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IENM/BSK-2015/254662

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Your letter regarding Volkswagen

Dear Commissioners Bieńkowska and Cañete,

Thanking you for your letter from the 5<sup>th</sup> of November concerning irregularities found in CO<sub>2</sub> emission levels of vehicles from the Volkswagen Group, I can inform you that like the European Commission, I was surprised about this new dimension of the Volkswagen case and improper emission values of vehicles.

The Dutch government is very concerned about these latest developments and I fully support the Commission in finding out how and why this could have happened. With regard to your questions I can inform you that our type approval authority, the RDW, did not find any irregularities related to the certification of CO<sub>2</sub> emissions values on vehicles registered in the Netherlands so far. Regarding the number of cars, affected by such irregularities, we have been informed recently by the Dutch Volkswagen importer, that it might concern 400 cars in the Netherlands at the most.

In view of your letter and these latest developments, I would like to take the opportunity to express my concern about the huge gap between CO<sub>2</sub> test results and fuel consumption under real driving conditions. Up to 2007 the gap was around 10-15%, whereas it is now at around 40% on average. From the moment that the EU initiated a target setting policy and national authorities use CO<sub>2</sub> emissions as baseline for car taxation schemes the automotive industry has been very creative in using test flexibilities and inventing techniques which allow for proper performance during optimized test conditions, but not necessarily for proper performance on the road. This behavior has damaged the trust in the automotive sector, especially where it concerns emission- and fuel- consumption data, based on tests. In order to repair this damaged trust, we need to make the emissions and fuel-consumption data more reliable, transparent and understandable and reduce the gap between test and reality. In the light of the newest irregularities we must consider improvements in the type approval system in respect to conformity of production (COP), with effective inspections of the type approval authorities. The vehicle manufacturers should be enforced to take their responsibility for delivering correct CO<sub>2</sub> values on their certificate of conformity (COC). In this respect the RDW has proposed in the light of the implementing activity of the WLTP some improvements to the COP testing. One example is the Dutch proposal to eliminate the current misused flexibility of 8% margin on the CO<sub>2</sub> value in COP. I hope that these improvements will be taken over by the Commission.

The Netherlands are in favor of the new worldwide harmonized light vehicles test procedure (WLTP) which has a more realistic driving cycle and will allow for a reduction of the gap between test and real world emissions in the nearby future. It is essential that this new test cycle is introduced as soon as possible. With regard to the correlation methodology between NEDC and WLTP as developed by DG Clima, we must avoid the creation of possible new loopholes.

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You have received our written comment on possible loopholes between NEDC and WLTP on 29<sup>th</sup> of May 2015 (enclosed). Our main concern is the so called "Supercredits". Carmakers receive these credits for cars below 50 gram CO<sub>2</sub>. These low-emitting cars count for more than twice in order to compensate those cars with a high fuel consumption. Given the fact that cars below 50 gram consume up to three times more under real driving conditions we must avoid weakening of the 95 gram target. We should only assign these supercredits to vehicles below 50 grams, based on WLTP values from 2018 onwards. Furthermore we should not carry over test flexibilities to the correlation that cause a difference between test and real word emissions. The Netherlands cannot support the determination of the input data and the correlation of test flexibilities.

In order to avoid negative side effects we should reduce the correlation of test flexibilities and conditions to a minimum. Therefore we want to introduce a distinction in fair and unfair conditions, whereas only the effect of different tire pressure prescriptions could be marked as a fair condition. Using an optimal tire pressure is foremost also the responsibility of the driver in daily practice. All other conditions should be marked as unfair and not be correlated, e.g. the battery state of charge and three others.

I would appreciate it very much if you could re examine the correlation methodology in light of our concerns.

Yours sincerely,

The MINISTER FOR THE ENVIRONMENT,

Sharon A.M. Dijkma