

UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY  
  
BEFORE THE ADMINISTRATOR

In the Matter of	)	
	)	
Kmart Corporation,	)	Docket No. RCRA-02-2009-7147
	)	
	)	
Respondent	)	

Order Of Designation

Administrative Law Judge Barbara A. Gunning, U.S. Environmental Protection Agency, Washington, D.C., is hereby designated as the Administrative Law Judge to preside in this proceeding under Section 3008 of the Solid Waste Disposal Act, as amended, 42 U.S.C. § 6928 and pursuant to the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation or Suspension of Permits, 40 CFR Part 22.



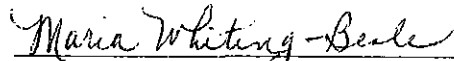
\_\_\_\_\_  
Susan L. Biro  
Chief Administrative Law Judge

Dated: April 21, 2010  
Washington, D.C.

In the Matter of Kmart Corporation, Respondent  
Docket No. RCRA-02-2009-7147

CERTIFICATE OF SERVICE

I certify that the foregoing **Order Of Designation**, dated April 21, 2010, was sent this day in the following manner to the addressees listed below.

  
\_\_\_\_\_  
Maria Whitlog-Beale  
Staff Assistant

Dated: April 21, 2010

Original And One Copy By Pouch Mail To:

Karen Maples  
Regional Hearing Clerk  
U.S. EPA  
290 Broadway, 16<sup>th</sup> Floor  
New York, NY 10007-1866

Copy By Regular Mail To:

Lourdes del Carmen Rodriguez, Esquire  
Office of Regional Counsel  
U.S. EPA  
Centro Europa Building, Suite 417  
1492 Ponce de Leon Avenue  
San Juan, PR 00907-1417

Christopher J. Neumann, Esquire  
Gregory R. Tan, Esquire  
Greenberg Traurig, LLP  
1200 Seventeenth Street, Suite 2400  
Denver, CO 80202