UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105

MAR 1 2 2013

Certified Mail
Return Receipt Requested

Daniel Johansen
Rancho LPG Holdings LLC
2110 North Gaffey Street
San Pedro, California 90731

Re: EPA-R9-2013-003680
CBI Substantiation of Feb. 8, 2013 Submission

Dear Mr. Johansen:

The Environmental Protection Agency ("EPA") has received a request under the Freedom of Information Act (FOIA) that would include the February 8, 2013 submission from Rancho LPG Holdings ("Rancho LPG") to the EPA. Rancho LPG has asserted a business confidentiality claim covering this submission and all of its attachments. In accordance with EPA's FOIA regulations (40 C.F.R. Part 2), the request has been initially denied to afford you an opportunity to substantiate your claim before a final determination is made. Because of its size, a copy of the February 8, 2013 submission is not enclosed. EPA will make available a copy of the document at your request.

This letter is to notify you that the EPA 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 requestor without further notice to you. For each item or class of information that you identify as being subject to your claim, please answer the following questions:

1. For what period of time do you request that the information be maintained as confidential? If the occurrence of a specific event will eliminate the need for confidentiality, please specify that event.

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

5. Is the information contained in any publicly available material such as promotional publications, annual reports, articles, etc.? Is there any means by which a member of the public could obtain access to the information?

6. For each category of information claimed as confidential, discuss with specificity why release of the information is likely to cause substantial harm to your competitive position. Explain the 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 "voluntarily submitted" as defined at 40 C.F.R. § 2.201(i)? If so, explain why, and how disclosure would tend to lessen EPA's ability to obtain similar information in the future.

8. Any other issue you deem relevant.

Please note that you bear the burden of substantiating your confidentiality claim pursuant to 40 C.F.R. § 2.208(e). Conclusory allegations will be given little or no weight in EPA's determination.

If you wish to claim any of the information in your response also to be 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 CFR Part 2. If you fail to claim the information as confidential on submission it may be made available to the public without further

notice to you.

Your comments must be postmarked or hand delivered to this office by the 15th working day after your receipt of this letter. You may seek an extension of time to submit your comments. You must direct a request for time extension to EPA (copy to me) before the end of the 15-day period. Except in extraordinary circumstances, no extension will be made without the permission of the requestor. Failure to submit your comments within that time will be regarded as a waiver of your confidentiality claim, and EPA will be free to release the information.

Should you have any questions in this matter, please call me at (415) 972-3904.

Sincerely,

J. Andrew Helmlinger
Attorney Advisor
Office of Regional Counsel

cc: Mary Wesling, EPA