



Rev. 5/27/26 Ver3

RBCR Training Q&A

RBCR Basics: Presented December 11, 2025

- 1. I had a question about the use of historical information/information pre-March 1, 2026. If the person creating or maintaining a release has knowledge of historical information indicative of some level of pollution on the property (i.e., a soil test from years ago) does this mean that that information alone does not constitute discovery under the RCBR, but can be used in tandem with other current information to constitute discovery?**

If information about a property exists from before March 1, 2026, and that information is the only line of evidence that a release exists, it does not result in discovery.

Information "in the file cabinet" dated before March 1, 2026, can be an additional line of evidence supporting discovery if there is an additional line of evidence dated March 1, 2026, or later, indicating that the release previously identified has not yet been cleaned up. So, it can be one of the multiple lines of evidence.

- 2. Equipment dripping oil onto a floor inside and cleaned up with speedy dry - does this on a regular basis over time. Less than 10 gallons. Observed over a floor expansion joint. Does the observation of the oil on the floor, combined with the expansion joint, represent two lines of evidence? As an "existing release." Does that then compel investigating soils below the floor to determine concentration and volume of soil impacted (characterization) - to determine if it is reportable?**

There are multiple lines of evidence here to indicate a release to soil:

1. Equipment dripping onto floor.
2. The substance leaking is oil.
3. It isn't just minor staining; it is an ongoing leak, so oil or oil-soaked speedy dry is always in contact with the floor. It's never really cleaned up.
4. There is also a floor joint that provides a direct pathway to soil under the slab.
5. If this is a continual leak, it's not clear how it can be determined to be less than 10 gallons. At any given moment, there may not be 10 gallons on the floor, but the leak never really stops.

As to the reportability, the evidence is sufficient to warrant discovery, and unless sampling is conducted, it would be reportable based on the multiple lines of evidence alone.

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

Yes, as long as all the requirements of 22a-134tt-8 are met, as well as all the requirements of the PEP permit.

4. Replying to "22a-133t-6(f) Tier Fees say Tier 3 fees are \$500 f...": For the new Voluntary Program, is it the case where releases that impact more than 1 parcel will be excluded?

If a release impacts more than one parcel, it can be cleaned up as part of the Voluntary Parcel Wide cleanup program as long as the parcel entered into the program was subject to the release and the release is included in the site wide Phase II conducted under the program.

5. What if multiple parcels, as in a multi parcel development that consolidates the parcels into one. Can the new combined parcel use the parcel wide cleanup program?

The parcel wide cleanup program applies to the current as identified by town land records, so the new combined parcel can use the parcel wide cleanup program.

6. Many, many sites have numerous releases that would be more efficiently cleaned up through site wide action, or at least through multiple areas at the same time. But we are limited to 1?

The Voluntary Parcel-Wide Cleanup Program exists for an individual parcel so that if all the releases at that parcel have achieved cleanup, then that individual parcel can be released from regulation rather than waiting for the rest of the site [other parcels] if the other parcels are still undergoing cleanup. We will discuss this and other common but complicated scenarios in the voluntary presentation(s) on March 4 (and 11).

7. Is 22a-133x is ending completely?

No, the 22a-133x program will remain present. However, it will only be used for Brownfield sites that are exempt from RBCR requirements. Enrolling any other property into the 133x program would not exempt the property from the RB process, fees, or timelines.

8. Understanding the Department will be issuing a "Release Characterization" guidance document, what is the plan for the Site Characterization Guidance Document?

The SCGD has been incorporated as a chapter of the new release characterization guidance document. This effectively replaces the SCGD. See <https://portal.ct.gov/deep/remediation--site-clean-up/guidance/final-scgd>

9. When are recreational standards expected to be rolled out? Can they be used on I/C sites that have a town owned easement for a recreational bike path?

The passive recreation standards are published in the regulations that take effect March 1, 2026. They can be used for recreational pathways if an EUR or easement exists that prohibits residential activity.

10. How will the adoption of RBCRs in March 2026 affect future LEP examinations with respect to the regulations to be sunset?

The LEP board is currently working on revising the Job Analysis for LEPs, in other words what tasks, skills and knowledge are necessary for the LEP profession. Once that is complete and approved by the board the board and other volunteers will begin the process of updating the bank of over 1,050 questions used in the LEP exam to reflect the updated regulations. To the extent that there are sites have been entered into the PTP prior to March 1, 2026, (if that is what meant by sunset), there could be questions on the May 2027 exam about:

- 1) completing the requirements still applicable to those PTP sites after March 1, 2026;
- 2) how newly discovered releases at PTP sites would be handled;
- 3) how the release catalogue may be used to provide an overview of the PTP filing history. These are some examples. Will be incorporated into future exams, however not reflected in the May 2026 exam.

11. Will there be EPOC sponsored courses for LEP credits offered?

There are six focused sessions from 10:30 AM to 12 noon being offered January through March of 2026. The LEP Board has approved continuing education credits (CECs) for these sessions. DEEP will be sharing the attendance records with EPOC for sessions so attendance can be verified and the appropriate number of CECs earned for the sessions you attended can be issued. Additional training sessions are possible. Please check the EPOC website for further details.

12. Phase I ESAs ASTM guidance will be accepted by CTDEEP accepted standard, as applicable, post March 1, 2026?

The RB process does not specify standards for Phase I ESAs in general, as obligations start after a release is discovered. However, the Release Characterization Guidance specifies the expected standards for site-wide investigations in Section 4, including Phase I ESAs. Specifically, Section 4.1 explains when ASTM phase I RECs are appropriate and when they are not.

13. Can you please provide more information on the PEP certification?

Please see information on PEPs on this ERSPD webpage:

<https://portal.ct.gov/deep/emergency-response-and-spill-prevention/emergency-response-and-spill-prevention>

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

If it is a regulated UST, it must be handled under 22a-449(d) and such release shall not to be considered discovered under RBCRs.

15. How soon will this recording be available for review online?

Recordings will be posted after they have been captioned to address accessibility requirements. Generally, they are posted within 2 weeks of delivery, sometimes longer for long sessions.

16. If a release is discovered at a concentration below the reportable concentrations at the time of discovery, thus triggering the 1-year clean-up or tiering timeframe...then during further characterization, the release is determined to be above applicable reportable/clean-up criteria, would the 120-day timeframe be triggered at that time, and if so, would it be from the date of the original discovery or would it be from the date of the discovery of the condition being above the criteria?

The date of discovery of the release will always be the date it is first discovered, no matter what other discoveries are later made regarding additional specifics of the release. There is a tiering deadline based on that initial discovery.

If someone finds a higher concentration that requires reporting, they have to report within that reporting deadline (e.g., 1-3 days for SERs, 120 days for 2x criteria) based on when they find that concentration.

Example: Let's say you just identified a concentration more than 2x criteria at a previously discovered release area. You now have 120 days from the date you identified that 2x criteria exceedance to remediate or report the release. However, regardless of when you find the 2x criteria, you have 1 year from the original release discovery date to tier, so if you find a concentration at 2x criteria 350 days after release discovery, you don't get another 120 days to do something. You have 15 days because at 365 days from the initial release discovery, you are required to tier.

17. If a release is detected above the cleanup criteria and you know that cleanup can/will not be completed within 120-days, can you go straight to tiering?

If you don't have an SER, your reporting timeframes are either 120 days or 365 days depending on criteria. If you are able to get to a lower tier before you are required to tier, your fees will be lower. If you go straight to tiering, your release might be tiered higher and therefore cost more \$\$ for some time.