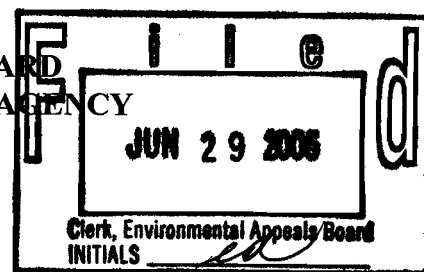


**BEFORE THE ENVIRONMENTAL APPEALS BOARD
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C.**



In re:)
)
)

General Motors Automotive – North America)

RCRA (3008) Appeal No. 06-02

Docket No. RCRA-05-2004-0001)
)
)

**ORDER GRANTING SECOND MOTION
FOR EXTENSION OF TIME TO FILE RESPONSE**

By motion filed June 28, 2006, counsel for Region V of the U.S. Environmental Protection Agency (“EPA”), Complainant-Appellee in the above-captioned case, seeks a second extension of time to file a response to Respondent-Appellant General Motors Automotive – North America’s (“GM”) notice of appeal and appellate brief, filed with the Environmental Appeals Board on April 26, 2006, and May 19, 2006, respectively. At present, Region V’s response brief is due on Monday, July 10, 2006.

The Region previously sought a thirty-day extension of time to file a response (which the Board granted) because, in its view, GM had raised a number of issues of national significance in its appeal and thus the Region would like to discuss these issues with EPA headquarters and coordinate a response. The Region now seeks an additional fourteen days to file its response brief, citing recent severe flooding in the Washington, D.C., area, as well as the Fourth of July holiday, as reasons headquarters staff have been or will be unavailable for consultation on this matter. The Region therefore asks for an extension until Monday, July 24, 2006, to file its response. The Region reports that it discussed this request for an extension with counsel for GM, who represented that GM has no objection to the Board’s granting of the request.

In light of Region V's desire to consult with EPA headquarters staff to respond to the pending appeal, and recognizing the limited availability of some staff as a result of the flooding and the federal holiday, we hereby **GRANT** the motion for good cause shown. Region V must file its response to the appeal in this case on or before Monday, July 24, 2006.

So ordered.

ENVIRONMENTAL APPEALS BOARD

Dated: 6/29/06

By: Kathie A. Stein
Kathie A. Stein
Environmental Appeals Judge

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing Order Granting Second Motion for Extension of Time to File Response in the matter of General Motors Automotive – North America, RCRA (3008) Appeal No. 06-02, were sent to the following persons in the manner indicated:

By Facsimile and First Class Mail:

Robert J. Martineau, Jr., Esq.
Edward M. Callaway, Esq.
Michelle B. Walker, Esq.
Waller Lansden Dortch & Davis, L.L.P.
511 Union Street, Suite 2700
Nashville, Tennessee 37219-8966
telephone: (615) 244-6380
facsimile: (615) 244-6804

John Kyle III, Esq.
Michael T. Scanlon, Esq.
Barnes & Thornburg, L.L.P.
11 South Meridian Street
Indianapolis, Indiana 46204
telephone: (317) 236-1313
facsimile: (317) 231-7433

Michelle T. Fisher, Esq.
General Motors Corporation
300 Renaissance Center
Post Office Box 300
Detroit, Michigan 48265-3000
telephone: (586) 575-4053
facsimile: (586) 575-2207

By Facsimile and EPA Pouch Mail:

Karen L. Peaceman
Associate Regional Counsel
U.S. Environmental Protection Agency, Region V
77 West Jackson Boulevard
Chicago, Illinois 60604-3590
telephone: (312) 353-5751
facsimile: (312) 886-7160

Date: JUN 30 2006


Annette Duncan
Secretary