



RBCR Training Q&A

SEH to SER: Presented February 25, 2026

1. Will SEHs still apply to transfer act sites? Do SERs apply to transfer act sites?

SEH in PTP Sites that were already notified to DEEP will still be addressed under the SEH program, and PTP in parallel. New releases triggering SEH/SER levels at PTP sites will likely be addressed as new SEHs. It depends on the date the release occurred.

2. Can you clarify what you mean by "existing"? Because if the condition exists, then it is existing. Do you mean if there is a new, active release/spill causing the SER as opposed to a condition tied to a release that occurred 30 years ago?

"Existing release" is a defined term in 22a-134tt-1(47). The existence of the release is determined by when it occurred and whether it was documented by the time of submittal of a Phase II, prior to March 1. A new active spill will be an ERR due to the identification of a change in condition at the present moment.

3. Does the 2-year grace period only apply to the specific condition that triggered the SEH report or for any conditions reported in connection with the SEH compliance?

It depends on the nature and extent of the conditions associated. If the condition is unrelated to the previously reported SEH, then it will not be attributed to what has already been reported and trigger an SER.

4. Can you go back to subsection (p), because what was stated is not what is written in (p).

The language in the Public Act 25-6 is the same as the language in the slide. Please see quote: "(p) 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."

5. If a tank should have been registered and was not, is it considered a regulated tank?

Yes, and needs to be registered

6. Should slide 17 be SERs for PFAS or Road Salt... and not SEHs for PFAS or Road Salt?

Slide has been corrected.

7. If I have been submitting annual reports to DEEP updating them about my SEH, do I have to submit the SEH Status Update Form? My last report was submitted in 2025.

If you are not expected to have submitted your report for 2026 before March 1, 2026, then you are in compliance. Please use the update form and submit when you are required to for 2026.

8. For an existing SEH, if you submit a report on 2/28/26 do you qualify for the 2-year grace period? I believe one of the slides indicated that the report needed to be submitted by 2/25.

This is fine, so long as the hazard condition is controlled and in compliance with reporting requirements.

9. For GW impacts > GPWC that threaten nearby DWWs, it appears the new SER statute now applies to ALL DWWs within 500' in any direction and eliminates the provision that upgradient DWWs between 200' and 500' do not trigger an SEH/SER. Please confirm.

It is presumed when you find an SER you most likely do not have hydrogeologic knowledge of the site. Therefore, you must report all DWWs within 500 feet of the impacted monitoring well and sample to ensure degree and extent of the contamination, then, during the immediate actions (IAs), you will be able to accurately determine groundwater flow to sample within 200 feet of the impacted well in any direction, and 500 feet downgradient for your next round of sampling.

10. Property has SEH in soils in I/C area. It is fenced in, or capped under a parking lot. No new sampling has occurred. Report submitted by 3/1/26. Two-year grace period applies. What happens at the two-year mark?

If SEH the condition is not abated by the end of the 2-year grace period, when you report your routinely scheduled maintenance and monitoring report to show compliance with a controlled hazard condition, the release is now fully subject to the requirements of the RBCRs.

11. DEEP SEH reminder letters recently went out to responsible parties. Do property transfer law and BRPP site need to respond to the DEEP letter with a status report if the release occurred prior to the Property transfer filing and Phase II completion.

Yes, if the condition still meets the definition of a Significant Environmental Hazard. You can address the SEH under the PTP or Brownfields programs and not RBCRs, but the condition remains.

- 12. One of the sources of confusion regarding PTP sites is the distinction between when a release "occurred" vs when it was "discovered". It is rare that we know when a release occurred. The graphic discusses when the release occurred. Graham discussed when the release was discovered. Needs clarity and if the key is when a release occurred, what documentation is required?**

Occurred and discovered are two different things. You may discover a release and not know when it occurred, or you may know when it occurred depending on multiple lines of evidence and site history. The caveat to be aware of is the date of your Phase II. You may discover the release prior to your Phase II or discover after but through the MLE can date the release to prior to the Phase II. You also may know a release occurred in real time that would trigger an ERR by visibly seeing a change in condition.

- 13. Are in-compliance SEH sites that are in a VRP, eligible for the 2-year window. What about out-of-compliance VRP sites?**

Being regulated under 22a-6u is not intertwined with being regulated under 22a-133x. Furthermore, 22a-133x is not an available program after March 1, 2026, unless you are enrolled in a Brownfields program. Please continue to remediate your hazard condition and if there are other releases at the site, you may enroll in the Parcel-Wide Voluntary Remediation program.

- 14. Similar to one of the case studies, if a 22a-6u(d) soil issue was discovered in 2025 and that notice was provided past 90 days but before March 1st, SEH/SER?**

Based on the information provided, this release should be reported as SEH.

- 15. Can a UST release at a PTP site, if determined to be historical, be closed out under a Verification or only under the UST regs with DEEP approval?**

A tank regulated under 22a-449(d) must comply with those regulations. The UST regulations do not carve out tanks from being regulated under them just because the site as a whole is in another program. Compliance with the UST regulations would still be required.

- 16. So, annual reports, VRs, COI, RAPs, etc, count as "SEH status reports" if they address the SEH, correct?**

No. SEH status reports must address the controlled hazard condition. If there is a status update for a hazard embedded in a PTP report, it might be missed upon review. Please submit the SEH status update individually, under the SEH Case is REACT.

- 17. The SEH forms were intended to make reporting easier. The important thing is if you've been reporting the status of the SEH to DEEP?**

Correct.

- 18. Definition (143) of SER sends us to 134-tt(5)(e) which describes ERRs. Isn't an SER different from an ERR? Where in 134tt is the list of SER conditions that showed up in one of the first slides?**

This is a typo. It should refer to 134tt(5)(f)

- 19. For a PTP site where contamination pre-dates the transfer of the property, if a SER condition exists post 3/1/26, is the maintainer obligated to report?**

For releases that occurred before the PTP filing and triggers a SEH condition, please submit a SEH Notification to DEEP. These releases are not subject to the RBCRs.

- 20. If applying for a TA Permit to complete remedial injections to address PCE present above reportable concentrations... would data presented and collected prior to 3/1 (and included in the TA application) become reportable after submittal of the application to CTDEEP for review?**

No, but any data collected after 3/1/26 may be reportable.

- 21. Property has SEH and PTP filings, not closed out. SEH reported by owner, PTP Certifying party is previous owner. SEH and Form III in response to same release. Does this affect the 2-year window?**

The 2-year period does not apply to SEH conditions/releases that are subject to the PTP program. These conditions remain as SEH conditions and must be addressed under existing 22a-6u statute as well as PTP investigation and remediation.

- 22. It was stated that if a SEH is at a site that is part of the PTP or Brownfields program (and it is in compliance with SEH law prior to March 1, 2026) then it can continue to be managed under the SEH law even after 2028? What are the requirements for SEHs currently in compliance as of March 2026 but are being managed under a Voluntary or RCRA program?**

You may work to remediate and abate your hazard condition prior to March 1, 2028, and if not, upon discovery after March 1, 2028, you will need to report under the RBCRs. You can also enroll the site in the Parcel-Wide Remediation Program before March 1, 2028, and elect to address the SEH condition through that process.