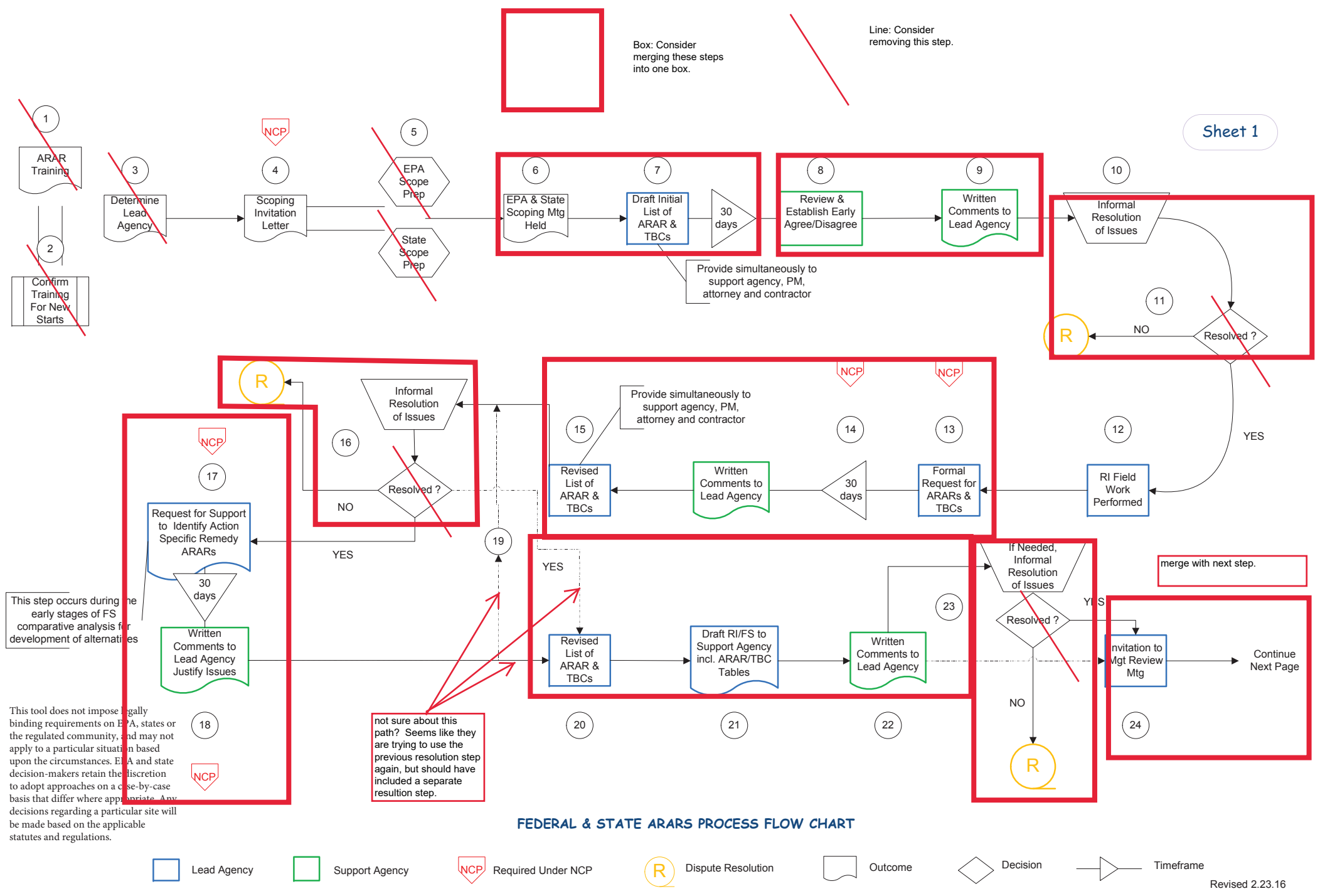
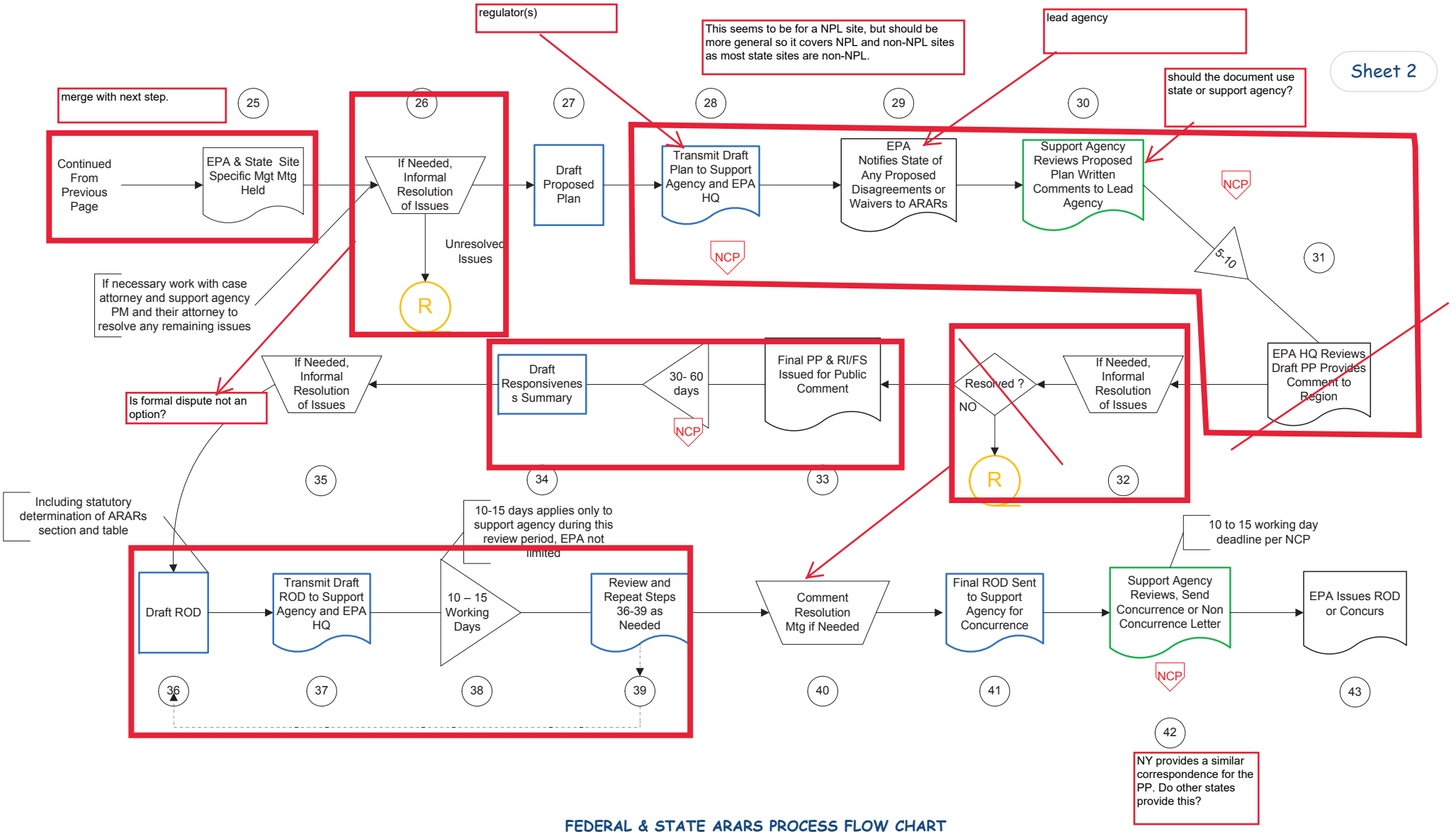

Box: Consider merging these steps into one box.
Line: Consider removing this step.
Sheet 1
1
ARAR Training
2
Confirm Training For New Starts
3
Determine Lead Agency
NCP
4
Scoping Invitation Letter
5
EPA Scope Prep
State Scope Prep
6
EPA & State Scoping Mtg Held
7
Draft Initial List of ARAR & TBCs
30 days
Provide simultaneously to support agency, PM, attorney and contractor
8
Review & Establish Early Agree/Disagree
9
Written Comments to Lead Agency
10
Informal Resolution of Issues
11
Resolved ?
NO
R
YES
12
RI Field Work Performed
13
Formal Request for ARARs & TBCs
14
30 days
Written Comments to Lead Agency
15
Revised List of ARAR & TBCs
Provide simultaneously to support agency, PM, attorney and contractor
16
Informal Resolution of Issues
Resolved ?
NO
R
YES
17
Request for Support to Identify Action Specific Remedy ARARs
30 days
Written Comments to Lead Agency Justify Issues
18
19
YES
20
Revised List of ARAR & TBCs
21
Draft RI/FS to Support Agency incl. ARAR/TBC Tables
22
Written Comments to Lead Agency
23
If Needed, Informal Resolution of Issues
Resolved ?
NO
R
YES
24
Invitation to Mgt Review Mtg
Continue Next Page
merge with next step.
This step occurs during the early stages of FS comparative analysis for development of alternatives
not sure about this path? Seems like they are trying to use the previous resolution step again, but should have included a separate resultion step.
This tool does not impose legally binding requirements on EPA, states or the regulated community, and may not apply to a particular situation based upon the circumstances. EPA and state decision-makers retain the discretion to adopt approaches on a case-by-case basis that differ where appropriate. Any decisions regarding a particular site will be made based on the applicable statutes and regulations.
FEDERAL & STATE ARARS PROCESS FLOW CHART
Lead Agency
Support Agency
NCP
Required Under NCP
R
Dispute Resolution
Outcome
Decision
Timeframe
Revised 2.23.16


Sheet 2
regulator(s)
This seems to be for a NPL site, but should be more general so it covers NPL and non-NPL sites as most state sites are non-NPL.
lead agency
should the document use state or support agency?
merge with next step.
25
26
27
28
29
30
Continued From Previous Page
EPA & State Site Specific Mgt Mtg Held
If Needed, Informal Resolution of Issues
Unresolved Issues
R
Draft Proposed Plan
Transmit Draft Plan to Support Agency and EPA HQ
NCP
EPA Notifies State of Any Proposed Disagreements or Waivers to ARARs
Support Agency Reviews Proposed Plan Written Comments to Lead Agency
NCP
5-10
31
EPA HQ Reviews Draft PP Provides Comment to Region
If necessary work with case attorney and support agency PM and their attorney to resolve any remaining issues
Resolved ?
NO
R
32
If Needed, Informal Resolution of Issues
Final PP & RI/FS Issued for Public Comment
33
30- 60 days
NCP
Draft Responsiveness Summary
34
If Needed, Informal Resolution of Issues
Is formal dispute not an option?
35
Including statutory determination of ARARs section and table
10-15 days applies only to support agency during this review period, EPA not limited
Draft ROD
Transmit Draft ROD to Support Agency and EPA HQ
10 – 15 Working Days
Review and Repeat Steps 36-39 as Needed
36
37
38
39
Comment Resolution Mtg if Needed
40
Final ROD Sent to Support Agency for Concurrence
41
10 to 15 working day deadline per NCP
Support Agency Reviews, Send Concurrence or Non Concurrence Letter
NCP
42
NY provides a similar correspondence for the PP. Do other states provide this?
EPA Issues ROD or Concurs
43
FEDERAL & STATE ARARS PROCESS FLOW CHART
Lead Agency
Support Agency
NCP
Required Under NCP
R
Dispute Resolution
Outcome
Decision
Timeframe
Revised 2.23.16