

**ATTORNEY GENERAL OF THE COMMONWEALTH OF MASSACHUSETTS AND THE  
MASSACHUSETTS DEPARTMENT OF ENVIRONMENTAL PROTECTION AND  
ATTORNEYS GENERAL OF THE STATES OF ILLINOIS, LOUISIANA, MARYLAND, AND  
VERMONT AND THE CALIFORNIA DEPARTMENT OF TOXIC SUBSTANCES CONTROL,  
THE MINNESOTA POLLUTION CONTROL AGENCY, THE NEW YORK DEPARTMENT  
OF ENVIRONMENTAL CONSERVATION, AND THE WISCONSIN DEPARTMENT OF  
NATURAL RESOURCES**

January 28, 2011

Daniel F. Akerson, Chairman and CEO  
Michael J. Robinson, Vice President of  
Environment, Energy and Safety Policy  
General Motors LLC  
300 Renaissance Center  
Detroit, MI 48265-3000

Re: National Vehicle Mercury Switch Recovery Program (NVMSRP) and  
End of Life Vehicle Solutions (ELVS)

Dear Messrs. Akerson and Robinson:

On November 23, 2009, on behalf of General Motors LLC (“GM LLC” or “New GM”), you informed the New England Governors’ Conference, Inc., that: “we are willing to consider supporting ELVS and NVMSRP once MLC [“Motors Liquidation Company” or “Old GM”] is no longer under the protection of the Bankruptcy Court.” You further stated that: “At that time, we will approach ELVS and NVMSRP to discuss the prospective involvement of GM LLC going forward, including the terms and process for voluntarily paying invoices for General Motors Corporation mercury switches.”

As Attorney General of the Commonwealth of Massachusetts and Commissioner of the Massachusetts Department of Environmental Protection, and joined by Attorneys General or agency heads from the States of California, Illinois, Louisiana, Maryland, Minnesota, New York, Vermont, and Wisconsin, we write today to request that New GM immediately commit to such funding. This letter explains why New GM’s participation in the NVMSRP is warranted, appropriate and should not be delayed.

Massachusetts is one of 15 so-called “legislated states,” which have statutes mandating that automobile manufacturers fund the collection and recycling of mercury switches from “end-of-life vehicles.” As you know, since its creation in 2006, the NVMSRP – a voluntary partnership of automobile manufacturers and others working cooperatively – is the national, coordinated program that automobile manufacturers have been using to comply with such requirements in the legislated states and in other states with voluntary mercury-switch collection programs.

Collecting and recycling of mercury switches from end-of-life vehicles is *the most cost-effective method* to prevent mercury from being emitted into the environment and posing significant

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risks of harm to human health. Through early January 2011, under the NVMSRP, over 3.48 million switches have been collected and recycled, which represent about 7,650 pounds of mercury having been diverted from the waste stream, much of which otherwise would have been emitted into the environment. These switches have been collected at over 9,000 participating facilities in 49 states.

We believe New GM has a corporate responsibility, arising out of fairness, equity and common business sense, to participate in NVMSRP. This voluntary program has proven to be highly successful and efficient both economically and environmentally. New GM has benefited from billions of dollars of taxpayer money and the government-funded Cash for Clunkers program, which stimulated sales of New GM vehicles by drawing more autos into end-of-life-status.

Additionally, because the NVMSRP is set to expire in 2017 when most of the mercury-containing vehicles are expected to be off the road, New GM's financial commitment will be relatively limited. For example, even if the program immediately starts operating at the widely-accepted, theoretical program goal – which is roughly three times higher than historic levels – then the upper-end cost estimate of New GM's participation during 2011 to 2017 would be no more than \$2.2 million per year.

Finally, we note that New GM has acknowledged its corporate responsibility with regard to the environment, stating on its website: "When our vehicles reach the end of their useful life for their owners, we want to ensure that what happens to those vehicles is responsible for the environment." <http://www.gm.com/corporate/responsibility/environment/recycling/index.jsp>. Certainly, the public would take this representation to apply to cars manufactured by New and Old GM.

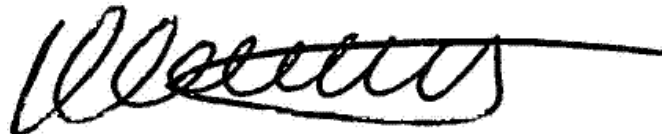
We request New GM inform us of its decision regarding participation in NVMSRP no later than February 4, 2011. Otherwise, states', MLC's and judicial resources will be unnecessarily wasted. If you have any questions, please contact Massachusetts Assistant Attorney General Carol Iancu at 617.963.2428 or [carol.iancu@state.ma.us](mailto:carol.iancu@state.ma.us).

Thank you for your attention to this matter.

Sincerely,



Martha Coakley  
Attorney General of the  
Commonwealth of Massachusetts

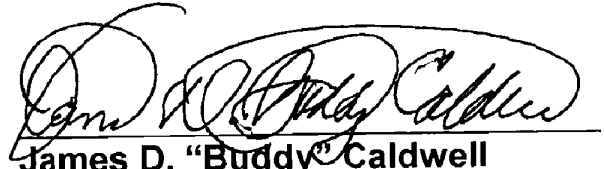


Kenneth L. Kimmell  
Commissioner of the Massachusetts Department  
of Environmental Protection

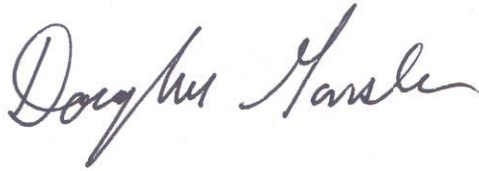
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Acting Commissioner, New York Department of  
Environmental Conservation

Cathy Stepp  
Secretary, Wisconsin Department of Natural  
Resources

cc: Ron Bloom, U.S. Department of Treasury  
Albert Koch, President and CEO, Motors Liquidation Company