



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

AUG 25 2015

OFFICE OF
AIR AND RADIATION

Mr. Jeff Ruch
PEER
200 P Street, N.W.; Suite 240
Washington, D.C. 20036

Re: Freedom of Information Act Request EPA-HQ-2015-007535

Dear Mr. Ruch:

I am writing in regards to the above-referenced Freedom of Information Act (FOIA) request that was submitted to the U.S. Environmental Protection Agency ("EPA" or "Agency") on May 29, 2015, in which you requested information relating to EPA's in-use emissions testing for heavy-duty engines and vehicles.

EPA is providing some records in full that are responsive to your request, which includes 1Hz data from manufacturers who have tested vehicles under the in-use program. EPA is also withholding some information in certain columns of the data which is claimed as confidential business information (CBI) and may contain trade secrets or commercial or financial information that is exempt from disclosure under 5 U.S.C. § 552(b)(4). This amounts to only a few columns. The enclosed Data Elements spreadsheet show highlighted/marked items which are CBI. On the "Test Info" tab, the Data Element Names shown in red font are CBI and are not included in the 1Hz data (see Disk 2). Also enclosed is an index of withholdings which provides further information concerning the withheld records.

The information withheld under Exemption 4 will be sent to the appropriate legal office to issue a final confidentiality determination. Please respond within 14 calendar days to confirm your continued interest in receiving a final confidentiality determination on the Exemption 4, withheld information. If EPA does not receive a timely confirmation, then EPA will consider your request for the exemption 4 information to be voluntarily withdrawn and close this file. After you confirm your continued interest, the legal office will issue a final confidentiality determination and notify you whether the information qualifies for confidential treatment or may be released.

As noted above, the information withheld under Exemption 4 will be sent to the appropriate legal office to issue a final confidentiality determination. Therefore, you do not need to appeal the information withheld pursuant to Exemption 4. To the extent you would like to appeal any other issue, including any non-Exemption 4 withholding, you may appeal this response to the National Freedom of Information Officer, U.S. EPA, FOIA and Privacy Branch, 1200 Pennsylvania Avenue, N.W. (2822T), Washington, DC 20460 (U.S. Postal Service Only), E-mail: hq.foia@epa.gov. Only items mailed through the United

States Postal Service may be delivered to 1200 Pennsylvania Avenue, NW. If you are submitting your appeal via hand delivery, courier service or overnight delivery, you must address your correspondence to 1301 Constitution Avenue, N.W., Room 6416J, Washington, DC 20001. Your appeal must be made in writing, and it must be submitted no later than 30 calendar days from the date of this letter. The Agency will not consider appeals received after the 30 calendar day limit. The appeal letter should include the FOIA number listed above. For quickest possible handling, the appeal letter and its envelope should be marked "Freedom of Information Act Appeal."

Sincerely,

A handwritten signature in black ink, appearing to read "Byron J. Bunker", written in a cursive style.

Byron J. Bunker, Director
Compliance Division
Office of Transportation and Air Quality

Enclosure

Index of Withholdings

Trailer ID
Engine rated speed from manufacturer's application
Engine horsepower (HP) " " "
Maximum HP from engine map
Speed at maximum HP from engine map
Maximum load from engine map
Speed at maximum load from engine map
"N-Low" value
"N-High" value
"15% ESC speed" value
Engine map speed/load points
Minimum BSFC value for the engine
Product of 1.05 x BSFCmin
Maintenance history
Vehicle usage history
Geographic latitude values recorded during the test
" longitude "
Values of the following items recorded during the test:
-load
-engine speed
-MPG
-BSFC

Description of vehicle recruiting procedures