk to human health and the environment

Sec 22a-134tt-1(a)(143) and 1(e)

RELEASE-BASED CLEANUP REGULATIONS

SECTIONS

*Prescribed
Process and
Timelines
for new
Release-
Based
programs*

*All programs use the same RB
Cleanup Standards whether
release is addressed through
prescribed RB Process or is
continuing from existing program.*



Basic rules for implementing cleanup (Discovery and Reporting) *Sections 2, 3*



Rules regarding process, timeline, and fees related to characterization, immediate and tiered risk management, and cleanup (Characterization, Immediate Actions, Tiering) *Sections 4, 5, 6*



Completion Documentation needed to demonstrate cleanup is complete (Certifications, Verifications, Release Remediation Closure Reports) *Sections 8, 11, 12; Audits Section 13*



Cleanup Standards achieved using numeric criteria or in combination with alternates, variances, institutional controls, engineered controls, using common definitions *Sections 1, 7, 8, 9, 10*

Existing Program	Discovery and Reporting applicability?	Process and Timelines	RB Cleanup Standards
Property Transfer	See PTP Info	Exempt from RB; See PTP Info	Apply
Voluntary X	Yes [unless in Brownfield Program]	Release-Based Process; can enroll in Voluntary Parcel-Wide Cleanup Program; May continue 133x schedule and timeline for any work that does not cause Discovery.	Apply
Voluntary Y	Yes	Release-Based Process; can enroll in Voluntary Parcel-Wide Cleanup Program	Apply
Brownfields program	No	Defer to Brownfields program; use 22a-134tt cleanup standards	Apply
Permitted Solid Waste Landfills	No	Exempt from Discovery if addressed and regulated by a landfill permit and closure plan; Defer and continue maintenance and monitoring per permit/closure/p-c plan	Case specific
EPA CERCLA/RCRA Enforcement Actions and CERCLA NPL Superfund Sites	No	Defer to EPA enforceable document/schedule for CERCLA/RCRA enforcement and for NPL sites	Apply
CGS Title 22a RCRA permitted facilities and interim status LDFs	No	Exempt from Discovery-cleanup permitted and otherwise regulated by Title 22a; Defer to RCRA enforceable document/schedule	Apply
Existing DEEP Enforcement [DRAFT]	<i>Not necessarily; can submit mod request instead; may report if prefer</i>	<i>No need to Report per RBCR IF regulated entity submits a modification request [DEEP can acknowledge receipt]</i>	Apply

REPORT, DEFER, OR FERRY TO VOLUNTARY PARCEL-WIDE CLEANUP PROGRAM?


Also...

Use the RB *cleanup standards*.

Report ERRs per RRRs and RBCRs and take Immediate Action.

Report SERs per RB process and consolidate cases after Immediate Action addressed.

General information for administrative practices consistent with DEEP and EPA practices. Case-specific situations determine how each case is addressed. Refer to Statutes and Regulations.

A stylized landscape illustration. The top right corner features a bright yellow sun. Below it is a large green hill with a dark blue outline. The bottom of the image shows a light blue area representing water, also with a dark blue outline. The text is centered on the green hill.

Legacy Voluntary Program
(133x and 133y)

EXISTING VOLUNTARY PROGRAMS

General information for administrative practices consistent with DEEP and EPA practices.
Case-specific situations determine how each case is addressed. Refer to Statutes and Regulations.

Context of other programs "Also in..."	Need to Report Newly Discovered Existing Releases as "Discovered"?	Primary Case Process and Timelines follow...	Tier? Pay Fees?
133x	Report	<p>Release-Based Case, unless it enters Voluntary Parcel Wide Cleanup Program.</p> <p>May continue 133x schedule and timeline for any work that does not cause discovery.</p>	<p>Yes, newly discovered releases must submit tiering checklist.</p> <p>Yes, pay fees.</p>
133x, brownfield	Not needed	Existing case for any brownfield program	<p>No tier checklist.</p> <p>No fees.</p>
Legacy 133y	Report	<p>Release-Based Case; may also enter Voluntary Parcel-Wide Cleanup Program.</p> <p>Legacy 133y statute no longer provides pathway to submit Remedial Action Plans or Remedial Action Reports for legacy 133y.</p>	<p>Yes, newly discovered releases must submit tiering checklist.</p> <p>Yes, pay fees.</p>

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

Brownfield Program and 133x

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

LEGACY 133Y TRANSITIONS

Legacy 133y

Remedial Action Plans and Remedial Action Reports under Legacy 133y program can no longer be submitted, as of March 1, 2026.

- GB or GC Areas only

New Parcel-Wide Cleanup Program

May complete legacy 133y cleanups by enrolling in the Voluntary Parcel-Wide Cleanup Program.

- All Groundwater Class Areas

How to enroll in New Parcel-Wide Cleanup Program:

File an Environmental Condition Assessment Form (ECAAF) in REACT indicating the intent to enter the parcel wide program

WHEN TO USE VOLUNTARY PARCEL-WIDE CLEANUP PROGRAM

PA 25-6

CGS 22a-133y(f - g)



LEP may conduct a parcel-wide Phase II and Phase III



Any property that has or may have been subject to a release



Municipality may hire an LEP to conduct Phase II and Phase III without liability on any parcel with an unknown owner, a lien for back taxes



Phase II initiated before or not more than 60 days after discovery of a release on the parcel (immediate actions still must be addressed according to their timelines)



Not for Property Transfer sites and generally not for sites with current enforcement actions

TIMELINE FOR VOLUNTARY PARCEL-WIDE CLEANUP PROGRAM

What	When	How
Provide notice to DEEP of intent to enter the program	Not later than the earliest deadline to report any releases discovered	File an Environmental Condition Assessment Form (ECAAF) in REACT indicating the intent to enter the parcel wide program
Submit Tier Characterization Report for all discovered releases that are not closed	2 years after initiation of Phase II	Submit Tiers Checklist in REACT
Releases will be grouped and assigned to LEP supervised tier with longest timeline (Tier 3)	At tiering	The group of releases has a single release fee - \$500 base fee plus annual fees
Closure Report deadline extended 1 year from the standard Tier 3 schedule	Due 6 years after tiering	Also eligible for Commissioner approval of schedule extension requests

A stylized landscape illustration. The top right corner features a yellow sun. Below it is a large green field with a dark blue outline. The bottom of the image shows a light blue area representing water, also with a dark blue outline. The word "Brownfields" is written in white text in the center of the green field.

Brownfields

BROWNFIELD LIABILITY RELIEF PROGRAMS

- Abandoned Brownfield Cleanup (ABC) Program
- Brownfield Remediation and Revitalization Program (BRRP)
- Municipal Brownfield Liability Relief (MBLR) Program



Sites in a Brownfield Liability Relief Program are Exempt from the RBCP

RBCRs apply*

Release Based Cleanup Standards

(Permit by Rule, Managed Multi-family RDEC, etc.)

A stylized, colorful landscape illustration. At the top right, a bright yellow sun is partially visible. Below it, a large green hill with a dark blue outline dominates the middle ground. To the left, a smaller, lighter green hill is partially visible. At the bottom, a light blue area represents water, also outlined in dark blue. The text "Permitted Landfills" is centered on the green hill.

Permitted Landfills

PERMITTED SOLID WASTE LANDFILLS

General information for administrative practices consistent with DEEP and EPA practices. Case-specific situations determine how each case is addressed. Refer to Statutes and Regulations.

Context of other programs "Also in..."	Need to Report Newly Discovered Existing Releases as "Discovered"?	Primary Case Process and Timelines follow...	Tier? Pay Fees?
Permitted Solid Waste Landfills	<p><i>No need to report</i></p> <p><i>Defer to existing case</i></p>	Landfill Permit/closure/post-closure plan	<p>No Tier Checklist or Fees</p> <p><i>However, take Immediate Actions per SER process or per language in any DEEP directives</i></p>

RCSA 22a-134tt-2(a)(2) exempts releases authorized under CGS Title 22a



EPA CERCLA, NPL and
EPA Enforcement Actions

EPA CERCLA, NPL AND EPA ENFORCEMENT ACTIONS

**General information for administrative practices consistent with DEEP and EPA practices.
Case-specific situations determine how each case is addressed. Refer to Statutes and Regulations.**

Context of other programs "Also in..."	Need to Report Newly Discovered Existing Releases as "Discovered"?	Primary Case Process and Timelines follow...	Tier? Pay Fees?
CERCLA National Priorities List "Superfund" status with enforceable framework	<p><i>No need to report</i></p> <p><i>Defer to existing case</i></p>	CERCLA	<p>No Tier Checklist or Fees</p> <p><i>However, take Immediate Actions per SER process or per language in any applicable time-critical removal action directives</i></p>
CERCLA or RCRA Enforcement Action	<p><i>Case specific</i></p> <p><i>Defer to existing case</i></p>	EPA enforcement action	Case specific



RCRA Corrective Action
(Hazardous Waste Cleanup)

RCRA FACILITIES UNDERGOING SITEWIDE CLEANUP

General information for administrative practices consistent with DEEP and EPA practices. Case-specific situations determine how each case is addressed. Refer to Statutes and Regulations.

Context of other programs "Also in..."	Need to Report Newly Discovered Existing Releases as "Discovered"?	Primary Case Process and Timelines follow...	Tier? Pay RBCR Fees?
Property Transfer Program (PTP)	Don't report if release occurred before PTP filing or Report if after filing/Phase II	Property Transfer. Plus follow RCRA requirements related to Eco, QAPP, Public Participation, and Lead DEC cleanup level.	Per PTP-RBCR transition instructions. Tier and fees only if releases reported and cleanup under RB process is chosen path. May bridge entire site to RB process if desired.
Facilities with Stewardship Permit or Facilities with RCRA Operating Permits	Not necessary to report per RCSA 22a-134tt-2(a)(2); exempt since regulated by CGS 22a; SER Reporting appreciated—will consolidate after IA addressed.	RCRA Corrective Action. Follow Stewardship Permit notification requirements for "Imminent Hazard" and "Newly Discovered Releases" sections of permit. May modify permit schedule if needed. Request additional notification per RBCR for SERs. Consolidate after Immediate Action addressed.	No Tier Checklist. No RBCR fees.
RCRA Corrective Action at Interim Status (HW) Land Disposal Facilities RCSA 22a-449(c)-105(h)	Not necessary to report, if in compliance with schedule; exempt since regulated by CGS 22a; SER Reporting appreciated—will consolidate after IA addressed.	RCRA Corrective Action if in compliance with RCSA 22a-449(c)-105(h) schedule.	No Tier Checklist. No RBCR fees.
	Report, if not in compliance with schedule	Release-Based Case: until Stewardship Permit issued or remediation complete without controls if not in compliance with RCSA 22a-449(c)-105(h) schedule.	Yes, submit Tier Checklist (Tier IA) and pay RBCR fees unless Stewardship Permit application has been submitted prior to Tier Checklist deadline, in which case DEEP will convert to RCRA Corrective Action case.
RCRA Treatment/Storage Interim Status facilities not in any other programs	Report	Release-Based Case: Follow RB process and timelines until Stewardship Permit application submitted or permit issued, then primary case becomes RCRA Corrective Action. If RB process results in cleanup complete without controls, then DEEP will terminate RCRA Interim Status.	No, if Stewardship Permit application submitted or issued prior to Tier Checklist deadline. DEEP will convert to RCRA Corrective Action case. Yes, if Stewardship Permit application not received by Tier Checklist deadline. Submit Tier Checklist (Tier 1A) and RBCR

NEWLY DISCOVERED SIGNIFICANT EXISTING RELEASE (AKA IMMINENT HAZARD)



The majority of RCRA Corrective Action facilities have demonstrated that human health exposures are in control and the migration of contaminated groundwater is in control.



However, if a new SER condition is identified, the facility must report a Significant Existing Release and take Immediate Action for that condition.



Once the Immediate Action condition is resolved, the SER case can be consolidated with the existing RCRA case.



Any imminent hazard requirements and newly discovered release requirements specified in a RCRA permit or by DEEP or EPA must be addressed concurrently.

ONE CLEANUP/RCRA COORDINATION CONDITIONS

If using another schedule, process, or timeline, then harmonize the programs by ensuring the following RCRA elements are part of the cleanup.

1. QAPP
2. Eco Risk assessment
3. Public participation in remedial decision making
4. Use Lead cleanup number of 200 mg/kg for all direct exposure criteria other than I/C DEC [see US EPA Residential Lead Soil memo, January 17, 2024]
5. Financial Assurance
6. Alternate remedy solutions considered institutional controls for determining whether remediation is complete with or without controls. Stewardship Permits to be issued if cleanup completion includes use of Long-Term Stewardship solutions [ICs, ECs, variances].

A stylized, colorful landscape illustration. The top right corner features a bright yellow sun. Below it is a large green hill with a dark blue outline. The bottom of the image shows a light blue body of water, also outlined in dark blue. The text 'Case Studies' is centered on the green hill.

Case Studies

CASE STUDY 1

In April 2026, a lab report for a soil sample shows a release of cadmium was detected at an interim status RCRA Hazardous Waste Storage facility.

1. The property was enrolled in the Property Transfer program through a Form III filing submitted in 2022.
2. The cadmium contamination is in the area of a process line that closed in 2020.
3. A verification/remediation complete determination has not yet been completed.

What is the primary case type to address the cleanup?

- A. Property Transfer
- B. Release-Based Cleanup Program
- C. RCRA Corrective Action

CASE STUDY 1 - EVALUATION

Property Transfer

Can be either RCRA Corrective Action or Property Transfer if the property was an interim status land disposal facility. Both cases can be resolved concurrently.

Release Based process and timelines do not need to duplicate the existing cleanup.

Harmonization achieved through:

The RB Cleanup Standards are the standards to achieve.

Any RCRA Corrective Action requirements (Eco Risk, EPA lead levels, public participation, etc.) must also be addressed as part of the cleanup process.

CASE STUDY 2

My facility is in its 35th year of groundwater monitoring for a closed surface impoundment at a chromium plating facility with a RCRA Stewardship Permit in place.

During our spring groundwater monitoring event we detected Chromium. Again. For the 35th year.

Do I report this "newly discovered release" through an RBCR report?

Yes.

or

No.

CASE STUDY 2 -EVALUATION

No.

Even though chromium is detectable in groundwater, the release is the subject of an existing regulatory program already requiring cleanup and monitoring of that release.

RCSA 22a-134tt-2(a)(2) authorizes cleanup of releases subject to cleanup through a permit issued under Title 22a of Connecticut General Statutes.

The Stewardship Permit already has a section about reporting newly discovered releases and imminent hazards. Follow the permit requirements. If a report is made the RB case will be consolidated with the Stewardship Permit case.



Existing DEEP
Enforcement Cases

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?
Sitewide Enforcement Action	<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><i>Release-Based Case; DEEP may consolidate RB Case with Enforcement Case and will close out Enforcement when Resolved</i></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>
Not Sitewide	Report	Release-Based Case , unless DEEP directs otherwise based on scope and schedule of existing action	Yes, submit tiering checklist, pay fees.

HOW ARE RELEASES HANDLED AT SITES WITH FORMAL ENFORCEMENT ACTIONS THAT REMAIN OPEN AFTER MARCH 1, 2026?

- All obligations of the existing enforcement action remain in effect.
- As of March 1, 2026, the cleanup standards for all sites, including those with existing enforcement, are the RB cleanup standards, even if the enforcement action references the RSRs.
- If a new Emergent Reportable Release occurs at a property that is subject to a formal enforcement action, then call Dispatch and follow the ERR process.
- If a new existing human health or environmental exposure is identified, then address that situation in accordance with the enforcement if it specifies what response to take. If it doesn't then report as a SEH/SER and take Immediate Action.

CAN AN EXISTING ENFORCEMENT ACTION TAKE A FERRY TO THE VOLUNTARY PARCEL-WIDE CLEANUP PROGRAM?

State law directs that Parcels that are not the subject of enforcement shall be eligible to participate in the Voluntary Parcel-Wide Cleanup Program provided by CGS 22a-133y.

As a matter of practice, the Department may extend the opportunity to accommodate the transition of any parcel to the CGS 22a-133y Voluntary Parcel-Wide Cleanup Program.

Generally, the enforcement action will be resolved when the cleanup is resolved.

A stylized, colorful landscape illustration. At the top right, a bright yellow sun is partially visible. Below it, a large green hill with a dark blue outline dominates the middle section. To the left, a smaller, lighter green hill is partially visible. At the bottom, a light blue area represents water, also outlined in dark blue. The text "Case Studies" is centered in white on the green hill.

Case Studies

CASE STUDY 3

A consent order was issued in 2016 to address releases from a hazardous waste storage area and all other potential areas of concern at the parcel.

The property has not been transferred; it is not enrolled in Property Transfer.

The respondent has been conducting work at the site since 2016.

In May 2026, soil samples indicated that a release of solvents were detected at one of the areas of concern.

Does this need to be reported as a Release-Based case?

CASE STUDY 3-EVALUATION

No. No need to report under the RB process because the releases are already the subject of an enforceable framework regulating any releases from the parcel.

CASE STUDY 4

A viable respondent no longer exists for a consent order entered in 1994.

A new property owner plans to enroll the property in the Voluntary Parcel-Wide Cleanup Program.

Once they complete cleanup, can the old enforcement case be resolved?

CASE STUDY 4 - EVALUATION

Yes. The RBCRs are a standardized clean-up end goal. Meeting compliance with the RBCRs will provide compliance and ability to close.



Upcoming Trainings/
Questions

UPCOMING TRAINING CONTINUING THROUGH MID-JUNE

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

March 11, 2026, 10:30 a.m. - 12:00 p.m.	Legacy	Integration of other existing legacy programs	Register for March 11
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
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 Online Portal  Training Session-- same session each week: <i>Feb 26 will also feature Immediate Actions in REACT</i>	Click to join 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 help session

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.



A stylized landscape illustration. The top right corner features a bright yellow sun. Below it is a large green hill with a dark blue outline. To the left, a smaller, lighter green hill is visible. The bottom of the image shows a light blue area representing water, also outlined in dark blue. The text "Thank you!" is centered on the green hill.

Thank you!