

ATTACHMENT D

NOTICES

97. ~~Unless otherwise specified in this Consent Decree,~~ Materials submitted under this Paragraph shall be accompanied by a cover letter ~~and submitted electronically as described below, unless such notices are unable to be uploaded to the CDX electronic system (in the case of EPA) or transmitted by email (in the case of any other party).~~ For all notices to EPA, in addition to sending the notice to EPA by email, Defendants shall register for the CDX electronic system and upload ~~such notices~~ a notice that does not contain CBI at https://cdx.epa.gov/epa_home.asp. For all notices to CARB, Defendants shall send them by e-mail or by file transfer protocol (FTP), or by mail if the notice is too large to transmit electronically. All Emission Modification Proposal Reports, OBD Interim Reports, documents and data submitted pursuant to Paragraph 19 (Subject Vehicle In-Use Testing), documents and data submitted pursuant to Appendix A, Paragraph 14 (Approved Emission Modification and Vehicle Modifications), and all revisions and amendments thereto, shall be submitted (1) on an electronic data site hosted by Daimler AG that is accessible to the United States, EPA, CARB, and California at all times until 60 Days after Termination of this Consent Decree, and from which the United States, EPA, CARB, and California are able to download all data hosted on that site, with a letter that does not contain CBI providing notice of the upload submitted concurrently via email to the United States and CARB and via CDX and email to EPA; and (2) on a hard disk that must be mailed to the addresses for the United States, EPA, and CARB specified below no later than the date that the next set of semi-annual reports are due after the relevant data has been uploaded to the data site, (the first hard disk submitted

after the Effective Date shall include all Emission Modification Proposal Reports, OBD Interim Reports, documents and data submitted pursuant to Appendix A, Paragraph 14 (Approved Emission Modification and Vehicle Modifications), and all revisions and amendments thereto submitted as of the applicable date for that semi-annual report (except that only the final version of any Emission Modification Proposal Report that was submitted on an iterative basis shall be included), including those submitted during the period prior to the Effective Date), and an email specifying the method of mailing and tracking information shall be sent to the ~~addressed~~addresses below. If there is any discrepancy between the information submitted to the electronic data site and the information submitted on the hard disk, the information submitted to the data site shall control. Any notice that cannot be uploaded to CDX or the Daimler-hosted electronic data site or transmitted via email or via a secure server shall be provided in writing via overnight mail (and if any attachment is voluminous, it shall be provided on a disk, hard drive, or other equivalent successor technology) to the addresses below:

As to the United States: DOJ at the email, or if necessary, the mail addresses below
and
EPA (via CDX or the mail address below if neither CDX nor email is ~~not~~ possible)

As to DOJ by email: eescdcopy.enrd@usdoj.gov
Re: DJ # 90-5-2-1-11788

As to DOJ by U.S. mail: EES Case Management Unit
Environment and Natural Resources Division
U.S. Department of Justice
P.O. Box 7611
Washington, D.C. 20044-7611
Re: DJ # 90-5-2-1-11788

As to DOJ by overnight mail: 4 Constitution Square
150 M Street, N. E.

Suite 2.900
Washington, D.C. 20002
Re: DJ # 90-5-2-1-11788

As to EPA by email:

ortega.kellie@epa.gov
iddings.brianna@epa.gov

As to EPA by mail:

Director, Air Enforcement Division
1200 Pennsylvania Avenue NW
William J Clinton South Building
MC 2242A
Washington, D.C. 20460

Emission Modification Proposal Reports, OBD Interim Reports, documents and data submitted pursuant to Paragraph 19 (Subject Vehicle In-Use Testing), [documents and data submitted pursuant to Appendix A, Paragraph 14 \(Approved Emission Modification and Vehicle Modifications\)](#), and all revisions and amendments thereto sent via hard drive shall be further labelled, “Attn: Gregory Orehowsky,” and “Time Sensitive.”

Emission Modification Proposal Reports, OBD Interim Reports, documents and data submitted pursuant to Paragraph 19 (Subject Vehicle In-Use Testing), [documents and data submitted pursuant to Appendix A, Paragraph 14 \(Approved Emission Modification and Vehicle Modifications\)](#), and all revisions and amendments thereto shall also be sent to OTAQ via hard drive at the following address:

Director, Compliance Division
USEPA National Vehicle and Fuel Emissions
Laboratory
2565 Plymouth Road
Ann Arbor, MI 48105

Submissions to OTAQ shall be labelled, “Attn: Paul Dekraker” and “Time Sensitive.”

As to EPA by telephone: 202-564-~~0652~~6850

As to CBP by email: Marta.Williams@cbp.dhs.gov

As to California: CARB and CA AG at the email or mail addresses below, as applicable

As to CARB by email: ~~_____~~ or FTP: DaimlerCD@arb.ca.gov

As to CARB by telephone: (916) 322-2884

As to CARB by mail: Chief Counsel
California Air Resources Board
Legal Office
1001 I Street
Sacramento, California 95814

As to CA AG by email: gary.tavetian@doj.ca.gov
josh.caplan@doj.ca.gov
john.sasaki@doj.ca.gov

As to CA AG by mail: Gary Tavetian
Supervising Deputy Attorney General
Natural Resources Law Section
California Department of Justice
300 South Spring Street
Los Angeles, CA 90013

Robert Byrne
Senior Assistant Attorney General
Natural Resources Section
Office of the Attorney General
P.O. Box 944255
Sacramento, CA 94244-2550

As to Defendants: Gibson, Dunn & Crutcher, LLP, at the email or mail addresses below, as applicable

Daimler AG, at the email or mail addresses below, as applicable

MBUSA, LLC, at the email or mail addresses below, as applicable

As to one or more of the Defendants by email: rludwiszewski@gibsondunn.com

sletcher@gibsondunn.com
dirk.lindemann@daimler.com
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matthew.j.everitt@mbusa.com
anthony.zepf@mbusa.com

As to one or more of the
Defendants by mail:

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70327 Stuttgart

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Anthony D. Zepf
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