

BEFORE THE ENVIRONMENTAL APPEALS BOARD

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C.

IN THE MATTER OF: )

Kmart Holding Corporation )  
doing business as Kmart Corporation )  
3100 West Big Beaver )  
Troy, MI 48084 )

Docket No. HQ-2006-6001

Respondent )


**FINAL ORDER**

Whereas, Complainant, the United States Environmental Protection Agency, and Respondent, Kmart Holding Corporation doing business as Kmart Corporation, the Parties herein, represented by counsel, have consented to the entry of this Final Order, and agree to comply with the Consent Agreement signed by the parties and incorporated herein; and

Whereas, EPA caused a Notice for Public Comment on the proposed issuance of this Final Order to be published in the Federal Register on October 3, 2006, as required by the Clean Water Act § 309(g)(4), 33 U.S.C. § 1319(g)(4) and § 311(b)(6), 33 U.S.C. § 1321(b)(6), the public notice and comment period required has closed, and no comments were received;

The Consent Agreement is hereby approved and incorporated by reference into this Final Order. The Respondent is hereby ordered to comply with the terms of the Consent Agreement, effective immediately.

SO ORDERED

By:   
Date: 5/2/07  
Environmental Appeals Judge  
Environmental Appeals Board  
U.S. EPA

## CERTIFICATE OF SERVICE

I hereby certify that copies of the Final Order *in the Matter of Kmart Holding Company doing business as Kmart Corporation*, Docket Nos. CWA-HQ-2006-6001, RCRA-HQ-2006-6001, and EPCRA-HQ-2006-6001, were sent to the following persons in the manner indicated:

By Certified Mail:

Joan B. Sasine  
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Fourteenth Floor  
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Atlanta, Georgia 30309-3488

Dated: MAY - 8 2007

  
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Signature