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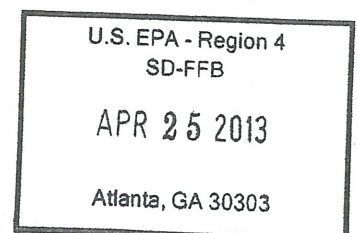
DIVISION OF REMEDIATION

**Dispute Resolution Agreement
For
Formal Dispute Concerning
Oak Ridge Reservation
Federal Facility Agreement
Appendix E and J Milestone Conversion Process**

THIS AGREEMENT resolves the formal dispute among the Department of Energy's Oak Ridge Office of Environmental Management (DOE), the United States Environmental Protection Agency Region 4 (EPA), and the Tennessee Department of Environment and Conservation (TDEC). The dispute, initiated by EPA on October 9, 2012, concerned the automatic conversion of non-enforceable milestones to enforceable milestones as the Fiscal Year (FY) transitioned from FY 2012 to FY 2013.

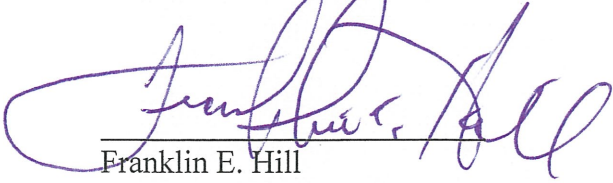
In order to resolve the dispute, the Parties agree:

- When DOE, EPA and TDEC (the Parties) consensus exists on all FY+3 milestones, DOE shall publish the updated Appendix E and J on or soon after October 1 of each year, reflecting this consensus.
- Any Party may propose a change to any FY+3 milestone(s) on or before September 15 per FFA Section XVIII. Upon receipt of the proposal, the other Parties shall make an effort to respond with agreement or disagreement to this proposal prior to October 1. If agreement is reached by all Parties, a revised Appendix E shall be published consistent with the agreement reached. If any Party disagrees with the proposal, then the matter shall be in informal dispute and no update of Appendix E shall be published until resolution of the dispute. If any Party fails to respond to the proposal prior to October 1 the matter shall be in informal dispute and no update of Appendix E shall be published until resolution of the dispute. If agreement is not reached during informal dispute and the informal dispute is not elevated to formal dispute, DOE shall publish an updated Appendix E reflecting all milestones as they existed prior to the proposed change to FY+3 milestones. If the dispute is elevated to a formal dispute, the Party originating the proposal shall be responsible for preparing a written statement of dispute.
- Upon resolution of any dispute initiated over changes to FY+3 milestones, modification procedures provided by Section XLI of the Oak Ridge Reservation Federal Facility Agreement shall be employed to incorporate resultant changes to Appendix E milestones.
- DOE shall not publish an Appendix E or J that does not reflect agreement of all Parties or the resolution of a dispute.
- The FFA Project Managers shall update the operating instructions consistent with this Agreement.



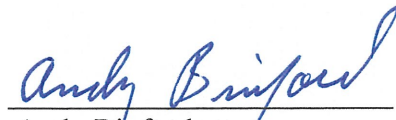
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AGREED, this ___ day of April, 2013.



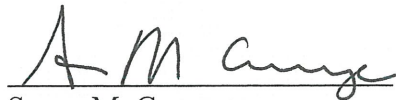
Franklin E. Hill
Director, Superfund Division
U.S. Environmental Protection
Agency

4/25/13
Date



Andy Binford
Director, Division of Remediation
Bureau of Environment
TN Department of Environment & Conservation

04/19/2013
Date



Susan M. Cange
Deputy Manager
Oak Ridge Office of
Environmental Management
U.S. Department of Energy

04/15/13
Date

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Superfund Division
APR 24 2013
Immediate Office