



OFFICE OF MISSION SUPPORT

WASHINGTON, D.C. 20460

October 23, 2025

MEMORANDUM

SUBJECT: Update on Dispute of EPA Assistance Agreement 5H-84092901 under 2 CFR 200.340

FROM: Michael D. Molina, Principal Deputy Assistant Administrator
Grants Dispute Decision Official

TO: Janine Benner, Director
Oregon Department of Energy

The purpose of this letter is to provide a status update on your dispute regarding the termination of Assistance Agreement 5H-84092901. The assistance agreement was terminated by the U.S. Environmental Protection Agency (EPA) effective August 7, 2025, and your dispute was submitted on August 28, 2025. The EPA has rendered this administrative dispute as moot, given that there is a current lawsuit in place regarding the validity of the termination of your assistance agreement.

The initiation of legal proceedings supersedes the internal EPA dispute resolution processes. Given that you are party to a lawsuit concerning the termination of your grant, any further action on your dispute is now moot and will not be addressed by a Disputes Decision Official decision under 2 CFR 1500.17. Accordingly, EPA will adhere to all legal obligations and cooperate fully with the court proceedings.

The requirements on post-closeout adjustments and continuing responsibilities, including audit and record retention requirements, at 2 CFR 200.345 remain in effect.

Sincerely,

Michael D. Molina, Principal Deputy Assistant Administrator
Office of Mission Support
U.S. Environmental Protection Agency