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## Overview

The EPA has resolved a civil enforcement case against Volkswagen AG, Audi AG, Dr. Ing. h.c. F. Porsche AG, Volkswagen Group of America, Inc., Volkswagen Group of America Chattanooga Operations, LLC, and Porsche Cars North America, Inc. (collectively “Volkswagen”), subject to reservations set forth in three partial settlements. These settlements resolve allegations that Volkswagen violated the Clean Air Act by the sale of approximately 590,000 model year 2009 to 2016 diesel motor vehicles equipped with “defeat devices” in the form of computer software designed to cheat on federal emissions tests. The major excess pollutant at issue in this case is oxides of nitrogen (NO<sub>x</sub>), and is a serious health concern.

### What is a defeat device?

Any device that bypasses, defeats, or renders inoperative a required element of the vehicle's emission control system.

## Affected vehicles

### 2.0 liter diesel vehicle models and model years with defeat devices:

- Jetta (2009 – 2015)

- Jetta Sportwagen (2009 - 2014)
- Beetle (2013 – 2015)
- Beetle Convertible (2013 - 2015)
- Audi A3 (2010 – 2015)
- Golf (2010 – 2015)
- Golf Sportwagen (2015)
- Passat (2012 - 2015)

### **3.0 liter diesel vehicle models and model years with defeat devices:**

- Volkswagen Touareg (2009 - 2016)
- Porsche Cayenne (2013 - 2016)
- Audi A6 Quattro (2014 - 2016)
- Audi A7 Quattro (MY 2014 - 2016)
- Audi A8 (2014 - 2016)
- Audi A8L (2014 - 2016)
- Audi Q5 (2014 - 2016)
- Audi Q7 (2009 - 2016)

## **Timeline of Key Milestones**

Volkswagen, Audi, and Porsche installed software on certain diesel vehicles that is designed to detect when the vehicle is undergoing emissions testing and turns full emissions controls on only during the test. The effectiveness of emissions control devices is reduced during all normal driving. This results in cars that meet emissions standards in the laboratory or testing station, but during normal operation, emit nitrogen oxides at levels up to 40 times the standard. This software is a "defeat device" that is prohibited under the Clean Air Act.

- On **September 18, 2015**, EPA issued a Notice of Violation of the Clean Air Act to Volkswagen AG, Audi AG, and Volkswagen Group of America, Inc (collectively, "Volkswagen"). The notice alleges that Volkswagen installed software in its model year 2009-2015 2.0 liter diesel cars that circumvents EPA emissions standards. These vehicles emit up to 40 times more pollution than emissions standards allow.

- On **September 25, 2015**, EPA announced that defeat device screening protocols would be included in compliance oversight programs going forward. Review manufacturer guidance letter. <<https://epa.gov/vw/documents-related-volkswagen-violations-model-years-2009-2016>>
- On **November 2, 2015**, EPA issued a different Notice of Violation of the Clean Air Act to Volkswagen, Audi, and Porsche for producing and selling certain model year 2014-2016 3.0 liter diesel cars and SUVs that include a software device that circumvents EPA emissions standards for certain air pollutants. These vehicles emit up to nine times more pollution than emissions standards allow. Subsequently, on **November 19, 2015**, Volkswagen officials informed EPA that the defeat device has existed in all of its U.S. 3.0 liter diesel models since 2009.
- On **January 4, 2016**, the Department of Justice filed a complaint on behalf of EPA against Volkswagen AG, Audi AG, Volkswagen Group of America, Inc., Volkswagen Group of America Chattanooga Operations, LLC, Porsche AG, and Porsche Cars North America, Inc. for alleged violations of the Clean Air Act.
- On **June 28, 2016**, Volkswagen entered into a multi-billion dollar settlement to partially resolve alleged Clean Air Act violations based on the sale of 2.0 liter diesel engines that were equipped with software designed to cheat on federal emissions tests, known as “defeat devices.” The settlement was formally entered and took effect on **October 25, 2016**.
- On **December 20, 2016**, Volkswagen entered into a second settlement to partially resolve alleged Clean Air Act violations based on the sale of 3.0 liter diesel engines that were equipped with software “defeat devices” designed to cheat on federal emissions tests.
- On **January 6, 2017**, EPA and California Air Resources Board approved emissions modifications for model year 2015 VW Beetle, Beetle Convertible, Golf, Golf SportWagon, Jetta, Passat, and Audi A3 Diesel Vehicles. Review approval letter. <<https://epa.gov/vw/documents-related-volkswagen-violations-model-years-2009-2016>>
- On **January 11, 2017**, Volkswagen agreed to plead guilty to three criminal felony counts, and agrees to pay \$2.8 billion criminal penalty. In separate civil resolutions of environmental, customs, and financial claims, VW agreed to pay \$1.5 billion which covers EPA’s claim for civil penalties against Volkswagen as well as U.S. Customs and Border Protection claims for customs fraud. In addition, the EPA agreement requires injunctive relief to prevent future violations. The agreements also resolve alleged violations of the Financial Institutions Reform, Recovery and Enforcement Act.

- On **March 15, 2017**, Wilmington Trust, N.A. is appointed by the Court as Trustee of the Environmental Mitigation Trust.
- On **April 12, 2017**, EPA approved the VW National Zero Emissions Vehicle Investment Plan. Read the plan <<https://epa.gov/enforcement/epa-approved-national-zev-investment-plan-public-version>>.
- On **May 19, 2017**, EPA and California Air Resources Board approved emissions modifications for model year 2012 - 2014 VW Passat diesel vehicles with automatic transmissions. Review the approval letter. <<https://epa.gov/vw/epa-and-california-air-resources-board-approve-remedy-reduce-excess-nox-emissions-automatic>>
- On **July 27, 2017**, EPA and the California Air Resources Board approved an emissions modification proposed by VW for model year 2009 – 2014 diesel Jetta, Golf, Beetle, and Audi A3 diesel vehicles. Review the approval letter <<https://epa.gov/vw/epa-and-california-air-resources-board-approve-remedy-reduce-excess-nox-emissions-generation-1>>.
- On **September 7, 2017**, EPA and California Air Resources Board disapproved Volkswagen's Proposed Emissions Modification for model year 2012-2014 manual transmission diesel Passat vehicles. Review the letter <<https://epa.gov/vw/epa-and-california-air-resources-board-disapprove-volkswagens-proposed-emissions-modification>>.
- On **October 20, 2017**, EPA and CARB approved emissions fixes for Audi, Porsche, and VW Diesel 3.0 Liter Sport Utility Vehicles. Review the approval letter <<https://epa.gov/vw/epa-and-carb-approve-emissions-fixes-audi-porsche-and-vw-diesel-30-liter-sport-utility-vehicles>>.
- On **December 18, 2017**, EPA and CARB approved emissions fixes for Audi Diesel 3.0 Passenger Cars. Review the approval letter <<https://epa.gov/vw/epa-and-carb-approve-emissions-fix-audi-diesel-30-liter-diesel-passenger-cars>>.
- On **April 18, 2018**, EPA and CARB approved the second phase of emissions modifications for Model Year 2015 2.0 Liter Diesel Vehicles. Review the approval letter <<https://epa.gov/vw/epa-and-carb-approve-second-phase-emissions-modifications-model-year-2015-20-diesel-liter>>.
- On **May 18, 2018**, EPA and CARB approved emissions modification for Generation 1.1 SUV of the 3.0 Liter subject vehicles. Review the approval letter <<https://epa.gov/vw/epa-and-carb-approve-emissions-modification-generation-11-suv-30-liter-subject-vehicles>>.

- On **July 13, 2018**, EPA and CARB approved emissions modification for Generation 1.2 SUV of the 3.0 Liter Subject Vehicles. Review the approval letter <<https://epa.gov/vw/emissions-modification-generation-12-suv-30-liter-subject-vehicles>>.

Learn more about the settlement with Volkswagen.

<<https://epa.gov/enforcement/volkswagen-clean-air-act-civil-settlement>>

## Coordination with California

EPA is working closely with our partner California's Air Resources Board to implement the settlement with Volkswagen. In addition, EPA and its partners the California Air Resources Board and Environment Canada are testing all current 2015-2016 light duty diesel vehicles to screen for potential defeat devices. The agencies will announce the results when testing is complete.

Learn more about the California Air Resource Board's work on this issue [↗](#)

<[https://www.arb.ca.gov/msprog/vw\\_info/vw-diesel-info/vw-diesel-info.htm](https://www.arb.ca.gov/msprog/vw_info/vw-diesel-info/vw-diesel-info.htm)>.

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