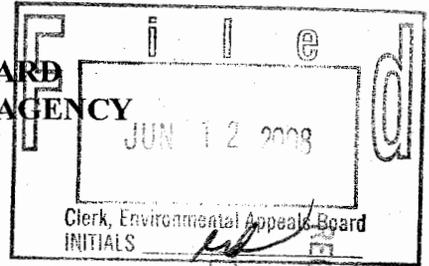


BEFORE THE ENVIRONMENTAL APPEALS BOARD
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C.



In re:)
)
)
General Motors Automotive – North America)
)
)
Docket No. RCRA-05-2004-0001)
)
)

RCRA (3008) Appeal No. 06-02

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**ORDER ESTABLISHING REVIEW PERIOD
FOR REMAND ORDER**

Today, June 12, 2008, the Environmental Appeals Board (“Board”) is issuing a Remand Order in the above-captioned case. The Board is serving the Remand Order on counsel for General Motors Corporation, appellant/respondent, and counsel for U.S. EPA Region 5, appellee/complainant, via overnight delivery service. The Board’s general practice is to publish Board decisions such as the Remand Order on the Internet (in the Board’s Decisions file, available at http://yosemite.epa.gov/oa/EAB_Web_Docket.nsf/Board+Decisions), simultaneously with our service of the decisions, so that the decisions can be referenced and cited as appropriate by members of the general public. The Board believes that the Remand Order does not contain any information GM claims to constitute confidential business information (“CBI”). Nonetheless, by this order, the Board is taking additional steps to assure that no CBI is inadvertently included in the Remand Order.

Accordingly, to ensure the safety and preservation of any material GM claims to be CBI, the Board hereby offers a ten-day period of time – running from GM’s expected receipt of the Remand Order on Friday, June 13, 2008, through close of business on Monday, June 23, 2008 – for GM to examine the Remand Order and determine whether, in GM’s view, CBI is or is not

present in the decision. GM may choose to notify the Board by the end of this time period that the Remand Order is free of CBI, or GM may choose not to contact the Board. In either of these two cases, the Board will go forward with publishing the Remand Order on its website on or after Tuesday, June 24, 2008. Alternatively, if GM believes that CBI is present in the Remand Order, GM must, by close of business on **Monday, June 23, 2008**, notify the Board of this fact in writing and identify those portions of the Remand Order that in its view need to be redacted. The Board will take steps, in this latter case, to redact the identified CBI, as appropriate, reissue the Remand Order as so modified, and publish any such reissued Remand Order on its website.

So ordered.

ENVIRONMENTAL APPEALS BOARD

Dated:

June 12, 2008

By:

Kathie A. Stein

Kathie A. Stein

Environmental Appeals Judge

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing **Order Establishing Review Period for Remand Order** 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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By Certified Mail, Return Receipt Requested:

Judge Barbara A. Gunning
Office of Administrative Law Judges
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Mail Code 1900L
Washington, D.C. 20460-0001

JUN 12 2008

Date: _____

A handwritten signature in cursive script, appearing to read "Annette Duncan", written over a horizontal line.

Annette Duncan
Secretary