

State of California  
AIR RESOURCES BOARD

EXECUTIVE ORDER D-249-5

Relating to Exemptions under  
Section 27156 of the Vehicle Code

Donaldson Company, Inc.  
DPF Muffler

Pursuant to the authority vested in the Air Resources Board (ARB) by Section 27156 of the Vehicle Code; and

Pursuant to the authority vested in the undersigned by Sections 39515 and 39516 of the Health and Safety Code and Executive Order G-02-003;

IT IS ORDERED AND RESOLVED: That installation of the DPF Muffler (Diesel Particulate Filter Muffler DPM111144 and DPM111146), manufactured by Donaldson Company, Inc. of 1400 West 94<sup>th</sup> Street, Bloomington, Minnesota 55431, has been found not to reduce the effectiveness of the applicable vehicle pollution control system, and therefore, the DPF Muffler is exempt from the prohibitions in Section 27156 of the Vehicle Code for installation on First Student, Inc.'s school buses equipped with the following 4-stroke diesel engines, all originally equipped with diesel oxidation catalysts:

| Engine MY | Engine Make | Engine Model          |
|-----------|-------------|-----------------------|
| 2003      | Caterpillar | 3126 (all horsepower) |
| 2004      | Caterpillar | C7 (all horsepower)   |

This Executive Order allows replacement of the original equipment manufacturer diesel oxidation catalysts with Donaldson's DPF Mufflers. Donaldson will provide an original equipment manufacturer-equivalent 5-year or 100,000-mile defects warranty on the DPF Mufflers. The exemption under the Executive Order is limited to 280 school buses owned by First Student, Inc. and operated in the Los Angeles Unified School District.

This Executive Order is only valid provided that the engines meet the following operating conditions: (1) the engine exhaust temperature is greater than or equal to 225 degrees Celsius for 40 to 50 percent of the duty cycle and (2) the engine is fueled with diesel having a maximum sulfur content of 50 parts per million by weight.

This Executive Order is based on emission tests and engineering justification submitted by Engelhard Corporation, supplier of the catalyzed filter used in the DPF Muffler. Test data showed that the catalyzed filter does not adversely affect the exhaust emissions of the test engines. The same emissions impact is expected when the DPF Muffler is installed on the school buses equipped with any of the engines listed above.

This Executive Order is valid provided that installation instructions for the DPF Muffler do not require tuning the vehicle to specifications different from those of the original engine or vehicle manufacturer.

Changes made to the design or operating conditions of the DPF Muffler, as exempt by the ARB, which adversely affect the performance of the vehicle's pollution control system, shall invalidate this Executive Order.

Marketing of the DPF Muffler using identification other than that shown in this Executive Order or for an application other than that listed in this Executive Order shall be prohibited unless prior approval is obtained from the ARB.

This Executive Order shall not apply to any DPF Muffler advertised, offered for sale, sold with, or installed on a motor vehicle prior to or concurrent with transfer to an ultimate purchaser.

This Executive Order does not constitute any opinion as to the effect the use of the DPF Muffler may have on any warranty either expressed or implied by the vehicle manufacturer.

No claim of any kind, such as "Approved by the Air Resources Board," may be made with respect to the action taken herein in any advertising or other oral or written communication.

In addition to the foregoing, the ARB reserves the right in the future to review this Executive Order and the exemption provided herein to assure that the exempted add-on or modified part continues to meet the standards and procedures of California Code of Regulations, Title 13, Section 2222, et seq.

THIS EXECUTIVE ORDER DOES NOT CONSTITUTE A CERTIFICATION, ACCREDITATION, APPROVAL, OR ANY OTHER TYPE OF ENDORSEMENT BY THE AIR RESOURCES BOARD OF ANY CLAIMS OF THE APPLICANT CONCERNING ANTI-POLLUTION BENEFITS OR ANY ALLEGED BENEFITS OF DONALDSON COMPANY, INC.'S DPF MUFFLER.

Violation of any of the above conditions shall be grounds for revocation of this Executive Order. The Executive Order may be revoked only after a ten-day written notice of intention to revoke the Executive Order, in which period the holder of the Executive 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 Executive Order may not be revoked until a determination is made after a hearing that grounds for revocation exist.

Executed at El Monte, California, this 23<sup>RD</sup> day of October 2003.



Allen Lyons, Chief  
Mobile Source Operations Division