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December 8, 2016

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Office of the Attorney General
State Capitol
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Bismarck, ND 58505

Attorney General Luther Strange
Office of the Attorney General
501 Washington Avenue
Montgomery, AL 36104

Volkswagen Group of America, Inc.
Registered Agents for each State:

CSC-Lawyers Incorporating SVC, Inc. Corporation Service Company
150 South Perry Street 9360 Glacier Hwy, Suite 202
Montgomery, AL 36104 Juneau, AK 99801

Corporation Service Company
2338 W. Royal Palm Rd., Suite J 300 Spring Building, Suite 900
Phoenix, AZ 85021 300 S. Spring Street
Little Rock, AR 72201

Corporation Service Company
2710 Gateway Oaks Drive, Suite 150N 1560 Broadway, Suite 2090
Sacramento, CA 95833 Denver, CO 80202

Corporation Service Company
50 Weston Street 2711 Centerville Road, Suite 400
Hartford, CT 06120 Wilmington, DE 19808

Corporation Service Company
1201 Hays Street 40 Technology Parkway
Tallahassee, FL 32301 Southsuite 300, Gwinnett
CSC Services of Hawaii, Inc. Norcross, GA 30092
1600 Pauahi Tower 12550 W. Explorer Drive, Suite 100
1003 Bishop Street Boise, ID 83713
Honolulu, Hawaii 96813
<table>
<thead>
<tr>
<th>Illinois Corporation Service Company</th>
<th>Corporation Service Company</th>
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<tr>
<td>801 Adlai Stevenson Drive</td>
<td>251 E. Ohio Street</td>
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<tr>
<td>Springfield, IL 62703</td>
<td>Indianapolis, IN 46204</td>
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<tr>
<td>Corporation Service Company</td>
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</tr>
<tr>
<td>505 5th Avenue, Suite 729</td>
<td>2900 SW Wanamaker Drive, Suite 204</td>
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<tr>
<td>Des Moines, IA 50309</td>
<td>Topeka, KS 66614</td>
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<tr>
<td>421 West Main Street</td>
<td>501 Louisiana Avenue</td>
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<tr>
<td>Frankfort, KY 40601</td>
<td>Baton Rouge, LA 70802</td>
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<tr>
<td>Corporation Service Company</td>
<td>CSC-Lawyers Incorporating Service Co.</td>
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<tr>
<td>45 Memorial Circle</td>
<td>7 St. Paul Street, Suite 820</td>
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<tr>
<td>Augusta, ME 04330</td>
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<td>East Lansing, MI 48823</td>
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<tr>
<td>2345 Rice Street, Suite 230</td>
<td>600 W. Main Street</td>
</tr>
<tr>
<td>Roseville, MN 55113</td>
<td>Jefferson City, MO 65102</td>
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<tr>
<td>26 W. Sixth Avenue</td>
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</tr>
<tr>
<td>Helena, MT 59624</td>
<td>233 South 13th Street</td>
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<tr>
<td>CSC Services of Nevada, Inc.</td>
<td>Lincoln, NE 68508</td>
</tr>
<tr>
<td>2215-B Renaissance Drive</td>
<td>Lawyers Incorporating Service</td>
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<tr>
<td>Las Vegas, NV 89119</td>
<td>10 Ferry Street, Suite 313</td>
</tr>
<tr>
<td>Corporation Service Company</td>
<td>Concord, NH 03301</td>
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<tr>
<td>123 East Marcy Street, Suite 101</td>
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<tr>
<td>Santa Fe, NM 87501</td>
<td>80 State Street</td>
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<td>Corporation Service Company</td>
<td>Albany, NY 12207</td>
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<tr>
<td>327 Hillsborough Street</td>
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<tr>
<td>Raleigh, NC 27603</td>
<td>1709 N. 19th Street, Suite 3</td>
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<td>50 W. Broad Street, Suite 1800</td>
<td>115 SW 89th Street</td>
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<tr>
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<td>Oklahoma City, OK 73139</td>
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<td>Corporation Service Company</td>
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<tr>
<td>1127 Broadway Street, NE, Suite 310</td>
<td>222 Jefferson Blvd., Suite 200</td>
</tr>
<tr>
<td>Salem, OR 97301</td>
<td>Warwick, RI 02888</td>
</tr>
</tbody>
</table>
Porsche Cars North America, Inc.
Registered Agents for each State:

CT Corporation System
2 North Jackson Street, Suite 605
Montgomery, AL 36104

CT Corporation System
3800 N. Central Avenue, Suite 460
Phoenix, AZ 85012

CT Corporation System
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Los Angeles, CA 90017

CT Corporation System
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Hartford, CT 06103

CT Corporation System
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Plantation, FL 33324

CT Corporation System
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Juneau, AK 99801

The Corporation Company
124 West Capitol Ave., Suite 1900
Little Rock, AR 72201

The Corporation Company
7700 E. Arapahoe Road, Suite 220
Centennial, CO 80112

The Corporation Trust Company
Corporation Trust Center
1209 Orange Street
Wilmington, DE 19801

Corporation Process Company
2180 Satellite Blvd., Suite 400, Gwinnett
Duluth, GA 30097

{2821 / 000}6
<table>
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<tr>
<th>Address</th>
<th>City, State, ZIP</th>
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<tr>
<td>The Corporation Company, Inc.</td>
<td>1136 Union Mall, Suite 301, Honolulu, Hawaii 96813</td>
</tr>
<tr>
<td>CT Corporation System</td>
<td>921 S. Orchard Street, Suite G, Boise, ID 83705</td>
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<tr>
<td>208 S. Lasalle Street, Suite 814</td>
<td>CT Corporation System, 150 West Market Street, Suite 800, Indianapolis, IN 46204</td>
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<tr>
<td>Chicago, IL 60604</td>
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</tr>
<tr>
<td>CT Corporation System</td>
<td>400 E. Court Avenue, Des Moines, IA 50309</td>
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<tr>
<td>306 W. Main Street, Suite 512</td>
<td>CT Corporation System, 3867 Plaza Tower Drive, Baton Rouge, LA 70816</td>
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<tr>
<td>Frankfort, KY 40601</td>
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<tr>
<td>CT Corporation System</td>
<td>128 State Street #3, Augusta, ME 04330</td>
</tr>
<tr>
<td>155 Federal Street, Suite 700</td>
<td>The Corporation Trust Inc., 351 West Camden Street, Baltimore, MD 21201</td>
</tr>
<tr>
<td>Boston, MA 02110</td>
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<tr>
<td>CT Corporation System</td>
<td>101 O Dale Street, N, St. Paul, MN 55117</td>
</tr>
<tr>
<td>120 South Central Avenue</td>
<td>CT Corporation System, 645 Lakeland East Drive, Suite 101, Flowood, MS 39232</td>
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<tr>
<td>Clayton, MO 63105</td>
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<tr>
<td>The Corporation Trust Co. of Nevada</td>
<td>701 S. Carson Street, Suite 200, Carson City, NV 89701</td>
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<tr>
<td>CT Corporation System</td>
<td>9 Capitol Street, Concord, NH 03301</td>
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<tr>
<td>206 S. Coronado Avenue</td>
<td>CT Corporation System, 111 Eighth Avenue, New York, NY 10011</td>
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<tr>
<td>Espanola, NM 87532</td>
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<tr>
<td>CT Corporation System</td>
<td>160 Mine Lake Ct., Suite 200, Raleigh, NC 27615</td>
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<tr>
<td>The Corporation Company</td>
<td>314 E. Thayer Avenue, Bismarck, ND 58501</td>
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<tr>
<td>1300 East Ninth Street</td>
<td></td>
</tr>
<tr>
<td>Cleveland, OH 44114</td>
<td>The Corporation Company, 1833 S. Morgan Road, Oklahoma City, OK 73128</td>
</tr>
<tr>
<td></td>
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</tr>
</tbody>
</table>
To Whom It May Concern:

Please be informed that undersigned counsel represents Douglas Lindamood, whose address is 5130 Falcon Ridge Road, Roanoke, Virginia 24018.

Mr. Lindamood hereby gives notice, pursuant to 40 C.F.R. 54.1, et seq., of his intent to enforce the Clean Air Act as allowed by 42 U.S.C. §7604. The enforcement of the Clean Air Act by Mr. Lindamood consists of the following:

Mr. Lindamood intends to enforce the Clean Air Act against the manufacturers of all Dirty Diesel vehicles, including the following:

<table>
<thead>
<tr>
<th>Model Year</th>
<th>EPA Test Group</th>
<th>Make and Model(s)</th>
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<tbody>
<tr>
<td>2009</td>
<td>9VWXV02.035N</td>
<td>VW Jetta, VW Jetta Sportwagen</td>
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<td>2009</td>
<td>9VWXV02.0U5N</td>
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<td>2010</td>
<td>AVWXV02.0U5N</td>
<td>VW Golf, VW Jetta, VW Jetta Sportwagen, Audi A3</td>
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</table>
The vehicles identified above violate the emission limitations, standard of performance and/or emission standard established by 40 C.F.R. §86.1811-04 by releasing up to 40 times above the EPA compliant level, depending on the model and whether the vehicle is driven in the city or highway. These vehicles cannot be allowed to be used in the United States. Additionally, 42 U.S.C. §7522 prohibits the sale of these vehicles because the vehicles are not covered by a valid certificate of conformity. When a sale is prohibited, it cannot be allowed to exist. The sale must be reversed. When this is done, 42 U.S.C. §7541 protects the owners and lessees of these illegal vehicles. 42 U.S.C. §7541 requires these manufacturers “shall warrant to the ultimate purchaser and each subsequent purchaser that such vehicle or engine is (A) designed, built, and equipped so as to conform at the time of sale with applicable regulations under section 7521 of this title.” This warranty has been breached by the inclusion of illegal defeat devices, which are prohibited by 42 U.S.C. §7522, and which render any certificate of conformity issued for these vehicles invalid.

Mr. Lindamood intends to enforce 42 U.S.C. §7541 which imposes on the Administrator and the EPA a legal duty to impose the only statutory remedy for

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Mr. Lindamood intends to enforce 42 U.S.C. §7413 which requires the Administrator to notify any person who is in violation of any requirement or prohibition of any applicable State Implementation Plan. Certain owners and lessees of Dirty Diesel vehicles listed herein who reside or operate their vehicles in certain States are in violation of the requirements and prohibitions of the following State Implementation Plans:

**Alabama**

Ala. Admin. Code 335-3-9-.04  
(3) Other Exhaust Emission Control Systems.  
Any other exhaust emission control system, other than air injection or engine modification which is installed or incorporated in a motor vehicle in compliance with Federal motor vehicle pollution control regulations shall be maintained in good operable conditions as specified by the manufacturer and shall be used at all times that the motor vehicle is operated.  
Original: 39 FR 14338  
Revision 55 FR 10062

**Georgia** (vehicle emissions regulations only apply to certain counties)  
Ga. Comp. R. & Regs. 391-3-20-.06  
(1) Covered vehicles are expected to meet emission standards at all times. EPD may use remote sensing technology or other methods established by the Director to identify covered vehicles that appear to be producing exhaust emissions in excess of the applicable emission standards. EPD may notify the owner of an identified vehicle to present his or her vehicle for an emission inspection under Rules 391-3-20-.04 and 391-3-20-.05. An owner so notified by EPD must present his or her vehicle for an emission inspection within thirty (30) days. Vehicles which fail such inspection shall be required to be reinspected and pass such reinspection as required by Rule 391-3-20-.15.  
Original: 62 FR 42916  
Revision 67 FR 45909  
Revision 68 FR 40786
Delaware (applies to Sussex County only)
7 Del. Admin. Code 1126-3.0
Also cited as Code Del. Regs. 7 1000 1126
Effective January 1, 1983, no motor vehicle that is subject to this regulation may be granted registration in the State of Delaware unless the motor vehicle is in compliance with the applicable emissions standards, regardless of its pass/fail status of other tests normally performed at the official inspection station.
75 FR 48566

District of Columbia
18 DCMR Chapter 7
Section 751
751. Compliance with Exhaust Emission Standards
751.1 No motor vehicle shall be allowed to operate on the streets or highways of the District that does not comply with the exhaust emission standards prescribed pursuant to §752, except as provided in this section.
751.2 After December 31, 1982, no owner of a motor vehicle shall operate or allow the operation of a vehicle on the streets and highways of the District that does not comply with the exhaust emission standards prescribed pursuant to §752, except as provided in this section.
64 FR 31498

Maryland
COMAR 11.14.08.06
11.14.08.06 Certificates
C. Fail Certificate.
(1) If a vehicle inspected at a vehicle emissions inspection station does not meet all applicable standards specified in Regulation .09 of this chapter during an inspection, the vehicle is considered not to be in compliance and the contractor shall issue a fail certificate which includes the following information:
   (a) The type of failure and the reason for failure; and
   (b) A statement indicating any availability of warranty coverage as provided by the Clean Air Act, 42 U.S.C. §7541.
(2) A vehicle issued a fail certificate may be operated through the period of permitted operation.
(3) A person may not operate a vehicle after the end of the period of permitted operation unless a pass certificate or a waiver certificate has been issued for the vehicle or the vehicle owner has been granted a time extension.
68 FR 2208
Arizona
For the purposes of A.R.S. §§ 28-955 and 49-447, a registered motor vehicle shall have in operating condition all emission control devices installed by the vehicle manufacturer to comply with federal requirements for motor vehicle emissions or equivalent after-market replacement parts or devices.
68 FR 2912

Nevada
1. Except as otherwise provided in this section, a person shall not:
   (a) Sell, offer to sell, display for sale, operate or permit the operation of or leave standing any motor vehicle which is required by state or federal law to be equipped with a device for the control of pollution unless the device is correctly installed and in operating condition in accordance with the specifications of the vehicle manufacturer and any applicable state or federal statute or regulation.
   (b) Disconnect, alter or modify any such required device.
73 FR 38124

New Jersey
(e) No person shall cause, suffer, allow or permit any emission control apparatus or element of design installed on any diesel-powered motor vehicle or diesel engine to be disconnected, detached, deactivated, or in any other way rendered inoperable or less effective, in respect to limiting or controlling emissions than it was designed to be by the original equipment or vehicle manufacturer, except for the purposes of diagnostics, maintenance, repair or replacement and only for the duration of such operations.
74 FR 17781

Connecticut
Conn. Agencies Regs. 14-164c-4a
(a) Any motor vehicle presented for inspection which is required, pursuant to the regulations of the Commissioner of Environmental Protection as authorized by sections 14-164c and 22a-174 of the Connecticut General Statutes, to be equipped with an “air pollution control system or mechanism,” as defined by subsection (a) of section 22a-174-200 of the Regulations of Connecticut State Agencies, shall be deemed to have failed to meet emissions standards if such control system or mechanism is found to have been removed, to have been dismantled or is otherwise inoperable. Such control system or mechanism may be inspected prior to emissions inspection, during emissions inspection, after a vehicle has failed a required emissions inspection, or in connection with on-road testing.
(b) Any motor vehicle not meeting emissions standards pursuant to subsection (a) of this section, whether during periodic emissions inspection or on-road testing, shall be required to pass a reinspection within thirty (30) days of such failure or the owner thereof shall be subject to denial of registration for such vehicle as provided in subsection (n) of section 14-164c of the Connecticut General Statutes.

73 FR 74019

Rhode Island
(f) Operation of a Non-Complying Vehicle. No person may register or continue to operate on the highways of Rhode Island, a motor vehicle which is subject to the provisions of Rhode Island I/M Program which is not in compliance with the requirements thereof.

66 FR 9661

Illinois
Ill. Admin. Code tit. 35, § 240.103
Except as permitted or authorized by law, no person shall fail to maintain in good working order or remove, dismantle or otherwise cause to be inoperative any equipment or feature constituting an operational element of the air pollution control systems or mechanisms of a motor vehicle as required by rules or regulations of the Board and the United States Environmental Protection Agency to be maintained in or on the vehicle.

79 FR 47377

Minnesota
Minn. R. 7023.0120
No person shall remove, alter, or otherwise render inoperative any air pollution control system.
No person shall operate a motor vehicle unless all air pollution control systems are in place and in operating condition.
No person shall rent, lease, offer for sale, or in any manner transfer ownership of a motor vehicle unless all air pollution control systems are in place and in operating condition.
The requirements of this part shall not restrict or prohibit the removal of any air pollution control system for repair or replacement.
EPA has no notation for a FR citation for this regulation, but states that it is effective for federal purposes as of 7/21/1982.

(https://yosemite.epa.gov/r5/r5ard.nsf/977585e33633852b862575750057311a712f45796868ba338625756f004c429e!OpenDocument)
Wisconsin
Wis. Admin. Code NR § 485.06
(1) No person may tamper with or fail to maintain in good working order any air pollution control equipment which has been installed on a motor vehicle by the manufacturer prior to sale unless the person repairs or restores the equipment or replaces the equipment with new identical or comparable tested replacement equipment. Catalytic converters must be original equipment or EPA-certified equipment except as specified in sub.
(2). Air pollution control equipment includes but is not limited to:
(a) Positive crankcase ventilation equipment.
(b) Exhaust emission control equipment.
(c) Evaporative fuel loss control equipment.
(d) Any control equipment operating on principles such as thermal decomposition, catalytic oxidation or reduction, absorption, or adsorption.
78 FR 57501

North Dakota
N.D. Admin. Code 33-15-08-02
1. No person shall intentionally remove, alter, or otherwise render inoperative, exhaust emission control, crankcase ventilation, or any other air pollution control device which has been installed as a requirement of federal law or regulation.
2. No person shall operate a motor vehicle originally equipped with air pollution control devices as required by federal law or regulation unless such devices are in place and in operating condition.
44 FR 63102

Wyoming
Wyo. Admin. Code § ENV AQ Ch. 13 s 2
(a) No person shall intentionally remove, alter or otherwise render ineffective or inoperative, exhaust emission control crank case ventilation or any other air pollution control device or system which has been installed on a motor vehicle or stationary internal combustion engine as a requirement of any federal law or regulation.
(b) No person shall operate a motor vehicle or other internal combustion engine originally equipped with air pollution devices or systems as required by any federal law or regulation unless such devices or systems are in place and in operating condition.
(c) Subsections (a) and (b) of this regulation shall not apply to vehicles or stationary internal combustion engines which have been modified or altered to use a fuel other than gasoline or diesel fuel, except that such units shall comply with existing standards for emissions therefrom.
69 FR 44965
It is the duty of the Administrator to so notify these owners and lessees of the violations of these State Implementation Plans. The Administrator has failed and refused to fulfill this statutorily-mandated non-discretionary duty. The Administrator has violated this statutorily-created non-discretionary duty by repeatedly publishing statements that the Dirty Diesel vehicles are legal to drive. The Administrator is also under a legal duty created by 42 U.S.C. §7413 to notify the States listed above that the owners and lessees of the Dirty Diesel vehicles are in violation of the requirement or prohibition of that State’s applicable Implementation Plan. The Administrator, on information and belief, has failed to fulfill this statutorily-created non-discretionary duty.

Finally, 42 U.S.C. §7413 requires the Administrator to notify those certain States listed above that there are undisputed violations of those States’ applicable State Implementation Plans resulting from a failure of those States to enforce the Plan effectively. On information and belief the Administrator has failed and refused to fulfill this statutorily-created and non-discretionary duty.

Mr. Lindamood is allowed by law to enforce State Implementation Plans. Mr. Lindamood intends to enforce the State Implementation Plans of the States listed herein and the applicable provisions of their respective State Implementation Plans as shown therein. Mr. Lindamood, pursuant to regulations, will obtain the name and address of each owner or lessee of a Dirty Diesel vehicle listed herein and notify them that it is illegal to operate their vehicle in their respective State. Mr. Lindamood will inform the owners and lessees of the warranty available to them pursuant to 42 U.S.C. §7541 and that they may have rights under that warranty.

Sincerely,
Douglas Lindamood

By:________________________
James B. Feinman

Cc: EPA- Regional Administrators:

Region 1 (CT, MA, ME, NH, RI, VT)
Environmental Protection Agency
5 Post Office Square - Suite 100
Boston, MA 02109-3912
Phone: (617) 918-1111
Fax: (617) 918-1809
Toll free within Region 1: (888) 372-7341

Region 6 (AR, LA, NM, OK, TX)
Environmental Protection Agency
Fountain Place 12th Floor, Suite 1200
1445 Ross Avenue
Dallas, TX 75202-2733
Phone: (214) 665-2200
Toll free within Region 6: (800) 887-6063
Region 2 (NJ, NY, PR, VI)
Environmental Protection Agency
290 Broadway
New York, NY 10007-1866
Phone: (212) 637-3000
Fax: (212) 637-3526

Region 3 (DC, DE, MD, PA, VA, WV)
Environmental Protection Agency
1650 Arch Street
Philadelphia, PA 19103-2029
Phone: (215) 814-5000
Fax: (215) 814-5103
Toll free: (800) 438-2474

Region 4 (AL, FL, GA, KY, MS, NC, SC, TN)
Environmental Protection Agency
Atlanta Federal Center
61 Forsyth Street, SW
Atlanta, GA 30303-3104
Phone: (404) 562-9900
Fax: (404) 562-8174
Toll free: (800) 241-1754

Region 5 (IL, IN, MI, MN, OH, WI)
Environmental Protection Agency
77 West Jackson Boulevard
Chicago, IL 60604-3507
Phone: (312) 353-2000
Fax: (312) 353-4135
Toll free within Region 5: (800) 621-8431

Region 7 (IA, KS, MO, NE)
Environmental Protection Agency
11201 Renner Blvd.
Lenexa, KS 66219
Phone: (913) 551-7003
Toll free: (800) 223-0425

Region 8 (CO, MT, ND, SD, UT, WY)
Environmental Protection Agency
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