

This document contains the procedure used by the Industrial Waste and Pollution Prevention Section (IWPP) of Metropolitan Council Environmental Services to handle confidential business information and trade secret information. IWPP recognizes confidential business information as defined in 40 CFR part 403.14, and trade secret information as defined by the Minnesota Government Data Practices Act, Minnesota Statutes chapter 13; IWPP collectively refers to both as Confidential Business Information.

For the purposes of this document, Confidential Business Information is business information IWPP requires an Industrial User to submit as part of documents required under the National Pretreatment Program that:

1. meets the definition of confidential business information in 40 CFR Part 2.208; and
2. is not used to assess the characteristics of Industrial Waste discharges into the sanitary sewer.

This procedure applies only to specific information found in one of the following documents:

- Industrial Discharge Permit Application
- Industrial Discharge Permit Renewal Application
- Baseline Monitoring Report

CONFIDENTIAL BUSINESS INFORMATION REQUESTS

An Industrial User can request that information they submit to IWPP be treated as confidential business information by completing a “Confidential Business Information Request Form” found as Attachment A of this procedure.

Confidential information should be submitted via a secure method such as mail, encrypted email, or a securely shared folder. Confidential information should not be submitted via the Industrial Online Reporting System (IORS) or regular email.

Confidentiality requests must be made at the time the information is submitted to IWPP.

RECEIPT OF CONFIDENTIAL BUSINESS INFORMATION REQUESTS

When IWPP receives a confidential business information request, IWPP will evaluate the request and make a determination. A letter stating whether the request was accepted or denied will be sent to the requester.

STORAGE OF CONFIDENTIAL BUSINESS INFORMATION

All documents containing confidential business information, including those awaiting approval or appeal, will be stored in a secure location with access restricted to Met Council staff only.

DENIAL OF A REQUEST FOR CONFIDENTIAL BUSINESS INFORMATION

If IWPP denies a request, IWPP will send a letter to the Industrial User stating the denial. The Industrial User may appeal this decision in accordance with WDR 515.00. The Industrial User must file any appeal within 30 calendar days. Denied requests will be stored as confidential for 30 calendar days or until the appeal process is complete.





CONFIDENTIAL BUSINESS INFORMATION REQUEST FORM

Metropolitan Council's Industrial Waste and Pollution Prevention (IWPP) section recognizes Confidential Business Information as defined in 40 CFR part 403.14, and trade secret information as defined by the Minnesota Government Data Practices Act, Minnesota Statutes chapter 13; IWPP collectively refers to both as Confidential Business Information.

Confidentiality requests must be signed by a signatory authority. A signatory authority is:

- A responsible corporate officer, if the Applicant is a corporation; or
- A general partner or proprietor, if the Applicant is a partnership or sole proprietorship.

Facility Name: _____ Permit Number: _____

Facility Address: _____ City: _____ State: _____ Zip: _____

I, _____, request that the following checked sections be confidential.

Signatory Authority (print)

1. Please check the appropriate box for the form and section for which Confidential Business Information (CBI) is being requested.

☐ **Industrial Discharge Permit Application**

☐ **Industrial Discharge Permit Renewal Application**

☐ Section C.2. – Raw Materials

☐ Section C.2. – Raw Materials

☐ Section J – Process Schematic

☐ Section H – Process Schematic

☐ **Baseline Monitoring Report – Categorical Users** ☐ **Other**
Production Information

2. Provide specific reasons why the information selected is confidential.

3. Indicate the length of time that this information should be kept confidential.

Start Date: ____/____/____(month/day/year)

End Date: ____/____/____(month/day/year)

Signatory Authority (print)

Title

Signature

Date

Phone

For IWPP Use Only

Date Received: _____ Permit Staff: _____

This Request has been: Approved / Denied Determination Letter Sent Date: _____