

## **General Substantiation Questions to Support Confidential Business Information Claims**

- i. The portions of the information which are alleged to be entitled to confidential treatment;
- ii. The period of time for which confidential treatment is desired by the business (e.g., until a certain date, until the occurrence of a specified event, or permanently);
- iii. The purpose for which the information was furnished to EPA and the approximate date of submission, if known;
- iv. Whether a business confidentiality claim accompanied the information when it was received by EPA;
- v. Measures taken by the business to guard against undesired disclosure of the information to others;
- vi. The extent to which the information has been disclosed to others, and the precautions taken in connection therewith;
- vii. Pertinent confidentiality determinations, if any, by EPA or other Federal agencies, and a copy of any such determination, or reference to it, if available;
- viii. Whether the business asserts that disclosure of the information would be likely to result in substantial harmful effects on the business' competitive position, and if so, what those harmful effects would be, why they should be viewed as substantial, and an explanation of the causal relationship between disclosure and such harmful effects; and
- ix. Whether the business asserts that the information is voluntarily submitted information as defined in [40 CFR] § 2.201(i), and if so, whether and why disclosure of the information would tend to lessen the availability to EPA of similar information in the future.