

Christopher T. Sandvig
Volkswagen Group of America, Inc.
3800 Hamlin Road
Auburn Hills, MI 48326

JUN - 8 2012

Re: Confidentiality Determination in EA 11-002.

Dear Mr. Sandvig:

This responds to your September 23, 2011 request for confidential treatment for Volkswagen Group of America, Inc. (Volkswagen) materials submitted in the above-referenced investigation. Volkswagen seeks confidential treatment for information it considers to be confidential business information and information that is not released to the public. These materials are attached to the request for confidential treatment as "Attachment 08-02_SZS-Thermoshock und Leeflaufstest_DE.pdf" and "Attachment 08-02_SZS-Thermoshock und Leeflaufstest_EN.pdf." Your letter refers to an enclosed disc, but you confirmed that the materials were produced in paper. Volkswagen requests that this information be kept confidential for a period of ten (10) years.

I have reviewed your submissions, including the materials that you claim are entitled to confidential treatment and the arguments that you assert in support of your claims. While I have not reached a conclusion regarding each individual argument that you assert, I conclude that these materials for which you requested confidentiality are entitled to confidential treatment pursuant to Exemption 4 of the Freedom of Information Act, 5 U.S.C. §552(b)(4). Subject to the conditions below, this grant of confidential treatment will remain in effect for ten (10) years.

This grant of confidential treatment is subject to certain conditions. The information may be disclosed under 49 CFR 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 CFR 512.10. If necessary, you will be notified prior to the release of any information under the procedures established by our regulations. 49 CFR 512.22 (b). Furthermore, this information may be disclosed if such disclosure would be in the public interest, pursuant to the procedures established in 49 CFR 512.23.

Sincerely,

Original Signed By

Otto G. Matheke, III
Senior Attorney