

TOYOTA

TOYOTA MOTOR NORTH AMERICA, INC.

WASHINGTON OFFICE

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September 30, 2008

Mr. Anthony M. Cooke, Chief Counsel
Office of Chief Counsel, NCC-110
National Highway Traffic Safety Administration
1200 New Jersey Avenue, SE
Washington, DC 20590

NHTSA
WASHINGTON, DC 20590
OCT 1
2008 SEP 31 P 12:49
OFFICE OF CHIEF
COUNSEL

Subject: NVS-213aan; PE08-041
Confidential Business Information

Dear Mr. Cooke:

In accordance with 49 CFR 512.4, enclosed is Toyota's response to NHTSA's July 24, 2008 letter concerning PE08-041, a defect investigation into Toyota Sienna vehicles.

Toyota claims that the marked portions and identified pages of the attachments provided electronically on the CD-ROM entitled "ATT_2" herein contain confidential business information. Specifically, within these documents, there is detailed manufacturing process and engineering change information, including quality control improvements and proprietary design changes of the subject components in the subject vehicles. This information is also identified in our internal investigation reports included with the response. Toyota considers all of this information to be proprietary and reflective of the company's significant technological and intellectual investment. Also, it gives insight into the methodology Toyota uses to improve product designs and make decisions on field actions, and would not be available to others without similar efforts and experiences. Toyota requests that this material be treated as confidential permanently.

If this request and supporting affidavit are found to be insufficient to establish Toyota's entitlement to confidential treatment, we ask that, pursuant to 49 CFR 512.19, you afford us the opportunity to supplement this request.

Enclosed you will find three sets of the response documents. Per 49 CFR 512, two sets of documents contain the complete response including the confidential information and one set contains the response with the confidential information removed.

Office of Chief Counsel
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If you have any questions about these materials, please contact Mr. Chris Santucci at (202) 775-1707.

Sincerely,



Chris Tinto
Vice President
TOYOTA MOTOR NORTH AMERICA, INC.

CT:cs

Enclosures

Enclosure 1:

Affidavits in Support of Request for Confidential Treatment

Enclosure 2:

Response to ODI Inquiry –Confidential Information Included (2)

Enclosure 3:

Response to ODI Inquiry –Confidential Information Removed (1)

Enclosure 1:

Affidavits in Support of Request for Confidential Treatment

CERTIFICATE IN SUPPORT OF
REQUEST FOR CONFIDENTIALITY

I, Chris Tinto, pursuant to the provisions of 49 CFR 512, state as follows:

- (1) I am Chris Tinto, Vice President, Toyota Motor North America, Inc., and I am authorized by Toyota Motor Corporation (Japan) to execute this certificate on its behalf;
- (2) I certify that the information contained in the CD-ROM entitled "ATT_2" of the response to NHTSA's July 24, 2008 letter [NVS-213aan; PE08-041] is confidential and proprietary data and is being submitted with the claim that it is entitled to confidential treatment under 5 U.S.C. 552(b)(4) (as incorporated by reference in and modified by the statute under which the information is being submitted);
- (3) I hereby request that the information contained in the CD-ROM entitled "ATT_2" be protected permanently;
- (4) This certification is based on the information provided by the responsible Toyota Motor Corporation and affiliate personnel who have authority in the normal course of business to release the information for which a claim of confidentiality has been made to ascertain whether such information has ever been released outside Toyota Motor Corporation or their affiliates, aside from Keeper Co., Ltd., and NSK STEERING SYSTEMS Co., Ltd.;
- (5) Based upon that information, to the best of my knowledge, information and belief, the information for which Toyota Motor Corporation and their affiliates have claimed confidential treatment has never been released or become available outside Keeper Co., Ltd., and NSK STEERING SYSTEMS Co., Ltd., Toyota Motor Corporation or their affiliates;
- (6) I make no representations beyond those contained in this certificate and, in particular, I make no representations as to whether this information may become available outside Keeper Co., Ltd., and NSK STEERING SYSTEMS Co., Ltd., and Toyota Motor Corporation and their affiliates because of unauthorized or inadvertent disclosure (except as stated in paragraph 5); and
- (7) I certify under penalty of perjury that the foregoing is true and correct. Executed on this, the 30th day of September 2008.


Executed on this, the 30th day of September 2008.


Chris Tinto
Vice President
TOYOTA MOTOR NORTH AMERICA, INC.

CERTIFICATE IN SUPPORT OF
REQUEST FOR CONFIDENTIALITY

I, Kiyoshi Sugisawa, pursuant to the provisions of 49 CFR 512, state as follows:

- (1) I am Kiyoshi Sugisawa, General Manager of Global Quality Control Dept, and I am authorized by NSK STEERING SYSTEMS Co., Ltd. to execute this certificate on its behalf;
- (2) I certify that the information contained in the Attachment-Response 8-1 and 8-3 of the response to NHTSA's July 24, 2008 letter [NVS-213aan; PE08-041] submitted by Toyota Motor North America, Inc. is confidential and proprietary data and is being submitted with the claim that it is entitled to confidential treatment under 5 U.S.C. 552(b)(4) (as incorporated by reference in and modified by the statute under which the information is being submitted);
- (3) I hereby request that the information contained in the identified attachments be protected permanently;
- (4) This certification is based on the information provided by the responsible NSK STEERING SYSTEMS Co., Ltd. and affiliate personnel who have authority in the normal course of business to release the information for which a claim of confidentiality has been made to ascertain whether such information has ever been released outside KEEPER Co., Ltd., NSK STEERING SYSTEMS Co., Ltd. and Toyota Motor Corporation;
- (5) Based upon that information, to the best of my knowledge, information and belief, the information for which Toyota Motor Corporation have claimed confidential treatment has never been released or become available outside KEEPER Co., Ltd., NSK STEERING SYSTEMS Co., Ltd. and Toyota Motor Corporation or their affiliates;
- (6) I make no representations beyond those contained in this certificate and, in particular, I make no representations as to whether this information may become available outside KEEPER Co., Ltd., NSK STEERING SYSTEMS Co., Ltd. and Toyota Motor Corporation and their affiliates because of unauthorized or inadvertent disclosure (except as stated in paragraph 5); and
- (7) I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on this, the 30th day of September 2008.

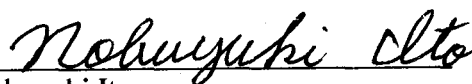


Kiyoshi Sugisawa
General Manager,
Global Quality Control Dept.
NSK STEERING SYSTEMS Co., Ltd.

CERTIFICATE IN SUPPORT OF
REQUEST FOR CONFIDENTIALITY

I, Nobuyuki Ito, pursuant to the provisions of 49 CFR 512, state as follows:

- (1) I am Nobuyuki Ito, General Manager of Quality Assurance Department and I am authorized by KEEPER Co., Ltd. to execute this certificate on its behalf;
- (2) I certify that the information contained in the Attachment-Response 8-2 of the response to NHTSA's July 24, 2008 letter [NVS-213aan; PE08-041] submitted by Toyota Motor North America, Inc. is confidential and proprietary data and is being submitted with the claim that it is entitled to confidential treatment under 5 U.S.C. 552(b)(4) (as incorporated by reference in and modified by the statute under which the information is being submitted);
- (3) I hereby request that the information contained in the identified attachments be protected permanently;
- (4) This certification is based on the information provided by the responsible KEEPER Co., Ltd. and affiliate personnel who have authority in the normal course of business to release the information for which a claim of confidentiality has been made to ascertain whether such information has ever been released outside KEEPER Co., Ltd., NSK STEERING SYSTEMS Co., Ltd. and Toyota Motor Corporation;
- (5) Based upon that information, to the best of my knowledge, information and belief, the information for which Toyota Motor Corporation have claimed confidential treatment has never been released or become available outside KEEPER Co., Ltd., NSK STEERING SYSTEMS Co., Ltd. and Toyota Motor Corporation or their affiliates;
- (6) I make no representations beyond those contained in this certificate and, in particular, I make no representations as to whether this information may become available outside KEEPER Co., Ltd., NSK STEERING SYSTEMS Co., Ltd. and Toyota Motor Corporation and their affiliates because of unauthorized or inadvertent disclosure (except as stated in paragraph 5); and
- (7) I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on this, the 30th day of September 2008.



Nobuyuki Ito
General Manager,
Quality Assurance Department
KEEPER Co., Ltd.