



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
NATIONAL VEHICLE AND FUEL EMISSIONS LABORATORY
2565 PLYMOUTH ROAD
ANN ARBOR, MICHIGAN 48105-2498

JUN 17 2015

OFFICE OF
AIR AND RADIATION

Mr. Michael G. Cosby
PAKIS, GOTES, PAGE & BURLESON, P.C.
400 Austin Avenue, Suite 400
P.O. Box 58
Waco, Texas 76703-0058

Re: Freedom of Information Act Request No. EPA-HQ-2015-006063

Dear Mr. Cosby:

This letter is in reference to your Freedom of Information Act (FOIA) request received by the U.S. Environmental Protection Agency on April 10, 2015, in which you requested records relating to documents reflecting the status of the requests of Federal Signal and Alamo Group Technical/Engineering hardships submitted to EPA on June 9, 2014.

The Office of Transportation and Air Quality has concluded its search for records responsive to your request. The records you requested are being withheld pursuant to 5 U.S.C. § 552(b)(4) as confidential business information.

I have determined that the records responsive to your request have been claimed confidential and may contain trade secrets or commercial or financial information which is exempt from disclosure under 5 U.S.C. § 552(b)(4). Pursuant to 40 C.F.R. § 2.204(d)(1), your request is being initially denied because further inquiry by EPA is required before a final determination can be made. We will consult with the third parties in connection with their business confidentiality claim(s) covering these records and EPA's Office of General Counsel will issue a final confidentiality determination.

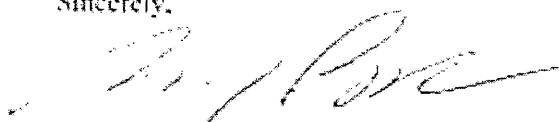
The attached index of withholdings provides further information concerning the withheld records. There is no charge for this information as allowed under the provisions of the Freedom of Information Act, when such charges are less than \$14.00.

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. Once the legal office issues a final confidentiality determination, EPA will notify you whether the information qualifies for confidential treatment or may be released. To the extent you would like to appeal any other issue, including any non-Exemption-4 withholdings, you may appeal this denial response to the National Freedom of Information Officer, U.S. EPA, FOIA and Privacy Branch, 1200

Pennsylvania Avenue, N.W. (2822T), Washington, D.C. 20460 (U.S. Postal Service Only).
FAX: (202) 566-2147, E-mail: hq.foia@epa.gov. Only items mailed through the United States Postal Service may be delivered to 1200 Pennsylvania Avenue, N.W. 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, D.C. 20004. 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 clearly identify the determination being appealed, including the assigned FOIA request number shown above. For quickest possible handling, the appeal letter and its envelope should be marked "**Freedom of Information Act Appeal.**"

If you have any questions concerning this response please contact Justin Greuel of my staff at (202) 343-9891.

Sincerely,



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

Enclosure