UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 6
1445 ROSS AVENUE, SUITE 1200
DALLAS, TEXAS 75202-2733

ATTACHMENT 1
Notice and Opportunity to Comment
Pursuant to 40 C.F.R. § 2.204(e)

BY ~~PERSONAL~~ E-MAIL DELIVERY ON 1/21/2014 (*date*)

Received by:

Name and Title of facility Responsible Official* (print):
Company/Facility Name: DuPont/La Porte Plant
Mailing Address: P.O. Box 347 La Porte, TX 77572

Upon receipt, please sign below and return a copy to the waiting EPA inspector.

_____
Signature of Responsible Official

Pursuant to 40 C.F.R. Part 2, Subpart B, the U.S. Environmental Protection Agency ("EPA" or "Agency") is seeking to determine the entitlement to confidential treatment of the information you claimed on the attached confidentiality notice form as being business confidential and that you submitted to the Agency during the subject inspection. You have claimed all or part of this information as confidential business information ("CBI").

The EPA Office of Regional Counsel will be making a final confidentiality determination concerning this information. If you feel that some or all of the above information is entitled to confidential treatment, please specify which portions of the information you consider confidential. Please be specific by page, paragraph, and sentence when identifying the information subject to your claim. Any information not specifically identified as subject to a confidentiality claim will be disclosed to the public without further notice to you. In accordance with 40 C.F.R. § 2.204(e), please answer the following questions, giving as much detail as possible, for each item or class of information that you identify as being subject to your claim:

1. What specific portions of the information do you allege to be entitled to confidential treatment? For what period of time do you request that the information be maintained as confidential, *e.g.*, until a certain date, until the occurrence of a specified event, or permanently? If the occurrence of a specific event will eliminate the need for confidentiality, please specify that event.

* Responsible Official refers to a facility representative with the knowledge to make a confidentiality claim.

2. Information submitted to EPA becomes stale over time. Why should the information you claim as confidential be protected for the time period specified in your answer to question #1?

3. What measures have you taken to protect the information claimed as confidential? Have you disclosed the information to anyone other than a governmental body or someone who is bound by an agreement not to disclose the information further? If so, why should the information still be considered confidential?

4. Is the information contained in any publicly available material such as the Internet, publicly available databases, promotional publications, annual reports, or articles? Is there any means by which a member of the public could obtain access to the information? Is the information of a kind that you would customarily not release to the public?

5. Has any governmental body made a determination as to the confidentiality of the information? If so, please attach a copy of the determination.

6. For each category of information claimed as confidential, explain with specificity why release of the information is likely to cause substantial harm to your competitive position. Explain the specific nature of those harmful effects, why they should be viewed as substantial, and the causal relationship between disclosure and such harmful effects. How could your competitors make use of this information to your detriment?

7. Do you assert that the information is submitted on a voluntary or a mandatory basis? Please explain the reason for your assertion. If you assert that the information is voluntarily submitted information, explain whether and why disclosure of the information would tend to lessen the availability to EPA of similar information in the future.

8. If you believe any information to be (a) trade secret(s), please so state and explain the reason for your belief. Please attach copies of those pages with brackets around the text that you claim to be (a) trade secret(s).

9. Any other issue you deem relevant, including, where applicable, reasons why you believe that the information you claim to be CBI is *not* emission data, information collected under section 211(b)(2)(A) of the Clean Air Act, effluent data, a standard or limitation, or information dealing with the existence, absence, or level of contaminants in drinking water. You may refer to 40 C.F.R. §§ 2.301-2.311 for discussion of certain types of information not eligible for confidential treatment.

Please note that you bear the burden of substantiating your confidentiality claims. Conclusory allegations will be given little or no weight in the determination. If you wish to claim any of the information in your response as confidential, you must mark the response **"CONFIDENTIAL"** or with a similar designation, and must bracket all text so claimed. Information so designated will be disclosed by EPA only to the extent allowed by, and by means of the procedures set forth in, 40 C.F.R. Part 2, Subpart B. If you fail to claim the information as confidential, it may be made available to the public without further notice to you.

Your comments must be postmarked or hand delivered to the EPA Region 6 office **by the 15th working day** after your receipt of this notice. The comments should be sent to the office in a double envelope. The outside envelope should bear the address of the EPA Regional Office and the name of the Air Enforcement Document Control Officer (DCO). The inside envelope should be clearly marked "To Be Opened Only by the Air Enforcement Document Control Officer." The address for the outside envelope is:

Janet Adams (6EN-AT)
U.S. EPA Region 6
1445 Ross Avenue, Suite 1200
Dallas, TX 75202-2733

Alternatively, your comments can be e-mailed to Janet Adams at adams.janet@epa.gov. You may seek an extension of time to submit your comments to this office, but the request must be made before the end of the 15-day period. Except in extraordinary circumstances, no extension will be approved. Failure to submit your comments within that time will be regarded as a waiver of your confidentiality claim or claims, and EPA may release the information. Should you have any questions concerning this matter, please call me at (214) 665-6739.

Dave Hensley
Inspector, EPA Region 6