



RBCR Training Q&A

Office Hours - February 18, 2026

- 1. For a PTA site that will be verified after March 1, will closure characterization have to be done per the RBCRs (to ND or natural background), or just as has been done in the past for PTA sites (i.e., to RSR compliance)?**

The characterization requirements for Property Transfer site verifications remain unchanged. In order to achieve compliance with cleanup standards, characterization must be completed in accordance with prevailing standards and guidelines, which includes the full extent of any release.

- 2. How do Stewardship Permits affect the applicability of the RBCRs?**

RCRA Hazardous Waste Cleanup/Corrective Action is implemented through Connecticut General Statutes (CGS) Title 22a permits, regulations, and enforcement. Specifically, cleanup of existing releases of hazardous wastes and constituents is required through regulations for hazardous waste land disposal facilities, enforcement, Part B Operating Permits, and Part B Post-Closure ("Stewardship") Permits. These enforceable mechanisms regulate the cleanup of existing releases, including newly discovered releases. Stewardship Permits include sections on addressing imminent hazards and reporting newly discovered releases and areas of concern. Stewardship Permits are issued pursuant to Title 22a to address cleanup of existing releases. RCRA 22a-134tt-2(a)(2) exempts from "knowledge of a release" any releases addressed by the commissioner's authority in Title 22a. CGS 22a-134xx states that the RB statute does not affect the commissioner's authority related to any other statute or regulation. As a matter of practicality and efficiency, DEEP accepts claims that knowledge of a release does not occur where releases are already identified and subject to cleanup process and timelines regulated and authorized by CGS Title 22a. Therefore, reporting of existing releases does not need to be made using the RB process for existing releases at RCRA facilities where a RCRA Operating Permit or Stewardship Permit has been issued or if an application has been submitted for a Stewardship Permit. Permits already provide direction for reporting and addressing newly discovered releases and facilities must

comply with the permit requirements. If a facility chooses to report a release through the RB process, then that RB case can be consolidated with the existing RCRA Corrective Action case. If a Significant Existing Release is identified DEEP recommends reporting and taking immediate actions pursuant to both the RB process and the requirements of the permit. Once the immediate action is addressed then DEEP will consolidate the RB case with the RCRA Corrective Action case for the remaining cleanup activities.

- 3. It is my understanding that sites currently enrolled in the VRP 133y will be automatically enrolled in the new Parcel-wide Remediation Program. The 133y program was voluntary and did not have deadlines. Will deadlines according to the RBCRs now be applicable to old 133y sites that are automatically enrolled in the new Parcel-wide program post-March 1, 2026?**

Sites are not automatically enrolled in the new Voluntary Parcel-Wide Cleanup Program, you must enroll. Once you enroll, the timeframes are applied to you.

- 4. A property owner (who is not the CP) can submit a Verification but what about the other required documents under the TA like a COI or a RAP?**

As a matter of pragmatic practice, other documents can also be submitted. The ultimate goal is to allow a property owner to address the cleanup, so it makes sense that the milestones leading up to the Verification can also be submitted. There is nothing preventing their submittal.

- 5. What if a site in the 133x program has been fully characterized and remediated but groundwater is not compliant. Future GW monitoring would be related to existing releases. Would the site have to go into the RBCP?**

Yes, you will have to report under RBCR, and all the work previously completed will provide rationale for tiering.

- 6. Will there be any reduced fees for sites in 133x that are not in a Brownfield program and trigger the RBCRs, since they already would have had to pay a fee to enter 133x?**

No.

- 7. Follow up question: If a site enters the RBCRs due to work funded by DECD or other due diligence work and then is entered into a Brownfield Program**

at a later date will the Brownfield program take the lead and further actions under the RBCRs will no longer be required.

Yes – because the brownfield liability relief cleanup programs (ABC and BRRP) require site-wide cleanup, they are an ‘off-ramp’ for the release-based process. If the site is entered into the MBLR – it would be like hitting the pause button until a developer ultimately enters the site into ABC or BRRP, as it is not a cleanup program but more of a ‘keep it safe’ program that is exempt from the release-based reporting process

- 8. There are a lot of old PTA filings (1980s, 1990s, 2000s etc.) before COI forms were required. In many cases, releases were discovered over years and there was not a comprehensive Phase II ESA report date per today’s standards. How is the Phase II ESA date defined? When the last release was discovered and Phase II ESA technically complete?**

The date of a complete Phase II for the site is something that should be determined by the LEP based on their understanding of the conceptual site model. A Phase II report identifying potential releases across the entire property is required for this determination. Please refer to the site characterization section of DEEP’s Release Characterization Guidance for more details. https://portal.ct.gov/-/media/deep/site_clean_up/guidance/release-characterization-guidance.pdf?rev=88a282ce71b6435faaddeb1ae0ff4f26&hash=9A621A64C9DC35109EE17110051605FC

- 9. For a RCRA CA site - if the owner holds a Stewardship Permit, presumably they do not need to keep reporting newly discovered releases?**

Right. If a release is reported DEEP will defer/consolidate the release and any other newly discovered releases to the requirements already in the Stewardship Permit regarding newly discovered releases.

- 10. Wouldn't a "release" found through groundwater monitoring required by an Order (presumably issued under DEEP's authority under Title 22a) be a substance "present because it has been authorized under Title 22a of the Connecticut General Statutes"? (see 22a-134tt-2(a)(2))**

Pending review

- 11. Please confirm that there are no SEH or SER reporting requirements for sites subject to the UST regulations.**

Per 22a-134tt-2(d), releases from USTs subject to CGS 22a-449(d) are not considered to be discovered under the RBCRs, so there would not be any SER reporting requirements. Follow the cleanup process in the cleanup section (106) of the federally regulated UST regulations.

- 12. Follow-up to the SEH question... PA 25-6 Section 3 says: On and after the effective date of regulations adopted pursuant to section 22a-134tt, the requirements of this section shall apply only to releases that, pursuant to subsections (c) and (d) of section 22a-134rr, are not subject to the requirements of sections 22a-134qq to 22a-134xx, inclusive, and any hazard required to be reported by a municipality or Connecticut brownfield land bank pursuant to subsection (b) of section 22a-133dd. If not under one of those programs, how should the SEH be reported?**

If you are not under one of these programs and you discover a condition described in RCSA 22a-134tt-1(e), it should be reported as an SER.

- 13. It was stated that 22a-6u continues, yet it was amended by PA 25-6 to only apply to releases that are not SERs (e.g., on Brownfield sites). So, either a SEH or an SER, not both, right?**

Correct, you are managing either an SER or SEH as of March 1, 2026.

- 14. Many properties that receive funding from DECD are not eligible for ABC or BRRP, etc., but entered 133x to be eligible for DECD and/or EPA funding. What happens to those properties? They are under contract with DECD with funding based on 133X terms?**

They will remain in 133x. They will be required to follow the release-based process throughout the site-wide cleanup per the DECD grant requirements.

- 15. Will verifications still be accepted for 22a-133x voluntary program sites after March 1st?**

Yes, however, if you discover any new releases, you must report and cleanup under the RBCRs unless you are able to verify before your reporting deadline.

- 16. Would those resolutions memos potentially be available for Stewardship Permit sites that are on track?**

Yes. The RBCR case will be consolidated with the existing Stewardship Permit requirements to complete sitewide investigation and cleanup.

- 17. How would a 133x site for which an Interim Verification had been filed prior to March 1 be handled going forward? For example, can that site proceed to Final Verification under the 133x program?**

Yes, however, if you discover any new releases, you must report and cleanup under the RBCRs unless you are able to verify before your reporting deadline.

18. Do old (historical) residential heating oil releases have to be cleaned up to ND or to meet the RSR soil and groundwater remediation standards?

If the release has been reported to the DEEP and/or has been in the process of being cleaned up to the Remediation Standard Regulation criteria prior to the RBCRs, cleanup should continue to the RSR criteria.

However, if the cleanup will follow the special path for residential heating fuel releases (Section 22a-134tt-8(b), where soil excavation is conducted except beneath the structure footings, all impacted soils that were outside the building footprint will need to be removed. Remember the special path was simply a memorialization of current practice. For reported, releases of residential oil tanks prior to or after the RBCR's, the contamination must be fully cleaned, except for contamination that would undermine the structure, unless the release was caused by a third party, is impacting indoor air, or groundwater.