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'Defeat Devices' 14 3-11-74

If automotive engineers had known more about politics Chrysler probably wouldn't be recalling half its 1973 model cars to fix a little valve in the radiator.

The trouble began in 1972 when word got back to the Environmental Protection Agency that there were three small valves on 1973 models designed to cut out the pollution control equipment briefly at certain times. The engineers, in a very unhappy choice of words, were calling them "defeat devices."

Soon there was a brouhaha, public hearings and the like, with EPA claiming that Detroit was undermining the Clean Air Standards Act of 1970. The auto engineers said they were not, that the "defeat devices" only overrode the exhaust gas recirculator during short periods, such as during engine start-up, when nitrogen oxide emissions weren't a problem. Without them motorists would be fussing and fuming over ragged,

recalcitrant 1973 model engines, they added.

Finally, in January 1973, EPA agreed that the auto engineers were pretty much right. But as something of a face-saving measure the agency pressed Chrysler to relocate the heat sensor on one of its "defeat devices" from the engine firewall to inside the radiator. OK, said Chrysler, but it warned EPA that such an impromptu engineering change in the middle of a model run might give trouble. Sure enough it did. The sensors in the radiator are beginning to fail, necessitating recall of the 1973 models built after the running change in March 1973.

All the motorists who go back for the fix probably will blame the Chrysler engineers. But as with so many other things, now that Washington dabbles in technical subjects ranging from auto design to oil logistics, politics should share at least some of the blame.

Volkswagen to Pay \$120,000 to Settle Complaint by EPA

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By a WALL STREET JOURNAL Staff Reporter

WASHINGTON—The West German manufacturer and U.S. distributor of Volkswagen agreed to pay \$120,000 in penalties to settle charges that they violated government emission-control rules, the Justice Department said.

Both the agreement and the civil suit if settled were filed yesterday in federal district court in Newark, N.J. The complaint, issued at the request of the Environmental Protection Agency, named Volkswagenwerk AG of Germany and Volkswagen of America Inc., Englewood Cliffs, N.J.

They were charged with violating the 1970 Clean Air Act and EPA regulations by failing to report the installation of devices modifying pollution-control systems on four models of 1973 cars.

In Englewood Cliffs, a Volkswagen of America spokesman said the settlement was "made with the express understanding that it shall not be deemed an admission of any wrongdoing," and described the government challenge as based strictly on reporting procedures rather than on VW's use of the devices or their function. He said the EPA certified the vehicles with the devices installed, adding that the vehicles meet all required federal standards.

"They contended only that we didn't describe them adequately in our reports," he said. He said the Volkswagen companies agreed to pay the civil penalty "because our relations with the EPA are too important to permit us to become involved in an adversary proceeding on a matter of questionable significance."

According to the suit, Volkswagen didn't report the use of temperature-sensing devices on engines installed in its bus-like panel trucks, station wagons, combination vehicles and campmobiles. One device disengages an emission-control system at low temperatures and the other modifies the fuel-air ration on the carburetor at low temperatures, the suit said.

The manufacturer and distributor agreed to pay the \$120,000 penalty jointly, the Justice Department said. In addition, the department said that Volkswagen "has made several internal management control changes to improve its working relationship with EPA on vehicle certification and to insure future compliance with the Clean Air Act and EPA regulations."