

NVS-213
A. Noel
Jed

AUG 23 2006

Christopher Tinto
Vice President
Toyota Motor North America, Inc.
601 13th St., NW, Suite 910 South
Washington, DC 20005

Re: NVS-213aan; RQ06-005/Request for Confidential Treatment

Dear Mr. Tinto:

This responds to your June 21, 2006 request for confidential treatment for certain materials submitted in response to an information request in RQ06-005, an investigation into ball joint failures in certain Toyota trucks. Toyota requests that this information be granted confidential treatment permanently.

I have decided to grant your request.

Toyota submitted this data in response to a formal NHTSA request for information. Because Toyota was required to submit this information, I reviewed your claim for confidential treatment under the test announced in National Parks & Conservation Ass'n v. Morton, 498 F.2d 765 (D.C. Cir. 1974), and its progeny. Under National Parks, information is confidential if its disclosure would be likely to cause substantial competitive harm to the submitter or to impair the government's ability to collect the information in the future.

Your request specifically seeks confidential treatment for portions of Appendix 8, 9 and 10 to your response to NHTSA's information request. The materials for which you seek confidential treatment were submitted on a CD labeled "RQ06-005 Conf. Incl."

The appendices contain engineering information regarding the design specifications, suspension geometry, performance requirements, design changes, and performance assessments of the suspension system in the affected vehicles. Toyota contends this is proprietary information reflecting the company's technological and intellectual investment. With the exceptions listed below, NHTSA agrees that its release would likely cause substantial competitive harm to Toyota. I am therefore granting confidential treatment to the information in Appendices, 8, 9 and 10.

The grant of confidential treatment above is subject to certain conditions. The information may be disclosed under 49 C.F.R. § 512.22 based upon newly discovered or changed facts, and you must inform the agency of any changed circumstances that may affect the protection of the information. 49 C.F.R. § 512.10. If necessary, you will be notified prior to the release of any information under the procedures established by our regulations. 49 C.F.R. § 512.22(b).

Sincerely,

Handwritten signature of Otto G. Matheke, III, consisting of the letters 'O', 'G', and 'M' in a stylized, cursive script.

Otto G. Matheke, III
Senior Attorney

NHTSA:NCC-111:Matheke:7/31/06
NCC-111 Subj/Chron: om, cyt **NCC06-003796**
Info: NVS-213 Andrea Noel w/enclosures
M:misc06/Toyota3796ogm