



Air Resources Board



Matthew Rodriguez
Secretary for
Environmental Protection

Mary D. Nichols, Chair
9480 Telstar Avenue, Suite 4
El Monte, California 91731 • www.arb.ca.gov

Edmund G. Brown Jr.
Governor

November 2, 2015

Reference No. IUC-2015-011

Volkswagen AG
Audi AG
Porsche AG
Porsche Cars North America
Volkswagen Group of America, Incorporated

Through:

David Geanacopoulos
Executive Vice President and General Counsel, Government Affairs
Volkswagen Group of America
2200 Ferdinand Porsche Drive
Herndon, Virginia 20171

Stuart Johnson
General Manager
Engineering and Environmental Office
Volkswagen Group of America
3800 Hamlin Road
Auburn Hills, Michigan 48326

Mr. Walter J. Lewis
Manager, Regulatory Affairs
Porsche Cars North America, Incorporated
980 Hammond Drive, Suite 1000
Atlanta, Georgia 30328

Subject: Defeat Device Screening Volkswagen Group of America, Inc. (VW) 2016
Test Group GVGAJ03.0NU4 and 2014 Audi Test Group EADX03.02UG

Dear Mr. Geanacopoulos, Mr. Johnson, and Mr. Lewis:

As described in the Air Resources Board (ARB) letter to all manufacturers dated September 25, 2015, (Reference No. IUC 2015-008), all light- and medium-duty vehicles are being assessed for non-approved auxiliary emission control devices

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For a list of simple ways you can reduce demand and cut your energy costs, see our website: <http://www.arb.ca.gov>.*

California Environmental Protection Agency

(AECD) and/or defeat devices with a new screening testing approach in addition to the standard

certification emissions test cycles. ARB was and remains particularly interested in conducting this assessment on VW's 3.0 liter diesel vehicles given your admission of a defeat device on 2009-2016 model year 2.0 liter diesel vehicles. This admission was made to ARB and the U.S. Environmental Protection Agency (U.S. EPA) staff on September 3, 2015, and during a U.S. Congressional Hearing on October 8, 2015.

The purpose of this letter is to inform VW that ARB has conducted defeat device screening and certification testing on an Audi A6 Model of the 2016 Test Group GVGAJ03.0NU4 and a 2014 Volkswagen Touareg model of Audi Test Group EADXT03.02UG. ARB tested these two models using non-traditional defeat device screening cycles and it shows that both these Test Groups are demonstrating the same type of emissions behaviors as those in which VW has admitted defeat devices exist. The Touareg has also failed a Federal Test Procedure certification test for oxides of nitrogen. These activities corroborate testing conducted by U.S. EPA and Environment Canada on a 2014 VW Touareg (Test Group EADXT03.02UG) and a 2015 Porsche Cayenne (Test Group FPRXT03.0CDD), respectively. This testing has also yielded evidence of a defeat device. If this issue exists across all 2014-2016 test groups represented by these vehicles, approximately 1600 vehicles could be impacted in California.

ARB is very disappointed with this development as VW (along with all the other manufacturers) was alerted on September 25, 2015, (ARB's Letter Reference No. IUC-2015-008) that ARB would be immediately conducting defeat device testing. As you are well aware, a defeat device was neither described nor justified in the certification applications for the 3.0 liter diesel test groups submitted to U.S. EPA and ARB. Therefore, each vehicle so equipped would not be covered by a valid Certificate of Conformity or Executive Order and would be in violation of federal and state law.

VW must immediately initiate discussions with ARB to discuss the testing results that appear to confirm the presence of a defeat device in the GVGAJ03.0NU4, EADXT03.02UG and FPRXT03.0CDD Test Groups and the implications on other 3.0 liter diesel product lines. VW must ensure that the appropriate Audi and Porsche AG management and engineering staff are made available for these discussions. VW must contact ARB within 72 hours of receipt of this letter to arrange an initial meeting to discuss the data results. VW will be expected to take the appropriate corrective action to rectify the emissions non-compliance and return these vehicles to the claimed certified configuration. ARB program and enforcement staff is prepared to work closely with VW to find corrective actions to bring these vehicles into compliance.

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Finally, I note that the screening and testing of additional 3.0 liter and other test groups to confirm the nature and scope of defeat devices continues requiring ARB to commit and expend substantial resources. Therefore, any information VW can provide ARB – before, during, or after the aforementioned initial meeting – that serves to reduce those resources will be considered in resolving any future associated ARB enforcement action.

Please contact me at (626)-450-6150 to discuss arranging the requested meeting.

Sincerely,



Annette Hebert, Chief
Emissions Compliance, Automotive Regulations, and Science Division

cc: Mr. Byron Bunker, Director
Compliance Division
Office of Transportation and Air Quality
Office of Air and Radiation
U.S. Environmental Protection Agency

Mr. Linc Wehrly, Director
Environmental Protection Agency
Light-Duty Vehicle Center
2000 Traverwood Drive
Ann Arbor, MI 48105

Todd Sax, Chief
Enforcement Division
California Air Resources Board