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# Federal Facilities Online Academy: Resolving Issues before Formal Dispute

*Live Webinar: Wednesday, June 10, 2026, 1:00PM-3:00PM EDT (17:00-19:00 UTC)*

***Sponsored by: US EPA Office of Superfund and Emergency Management (OSEM)***

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# Seminar Homepage

<https://www.clu-in.org/conf/tio/FFAcademy2/>

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## Federal Facilities Online Academy: Resolving Issues before Formal Dispute

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**Description**

**Resolving Issues Before Formal Dispute** is a two-hour webinar course that identifies less formal options to address conflict before going to dispute under a federal facility agreement. This webinar provides project management tips and techniques to address disagreements early in the process. By taking this course, participants will achieve the following objectives:

- Identify factors that contribute to conflict when working with team members from different agencies;
- Learn how to prepare a team to handle conflict;
- Explore tips and techniques to improve communication and come to resolution; and,
- Understand when formal dispute should be considered.

The instructional methodology for this course includes lecture, group discussions, case studies, and quizzes. The target audience for this course is federal, state, and tribal representatives who work on Federal Facility cleanups. This course is part of the Federal Facilities Academy training program. Please consider registering for other Federal Facility Academy courses and obtain a certificate upon completion of the entire Federal Facility Academy series (12 courses total).

**Presenters & Moderators** +

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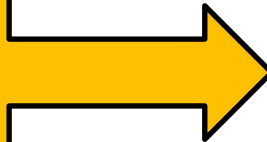
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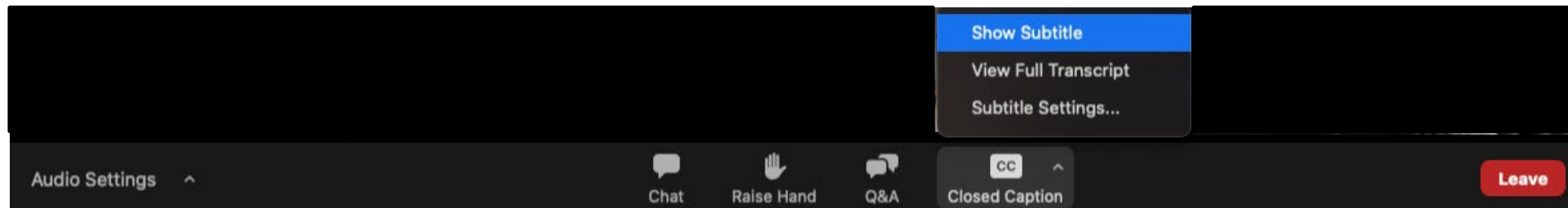


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Zoom Webinar

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# Clean-Up Information

Contaminated Site

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Information and video of Organizers and Presenters

Moderator Jean Balent, USEPA

Visit the Clean Up Information Network online at [www.cluin.org](http://www.cluin.org)

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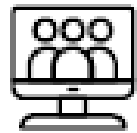
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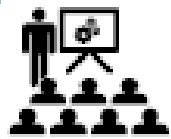


# US. EPA Federal Facilities (FF) Academy

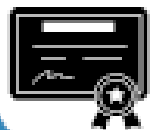
The FF Academy is a voluntary training program developed for EPA RPMs, project managers from other federal agencies, State government, and Tribal groups who work on federal facility Superfund cleanups.



**12 Courses Total**



**11 Webinars and a  
3-day classroom  
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- **Resolving Issues before Formal Dispute - June 10, 2026**
- *Land Use and Onsite/Offsite Determinations - July 22, 2026*
- *Groundwater Policy Overview - August 26, 2026*
- *RCRA/CERCLA Integration - September 23, 2026*
- *Role of Superfund Performance Measures - October 28, 2026*
- *Coordinating with Tribes at Federal Facilities - November 18, 2026*
- *Determining Applicable or Relevant and Appropriate Requirements (ARARs) in RODs - December 2, 2026*

Register for Courses at <https://www.trainex.org/FFacademy>



# Contaminated Site Clean-Up Information

www.cluin.org

## FEDERAL FACILITY RPM

Hosted by U.S. EPA  
Office of Superfund and Emergency Management

*Federal Facility RPM* is geared toward EPA Federal Facility (FF) Remedial Project Managers (RPMs) to facilitate an understanding of the unique aspects of the FF RPM role. The course highlights how FF RPM responsibilities differ from EPA RPM. Participants explore the history and complexity of legacy Department of Defense (DOD) and Department of Energy (DOE) sites, gain exposure to the institutional knowledge of experienced FF RPMs, and review sites to Federal Facilities.

### Course Objectives:

- Discuss and examine best practices for managing the unique circumstances at Federal Facility National Priority List (NPL) sites.
- Identify the programmatic differences between Federal Facility and private and Fund-financed Superfund sites.
- Discuss the Federal Facility Agreement (FFA), including negotiating and implementing its provisions.
- Evaluate the unique technical and management issues presented by Federal Facilities.
- Discuss current issues associated with emerging contaminants that may be present at Federal Facilities.
- Obtain valuable materials and references for managing a Federal Facility NPL site.

The Federal Facility RPM course is tailored for EPA FF RPMs across all experience levels. However, those with one to two years of experience who have completed the Fundamentals of Superfund and Remedial Process Training will be valuable to other EPA RPMs, DOD/DOE RPMs, EPA Resource Conservation and Recovery Act (RCRA) personnel, state personnel, and tribal RPMs and managers involved in managing Federal Facilities.

This course is offered free of charge to all registrants who are confirmed to attend.

**Important Notice:** Due to the content presented during a CEC course and the restrictions in place for non-citizens to enter federal buildings, international attendees are not permitted to attend CEC courses.

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### Upcoming Events

- San Francisco, CA  
August 18, 2026 - August 20, 2026

[Details and Registration](#)

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## LIVE ONLINE FEDERAL FACILITY RPM

Hosted by U.S. EPA  
Office of Superfund and Emergency Management

**Live Online Federal Facility RPM**, a 3-day training course, is geared toward Federal Facility (FF) Remedial Project Managers (RPM) to facilitate an understanding of how the FF RPM role, responsibilities and authorities differ from a private or Fund-financed Superfund EPA RPM. By taking this course, participants will:

- Discuss and examine best practices for managing the unique circumstances Federal Facility National Priority List (NPL) sites present.
- Be exposed to the institutional knowledge of experienced FF RPMs and cover the history of the FF program and complexity of legacy DOD and DOE sites.
- Review the statutory and regulatory authorities, executive orders and policy and guidance that are important to Federal Facilities.
- Examine the programmatic organization unique to Federal Facilities and identify the programmatic differences between Federal Facility and private and Fund-financed Superfund sites.
- Discuss in detail the Federal Facility Agreement (FFA), including negotiating and implementing the provisions of the FFA.
- Examine and evaluate the unique technical and management issues presented by Federal Facilities.
- Discuss current issues associated with emerging contaminants that may be present at Federal Facilities.
- Obtain valuable materials and references for managing a Federal Facility NPL site.

This course is specifically designed for EPA FF RPMs of all experience levels, however State and Tribal stakeholders may also benefit from the course. Participants with one to two years of experience with the Superfund Program may derive the most benefit. **THIS DELIVERY IS ONLY OPEN TO EPA STAFF AS WELL AS STATE AND TRIBAL HAZARDOUS WASTE PROFESSIONALS. PRIORITY WILL BE GIVEN TO EPA FF RPMs.**

The format of the course includes lecture, facilitated discussion, case study review, situational training with exercises, and use of multiple media. Short tests will be given at the end of each module to assess whether training objectives are met.

*\*This course is offered free of charge to all registrants who are confirmed to attend.\**

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### Upcoming Events

- Live Online Class, Internet Based  
November 3, 2026 - November 5, 2026

[Details and Registration](#)



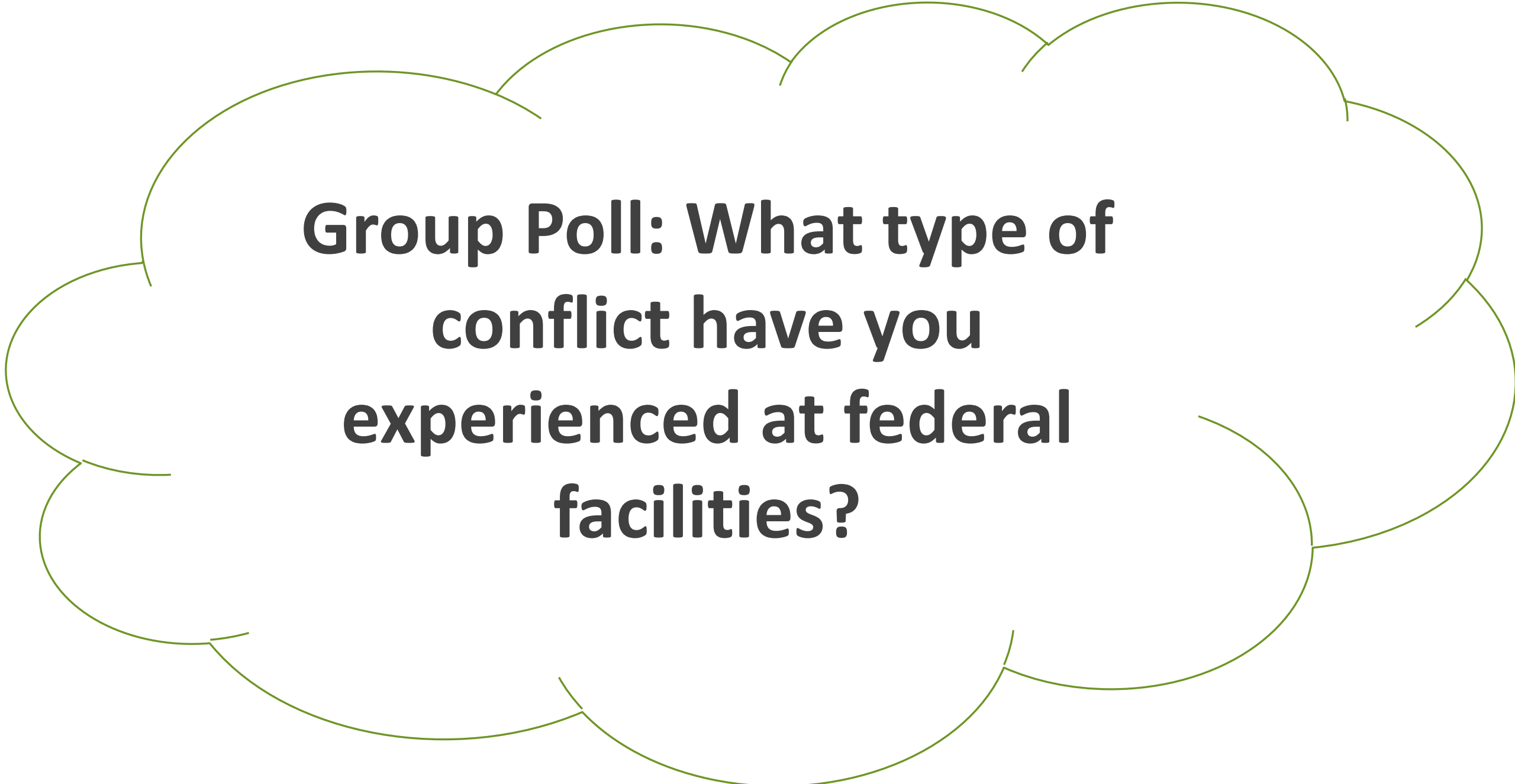
# Resolving Issues Before Formal Dispute

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JUNE 10, 2026

HAYLIE PRYSON, WILLIAM LINDSEY, AND BRIAN ENGLERT

FEDERAL FACILITIES



**Group Poll: What type of  
conflict have you  
experienced at federal  
facilities?**

# Overview

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- Introduction
- Preparing for Dispute
- Communication
- Resolving Disagreements
- Beyond Informal Dispute Resolution
- Formal Dispute Resolution Process



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# Introduction

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- ❑ Disagreements are bound to arise when different agencies with different missions come together to clean up contaminated sites
- ❑ Acknowledge that disagreements will happen and ensure a plan to work through issues is established
- ❑ Informal dispute is an option that allows Project Managers to attempt to resolve a dispute without further elevation



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# Introduction

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- ❑ Resolving disputes in a timely and collaborative manner may promote:
  - Fewer work stoppages
  - Faster cleanup timeframes
  - Reduced delays in meeting milestones



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# Nature of Conflict

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- ❑ Different reasons for conflict
- ❑ Differing agency missions
  - Each federal, state, or other agency has different missions they are charged with meeting.
  - Affected by cost, agency mission scope, resources available, timelines to meet goals, and final cleanup goals.



Artwork by surrealist painter Octavio Ocampo

# Nature of Conflict

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- Disagreement on interpretation of scientific data
  - Different groups can look at the same data set and reach different conclusions when analyzing that data
- Miscommunication
  - Use of varied jargon/terminology
  - Impacts from communication styles and personalities
  - Understand what each group means and identify how the general needs of all can be addressed



# Preparing for Dispute

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# Preparing for Dispute

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- Federal Facilities Agreements (FFAs) generally:
  - Describe who can invoke a dispute
  - State that parties must make a reasonable effort to resolve the dispute informally
  - Describe the procedure to resolve a dispute
  - Provide elevation timelines for informal and formal disputes
  - Define committees involved in resolving the formal dispute



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## 12. DISPUTE RESOLUTION

12.1 Except as specifically set forth elsewhere in this Agreement, if a dispute arises under this Agreement, the procedures of this Section shall apply. This dispute resolution procedure may be invoked by EPA, by the Air Force, or collectively by the Parties representing the State of California as a unit. All Parties to this Agreement shall make reasonable efforts to informally resolve disputes at the Remedial Project Manager or immediate supervisor level. If resolution cannot be achieved informally, the procedures of this Section shall be implemented to resolve a dispute.

12.2 Within thirty (30) days after: (a) the receipt of a draft final primary document pursuant to Section 7 (Consultation), or (b) any action which leads to or generates a dispute, the disputing Party shall submit to the Dispute Resolution Committee (DRC) a written statement of dispute setting forth the nature of the dispute, the work affected by the dispute, the disputing Party's position with respect to the dispute and the technical, legal or factual information the disputing Party is relying upon to support its position.

12.3 Prior to any Party's issuance of a written statement of a dispute, the disputing Party shall engage the other Party in informal dispute resolution among the Remedial Project Manager and/or their immediate supervisors. During this informal dispute resolution period the Parties shall meet as many times as are necessary to discuss and attempt resolution of the dispute.

Example: Dispute Resolution Language from Travis Air Force base FFA (Pg. 27)

*TIP: Each FFA is unique. Be sure to become familiar with your site's FFA.*

# Informal vs. Formal Dispute

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## INFORMAL

- ❑ Begins with discussion at the project level (typically the EPA RPM level)
- ❑ May include discussions by project level team members with their immediate supervisors (typically first line supervisors, but may depend on the agency's organization)
- ❑ May include preliminary discussions with legal representatives
- ❑ Can continue as long as team members agree progress is being made, but should be elevated promptly when progress has stalled

## FORMAL

- ❑ Dispute Resolution Committee (typically at Superfund Division Director level)
  - Forum for resolution of the dispute
  - DRC timeline and written decision
  - If resolution is not unanimous, elevated to next level
- ❑ Senior Executive Committee (typically at the Regional Administrator level)
  - Work may stop if affected by the dispute once it is invoked at the SEC level
- ❑ If not resolved at SEC level, can be elevated to the EPA Administrator

# Apply Your Understanding



Which of these are examples of an informal dispute?



A. A difference of opinion when the parties are determining how to implement institutional controls to limit groundwater use until the aquifer is restored



B. Resolving disagreement between the lead cleanup agency and EPA on determination of applicable and relevant and appropriate requirements (ARARs) at the director's level



C. One party wants to use certain technology in a cleanup while the other parties want to use different technology



D. A disagreement between the parties over identifying a preferred alternative in a proposed plan

# Preparing for Dispute - Relationships

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- ❑ Identifying your project team in advance
  - Federal agencies and possibly state, tribal, and other team members
  - May also be helpful to bring technical/subject matter experts into the conversation before the situation becomes tense
  
- ❑ Build relationships across the team
  - Meet regularly and interact: Can you meet in person?
  - Encourage all groups to speak openly about their agency's needs
  - Create a clear agenda in advance so each member is prepared
  - Do key people need to be present? Does it need to be briefed up the chain of management?

# Preparing for Dispute - Communication

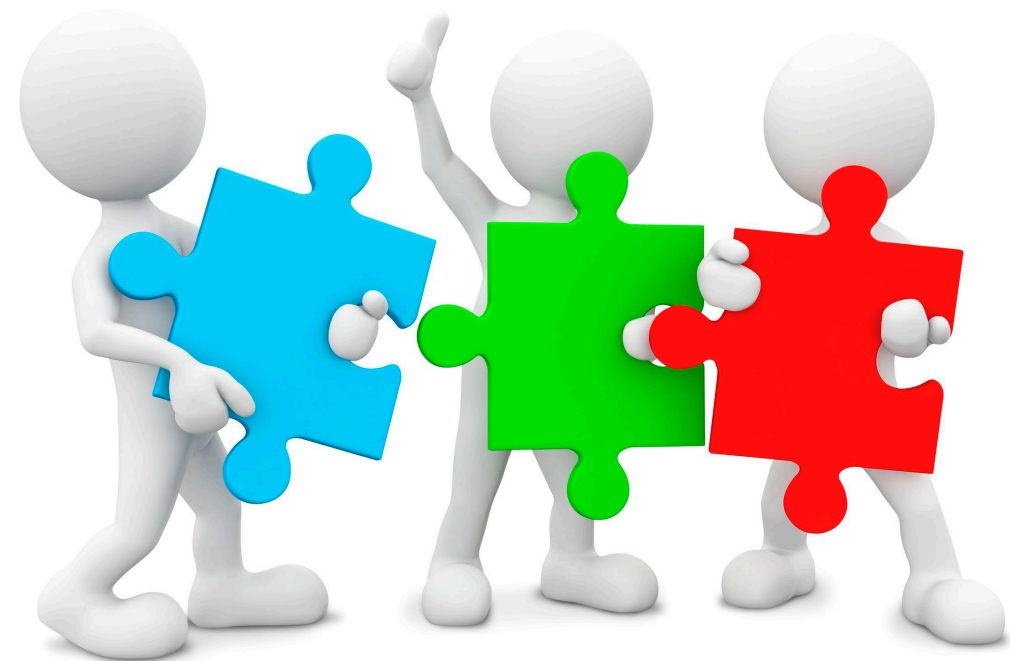
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- Maintain regular communication
  - Outside of meetings, via phone calls and email
  - Goal: each team member is comfortable picking up the phone and calling another to ask a question or provide input
  
- Work within the flexibility available
  - Acknowledge that there are multiple ways to achieve desired results
  - There is no single “silver bullet” remedy that is fully protective of human health and the environment

# Preparing for Dispute – Teamwork

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- Promote teamwork
  - Practice acknowledging others when they provide ideas
  - Encourage out-of-the box ideas
  - Identify areas where compromise is possible



rawpixel

# Communication

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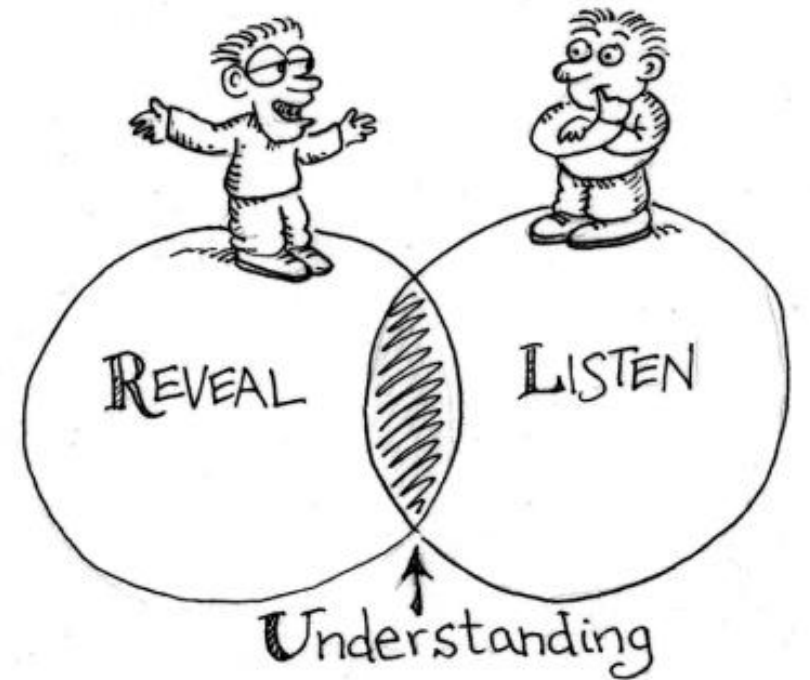


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# Communication - Listening

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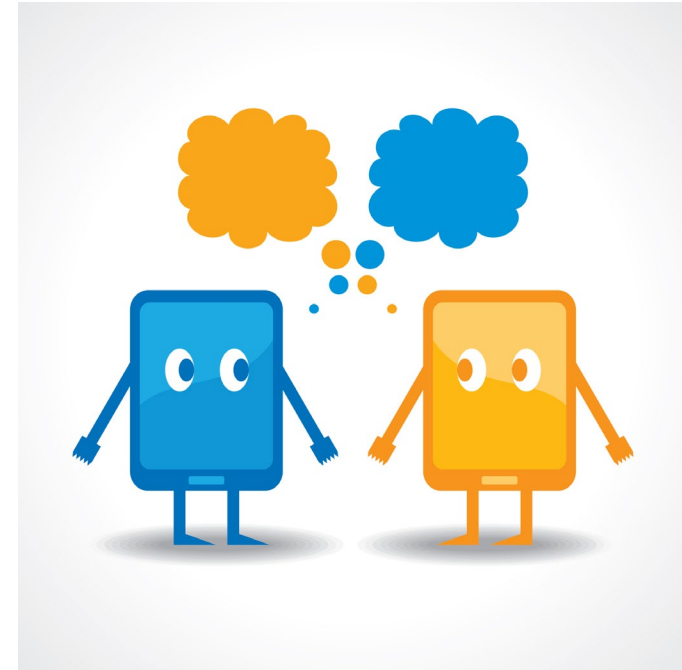
- ❑ Listen to others' input – “Active Listening”
  - Try not to assume what someone else is going to say or instantaneously form rebuttals
  - Regularly practice acknowledging others with a nod or verbal cues that indicate that you are following
  - All should have the opportunity to speak and be heard
  - Do not interrupt each other



# Communication - Repeating

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- ❑ Repeat what you have heard another person say
  - Solidifies a mutual understanding
  - Creates an opportunity for discussion and clarification
  - Signals to the speaker you are actively listening
  
- ❑ Reducing the issue to writing may help the parties reach an understanding



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# Communication - Behavior

## Focus on the core issues

- Avoid creating a “laundry list” of issues
- Let go of issues already resolved in the past and those not relevant to the current dispute
- Highlight those that currently need to be addressed

## Etiquette

- Be respectful
- Make an effort to take a fresh look at the problem, letting go of past baggage and moving forward

# Apply Your Understanding



Which of the following is not an example of practicing good communication across a site team?



A. Providing a written summary of my agency's understanding of an issue and our stance



B. Asking clarifying questions once another team member has presented their thoughts on a topic



C. Raising issues that are not relevant to the current discussion



D. Disagreeing with someone from another group and explaining why I disagree

# Resolving Disagreements

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Photo credit: <http://www.alumni.antioch.edu/s/1688/phase1/index.aspx?sid=1688&gid=2&pgid=1232>

# Resolving Disagreement

## Step 1: Prepare for Resolution

- Acknowledge the disagreement
- Discuss the impact, such as:
  - Cleanup delays
  - Potential loss of available funds
  - Potential for formal dispute
- Agree to a cooperative process
- Agree to communicate



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# Resolving Disagreements

## Step 2: Understand the Situation

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- ❑ There will likely be varying points of view
- ❑ Each group should clarify their positions
- ❑ Avoid assuming there is a single correct way at this point

### ***Scenario: Remedy Selection***

*Alpha believes a groundwater plume should be remediated through pump and treat.*

*Beta believes the contaminated groundwater should be addressed through monitored natural attenuation.*

*Gamma believes more data is needed.*

# Resolving Disagreements

## Step 2: Understand the Situation

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- Clarify the issue in dispute
- List facts, assumptions, beliefs
- Separate alliances and analyze in smaller groups
- Convene and discuss

### ***Scenario: Remedy Selection***

*Alpha believes pump and treat is best because it has worked well in other areas of the site with similar contamination.*

*Beta believes MNA is appropriate due to relatively low concentrations of contaminants.*

*Gamma believes more data would be helpful.*

# Resolving Disagreement

## Step 2: Understand the Situation

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- ❑ Identify minimum needs and where there is no flexibility
  - Critical to identify absolute deal-breakers for your agency based on laws and regulations
  - Remember – personal views are not always the same as the agency's position
  
- ❑ Identify issues and offer constructive suggestions
  - Each agency is responsible for clearly identifying what its issues are
  - Should propose ways those issues can be addressed



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# Resolving Disagreement

## Step 3: Reach Agreement

- Be creative
  - Negotiate
    - Most things are negotiable
    - Avoid getting stuck in your views to the point that you fail to identify other options
  - Discuss
    - Talk about your stance on an issue with people you trust and respect within your agency
    - Their input may be a worthwhile reality check
    - Consider expertise of different members (technical, scientific, legal)



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## Resolving Disagreement Step 3: Reach Agreement

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- ❑ Use a facilitator if necessary
  - Be willing to bring in a facilitator if communication issues cannot be overcome
  - Neutral facilitators can assist in communication and identify a path forward
  
- ❑ Celebrate agreement!



# Alabama Army Ammunition Plant Informal Dispute Case Study

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BRIAN ENGLERT PHD

SENIOR RPM

SEMD REGION 4

# Bottom Line Up Front

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## ALAAP BRAC Site

### Five informal disputes

- NHWLF Landfill: 2013 to 2022
- Asbestos: 2015 to 2022
- Schedule: 2016 to 2022
- Groundwater: 2017 to 2023
- Landuse Controls/LUCIP: 2020 to 2023

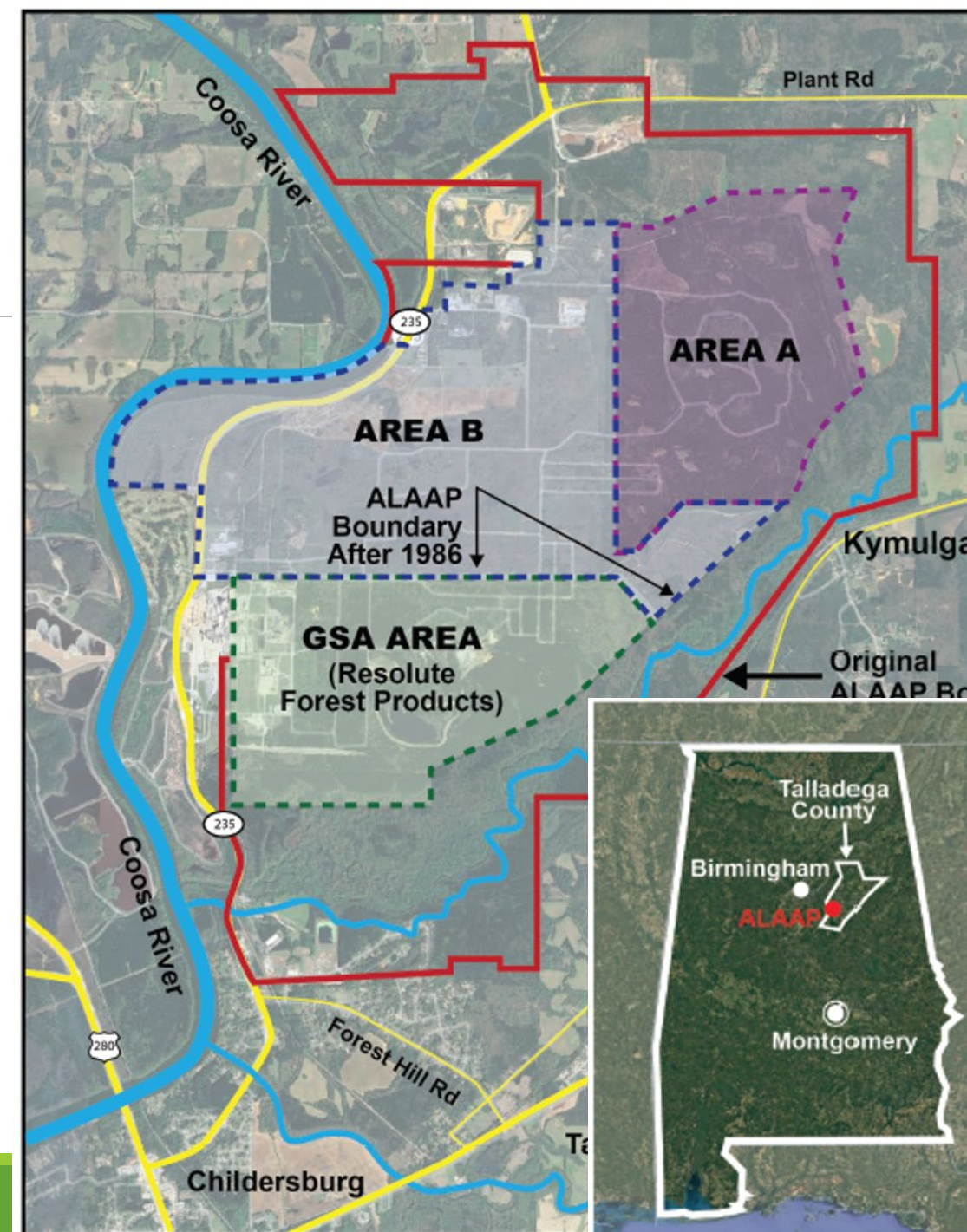
Owned by Childersburg Land Reuse Authority

Prime real estate



# ALAAP Background

- Located in Talladega County, Alabama  
4 miles north of Childersburg
- Produced **explosives & propellants** during WWII
- Heavy water for Manhattan Project
- Listed in **1987**
- FFA Signed in **1989**
- **Area A** (2,714-acre storage area) conveyed to private buyers for unrestricted use in 1990
- **Area B** (2,235-acre manufacturing area) transferred by Quitclaim deed to the city of Childersburg LRA in 2003
- Multiple disagreements that stifled progress



# Peak Plant Operations

- The plant was designed to manufacture 400,000 pounds of 2,4,6-TNT; 30,000 pounds of DNT; and 36,000 pounds of tetryl daily.
- The plant's peak monthly production was 15.6 million pounds of nitrocellulose in October 1942; 21.8 million pounds of 2,4,6-TNT in April 1945; and 2.4 million pounds of tetryl in March 1945 (DA 1978).
- Stored and maintained all the necessary ingredients for explosives manufacturing
- Produce about 1/3 of the heavy water for the Manhattan Project



# Informal Disputes: Pros, Cons & Approach

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## Approach

- Biweekly **management** meetings (ORC/T3), monthly (or more) **technical** meetings, many one-on-one conversations
- Drafted **Informal Dispute Resolution Agreements** (IDRAs) in real time during management meetings
- Frequent conversations with BRAC Program Manager
- **Monthly updates** to HQ on disputes status

## Pro

- Having a dispute process can be a vehicle for getting “**unstuck**”

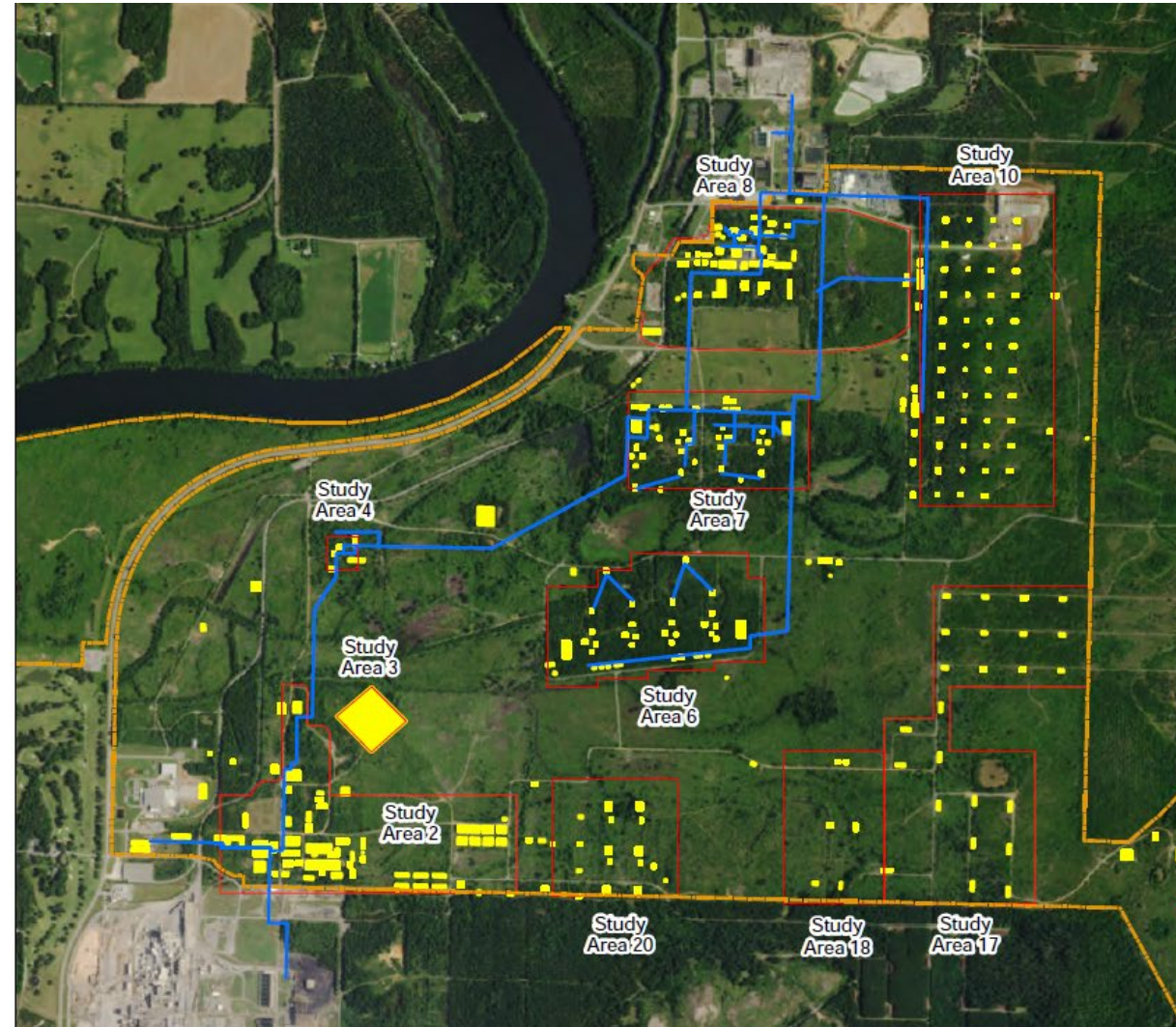
## Con

- Take up **bandwidth** & have **stigma**

# Asbestos Background

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- 1970/80's **demolition** scattered ACM and created improper disposal areas
- **Not addressed** under existing RODs
- On October 21, 2015, EPA **requested** the Army develop a **RI/FS work plan** to address asbestos
- In late 2015 Army submitted a Remedial Action Completion Report (**RACR**) EPA did not concur on



# Asbestos Informal Dispute

- December 2015 EPA **initiated an informal dispute.**
- Following EPA concerns Army conducted a **"housekeeping"**
- Some **visual asbestos** was removed but, asbestos was not characterized & numerous source areas were not addressed



# Asbestos IDRA

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- Signed in 2022
- Requires the Army to establish a **new operable unit** for asbestos
- Requires addressing asbestos under using EPA's **Framework for Investigating Asbestos-Contaminated CERCLA Sites**, OLEM Directive No, 9200.0-90.
- Prioritizes areas based on **current property owner re-uses** and **city marketing plans** for future developments
- Emphasized full use of CERCLA “toolbox”

# Time Critical Removal

Jan-Mar 2025 TCRA

980 bags of ACM

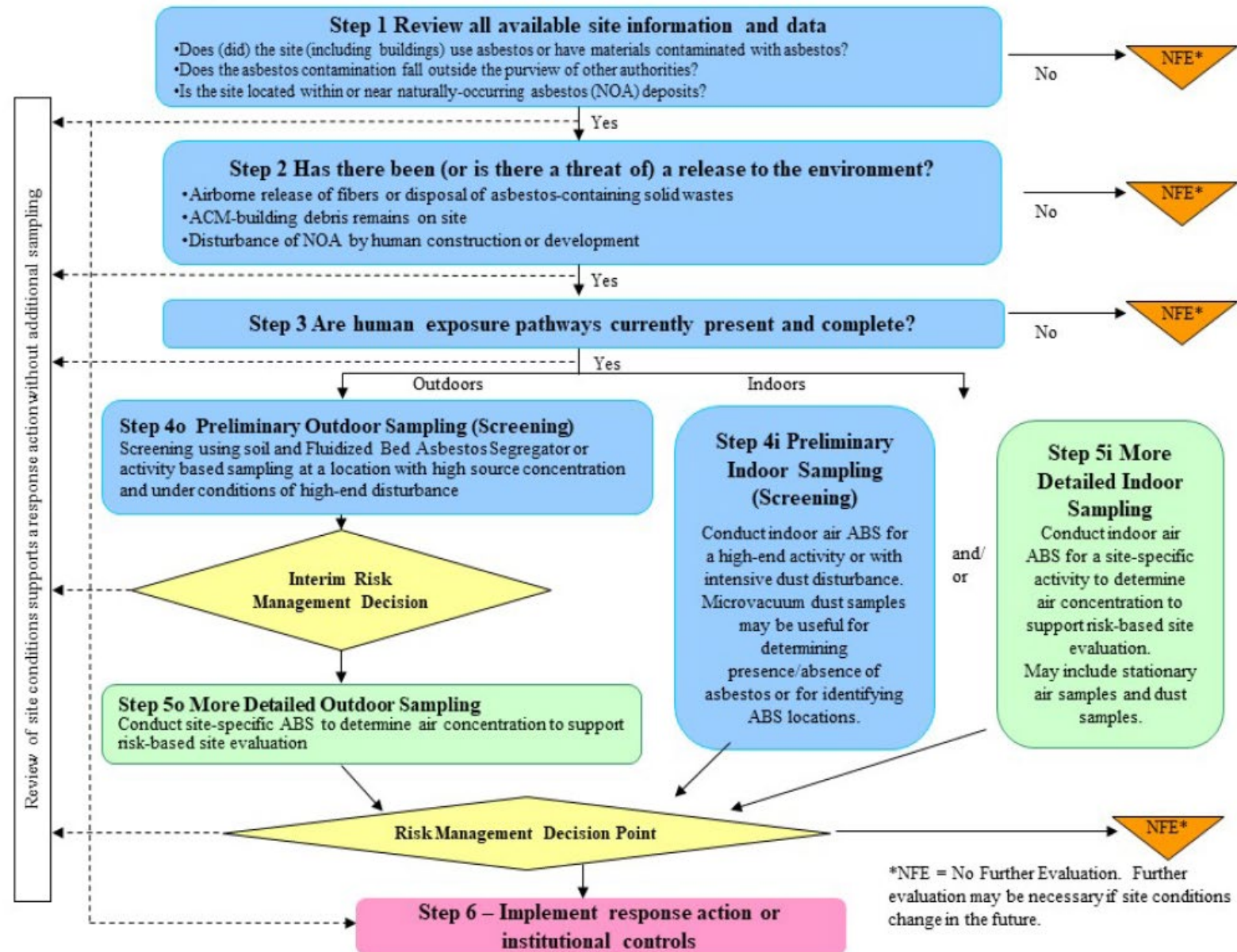
13,392 lbs



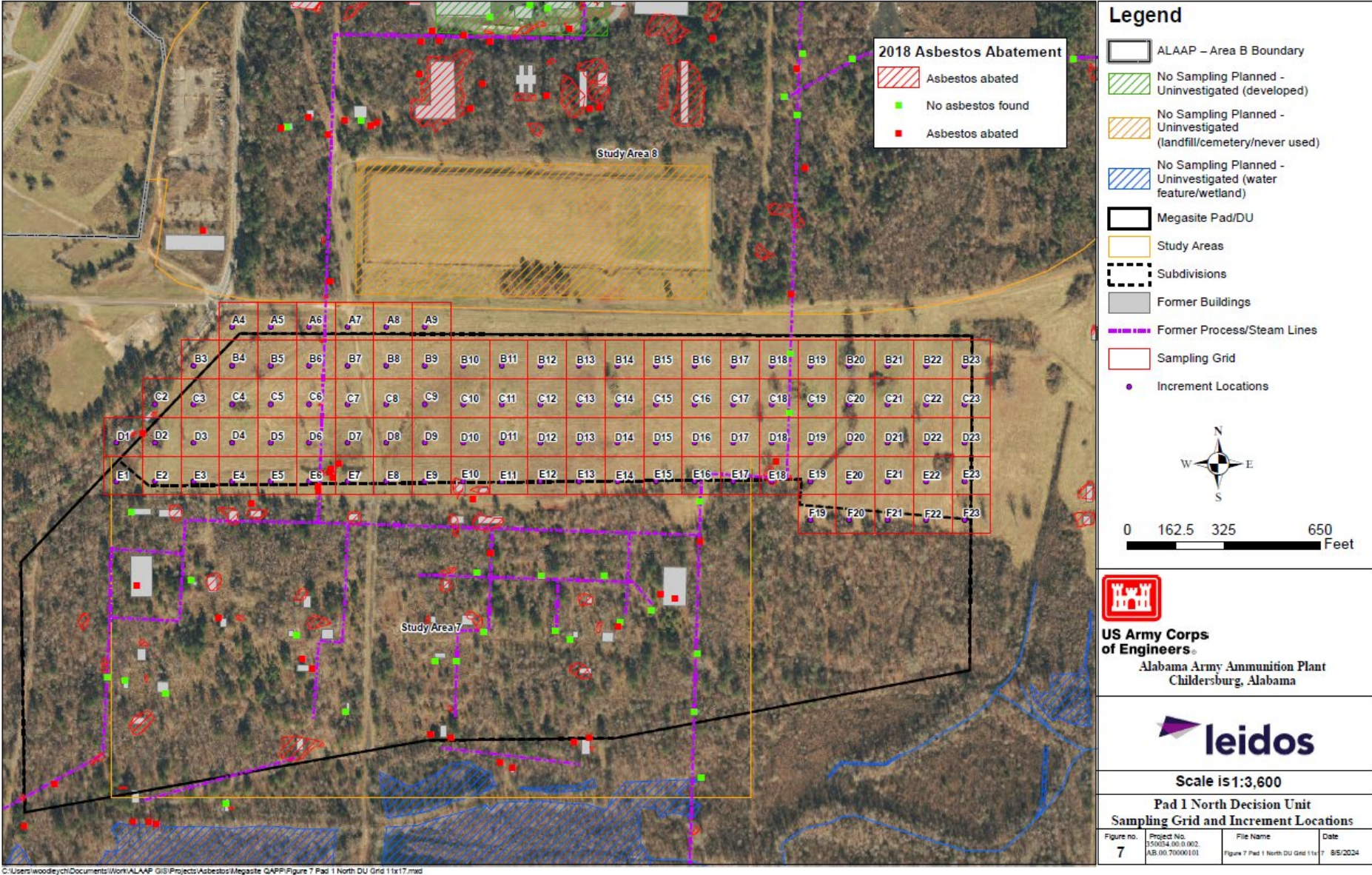
# Asbestos Framework

- Outlines **stepwise** process
- Emphasizes **risk-based sampling** (ISM, FBAS)
- **Risk management decision making**
- Provides alternative to short-term ABS and long-term stationary sampling

**Figure 1. Asbestos Decision Framework for Outdoor and Indoor Environments**



# Incremental Sampling Methodology



C:\Users\woodley\Documents\Work\ALAAP GIS\Projects\Asbestos\Megasite QA\PP\Figure 7 Pad 1 North DU Grid 11x17.mxd

# Workplan - Decision Tree

Incremental Sampling Methodology (ISM)

Polarized Light Microscopy (PLM): Identifies asbestos, what type, and roughly how much

Fluidized Bed Asbestos Segregator (FBAS)

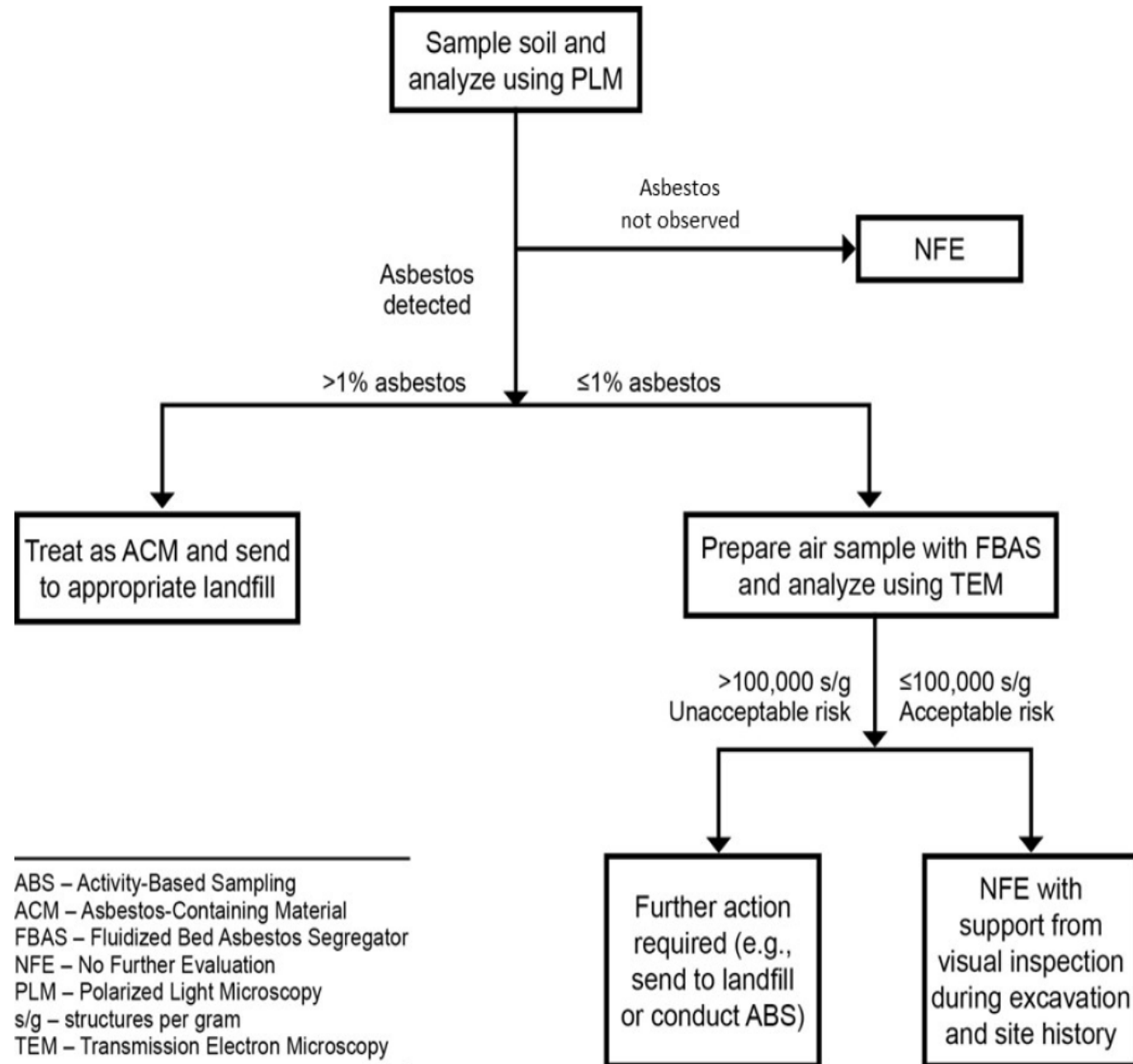


Figure 5. ALAAP – Analytic Approach Decision Tree for Asbestos Actions

# Fluidized Bed Asbestos Segregator (FBAS)

Sample preparation instrument

Uses air elutriation to separate asbestos from soil

Filter is analyzed by TEM

Data is presented as either structures per gram of soil (s/g) or as an estimated weight percent

Method detection limits achieved can range from 0.002% to 0.005% by weight, which is approximately 100-times lower than other detection limits in soil

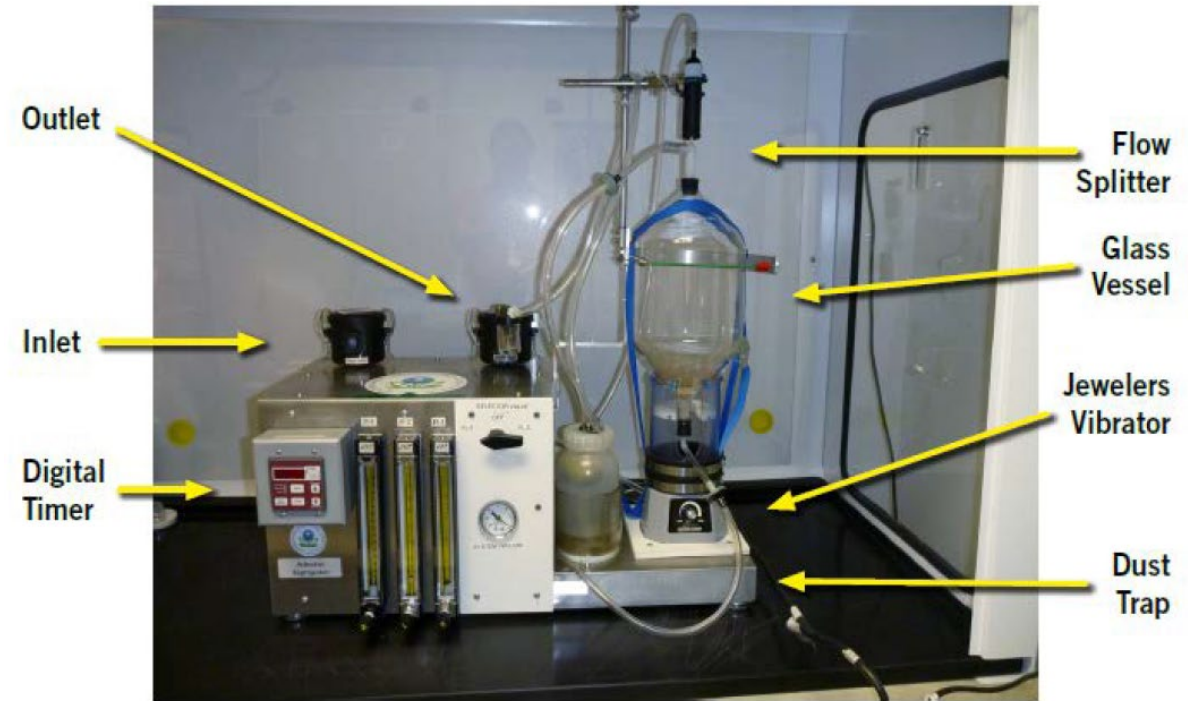


Figure 1 – Image of a fully assembled fluidized bed asbestos segregator.

# Closing Thoughts

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Disputes while not ideal, aren't necessarily bad when a site team is stuck

Solutions are not in the past... change the conversation

- from disagreement → education and what's in it for everyone

Partner process is essential – good faith efforts

Face to Face Field Meetings were essential

Encourage up front All-Agency management buy-in in dispute process.

Follow the FFA review and dispute process.

Former location of the

## ALABAMA ARMY AMMUNITION PLANT

also known as Alabama Ordnance Works

During operations from 1941 to 1945, the plant produced millions of pounds of smokeless gunpowder and explosives such as nitrocellulose, TNT, DNT, and Tetryl in support of the World War II effort.

The former plant was placed on the Superfund National Priorities List in 1987.

Information is available at the Childersburg Library. Visit the website below to find out more about land use controls.

[www.childersburg.org/childersburg-industrial-park](http://www.childersburg.org/childersburg-industrial-park)

# Formal Dispute Resolution

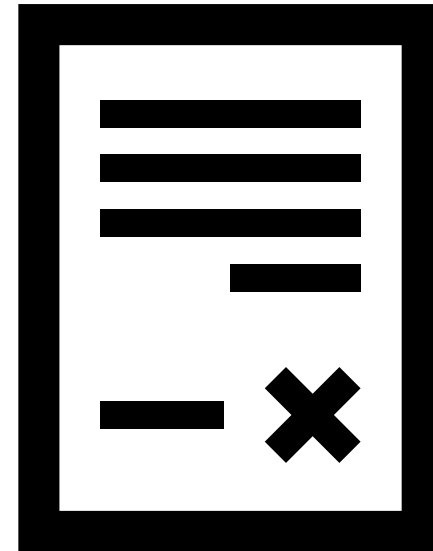
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FEDERAL FACILITIES ENFORCEMENT OFFICE

# Step One:

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Read **YOUR** FFA!



# Elevation: From Informal to Formal Dispute

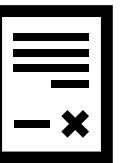
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- ❑ If substantial tangible progress has not been made during informal dispute, then the dispute needs to be elevated to formal dispute
- ❑ The standard timeline for an informal dispute is generally 30 days, but can vary depending on the FFA and the issue.
- ❑ Both formal and informal disputes are anticipated parts of the process—that's why there is a procedure for them in the FFAs. Neither is inherently good or bad and a dispute doesn't mean there has been a failure.
- ❑ Initiating a formal dispute is the appropriate action when no further progress can be made at the informal level

# Principles Memorandum- 2018

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- ❑ EPA's Assistant Administrators for OECA and OLEM issued a Memorandum titled *Principles for Reinforcing Federal Facility Agreement Informal and Formal Dispute Timelines* in Sept. 2018.
  
- ❑ The document describes the following general principles:
  - Disputes can be a normal part of the cleanup process
  - All parties should have a common understanding of dispute resolution procedures and should resolve disputes informally when possible
  - Informal disputes should be elevated when progress has stalled
  
- ❑ Dispute resolution timelines should be followed to the greatest extent practicable, and each party to the FFA has a role in this.



# Questions to Ask Before Formal Dispute

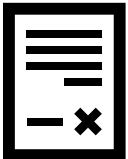
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- Does this issue merit the involvement of upper management?
- Is this a technical issue that is better resolved by subject matter experts and at the team's level?
- Has all flexibility in selecting a path forward been considered?
- Is there a key disagreement on how this dispute would affect selection of a remedy that would be protective of human health and the environment?

# Elevation to Formal Dispute

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If a decision is made to initiate formal dispute, keep in mind:



- ❑ FFAs generally require this to be done in writing:

Example text from Ft. Eustis FFA (model agreement):

20.2 Within thirty (30) days after: (1) issuance of a draft final Primary Document pursuant to Section X – CONSULTATION; or (2) any action that leads to or generates a dispute, the disputing Party shall submit to the DRC a written statement of dispute setting forth the nature of the dispute, the Work affected by the dispute, the disputing Party's position with respect to the dispute and the technical, legal or factual information the disputing Party is relying upon to support its position.

- ❑ This is an opportunity for progress!
  - The party will clarify the dispute and provide its rationale, helping the other party/parties to understand its position

# Step 1: Dispute Resolution Committee (DRC)

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- Generally comprised of:
  - Superfund and Emergency Management Division Director (listed in most FFAs as EPA Waste Management Division Director or equivalent),
  - Federal Facility Manager
  - Official from the **State's Environmental Program**
    - (if the state is a party—see your FFA for details)
  
- The DRC has 21 days (in most FFAs) to unanimously resolve the dispute and issue a written decision which all parties sign. If no resolution, DRC has 7 days to forward to the Senior Executive Committee.

# Step 2:

## The Senior Executive Committee (SEC)

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- ❑ Written statement of dispute forwarded from DRC
- ❑ The SEC is generally a group of senior executives from the parties
- ❑ Generally composed of:
  - EPA Regional Administrator (RA)
  - An appropriate official from the federal agency responsible for the facility
  - The director of the State's environmental program (if applicable)
- ❑ The SEC has 21 days (in most FFAs) to unanimously resolve the dispute and issue a written decision which all parties sign. If there is no resolution the FFAs provide for further actions.

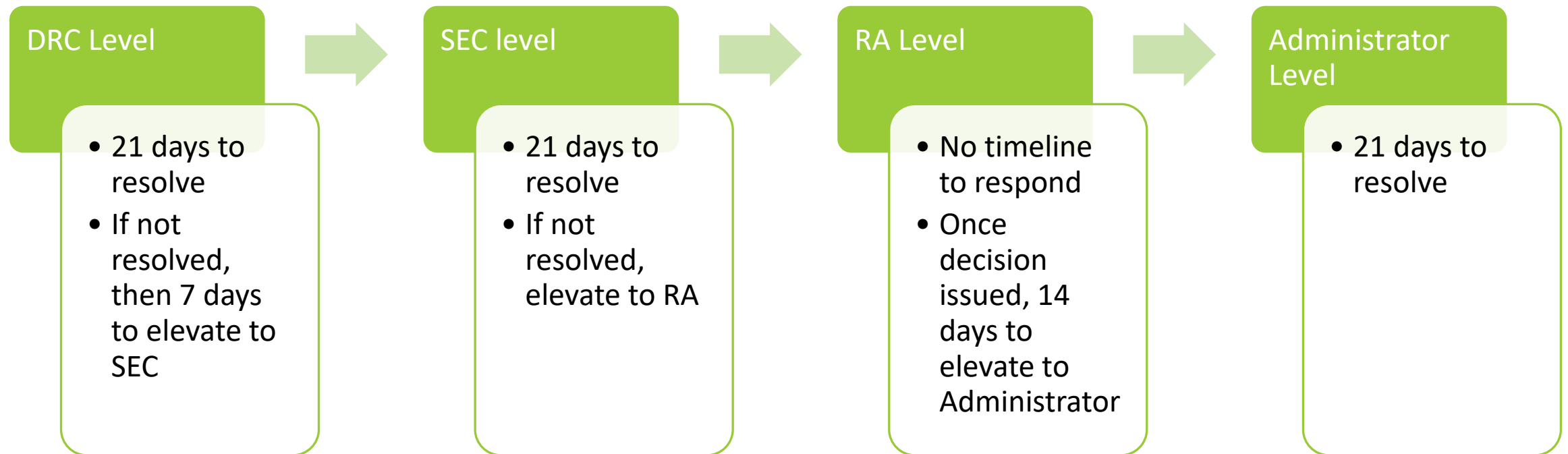
# Steps 3 and 4: EPA Regional Administrator (RA) and Administrator

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- ❑ If the dispute is not resolved by SEC, it goes to the EPA Regional Administrator and the RA issues a written position on the issue
- ❑ If the other parties don't object within 14 days, this becomes the decision
- ❑ EPA Administrator is the final arbiter of a dispute
  - If the RA's decision is opposed by a disputing party(s), then the issue can be raised to the EPA Administrator for a final decision

# Resolution Process Timeline Summary

- ❑ Check the language in your site's FFA and adhere to those timelines to the extent practicable.



# Formal Dispute Examples

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- Some examples of situations where formal dispute occurs:
  - Use of MCLs as cleanup levels (argument over whether groundwater is a potential source of drinking water)
  - Request for extensions to deadlines (argument over if based on good cause)
  - Disagreement on which ARARs should be included in a ROD

# Role of States

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- ❑ States can play a role in the Dispute Resolution Process by:
  - Invoking a formal dispute under language in the FFA (if a party to the FFA)
  - In some FFAs, collecting stipulated penalties as a result of a violation (e.g., Rocky Flats, CO)
  - Making EPA aware of issues that may result in Dispute Resolution
  
- ❑ The affected state is represented at each level of the Dispute Resolution Process (if a party to the FFA)

# Conclusion

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- Read your FFA—it provides direction for resolving issues
- Resolve issues at the project/lowest level when possible
- Promote teamwork
- Prepare to handle disagreement
- Move on to formal dispute if substantive progress is not being made in informal dispute, as appropriate
- Celebrate agreement

# Speaker Contact Information

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# Questions

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 U.S. ENVIRONMENTAL PROTECTION AGENCY

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## Federal Facilities Online Academy: Federal Facility Five-Year Review

*Live Webinar: Wednesday, May 13, 2026,  
1:00PM-3:00PM EDT (17:00-19:00 UTC)*

Sponsored by: U.S. EPA Office of Superfund and Emergency Management (OSEM)

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Description

**Federal Facility Five-Year Review Webinar** is a two-hour webinar course that provides an overview of Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) five-year reviews. By taking this course, participants will achieve the following objectives:

- Understand Five-Year Review purpose and regulatory context
- Learn how to prepare and conduct a five-year review
- Identify the information and data needed to support a protectiveness statement
- Address emerging contaminants and options available to ensure that the federal agencies address these contaminants
- Identify the different scenarios when EPA makes an independent finding of the protectiveness of the remedy
- Learn about similarities and differences between federal and private site five-year reviews

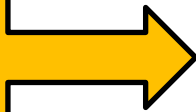
The instructional methodology for this course includes lecture, case studies, and quizzes. There will also be an opportunity for participants to ask questions. The target audience for this course are federal, state, and tribal representatives who work on Federal Facility cleanups. Ideally, students should have a basic understanding the CERCLA process. This course is part of the Federal Facilities Academy training program. Please consider registering for other Federal Facility Academy courses and obtain a certificate upon completion of the entire Federal Facility Academy series (12 courses total).

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