

State of California
AIR RESOURCES BOARD

EXECUTIVE ORDER D-353-35
Relating to Exemptions under Section 27156
of the Vehicle Code

Miller Catalyzer Corporation
"Series 45000 and 61000 OBD II Compliant Three-way 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 and its Executive Officer to exempt new aftermarket catalytic converters from the prohibitions of Vehicle Code Section 27156.

WHEREAS, Miller Catalyzer Corporation (Miller) of 3295 Depot Road, Hayward, California 94545, has applied to the Air Resources Board for exemption from the prohibitions in Vehicle Code Sections 27156 to market its new aftermarket Series 45000 and 61000 three-way catalytic converters (TWC) for installation on selected 1997 through 2003 model year Chrysler light-duty trucks 2 (LDT2) and medium-duty vehicles (MDV) equipped with on-board diagnostic II (OBD-II) systems and multiple catalytic converter systems (2 or 3 units) as specified in Appendix D-353-35 and incorporated herein. Series 61000 will be used as front catalytic converters (1 unit or 2 units) and Series 45000 as rear catalytic converter (1 unit) for multiple catalytic converter system applications. These catalytic converters may be sold as universal or direct-fit system for the vehicles listed in Appendix D-353-35. The Series 45000 and 61000 TWCs may also be installed on non-OBD II vehicles (1995 and older) similar in engine and exhaust configuration to those listed in Appendix D-353-35.

WHEREAS, pursuant to the authority vested in the Executive Officer by Health and Safety Code Section 39515 and in the Chief, Mobile Source Operations Division by Health and Safety Code Section 39516 and Executive Order G-02-003, the Air Resources Board finds that the above aftermarket catalytic converters comply with the California Vehicle Code Section 27156 and Title 13, California Code of Regulations, Section 2222(h). The emissions performance of the aftermarket catalytic converters was based on durability bench-aging by Delphi Energy & Engine Management System (Delphi) using the Air Resources Board modified RAT-A bench-aging cycle for 100 hours, and testing conducted at the Automotive Testing and Development Services, Inc. (ATDS), as specified in the "Optional Evaluation Procedures for New Aftermarket Non-original Equipment Catalytic Converters Equipped With On-Board Diagnostic II (OBD II) Systems."

WHEREAS, previous emissions and OBD II compatibility tests conducted by Miller Catalyzer Corporation using a vehicle of a weight classification similar to those listed in Appendix D-353-35 and certified to Low Emission Vehicle (LEV) standards resulted in the issuance of Executive Order D-353-16, it was determined that the installation of Series 45000 and 61000 TWC on the vehicles listed in Appendix D-353-35 meets the requirements of California regulations.

IT IS HEREBY RESOLVED that the above catalytic converter system is exempt from the prohibitions in Vehicle Code Section 27156 for installation on the approved vehicle applications specified in Appendix D-353-35 subject to the following conditions:

1. No changes are permitted to the catalytic converter system as described in the application for exemption. Any changes to the catalytic converter system or any of its components, and 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 catalytic converter system using identifications other than those shown in the exemption application, and in this Executive Order, or marketing of the catalytic converter for application other than the ones shown in this Executive Order 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 components of the catalytic converter system as individual devices.
3. Any oral or written references to this Executive Order or its content by Miller Catalyzer Corporation, 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 emission reduction claims for the catalytic converter system and is only a finding that the catalytic converter system is exempt from the prohibitions of Vehicle Code Section 27156.
4. Miller Catalyzer Corporation's installation instructions for the new catalytic converter system must conform to requirements in Paragraphs I and X of the "Optional Evaluation Procedures for New Aftermarket Non-original Equipment Catalytic Converters Equipped with On-Board Diagnostic II (OBD II) Systems."
5. Upon installation, the catalytic converter system must carry a manufacturer's warranty for 50,000 miles on the substrates and 50,000 miles or five years on the shell and end pipes.
6. Miller Catalyzer Corporation and its vendors may not advertise the new aftermarket catalytic converter system as a "high or easy flow" catalytic converters or use any phrase that could make it appear to perform better than an original equipment manufacturer (OEM) catalytic converters.
7. The substrates of the new aftermarket catalytic converters may not be sold or supplied to a third party by Miller Catalyzer Corporation, its associates, vendors, other businesses, and individuals associated with Miller Catalyzer Corporation, to be assembled in a different facility and marketed under this Executive Order.
8. Any marketing arrangement of the new aftermarket catalytic converters by a third party, which involves the use of packaging identification different from the

ones described in this Executive Order must be approved by the Air Resources Board prior to shipment.

9. Miller must submit the required quality audit and production quantity reports for its aftermarket catalytic converters semi-annually, covering the periods January 1 through June 30, and July 1 through December 31.

Violation of any of the above conditions shall be grounds for revocation of this order. The order may be revoked only after a 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 8th day of August 2008.


Annette Hebert, Chief
Mobile Source Operations Division

APPENDIX D-353-35

Miller Catalyst Corporation, Catalytic Converter Series 61000/45000, For Chrysler LDT2 and MDV																		
No.	Model Year	Vehicle Model	Engine Size	Engine Family (Test Group)	Certification Level	Weight Class	Exhaust Type	Total Converters	Converter Type	Monitored	Universal	Direct Fit						
1	1997	Jeep Grand Cherokee 2WD/4WD, Cherokee 4WD	4.0L	VCR242228G2JK	TLEV	LDT2	S	2	WUOC, TWC									
2	1998	Jeep Wrangler 4WD, Cherokee 4WD, Grand Cherokee 2WD/4WD		WCRXT0242220														
3	1999	Jeep Wrangler 4WD, Cherokee 4WD, Grand Cherokee 2WD/4WD		XCRXT0242220														
4		Grand Cherokee, 2WD/4WD	4.7L	XCRXT0287231	LEV				2WUTWC, TWC									
5		RAM 1500 Pickup 2WD/4WD	5.2L	YCRXA0360H31		MDV2												
6		RAM 1500/2500/3500 Pickup 2WD/4WD, Cab Chassis 2500/3500 4WD	5.9L	YCRXA0360J31		MDV3												
7	2000	Cherokee 4WD, Grand Cherokee 2WD/4WD, Wrangler	4.0L	YCRXT0242230		LDT2												
8		Grand Cherokee, 2WD/4WD	4.7L	YCRXT0287231		MDV2												
9		Dakota Pickup 2WD/4WD		YCRXT0287232														
10		RAM 1500 Pickup 2WD/4WD	5.2L	1CRXA0318H31														
11		RAM 1500 Pickup 2WD/4WD	5.2L /5.9L	1CRXA0360H38			Y	3	2WUOC, TWC	2	61000 /45000	TBD						
		RAM 1500 Pickup 2WD/4WD	5.2L															
12		RAM 2500 Pickup 2WD/4WD, RAM 3500 Pickup 2WD4WD, RAM 2500 Cab Chassis 4WD	5.9L	1CRXA0360J38									MDV3					
13		RAM 3500 Pickup 2WD/4WD, RAM 3500 Cab Chassis 4WD		1CRXA0360K38									MDV4					
14		Dakota Pickup 2WD/4WD, Dakota Quad Cab Pickup 2WD/4WD		1CRXT03.92D1									LDT2					
15	2001	Dakota Quad Cab Pickup 2WD/4WD	3.9L	1CRXT03.95B5	Tier 1	MDV2												
16		Cherokee Classic 4WD, Cherokee Limited 4WD, Cherokee SE 4WD, Cherokee Sport 4WD, Wrangler Sahara 4WD, Wrangler Port 4WD	4.0L	1CRXT04.02D0	LEV	LDT2												
17		Grand Cherokee Laredo 4WD, Grand Cherokee Limited 2WD/4WD	4.7L	1CRXT04.72D1														
18		Dakota Pickup 2WD/4WD, Dakota Quad Cab Pickup 2WD/4WD		1CRXT04.72D2														
19		Dakota Quad Cab Pickup 2WD/4WD	5.9L	1CRXT04.75B5	Tier 1	MDV2												
20		Dakota Pickup 2WD, Dakota Quad Cab Pickup 2WD/4WD		1CRXT05.92D1	LEV	LDT2												
21		Dakota Quad Cab Pickup 2WD/4WD		1CRXT05.95B5	Tier 1	MDV2												
22	2002	Jeep Liberty Sport 2WD/4WD	2.4L	2CRXT02.42D5	LEV	LDT2	S	2	TWC(2)	2								

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Miller Catalyzer Corporation, Catalytic Converter Series 61000/45000, For Chrysler LDT2 and MDV												
No.	Model Year	Vehicle Model	Engine Size	Engine Family (Test Group)	Certification Level	Weight Class	Exhaust Type	Total Converters	Converter Type	Monitored	Universal	Direct Fit
23	2002	Jeep Liberty 2WD/4WD	3.7L	2CRXT03.72D0	LEV	LDT2	Y	3	2WUOC, TWC	2	61000 /45000	TBD
24		Dakota Pickup 2WD/4WD	3.9L	2CRXT03.92D0								
25		Jeep Grand Cherokee 2WD/4WD, Jeep Wrangler 4WD	4.0L	2CRXT04.02D2								
26		Dakota Pickup 2WD/4WD	4.7L	2CRXT04.72D1								
27		Jeep Grand Cherokee		2CRXT04.73D0								
28		Dakota Pickup 2WD	5.9L	2CRXT05.92D0								
29		Jeep Liberty 2WD/4WD	2.4L	3CRXT02.43D0								
30		Dakota Pickup	3.9L	3CRXT03.92D0								
31	2003	Jeep Wrangler	4.0L	3CRXT04.02D2	Y	3	2WUOC, TWC	2	61000 /45000	TBD		
32		Grand Cherokee	4.7L	3CRXT04.72D0								
33		Dakota Pickup		3CRXT04.72D1								
34		Dakota Pickup, Durango		3CRXT04.75B0							Tier 1	MDV2
35		Dakota Pickup		3CRXT05.92D0							LEV	LDT2
36		RAM 2500/3500 Pickup	8.0L	3CRXT08.06B1							Tier 1	MDV3