

Confidentiality Disclaimer for Requests to Use the Remediation Fund Option:

In accordance with Title 17, California Code of Regulations (CCR), Sections 91000 to 91022, and the California Public Records Act (Government Code Section 6250 et seq.), the information that a company provides to the California Air Resources Board (CARB) may be released (1) to the public upon request, except trade secrets which are not emissions data or other information which is exempt from disclosure or the disclosure of which is prohibited by law, 2) to the Federal Environmental Protection Agency, which protects trade secrets as provided in Section 114(c) of the Clean Air Act and amendments thereto (42 USC 7401 et seq.) and in federal regulation, and 3) to other public agencies provided that those agencies preserve the protections afforded information which is identified as a trade secret, or otherwise exempt from disclosure by law (see Health & Safety Code Section 39660(e)).

Trade secrets, as defined in Government Code 6254.7, are not public records and therefore will not be released to the public. However, the California Public Records Act states that air pollution emission data are always public records, even if the data comes within the definition of trade secrets. Even so, the information used to calculate air pollution data is not "emission data," and will not be released to the public if it is a trade secret.

If any company believes that any of the information it may provide is a trade secret or otherwise exempt from disclosure under any provision of law, it **must identify each piece of confidential information as such at the time of submission to CARB and must provide the name, address, and telephone number of the individual to be consulted.** If CARB receives a request for disclosure or seeks to disclose the data claimed to be confidential, CARB may ask the company to provide documentation of its claim of trade secret or exemption at a later date. Data identified as confidential will not be disclosed unless CARB determines, in accordance with the above referenced regulations, that the data do not qualify for a legal exemption from disclosure.

If you wish to designate any information contained in your supporting documentation for request(s) to use the remediation fund option (remediation request) as CONFIDENTIAL INFORMATION, please provide the information requested below (page 2) and submit with your supporting documentation for the remediation request(s). If you have questions or concerns regarding CARB's handling of confidential information and/or the Public Records Act, please contact CARB's Public Records Act Coordinator at prareqst@arb.ca.gov.

Enter Company Name:

By submitting this form, I declare that the marked information submitted to CARB via remediation request(s) and identified as confidential constitutes "trade secret" information, and I request that it be protected as such from public disclosure. Along with this form, I have indicated and marked which specific portions of the document(s) submitted to CARB constitute trade secrets, and I am able to substantiate these trade secret designations upon request by CARB.

Printed Name:

Title:

Signature:

Date:

Mailing Address:

City/State:

Zip Code:

Telephone Number:

E-mail Address: