

State of California
AIR RESOURCES BOARDEXECUTIVE ORDER D-194
Relating to Exemptions Under Section 27156
of the Vehicle CodeACOUSTICAT, INC.
"NEW AFTERMARKET TWO-WAY AND
THREE-WAY PLUS OXIDATION CATALYTIC CONVERTERS"

WHEREAS, Vehicle Code Section 27156 and Title 13 California Code of Regulations (hereafter "CCR") Section 2222(h), authorize the California Air Resources Board (ARB) and its Executive Officer to exempt new aftermarket catalytic converters from the prohibitions of Vehicle Code Section 27156.

WHEREAS, Acousticat, Inc. has applied to the ARB for an exemption from the prohibitions of Vehicle Code Section 27156 for the two-way catalytic converter series 67120-67124, and three-way plus oxidation catalytic converter series 67130-67134 for the following applications:

<u>Converter Type</u>	<u>Engine Size Limit</u>	<u>Maximum Veh. Weight</u>
2-Way	350 C.I.D. (5.7L)	4,000 lbs
3-Way + OC	305 C.I.D. (5.0L)	4,000 lbs

WHEREAS, pursuant to the authority vested in the Executive Officer by Health and Safety Code Section 39515 and in the Chief, Mobile Source Division by Health and Safety Code Section 39516 and Executive Order G-45-5, the Air Resources Board finds that the above aftermarket catalytic converter complies with the California Vehicle Code Section 27156 and Title 13, California Code of Regulations, Section 2222(h).

IT IS HEREBY RESOLVED that the above catalytic converters are exempt from the prohibitions of Vehicle Code Section 27156 for installation on the approved application vehicles subject to the following conditions:

1. No changes are permitted to the converters as described in the application for exemption. Any changes to the converters, applicable model year, or other factors addressed in this order must be evaluated and approved by the Air Resources Board prior to marketing in California.
2. Marketing of the converters using any identifications other than those shown in the exemption application or marketing of the converters for an application other than those listed in the application catalog shall be prohibited unless prior approval is obtained from the Air Resources Board. Exemption of this product shall not be construed as an exemption to sell, offer for sale, or advertise any component of the converters as individual devices.

3. Any oral or written references to this Executive Order or its content by Acousticat, Inc. its principals, agents, employees, distributors, dealers, or other representatives must include the disclaimer that the Executive Order or the exemption it provides is not an endorsement or approval of any emissions reduction claims for the catalytic converters and is only a finding that the converters are exempt from the prohibitions of Vehicle Code Section 27156.

Violation of any of the above conditions shall be grounds for revocation of this order. The order may be revoked only after ten day written notice of intention to revoke it, during which period the holder of the order may request in writing a hearing to contest the proposed revocation. If a hearing is requested, it shall be held within ten days of receipt of the request, and the order may not be revoked until a determination is made, after the hearing, that grounds for revocation exist.

Executed at El Monte, California, this 21st day of July, 1989.



K. D. Drachand, Chief
Mobile Source Division

State of California
AIR RESOURCES BOARD

EVALUATION OF ACOUSTICAT NEW AFTERMARKET TWO-WAY AND
THREE-WAY PLUS OXIDATION CATALYTIC CONVERTERS
FOR EXEMPTION FROM THE PROHIBITIONS OF VEHICLE CODE
SECTION 27156 AND TITLE 13, CALIFORNIA CODE OF REGULATIONS
SECTION 2222(h)

July, 1989

EVALUATION OF ACOUSTICAT NEW AFTERMARKET TWO-WAY AND
THREE-WAY PLUS OXIDATION CATALYTIC CONVERTERS FOR EXEMPTION
FROM THE PROHIBITIONS OF VEHICLE CODE SECTION 27156 AND
TITLE 13, CALIFORNIA CODE OF REGULATIONS, SECTION 2222(h)

by

Mobile Source Division

State of California
AIR RESOURCES BOARD
9528 Telstar Avenue
El Monte, CA 91731-2990

(This report has been reviewed by the staff of the California Air Resources Board and approved for publication. Approval does not signify that the contents necessarily reflect the views and policies of the Air Resources Board, nor does mention of trade names or commercial products constitute endorsement or recommendation for use.)

SUMMARY

Acousticat, Inc. (Acousticat) of Branford, Connecticut, has applied for exemption of their new aftermarket two-way and three-way plus oxidation catalytic converters under the California regulations for new aftermarket catalytic converters.

Emissions data submitted show that the Acousticat catalytic converters meet the requirements of Vehicle Code Section 27156 and Title 13, California Code of Regulations, Section 2222(h). Based on the above, the staff recommends that the exemption be granted as requested.

CONTENTS

	<u>Page Number</u>
<u>SUMMARY</u>	i
<u>CONTENTS</u>	ii
I. <u>INTRODUCTION</u>	1
II. <u>CONCLUSION</u>	1
III. <u>RECOMMENDATIONS</u>	1
IV. <u>DEVICE DESCRIPTION</u>	1
V. <u>DEVICE EVALUATION</u>	2

EVALUATION OF ACOUSTICAT NEW AFTERMARKET TWO-WAY AND
THREE-WAY PLUS OXIDATION CATALYTIC CONVERTERS FOR EXEMPTION
FROM THE PROHIBITIONS OF VEHICLE CODE SECTION 27156 AND
TITLE 13, CALIFORNIA CODE OF REGULATIONS, SECTION 2222(h)

I. INTRODUCTION

Acousticat, Inc. of Branford, Connecticut, has applied for an exemption of their new aftermarket two-way and three-way plus oxidation catalytic converters in accordance with the California regulations on new aftermarket catalytic converters.

II. CONCLUSION

The applicant has submitted all the required information and based on the submitted exhaust emissions test data, the staff concludes that the catalytic converters meet the criteria set forth in Vehicle Code Section 27156 and Title 13, California Code of Regulations, Section 2222(h).

III. RECOMMENDATION

The staff recommends that the exemption be granted as requested and that Executive Order No. D-194 permitting the advertisement, sales and installation of the new aftermarket catalytic converters be issued.

IV. DEVICE DESCRIPTION

The Acousticat two-way catalytic converter consists of a honeycomb type substrate coated with platinum and palladium and enclosed in an outer shell or container of stainless steel. The three-way plus oxidation catalytic converter additionally contains a reducing substrate coated with palladium and rhodium, and incorporates an air injection tube between the oxidizing and reducing substrates.

The Acousticat, Inc. catalytic converters use materials and construction similar to the original equipment manufacturers. The catalytic converters are sold with installation instructions and kits as shown in the application catalog. They are also sold with a two year or 25,000 mile warranty on the substrates and five years or 50,000 miles on the container or shell.

V. DEVICE EVALUATION

Acousticat, Inc. provided test data for the catalytic converters. The tests were conducted by Automotive Testing and Development Services, Inc. (formerly Olson Engineering, Inc.), Huntington Beach, California. Two CVS-75 emission tests were conducted on the test vehicle with the converter installed and two CVS-75 tests were conducted with exhaust backpressure simulator. The tests were conducted following the 25,000 miles mileage accumulation on each of the two test converters. The mileage accumulation vehicles for the two-way converter had test weights of 4,000 lbs and engine displacements of 5.7 liters. The mileage accumulation vehicles for the three-way plus oxidation converter had test weights of 4,000 and 4,250 lbs respectively, and engine displacements of 5.0 liters. The CVS-75 conversion efficiency tests for the two-way converter were conducted on a 1978 Buick LeSabre with a test weight of 4,000 lbs and engine displacement of 5.7 liters. The CVS-75 conversion efficiency tests for the three-way plus oxidation were conducted on a 1986 Chevrolet Caprice Classic with a test weight of 4,250 lbs and engine displacement of 5.0 liters. Both converters will be exempted for vehicle applications of 4,000 lbs only.

The conversion efficiencies of the converters are shown below:

<u>Converter</u> <u>Type</u>	<u>Efficiency</u>		
	HC	CO	NOx
2-Way	77.3	86.0	-
3-Way + OC	81.6	79.6	55.3

All of the conversion efficiencies meet the requirements of the California regulation.

Based on evaluation of the new aftermarket catalytic converters and on the data from Automotive Testing and Development Services, Inc. tests, the staff recommends that the exemption be granted as requested.

AIR RESOURCES BOARD

1102 Q STREET
P.O. BOX 2815
SACRAMENTO, CA 95812

January 16, 1990

Mr. Ed Silva, President
Acousticat, Inc.
100 N. Front Street
New Bedford, Massachusetts 02740

Dear Mr. Silva:

Notice of Decision to Rescind Executive Order D-194

This letter will serve as notice of my decision, as Executive Officer of the California Air Resources Board, to rescind Executive Order D-194 issued July 21, 1989 which granted an exemption to Acousticat, Inc. from the prohibitions of California Vehicle Code Section 27156.

California Vehicle Code Section 27156 and Title 13 of the California Code of Regulations Section 2222(h)(2) prohibit the installation, sale, offer for sale or advertisement of aftermarket non-original equipment catalytic converters in California unless an exemption has been granted by the Air Resources Board. Said exemption is granted pursuant to and subject to the "California Evaluation Procedures for New Aftermarket Non-Original Equipment Catalytic Converters" required by Section 2222(h) of Title 13 of the California Code of Regulations.

Executive Order D-194 was issued by the Air Resources Board on July 21, 1989 pursuant to this procedure and an exemption was granted to Acousticat, Inc. from the above prohibitions with respect to the two-way catalytic converter series 67120-67124 and the three-way plus oxidation catalytic converter series 67130-67134 for specified applications. Pursuant to said Executive Order, Acousticat, Inc. was not permitted to change the converters described in its application, subject to evaluation by the Air Resources Board.

Evaluation procedures specified in the above-referenced regulation require Acousticat, Inc. to submit production audit test data or, in the alternative, quality control procedures used in the manufacturing of its catalytic converters by February 15 and August 15 of each year. Despite letters of inquiry on this subject sent by the Air Resources Board to Acousticat, Inc. on December 18, 1989, April 24, 1990, June 19, 1990, and October 10, 1990, and telephone inquiry on July 24, 1990, Acousticat, Inc. has failed to meet either of the two deadlines in 1990.

Mr. Ed Silva

-2-

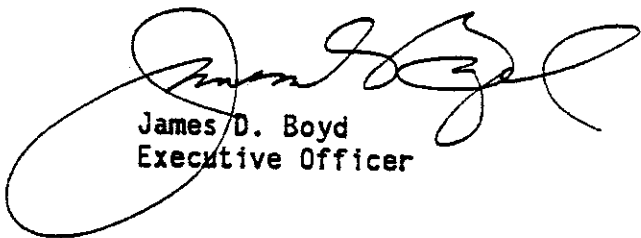
As a result of the failure of Acousticat, Inc. to comply with the procedures required by regulation and Executive Order condition, I have decided to rescind Executive Order D-194 granting Acousticat, Inc. exemption from the prohibitions of Vehicle Code Section 27156.

You may file a petition requesting a hearing to review this decision within twenty (20) days after receipt of this decision. Failure to file a petition within 20 days constitutes a waiver of your right to request a hearing on this matter. (Title 17, California Code of Regulations, Section 60040 et seq.)

Section 60042 of Title 17, California Code of Regulations requires that a petition include the following information: (1) name and address of petitioner; (2) a copy of the executive officer decision for which review is requested; (3) the date said decision was received by the petitioner; (4) the action which the Board is requested to take; (5) a complete verified statement of facts and relevant evidence; (6) the grounds upon which review is requested, including legal arguments and authority. This petition must be filed with the Board Secretary at 1102 Q Street, Sacramento, California 95814.

Please direct any further contact regarding this matter to Michael Kenny, General Counsel, or Janet McKenzie, Staff Counsel at (916) 322-2884, Air Resources Board, 1102 Q Street, Sacramento, California 95814.

Sincerely,



James D. Boyd
Executive Officer