

# CRCOG Planning + Development Forum



Welcome to our Quarterly Forum!  
Sept. 4, 2025

# Agenda

## Introductions

### **Brownfields & Remediation Update -**

Join us for a conversation with Emilee Mooney Scott, Partner at Robinson+Cole, who will outline key changes to Connecticut's environmental remediation laws and how those changes impact developers and municipalities.



**CRCOG Updates** - Quick updates on CRCOG projects.

**Local Updates** - Roundtable Conversation & Questions



# Release Based Cleanup Regulations

**CRCOG PLANNING & DEVELOPMENT FORUM**

Emilee Mooney Scott

September 4, 2025

# Of Note

We note that in this presentation we are only providing general information; the information contained in this presentation does not constitute legal advice. No attorney-client relationship has been created. If legal advice or other assistance is required, please contact us directly.

# Where are we?

- For the last ~40 years, the Connecticut Transfer Act drove much of the remediation in Connecticut
  - Requires a filing and investigation (and remediation as needed) upon the “transfer” of an “establishment”
- Public Act 20-09 set up a pivot away from the Transfer-Act and toward a release-based remediation regime
- Release Based Cleanup Regulations (RBCRs) were adopted in May 2025
- **RBCRs effective March 1, 2026**
  - Until then, transfers trigger the Transfer Act
  - Carve-out for sites in brownfields programs

# Overview

- The critical differences are the **triggers** for action and the **scope** of the action
  - No longer transaction-triggered
    - No exemption for municipalities!
  - Release-by-release rather than site-wide (except voluntarily)
  - Remediation activities and targets remain familiar
    - New passive recreation category
- We'll cover
  - Applicability
  - Triggers for action
  - Closure

# Applicability and Responsibility

## **Transfer Act**

- Applies to “establishments” i.e., specifically defined commercial and industrial properties
- Triggered by “transfer” of the establishment
- “Certifying Party” (buyer, seller, or some other party associated with the transaction) takes on responsibility to investigate/remediate
- New and historical releases addressed differently

## **Release-Based**

- Applies to any/all property in the state
  - Carve-out for single-family owner-occupied
- Triggered by discovery/occurrence of a release
- Responsibility rests with “creator” or “maintainer” of the release
- New releases as well as historical

# Interplay with Brownfields Programs


- By statute, on any “brownfield site accepted into a brownfields program”
- Releases discovered before requirements of brownfields program are satisfied are subject to brownfields program and NOT subject to RBCR reporting etc. requirements
- Releases discovered after requirements of brownfields program are satisfied but which occurred before after are still subject to brownfields program and NOT subject to RBCR reporting, etc. requirements
- Releases which occur after requirements of brownfields program are satisfied are subject to the RBCRs (subject to applicable covenants not to sue)
- BUT NOTE: New remediation options in RBCRs may be used for brownfields

# Discovery

- “Discovery of a release to the land and waters of the state occurs when a person who created or is maintaining an existing release has knowledge of such release, except that a release shall not be deemed discovered if the only evidence of such release is data available or generated before the date the RBCRs are adopted.”
  - R.C.S.A. § 22a-134tt-2.
- Many releases that are “discovered” must be reported to DEEP.

# New release program folds in

Spill Regulations  
R.C.S.A. § 22a-450-1 et seq.



Discovery of Existing  
Releases



Characterization



Remediation



NOTE: Indoor releases must be reported under 22a-450 but might not be subject to RBCRs

# Characterization

## **Transfer Act**

- Requires site-wide investigation of “areas of concern” to determine whether a release has occurred

## **Release-Based**

- Requires characterization and remediation of new and newly-discovered releases on a release-by-release basis

## **Both**

- Development of conceptual site model
- Use of prevailing standards and guidelines

# Oversight Tiers and Timelines

- All releases, if not signed-off within a year, must be Tiered using the checklist (which is signed by an LEP)
- Tier 1A: closed or moved to Tier 1B, 2 or 3 in 1 year
- Tier 1B: closed or moved to Tier 2 or 3 in 2 years
- Tier 2: closed or move to Tier 3 in 4 years
- Tier 3: closed in 5 years
- All timelines run from Tiering date (i.e. one year from Discovery) and are concurrent
- Extensions are possible, but must be requested ahead of deadlines

# Conclusion

- Big changes coming on March 1, 2026
- Redevelopment opportunities
- More properties subject to clearer remediation requirements
  - Municipalities as property owners and operators
- Questions?

# Presenters



Emilee Mooney Scott

[escott@rc.com](mailto:escott@rc.com)

(860) 275-8362

# **CRCOG Updates**



# LET'S TALK HOUSING!

An open conversation on the future of homes, affordability, and expanding choice in the Capitol Region



Join us for a dynamic discussion on housing in the Greater Hartford region. Voice your ideas and insights to help address the critical housing issues facing our region's cities and towns. The evening will include interactive discussions and hands-on activities, followed by a brief presentation on housing and market data. **Register for the date and location that works best for you.** We look forward to seeing you!

## Wednesday, Sept. 24, 2025

7-8:30 pm

Memorial Hall, First Congregational Church  
37 Main Street, Southington, CT



## Thursday, Oct. 16, 2025

7-8:30 pm

Community Room, Goodwin University  
1 Riverside Drive, East Hartford, CT



Register using the QR codes above or visit the project webpage:  
<https://tinyurl.com/crcogHousingMeeting>



**Contact:** Heidi  
[hsamokar@crcogct.gov](mailto:hsamokar@crcogct.gov)  
(860)724-4282



# 60 Second Update – Regional Housing Strategy

- Fall housing workshops – sign up to attend and help spread the word!
- Register at: <https://crcogct.gov/regional-planning-and-development/housing/regional-housing-strategy/>

Contact Heidi Samokar:  
[hsamokar@crcogct.gov](mailto:hsamokar@crcogct.gov)



# 60 Second Update – Climate Related

**Connecticut Insurance Department (CID) and CT Insurance & Financial Services (CT IFS)** second annual Insuring the Future summit.

Discussions on financing resilient communities, addressing the economic and health impacts of climate change, and the evolution of regulatory standards for climate risk disclosure, materiality assessments, and the utilization of catastrophe models.

Experts across several sectors including housing, healthcare, reinsurance, and risk modeling, highlighting practical solutions, cross-sector partnerships, and innovations that help protect people, property, and communities.

As a CRCOG partner, you are eligible for a [discounted ticket](#) rate! Select the "CRCOG Member" ticket option.

**itf**

**Insuring  
the Future**

**EXPERT  
PANELISTS**

**9.30.25**  
Hartford Marriott  
Downtown

**MARIE GRANT**  
STATE OF MARYLAND  
MARYLAND INSURANCE  
COMMISSIONER

**DAVID RABINOWITZ**  
DELOITTE  
PRINCIPAL AND US HEALTH CARE  
SECTOR LEAD FOR SUSTAINABILITY

**JENNIFER WANG**  
YALE CENTER ON CLIMATE  
CHANGE AND HEALTH  
EXECUTIVE DIRECTOR

**ADAM L. SEIDNER**  
THE HARTFORD  
CHIEF MEDICAL OFFICER

# Update – Regional Warehousing Land Use & Traffic Study

- Better understanding of trip generation, environmental, brick-and-mortar retail impacts as well as transportation infrastructure and land development needs for warehouse and distribution centers
- Project advisory committee – Bloomfield, East Granby, East Hartford, Enfield, Manchester, South Windsor, Willington, Windsor
- Tasks completed to date:
  - Economic analysis and market projections
  - Traffic counts
  - Last Mile Analysis



**Contact Kyle Shiel:**  
[kshiel@crcogct.gov](mailto:kshiel@crcogct.gov)

# 60 Second Update – Stormwater and Hazard Mitigation

- Multi-COG survey on regional assistance meeting MS4 (stormwater) requirements
- Hazard Mitigation and Climate Adaptation Plan – annual monitoring / progress reporting is starting; staff will be reaching out to towns on a rolling basis
- Wrapping up Resilient 2.0 projects in East Hartford, Berlin, Newington and New Britain

Contact Heidi Samokar:  
hsamokar@crcogct.gov

Or Sonya Carrizales:  
scarrizales@crcogct.gov



**PROJECT WEBSITE**  
  
<https://bit.ly/43Lwy8o>

## RESILIENT PIPER BROOK & WEBSTER BROOK

### OPEN HOUSE MEETING

Join us at our Open House to review the outcomes of the **Resilient Piper Brook and Webster Brook Project**. Learn about flood mitigation strategies and measures for priority sites along the river corridor.

**THURSDAY, SEPTEMBER 11, 2025**  
**5:30 P.M. – 7:00 P.M.**  
*Overview Presentation at 5:30 P.M.*

**ALVARIUM BEER COMPANY**  
365 John Downey Dr (B-side room)  
New Britain, CT

The project seeks to identify flood adaptation strategies supporting businesses and residents. We want to engage the community in conversations on the proposed designs and impacts of these flood mitigation measures!



**SLR**  **CIRCA** 

# 60 Second Update – Brownfields

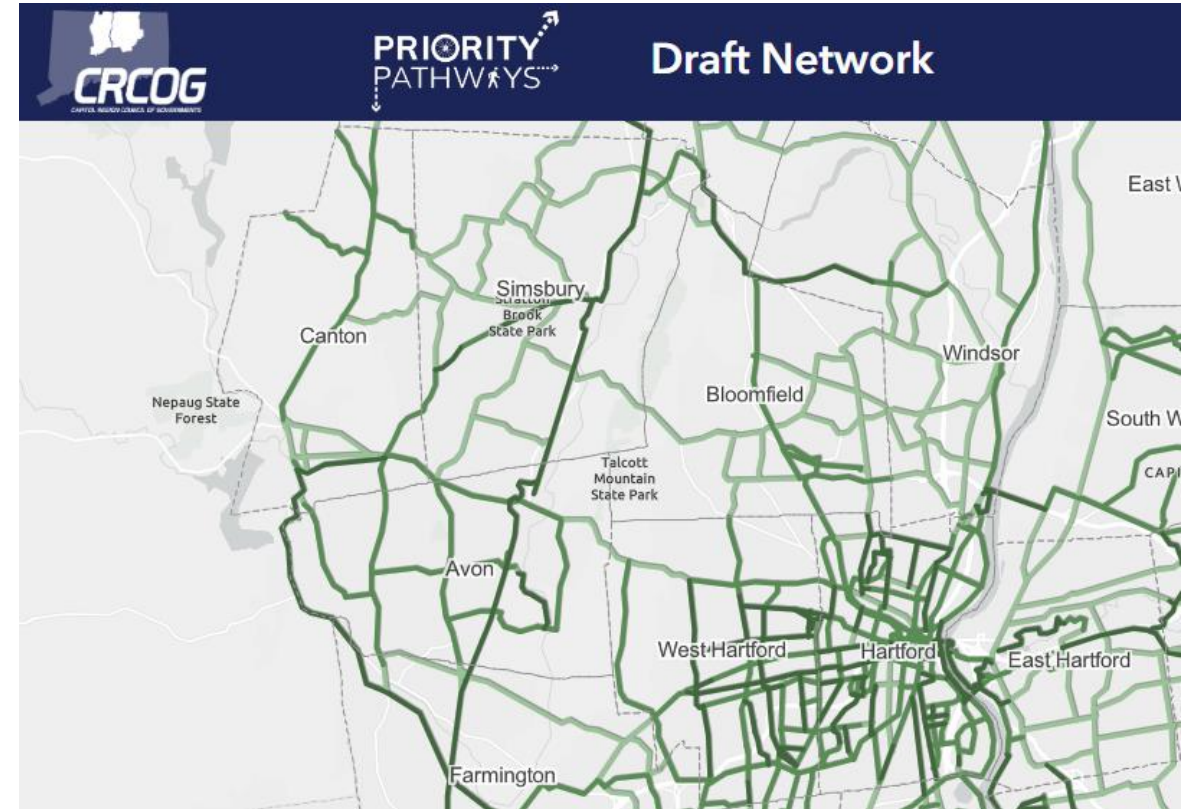
- Attended National Brownfields Conference
- Reimbursed more than \$900,000 in environmental cleanup costs for the Arrowhead Gateway Redevelopment Project in Hartford
- Received over \$2,700 in quarterly Program Income
- Brownfields Steering Committee Meeting on **Monday September 8 at 1:00 pm**
- RLF Loan and Subgrant funding will be announced in **Fall 2025**
- Sign up for funding updates [here](#) or at this QR code:



Contact Elizabeth Sanderson:  
[esanderson@crcogct.gov](mailto:esanderson@crcogct.gov)  
or Sonya Carrizales:  
[scarrizales@crcogct.gov](mailto:scarrizales@crcogct.gov)

# 60 Second Update - Priority Pathways

- Walk Audits in Windsor and Berlin completed
- Draft [network map](#) – review and comment. Next steps to determine priorities.
- Project webpage: <https://crcog.org/priority-pathways/>



**Contact Mike Cipriano:**  
[mcipriano@crcogct.gov](mailto:mcipriano@crcogct.gov)

# Roundtable Conversation

*Exciting news, challenges, or questions for the group?*



*Southington*