



VIA CERTIFIED MAIL AND ELECTRONIC MAIL

MAY 19 2017

Volkswagen AG  
Berliner Ring 2  
38440 Wolfsburg, Germany  
Attention: Group General Counsel  
Attention: Company Secretary

Audi AG  
Auto-Union Straße 1  
85045 Ingolstadt, Germany  
Attention: Company Secretary

Volkswagen Group of America, Inc.  
2200 Ferdinand Porsche Dr.  
Herndon, VA 20171  
Attention: President  
Attention: U.S. General Counsel  
Attention: Company Secretary

Volkswagen Group of America  
Chattanooga Operations, LLC  
8001 Volkswagen Dr.  
Chattanooga, TN 37416  
Attention: Company Secretary

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**Re: Approved Emissions Modification: Test Groups CVWXV02.0U4S,  
DVWXV02.0U4S and EVWXV02.0U4S of 2.0 Liter Subject Vehicles Covering  
Model Year 2012, 2013 and 2014 Volkswagen Passat Diesel Vehicles with Automatic  
Transmissions**

To Whom It May Concern:

Appendix B of the 2.0 liter (2.0L) Partial Consent Decree<sup>1</sup> entered on October 25, 2016 establishes how Settling Defendants shall submit Proposed Emissions Modifications, and how the United States Environmental Protection Agency (EPA) and the California Air Resources Board (CARB) will approve or disapprove any such proposal that Settling Defendants choose to

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<sup>1</sup> In Re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, MDL No. 2672 CRB (JSC), United States District Court, Northern District of California.

*In Re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, MDL No. 2672 CRB (JSC), United States District Court, Northern District of California.*

submit. The EPA and CARB have been working with Settling Defendants for many months to evaluate a potential remedy to reduce the NOx pollution from these vehicles. Over these months Settling Defendants have provided, and the agencies have reviewed, a significant amount of files, data, and materials in support of a Proposed Emissions Modification for Test Groups CVWXV02.0U4S, DVWXV02.0U4S and EVWXV02.0U4S of 2.0 Liter Subject Vehicles Covering model year 2012, 2013 and 2014 Volkswagen Passat diesel vehicles.

After thoroughly reviewing these materials, including examining and evaluating test data, software descriptions and files, onboard diagnostic system functionality, durability demonstration results, auxiliary emission control device (AECD) descriptions, consumer disclosures, extended warranty plans, and various statements of compliance therein; and after conducting our own extensive testing of four vehicles equipped with the Proposed Emissions Modification; and based upon the certifications of the Settling Defendants that the materials submitted are true, correct and complete, the EPA and CARB have determined that the Proposed Emissions Modification as described by the entirety of Settling Defendants' submissions, and as applies to the vehicles with automatic transmissions, satisfies the terms and conditions set forth in Appendix B of the 2.0L Partial Consent Decree. Thus, the EPA and CARB hereby approve Settling Defendants' Proposed Emissions Modification for Test Groups CVWXV02.0U4S, DVWXV02.0U4S and EVWXV02.0U4S of 2.0 Liter Subject Vehicles covering model year 2012, 2013 and 2014 Volkswagen Passat diesel vehicles with automatic transmissions. This approval does not cover the manual transmission vehicles within these test groups.<sup>2</sup>

Settling Defendants remain obligated to fulfill all other requirements set forth in Appendix B including, but not limited to, the Final OBD Demonstration Data, Continued Compliance, Extended Warranty, Defeat Device Prohibition, and any other applicable regulatory requirements. Any failure of terms, conditions and regulatory requirements shall be subject to stipulated penalties as specified in the Consent Decree.

Settling Defendants shall, within ten days of the date of this approval, provide all Eligible Owners and Eligible Lessees with notice that the Emissions Modification for Test Groups CVWXV02.0U4S, DVWXV02.0U4S and EVWXV02.0U4S of the 2.0 Liter Subject Vehicles with automatic transmissions is available, pursuant to the terms, and in accordance with the requirements of Appendix A and Appendix B of the 2.0L Partial Consent Decree.

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<sup>2</sup> To date testing of the manual transmission vehicles has failed to demonstrate compliance with the emissions requirements set forth in Appendix B of the 2.0L Partial Consent Decree without negatively affecting important consumer attributes such as vehicle durability and reliability. It is our understanding that VW is reassessing its proposed emissions modification for the manual transmission versions of the model year 2012, 2013, and 2014 Volkswagen Passat diesel vehicles within these test groups. Thus, this approval does not apply to the manual transmission versions of these vehicles.

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**Approved Emissions Modification: Test Group CVWXV02.0U4S, DVWXV02.0U4S and EVWXV02.0U4S of 2.0 Liter Subject Vehicles Covering Model Year 2012, 2013 and 2014 Volkswagen Passat Diesel Vehicles with Automatic Transmissions**

FOR THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY



Phillip A. Brooks, Director  
Air Enforcement Division  
Office of Civil Enforcement  
U.S. Environmental Protection Agency




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

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FOR THE CALIFORNIA AIR RESOURCES BOARD

FOR   
Annette Hebert, Chief  
Emissions Compliance  
Automotive Regulations and Science Division  
California Air Resources Board

  
Todd Sax, Chief  
Enforcement Division  
California Air Resources Board

*In Re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, MDL No. 2672 CRB (JSC), United States District Court, Northern District of California.*

cc:

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