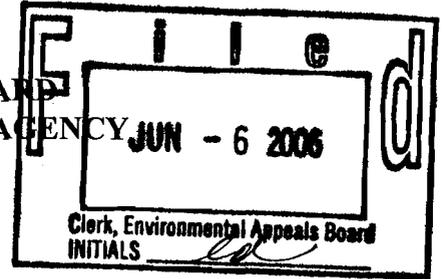


BEFORE THE ENVIRONMENTAL APPEALS BOARD
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C.



In re:)

General Motors Automotive – North America)

Docket No. RCRA-05-2004-0001)

RCRA (3008) Appeal No. 06-02

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

By motion filed June 5, 2006, counsel for Region V of the U.S. Environmental Protection Agency (“EPA”), Complainant-Appellee in the above-captioned case, seeks an 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. Pursuant to 40 C.F.R. § 22.30(a)(2), Region V’s response brief is currently due on Thursday, June 8, 2006.

The Region seeks an extension of time because, in its view, GM has raised a number of issues of national significance in its appeal. According to the Region, the resolution of these issues may have a “significant impact” on EPA’s conduct of administrative enforcement actions throughout the Nation. The Region reports that it will need to consult with EPA headquarters employees about the issues raised in the appeal and asks for an extension until Monday, July 10, 2006, to file its response.

The Region discussed with GM the concept of an extension of time to file a response in this case and learned that GM has no objection to the Region receiving a fifteen-day extension of time to respond. The Region reasserts its request for an extension until July 10, 2006, however, in light of the complexity of the issues presented in this appeal, their national significance, and

the fact that both the Memorial and Independence Day federal holidays fall within the extension period. The Region contends that the extra two-week-plus delay should not result in any prejudice to GM.

In light of Region V's need 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 federal holidays, we hereby **GRANT** the motion for good cause shown. We have no reason to believe that the additional response time granted in this Order will prejudice GM in any way. Region V therefore must file its response to the appeal in this case on or before Monday, July 10, 2006.

So ordered.

ENVIRONMENTAL APPEALS BOARD

Dated: 6/6/06

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

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing Order Granting 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:

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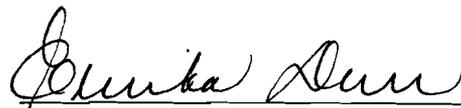
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