

On March 1, 2026, release reporting, investigation & remediation will transform significantly!

IMPORTANT: Anyone considering selling, purchasing, refinancing, redeveloping, remediating and/or conducting construction at a Site in Connecticut needs to understand these new regulations! Certain conditions can trigger new mandatory release reporting and clean-up obligations under the new Release-Based Cleanup Regulations (RBCRs) that did not previously exist.

THE BASICS

• • • WHEN? • • •

The RBCRs, Regulations of Connecticut State Agencies (RCSA) 22a-134tt-1 to tt-13, were approved by the Connecticut Legislature in 2025 and become effective on March 1, 2026.

• • • WHO? • • •

1. Any individual or entity responsible for certain spills (emergent releases) of oils or hazardous substances reported pursuant to Connecticut's Release Reporting Regulations (RCSA 22a-450) for abatement and closure.
2. The party responsible for a release (creators) and property owners, lease holders, or other entities that have the right to possess a parcel (maintainers) that become aware of release(s) of oils or hazardous substances identified through laboratory analytical testing, observations of multiple lines of evidence or non-aqueous phase liquids (existing releases) for reporting, characterization, remediation, if warranted, and closure.
3. Any individual that identifies less-frequently encountered Significant Existing Releases, which are conditions that are imminently hazardous to human health or the environment, for reporting so that immediate abatement to mitigate risk can be initiated. Common examples include polluted drinking water wells or excessive soil contamination at the ground surface.

• • • WHAT? • • •

- Obligations for action will now arise when certain emergent or existing releases are discovered through the obtainment of knowledge, not by the transfer of ownership of real property or business operations as they have before pursuant to Connecticut's Property Transfer Law, which will sunset on March 1, 2026.
- Reporting timelines & triggers vary from 1 to 365 days based on the nature and severity of the discovered release. If the release can be addressed and closed prior to the reporting timeline, reporting can be avoided.
- For certain low risk emergent releases, where sufficient information is available on the source and quantity of the release, closure can be completed through a certification by a new class of professionals, known as permitted environmental professionals (PEPs). All other release closures will be closed by verification provided by a licensed environmental professional (LEP).
- For releases that cannot be closed in one year, tiering by an LEP & annual payment of fees commences until the release is closed. Four risk-based tiers determine oversight (DEEP or LEP), applicable deadlines, & fee amounts.
- Final closure is obtained when the RBCR Cleanup Standards are met. The Cleanup Standards, found at RCSA 22a-134tt-7 through tt-10, are a modified version of Connecticut's Remediation Standard Regulations (RSRs), which were last updated in 2021. The Cleanup Standards for soil include new alternatives and exemptions to address releases to soil in a more efficient and expedited fashion in certain situations.
- DEEP can audit final closure documents prepared by PEPs or LEPs and may require additional actions.
- DEEP can also impose administrative civil penalties for noncompliance in a simplified & straightforward manner.