

85.

State of California
AIR RESOURCES BOARD

EXECUTIVE ORDER D-288-38

Relating to Exemptions under
Section 27156 of the Vehicle Code

Transfer Flow, Inc.
Replacement Fuel Storage Systems

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 Replacement Fuel Storage Systems, manufactured by Transfer Flow, Inc. (TFI) of 1444 Fortress Street, Chico, California 95973, has been found not to reduce the effectiveness of the applicable vehicle pollution control system, and therefore, the Replacement Fuel Storage Systems are exempt from the prohibitions in Section 27156 of the California Vehicle Code for installation on the following General Motors Corporation vehicles:

<u>System P/N</u>	<u>TFI Tank</u>	<u>Vehicle Application</u>	<u>Stock Tank</u>
080-01-09585	31 gallon aft axle	1996-2002 G2500/G3500 regular van	31-35 gallon mid-ship
080-01-12025	31 gallon aft axle	1996-2002 G2500/G3500 extended van	31-35 gallon mid-ship
080-01-12358	31 gallon aft axle	2003 G2500/G3500 regular van*	31 gallon mid-ship

- * The 2003 model-year vans with the following test groups/evaporative families are covered under this exemption: 3GMXA06.0189/3GMXE0223927; 3GMXA04.8172/3GMXE0223927; 3GMXT05.3183/3GMXE0223926; 3GMXT05.3184/3GMXE0223926; and 3GMXT04.3184/3GMXE0223926.

The 2003 model-year vans certified to LEV II evaporative emission standards are excluded from this exemption. These vans have evaporative family 3GMXE0223956.

This Executive Order is based on testing TFI conducted with the Replacement Fuel Storage System and engineering evaluation of the impact on emissions. It was concluded that the Replacement Fuel Storage Systems would not adversely affect the vehicles' evaporative emissions or reduce the effectiveness of their On-Board Diagnostics II Systems.

Exemption of the Replacement Fuel Storage Systems shall not be construed as an exemption to sell, offer for sale, or advertise any component of the Replacement Fuel Storage Systems as individual devices.

This Executive Order shall not apply to any device 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 is valid provided that installation instructions for the Replacement Fuel Storage Systems do not recommend tuning the vehicles to specifications different from those of the vehicle manufacturer.

Changes made to the design or operating conditions of the Replacement Fuel Storage Systems, 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 Replacement Fuel Storage Systems using an identification other than that shown in this Executive Order or for an application other than those listed in this Executive Order shall be prohibited unless prior approval is obtained from the ARB.

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 Title 13, California Code of Regulations, Section 2222 et seq.

This Executive Order does not constitute any opinion as to the effect the use of the Replacement Fuel Storage Systems 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.

THIS EXECUTIVE ORDER DOES NOT CONSTITUTE A CERTIFICATION, ACCREDITATION, APPROVAL, OR ANY OTHER TYPE OF ENDORSEMENT BY THE AIR RESOURCES BOARD OF CLAIMS OF THE APPLICANT CONCERNING ANTI-POLLUTION BENEFITS OR ANY ALLEGED BENEFITS OF TRANSFER FLOW, INC.'S REPLACEMENT FUEL STORAGE SYSTEMS.

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 the hearing that grounds for revocation exist.

Executed at El Monte, California, this 3rd day of October 2003.


for Allen Lyons, Chief
Mobile Source Operations Division