

To provide context for this submission, Volkswagen offers the following points of clarification. Volkswagen filed safety recall 22V-178 on March 23, 2022, which covers 2013-2017 MY vehicles equipped with the EA824 4.0 turbocharged engine. Safety recall 22V-178 includes all subject vehicles, and certain peer vehicles, produced up to and including March 30, 2017. Vehicles with a production date of March 31, 2017 and later, were produced with the larger 90µm mesh oil strainer. Subject vehicles that were repaired with a 90µm oil strainer prior to the launch of safety recall 22V-178 were excluded from the recall population, but may be covered by the extended warranty (subject to time and mileage limitations).

In addition, peer vehicles are limited to model years 2017 and 2018 because production ended for the EA824 4.0L turbocharged engine. Beginning with the 2019 MY, the successor EA825 4.0L turbocharged engine is not equipped with an oil strainer and therefore is outside the scope of this inquiry.

Please repeat the applicable request verbatim above each response. After VW's response to each request, identify the source of the information and indicate the last date the information was gathered.

1. State, by model and model year, the number of peer vehicles VW has manufactured for sale or lease in the United States. Separately, for each subject vehicle manufactured to date by VW, state the following:
 - a. Vehicle Identification Number (17-character VIN);
 - b. Make;
 - c. Model;
 - d. Model Year;
 - e. Date of manufacture (MM/DD/YYYY);
 - f. Date warranty coverage commenced (MM/DD/YYYY); and
 - g. The State in the United States where the vehicle was originally sold or leased, or delivered for sale or lease (postal abbreviation).

Provide the table in Microsoft Access 2010, or a compatible format, entitled "PEER PRODUCTION DATA."

Response 1

In response to this inquiry, Volkswagen provides the population of the subject and peer vehicles identified in EA22-001.

Population data for **subject vehicles** 2013-2016 Model Year (MY) Audi A8, S6, S7, S8 and RS7 manufactured for sale or lease in the United States, including, but not limited to, the District of Columbia and current U.S. territories and possessions:

Model	2013	2014	2015	2016	Total
A8	451	350	216		1,017
A8L	1,558	1,243	2,473	1,366	6,640
RS7		1,030	542	1,107	2,679
S6	1,809	1,309	376	2,169	5,663
S7	1,106	1,281	523	1,520	4,430
S8	1,015	744	697	564	3,020
Total	5,939	5,957	4,827	6,726	23,449

Response 1 cont'd.

Population data for **peer vehicles** 2017-2018 Model Year (MY) Audi A8, S6, S7, S8 and RS7 manufactured for sale or lease in the United States, including, but not limited to, the District of Columbia and current U.S. territories and possessions:

Model	2017	2018	Grand Total
A8L	1,495	254	1,749
RS 7	766	235	1,001
S6	1,578	1,457	3,035
S7	1,174	826	2,000
S8	569	26	595
Total	5,582	2,798	8,380

Volkswagen notes that of the 8,380 peer vehicles identified in response to EA22-001, approximately:

- 4,687 vehicles (2017 MY) were produced PRIOR to the introduction of the improved 90µm oil strainer and are included in safety recall 22V-178, and;
- 3,693 vehicles (2017-2018 MY) were produced AFTER the introduction of the improved 90µm oil strainer into series production on March 31, 2017.
- Please reference APPENDIX A for the subject and peer vehicle population data tables based on the introduction of the 90µm oil strainer in series production.

Please reference the file entitled “PRODUCTION DATA.xlsx” which contains the requested information for the subject and peer vehicles, in response to items “a” through “g”, in the folder attached hereto as Exhibit to Request 1.

Source: Business Objects Vehicles Universe

Date Gathered: Through the date of the inquiry (May 09, 2022)

2. State the number of each of the following, received by VW, or of which VW is otherwise aware, which relate to, or may relate to, the alleged defect in peer vehicles and subject vehicles that received repairs installing a new oil strainer with a mesh of 90µm.
 - a. Consumer complaints, including those from fleet operators;
 - b. Field reports, including dealer field reports;
 - c. Reports involving a crash, injury or fatality;
 - d. Property damage claims; and
 - e. Third-party arbitration proceedings, both pending and closed, where VW is or was a party to the arbitration

For subparts “a” through “e” state the total number of each item (e.g., consumer complaints, field reports, etc.) separately. Multiple incidents involving the same vehicle are to be counted separately. Multiple reports of the same incident are also to be counted separately (i.e., a consumer complaint and a field report involving the same incident in which a crash occurred are to be counted as a crash report, a field report and a consumer complaint).

In addition, for items “a” through “e” provide a summary description of the alleged problem and causal and contributing factors and VW assessment of the problem, with a summary of the significant underlying facts and evidence. For items “a” and “e” identify the parties to the action, as well as the caption, court, docket number, and date on which the complaint or other document initiating the action was filed.

Response 2

Volkswagen notes that the following responses to items “a” through “e” include overlapping and duplicative items that relate to the same underlying incident; the counts are not additive, as a false total count would result.

- a. In response to this inquiry, Volkswagen has identified 106 consumer complaints on 105 unique VINS which relate to, or may relate to, the alleged defect in subject and/or peer vehicles. Count allocation: 101 involve subject vehicles and 5 involve peer vehicles (all 5 were produced prior to March 31, 2017 and are included in safety recall 22V-178);
- b. In response to this inquiry, Volkswagen has identified 206 field reports on 192 unique VINS which relate to, or may relate to, the alleged defect in subject and/or vehicles. Count allocation: 199 involve subject vehicles and 7 involve peer vehicles (all 7 of which were produced prior to March 31, 2017 and are included in safety recall 22V-178);
- c. In response to this inquiry, Volkswagen has not received any reports involving a crash, injury or fatality, or notices/claims of injury or death alleging or proving that a death or injury was caused by, or alleged to have been caused by, the alleged defect in the subject or peer vehicles;
- d. In response to this inquiry, Volkswagen has not received any property damage claims;
- e. In response to this inquiry, Volkswagen has not identified any third-party arbitration proceeding where VW is or was a party to the arbitration.

3. Separately, for each item (complaint, report, claim, notice, or matter) within the scope of your response to Request No. 2, state the following information:
 - a. VW's file number or other identifier used;
 - b. The category of the item, as identified in Request No. 2 (i.e., consumer complaint, field report, etc.);
 - c. Vehicle owner or fleet name (and fleet contact person), email address and telephone number (please use distinct fields for each data type);
 - d. Vehicle Identification Number (17-character VIN);
 - e. Vehicle's make, model, and model year (please use distinct fields for each data type);
 - f. Vehicle's mileage at time of incident;
 - g. Incident date (MM/DD/YYYY);
 - h. Report or claim date (MM/DD/YYYY);
 - i. Whether a crash is alleged;
 - j. Whether property damage is alleged;
 - k. Number of alleged injuries, if any; and
 - l. Number of alleged fatalities, if any.

Provide this information in Microsoft Access 2010, or a compatible format, entitled "REQUEST NUMBER TWO DATA."

Response 3

Responses to items "a" through "l" are provided in files entitled, "REQUEST NUMBER TWO DATA_Peer.xlsx" and "REQUEST NUMBER TWO DATA_Subject.xlsx", in the folder attached hereto as Exhibit to Request 3. Records are organized by case number, then by category.

Source, Date Gathered: See Response 2

4. Produce copies of all documents related to each item within the scope of Request No. 2. Organize the documents separately by category (i.e., consumer complaints, field reports, etc.) and describe the method VW used for organizing the documents. Describe in detail the search methods and search criteria used by VW to identify the items in response to Request No. 2.

Response 4

In response to this inquiry, the following search criteria were used to identify items in response to Request 2:

- Identify 2013-2016 Model Year (MY) Audi A8, S6, S7, S8 and RS7 subject vehicles and 2017-2018 Model Year (MY) Audi A8, S6, S7, S8 and RS7 peer vehicles manufactured and sold to Volkswagen Group of America, Inc. for resale or lease in the United States; and
- Identify the service part number(s) related to the subject component (turbocharger) in the subject vehicles; and
- Indicated a turbocharger failure / turbocharger replacement induced by oil starvation caused by a clogged oil strainer; and
- Contained verbiage that relates to, or may relate to, the alleged defect due to the subject component and were sub-categorized as:
 - “Stall while driving”: Documents relating to an alleged stalling event that, according to customer reporting, occurred while the vehicle was in motion.
 - “Stall at idle”: Documents relating to an alleged stalling event that, according to customer reporting, occurred while the vehicle idled at 0 mph.
 - “Stall ambiguous”: Documents relating to an alleged stalling event that does not have details sufficient to further categorize the event.

The individual records were manually screened to identify those that contained customer concerns that relate to, or may relate to, the alleged defect, “engine stall due to turbocharger failure induced by oil starvation caused by a clogged oil strainer.”

Volkswagen further notes that due to the nature of secondhand reporting and Volkswagen’s inability to examine the field vehicles, it is not able to determine to a reasonable degree of certainty, whether a turbocharger failure was “induced by oil starvation caused by [a] clogged oil strainer.” Nevertheless, to assist the Agency’s review, Volkswagen has provided information relating to cases of alleged engine stall that resulted in the replacement of an oil strainer and one or both turbochargers.

Documents are provided in Adobe Acrobat files entitled, “REQUEST NUMBER TWO DATA_Peer.pdf” and “REQUEST NUMBER TWO DATA_Subject.pdf”, in the folder attached hereto as Exhibit to Request 4. Records are organized chronologically by case number, then by category.

Source, Date Gathered: See Response 2

5. State, by model and model year, a total count for all of the following categories of claims, collectively, that have been paid by VW to date that relate to, or may relate to, the alleged defect in the peer vehicles and subject vehicles that received repairs installing a new oil strainer with a mesh of 90µm warranty claims; extended warranty claims; claims for good will services that were provided; field, zone, or similar adjustments and reimbursements; and warranty claims or repairs made in accordance with a procedure specified in a technical service bulletin or customer satisfaction campaign.

Separately, for each such claim, state the following information:

- a. VW's claim number;
- b. Vehicle owner or fleet name (and fleet contact person), email address and telephone number (please use distinct fields for each data type);
- c. Vehicle owner or fleet street address, city, state (postal abbreviation), and ZIP code (please use distinct fields for each data type);
- d. Vehicle Identification Number (17-character VIN);
- e. Repair date (MM/DD/YYYY);
- f. Vehicle mileage at time of repair;
- g. Repairing dealer's or facility's name, telephone number, city and state or ZIP code (please use distinct fields for each data type);
- h. Labor operation number(s);
- i. Diagnostic trouble code(s);
- j. Replacement part number(s) and description(s);
- k. Concern stated by customer;
- l. Cause as stated on the repair order;
- m. Correction as stated on the repair order; and
- n. Additional comments, if any, by dealer/technician relating to claim and/or repair.

Provide this information in Microsoft Access 2010, or a compatible format, entitled "WARRANTY DATA."

Response 5

In response to this inquiry, Volkswagen has identified 813 warranty claims on 802 unique VINs that relate to, or may relate to, the alleged defect in the subject and/or peer vehicles. Count allocation: 775 involve subject vehicles and 38 involve peer vehicles (all 38 of which were produced prior to March 31, 2017 and are included in safety recall 22V-178).

Volkswagen further notes that 26 of these warranty claims are duplicative of consumer complaints and 89 are duplicative of field reports.

Information for these claims are provided in Microsoft Excel format, in files entitled "WARRANTY DATA_Peer.xlsx" and "WARRANTY DATA_Subject.xlsx", in the folder attached hereto as Exhibit to Request 5. The warranty claims are organized by file number, in ascending order.

6. Describe in detail the search methods and search criteria used by VW to identify the claims in response to Request No. 5, including the labor operations, problem codes, diagnostic trouble codes, part numbers and any other pertinent parameters used.

Response 6

In order to respond to this inquiry, the following search criteria were used to search the Warranty Claims data to identify claims in response to Request 5:

- Identify 2013-2016 Model Year (MY) Audi A8, S6, S7, S8 and RS7 subject vehicles manufactured and sold to Volkswagen Group of America, Inc. for resale or lease in the United States, and
- Identify 2017-2018 Model Year (MY) Audi A8, S6, S7, S8 and RS7 peer vehicles manufactured and sold to Volkswagen Group of America, Inc. for resale or lease in the United States.
- Identify the turbocharger service part numbers applicable to the subject vehicles:
 - 079145703* - Turbocharger (succeeded by P/N 079145721* on 1/1/2017)
 - 079145704* - Turbocharger (succeeded by P/N 079145722* on 2/1/2017)
 - 079145721* - Turbocharger
 - 079145722* - Turbocharger
 - 079115175G - Oil Strainer
- For labor operations related to turbocharger and oil strainer replacement, please reference Technical Service Bulletin 2044640-12 (copy provided in the folder attached hereto as Exhibit to Request 7).

The individual records were manually screened to identify those that contained customer concerns that relate to, or may relate to, the alleged defect, “engine stall due to turbocharger failure induced by oil starvation caused by a clogged oil strainer.”

Volkswagen further notes that due to the nature of secondhand reporting and Volkswagen’s inability to examine the field vehicles, it is not able to determine to a reasonable degree of certainty, whether a turbocharger failure was “induced by oil starvation caused by [a] clogged oil strainer”. Nevertheless, to assist the Agency’s review, Volkswagen has provided information relating to cases of alleged engine stall that resulted in the replacement of an oil strainer and one or both turbochargers.

7. Provide a list of all labor operations, labor operation descriptions, problem codes, and problem code descriptions, diagnostic trouble codes and diagnostic trouble code descriptions applicable to the alleged defect in the subject vehicles and peer vehicles. State whether the diagnostic trouble codes are automatically reported to the warranty database electronically or manually entered in the warranty database by a claims administrator.

Response 7

For labor operations related to turbocharger and oil strainer replacement, please reference Technical Service Bulletin 2044640-12 (copy provided in the folder attached hereto as Exhibit to Request 7).

Diagnostic trouble codes are neither automatically nor manually entered into the warranty database. Diagnostic trouble codes, for each vehicle, are retrieved on a case-by-case basis. There is no existing link between the warranty database and diagnostic trouble codes.

8. State, by make and model year, the terms of the new vehicle warranty coverage offered by VW on the peer vehicles (i.e., the number of months and mileage for which coverage is provided and the vehicle systems that are covered). Describe any extended warranty coverage option(s) that VW offered for the subject vehicles and state by option, model, and model year, the number of vehicles that are covered under each such extended warranty.

Response 8

New Vehicle Limited Warranty (NVLW) Coverage (*Peer Vehicles):

Make	Model Year	Model	New Vehicle Limited Warranty	Extended Warranty	Population	Subject / Peer
Audi	2017-2018	A8	4 Years / 50,000 Miles	-	497	Peer
Audi	2017-2018	RS7	4 Years / 50,000 Miles	-	278	Peer
Audi	2017-2018	S6	4 Years / 50,000 Miles	-	1,842	Peer
Audi	2017-2018	S7	4 Years / 50,000 Miles	-	1,037	Peer
Audi	2017-2018	S8	4 Years / 50,000 Miles	-	39	Peer

* 2017-2018 MY vehicles manufactured March 31, 2017 and later are not included in safety recall 22V-178, nor covered by the extended warranty (vehicles manufactured with the improved 90µm oil strainer).

Extended Warranty Coverage (**Subject Vehicles):

Make	Model Year	Model	New Vehicle Limited Warranty	Extended Warranty	Population	Subject / Peer
Audi	2013-2017	A8	-	10 Year / 120K Miles	8,828	Subject
Audi	2014-2017	RS7	-	10 Year / 120K Miles	3,372	Subject
Audi	2013-2017	S6	-	10 Year / 120K Miles	6,809	Subject
Audi	2013-2017	S7	-	10 Year / 120K Miles	5,337	Subject
Audi	2013-2017	S8	-	10 Year / 120K Miles	3,543	Subject

** 2013-2017 MY vehicles manufactured up to and including March 30, 2017 (prior to the introduction of the improved 90µm oil strainer) are included in safety recall 22V-178, and may be covered by the extended warranty (subject to time and mileage limitations). The EPA and CARB have been provided with notice of the warranty extension for the turbocharger for 2013-2017 MY vehicles.

Copies of the New Vehicle Limited Warranty and extended warranty are provided in Adobe Acrobat format and the files are entitled, "REQUEST NUMBER EIGHT_NVLW_Peer.pdf" and "REQUEST NUMBER EIGHT_WE_Subject.pdf", in the folder attached hereto as Exhibit to Request 8.

Summary

Volkswagen notes that, based on the information provided in response to EA22-001, it is confirmed that there are no consumer complaints, field reports, or warranty claims that relate to, or may relate to, the alleged defect in peer vehicles, identified as those produced March 31, 2017 or later, that received the improved 90µm oil strainer in series production.

APPENDIX A

An alternate presentation of production data is provided below for subject and peer vehicles, **based on the introduction of the 90µm oil strainer into series production on March 30, 2017.**

Subject vehicles: 2013-2017 Model Year (MY) Audi A8, S6, S7, S8 and RS7 vehicles manufactured up to and including March 30, 2017, for sale or lease in the United States, including, but not limited to, the District of Columbia and current U.S. territories and possessions.

Model	2013	2014	2015	2016	2017	2018	Grand Total
A8	451	350	216				1,017
A8 L					1,252		1,252
A8L	1,558	1,243	2,473	1,366			6,640
RS 7					723		723
RS7		1,030	542	1,107			2,679
S6	1,809	1,309	376	2,169	1,193		6,856
S7	1,106	1,281	523	1,520	963		5,393
S8	1,015	744	697	564	556		3,576
Total	5,939	5,957	4,827	6,726	4,687		28,136

Peer vehicles: 2017-2018 Model Year (MY) Audi A8, S6, S7, S8 and RS7 vehicles manufactured beginning March 31, 2017 and later, for sale or lease in the United States, including, but not limited to, the District of Columbia and current U.S. territories and possessions.

Model	2013	2014	2015	2016	2017	2018	Grand Total
A8 L					243	254	497
RS 7					43	235	278
S6					385	1,457	1,842
S7					211	826	1,037
S8					13	26	39
Total					895	2,798	3,693