August 14, 2017

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Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460

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Tallahassee, FL 32399-1050

{2821 / 000}
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Salem, OR 97301-4096

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Trenton, NJ 08625

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GERS Building, 2nd Floor
St. Thomas, Virgin Islands 00802

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Office of the Attorney General
PO Box 142320
Salt Lake City, UT 84114-2320
Volkswagen Group of America, Inc.
Registered Agents for each State:

Corporation Service Company Inc
641 South Lawrence Street
Montgomery, AL 36104

Corporation Service Company
9360 Glacier Hwy, Suite 202
Juneau, AK 99801

Corporation Service Company
2338 W. Royal Palm Rd., Suite J
Phoenix, AZ 85021

Corporation Service Company
300 Spring Building, Suite 900
300 S. Spring Street
Little Rock, AR 72201

Corporation Service Company
2710 Gateway Oaks Drive, Suite 150N
Sacramento, CA 95833

Corporation Service Company
1560 Broadway, Suite 2090
Denver, CO 80202

Corporation Service Company
50 Weston Street
Hartford, CT 06120

Corporation Service Company
505 5th Avenue, Suite 729
Des Moines, IA 50309

Corporation Service Company
2900 SW Wanamaker Drive, Suite 204
Topeka, KS 66614

Corporation Service Company
251 Little Falls Drive
Wilmington, DE 19808

Corporation Service Company
1201 Hays Street
Tallahassee, FL 32301

Corporation Service Company
40 Technology Parkway
Southsuite 300, Gwinnett
Norcross, GA 30092

CSC Services of Hawaii, Inc.
1600 Pauahi Tower
1003 Bishop Street
Honolulu, Hawaii 96813

Corporation Service Company
12550 W. Explorer Drive, Suite 100
Boise, ID 83713

Illinois Corporation Service Company
801 Adlai Stevenson Drive
Springfield, IL 62703

Corporation Service Company
135 North Pennsylvania Street, Suite 1610
Indianapolis, IN 46204

Corporation Service Company
2345 Rice Street, Suite 230
Roseville, MN 55113

Corporation Service Company
5760 I-55 North, Suite 150
Jackson, MS 39211
Corporation Service Company
421 West Main Street
Frankfort, KY 40601

Corporation Service Company
501 Louisiana Avenue
Baton Rouge, LA 70802

Corporation Service Company
45 Memorial Circle
Augusta, ME 04330

CSC- Lawyers Incorporating Service Co.
7 St. Paul Street, Suite 820
Baltimore, MD 21202

Corporation Service Company
84 State Street
Boston, MA 02109

CSC-Lawyers Incorporating Service Co.
601 Abbot Road
East Lansing, MI 48823

Corporation Service Company
80 State Street
Albany, NY 12207

Corporation Service Company
2626 Glenwood Avenue, Suite 550
Raleigh, NC 27603

Corporation Service Company
1709 N. 19th Street, Suite 3
Bismarck, ND 58501

CSC-Lawyers Incorporating Service
50 W. Broad Street, Suite 1300
Columbus, OH 43215

CSC-Lawyers Incorporating Service Company
221 Bolivar Street
Jefferson City, MO 65101

Corporation Service Company
26 W. Sixth Avenue
Helena, MT 59624

CSC-Lawyers Incorporating Service Co.
Suite 1900
233 South 13th Street
Lincoln, NE 68508

CT Corporation System
5601 South 59th Street
Lincoln, NE 68508

CSC Services of Nevada, Inc.
2215-B Renaissance Drive
Las Vegas, NV 89119

Lawyers Incorporating Service
10 Ferry Street, Suite 313
Concord, NH 03301

Corporation Service Company
123 East Marcy Street, Suite 101
Santa Fe, NM 87501

Corporation Service Company
503 South Pierre Street
Pierre, SD 57501

Corporation Service Company
2908 Poston Avenue
Nashville, TN 37203

Corporation Service Company
211 E. 7th Street, Suite 620
Austin, TX 78701
Corporation Service Company
100300 Greenbriar Place
Oklahoma City, OK 73159

Corporation Service Company
1127 Broadway Street NE, Suite 310
Salem, OR 97301

Corporation Service Company
222 Jefferson Blvd., Suite 200
Warwick, RI 02888

Corporation Service Company
1703 Laurel Street
Columbia, SC 29201

Corporation Service Company
8040 Excelsior Drive, Suite 400
Madison, WI 53717

Corporation Service Company
1821 Logan Avenue
Cheyenne, WY 82001

Porsche Cars North America, Inc.
Registered Agents for each State:

<table>
<thead>
<tr>
<th>State</th>
<th>Registered Agent 1</th>
<th>Registered Agent 2</th>
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<tbody>
<tr>
<td>AL</td>
<td>CT Corporation System</td>
<td>The Corporation Trust Company</td>
</tr>
<tr>
<td></td>
<td>2 North Jackson Street, Suite 605</td>
<td>Corporation Trust Center</td>
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<td></td>
<td>Montgomery, AL 36104</td>
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<tr>
<td>124 West Capitol Ave., Suite 1900, Little Rock, AR 72201</td>
<td>289 S Culver Street, Gwinnett, Lawrenceville, GA 30046</td>
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<tr>
<td>CT Corporation System, 818 W. 7th Street, Suite 930, Los Angeles, CA 90017</td>
<td>The Corporation Company, Inc., 1136 Union Mall, Suite 301, Honolulu, Hawaii 96813</td>
<td></td>
</tr>
<tr>
<td>The Corporation Company, 7700 E. Arapahoe Road, Suite 220, Centennial, CO 80112</td>
<td>CT Corporation System, 921 S. Orchard Street, Suite G, Boise, ID 83705</td>
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<tr>
<td>CT Corporation System, 208 S0 Lasalle Street, Suite 814, Chicago, IL 60604</td>
<td>CT Corporation System, 155 Federal Street, Suite 700, Boston, MA 02110</td>
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<tr>
<td>The Corporation Company, 150 West Market Street, Suite 800, Indianapolis, IN 46204</td>
<td>The Corporation Company, 40600 Ann Arbor Road, E, Suite 201, Plymouth, MI 48170</td>
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<tr>
<td>CT Corporation System, 400 E. Court Avenue, Des Moines, IA 50309</td>
<td>CT Corporation System, 1010 Dale Street, N, St. Paul, MN 55117</td>
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<tr>
<td>The Corporation Company, Inc., 112 SW 7th Street, Suite 3C, Topeka, KS 66603</td>
<td>CT Corporation System, 645 Lakeland East Drive, Suite 101, Flowood, MS 39232</td>
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</tr>
<tr>
<td>CT Corporation System, 306 W. Main Street, Suite 512, Frankfort, KY 40601</td>
<td>CT Corporation System, 120 South Central Avenue, Clayton, MO 63105</td>
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<tr>
<td>The Corporation Company, 3867 Plaza Tower Drive, Baton Rouge, LA 70816</td>
<td>CT Corporation System, 5601 South 59th Street, Lincoln, NE 68516</td>
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<tr>
<td>CT Corporation System, 128 State Street #3, Augusta, ME 04330</td>
<td>The Corporation Trust Co. of Nevada, 701 S. Carson Street, Suite 200, Carson City, NV 89701</td>
<td></td>
</tr>
<tr>
<td>The Corporation Trust Inc.</td>
<td>CT Corporation System</td>
<td></td>
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<tr>
<td>2405 York Road, Suite 201</td>
<td>9 Capitol Street</td>
<td></td>
</tr>
<tr>
<td>Lutherville Timonium, MD 21093</td>
<td>Concord, NH 03301</td>
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<table>
<thead>
<tr>
<th>CT Corporation System</th>
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<tr>
<td>206 S. Coronado Avenue</td>
<td>2 Office Park Court, Suite 103</td>
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<tr>
<td>Espanola, NM 87532</td>
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<table>
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<tr>
<td>111 Eighth Avenue</td>
<td>Suite 2021</td>
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<tr>
<td>New York, NY 10011</td>
<td>800 S. Gay Street</td>
</tr>
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<td>Knoxville, TN 37929</td>
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<table>
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<tr>
<td>160 Mine Lake Ct., Suite 200</td>
<td>1999 Bryan Street, Suite 900</td>
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<tr>
<td>Raleigh, NC 27615</td>
<td>Dallas, TX 75201</td>
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<td>314 E. Thayer Avenue</td>
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<tr>
<td>Bismarck, ND 58501</td>
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<tr>
<th>The Corporation Company</th>
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<tr>
<td>1833 S. Morgan Road</td>
<td>17 G W Tatro Drive</td>
</tr>
<tr>
<td>Oklahoma City, OK 73128</td>
<td>Jeffersonville, VT 05464</td>
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<table>
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<tr>
<th>CT Corporation System</th>
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<tr>
<td>4400 Easton Commons Way, Suite 125</td>
<td>4701 Cox Road, Suite 301</td>
</tr>
<tr>
<td>Columbus, OH 43219</td>
<td>Glen Allen, VA 23060</td>
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<tr>
<td>780 Commercial St SE, Suite 100</td>
<td>711 Capitol Way S, Suite 204</td>
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<tr>
<td>Salem, OR 97301</td>
<td>Olympia, WA 98501</td>
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<th>CT Corporation System</th>
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<tr>
<td>450 Veterans Memorial Parkway, Suite 7A</td>
<td>5400 D. Big Tyler Road</td>
</tr>
<tr>
<td>East Providence, RI 02914</td>
<td>Charleston, WV 25313</td>
</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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</thead>
<tbody>
<tr>
<td>2009</td>
<td>9VWXV02.035N</td>
<td>VW Jetta, VW Jetta Sportwagen</td>
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<tr>
<td>2009</td>
<td>9VWXV02.0U5N</td>
<td>VW Jetta, VW Jetta Sportwagen</td>
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<td>AVWXV02.0U5N</td>
<td>VW Golf, VW Jetta, VW Jetta Sportwagen, Audi A3</td>
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<td>2012</td>
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<td>2012</td>
<td>CVWXV02.0U4S</td>
<td>VW Passat</td>
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<tr>
<td>2013</td>
<td>DVWXV02.0U5N</td>
<td>VW Beetle, VW Beetle Convertible, VW Golf, VW Jetta, VW Jetta Sportwagen, Audi A3</td>
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<td>DVWXV02.0U4S</td>
<td>VW Passat</td>
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<tr>
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<td>EVWXV02.0U5N</td>
<td>VW Beetle, VW Beetle Convertible, VW Golf, VW Jetta, VW Jetta Sportwagen, Audi A3</td>
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<tr>
<td>2014</td>
<td>EVWXV02.0U4S</td>
<td>VW Passat</td>
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<tr>
<td>2015</td>
<td>FVGAV02.0VAL</td>
<td>VW Beetle, VW Beetle Convertible, VW Golf, VW Golf Sportwagen,</td>
</tr>
</tbody>
</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. Pursuant to 42 U.S.C. §7522 these vehicles cannot be allowed to be imported, sold, or used in the United States. Additionally, 42 U.S.C. §7522 prohibits the importation, sale, and use 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. The vehicles must be removed from the United States. 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 nonconforming vehicles allowed under 42 U.S.C. §7541—eliminating the nonconformity. See, Center for Auto Safety v. Ruckelshaus, 747 F.2d 1, 4 (D.C. Cir. 1984).

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.

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.

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.

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/977585e33633852b862575750057311a/712f4579688ba338625756f004c429e!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.

**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.

**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.
Virginia
A. Emission control systems.
   3. No motor vehicle or engine shall be operated with the motor
      vehicle pollution control system or device removed or otherwise
      rendered inoperable
   65 FR 21315

It is the duty of the Administrator to 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
herein. 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: ____________________________
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