

**Statement of  
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U.S. Environmental Protection Agency**

**United Nations Economic Commission for Europe  
168<sup>th</sup> Session of the World Forum for Harmonization of Vehicle  
Regulations (WP.29)  
Geneva, Switzerland  
March 8, 2015**

Mr Chairman, respected members of this committee, ladies and gentlemen, I appreciate the opportunity to follow up on my statement from last November and further update this Committee on the United States Environmental Protection Agency's Notices of Violation issued to Volkswagen.

As I mentioned in November, last fall EPA sent Notices of Violation (NOV) of the Clean Air Act to Volkswagen (Volkswagen AG, Audi AG, and Volkswagen Group of America, Inc.) alleging that 2 and 3 liter (respectively) Volkswagen, Audi, and Porsche diesel cars sold in the U.S. since the 2009 model year include "defeat device" software that circumvents EPA emissions standards. In January of this year, the U.S. government filed a complaint against the companies in federal court for alleged violations of the Clean Air Act. The complaint covers some 600,000 vehicles, and every light duty diesel vehicle model the companies have sold in the United States since 2009. The EPA continues to coordinate with the California Air Resources Board and Environment Canada on testing, and the investigation by EPA's enforcement authorities is ongoing. Meanwhile [EPA is insisting that VW expedite](#)

development of remedies that address the pollution in a timely fashion and in a way that protects the vehicle owners.

EPA and California's motor vehicle programs continue to be very successful at delivering on our agencies' missions to protect human health and the environment. In response to the VW violations, EPA announced that its compliance oversight would now incorporate additional, unpredictable test procedures and that vehicle testing would be expanded to include defeat device screening. In fact EPA identified the defeat device in the 3 liter VW vehicles as a result of these new procedures.

The Clean Air Act assigns EPA both the responsibility and broad authority to oversee the certification and compliance of all vehicles sold in the United States. Our approach to compliance oversight is multi-faceted and multi-dimensional. We use a flexible mix of testing, audits, manufacturer tracking/reporting review, and partnerships with other stakeholders and regulators to collect compliance information, and we monitor emissions compliance throughout product lifecycle. We even recruit consumer-owned vehicles for testing. For example, in 2012 and 2013 manufacturers recalled approximately 3.7 million cars, 340,000 heavy-duty engines with potential emission problems revealed through EPA's surveillance and reporting requirements. Consumers received free repairs, extended warranties or other remedies to address the emission defects. Furthermore, in 2013, EPA voided 153 certificates of conformity for engine families covering more than 170,000 on- and off-highway motorcycles and all-terrain vehicles produced between model years 2005 and 2012.

Over the 40-plus year history of our program, we have continuously updated and adapted our approaches to compliance oversight as

technologies and situations changed. We take seriously our responsibility to oversee the implementation and enforcement of our clean air regulations. It is this oversight that ensures the benefits of clean air emissions standards are realized, that the industry is competing on a level playing field, and that consumers are getting what they pay for.

Thank you again for the opportunity to address this committee on this important topic.