

State of California
AIR RESOURCES BOARD

EXECUTIVE ORDER D-353-36
Relating to Exemptions under Section 27156
of the Vehicle Code

Miller Catalyzer Corporation
"Series 60000 OBD II Compliant Three-way Catalytic Converter"

WHEREAS, Vehicle Code Sections 27156 and Section 2222(h), Title 13, California Code of Regulations (hereafter "CCR"), 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 Section 27156 to market its new aftermarket Series 60000 three-way catalytic converter (TWC) for installation on selected 1995 through 2004 model year Ford passenger (PC) cars and light-duty trucks 1 (LDT1) equipped with on-board diagnostic II (OBD-II) systems as specified in Appendix D-353-36 and incorporated herein. The Series 60000 TWC will be used for single or dual (one unit or two units) exhaust system applications for selected Ford PC/LDT1.

The TWC may also be installed on non-OBD II vehicles (1995 and older) similar in engine and exhaust configuration to those listed in Appendix D-353-36.

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, 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). The emissions performance of the catalytic converter was based on durability bench-aging by Umicore Automotive Catalysts using Air Resources Board-modified RAT-A bench-aging cycle for 75 hours, 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, emissions tests conducted at the Automotive Testing Development Services, Inc. (ATDS), Ontario, California, using a 1999 3.1L Chevrolet Malibu equipped with a single exhaust system, and certified to the Low Emission Vehicle (LEV, PC) emission standards showed that the vehicle met the applicable emission standards with Series 60000 TWC (one unit) installed.

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-353-36 and certified to Low Emission Vehicle (LEV) standards resulted in the issuance of Executive Order D-353-24, it was determined that the installation of Series 31000 TWC on the vehicles listed in Appendix D-353-36 meets the requirements of California regulations.

IT IS HEREBY RESOLVED that the above catalytic converter is exempt from the prohibitions in Vehicle Code Section 27156 for installation on the approved vehicle applications specified in Appendix D-353-36 subject to the following conditions:

1. No changes are permitted to the catalytic converter as described in the application for exemption. Any changes to the catalytic converter or any of their 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 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 these products shall not be construed as an exemption to sell, offer for sale, or advertise any components of the catalytic converter 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 and is only a finding that the catalytic converter is exempt from the prohibitions of Vehicle Code Section 27156.
4. Miller Catalyzer Corporation's installation instructions for the new catalytic converter 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 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 as a "high or easy flow" catalytic converter or use any phrase that could make them appear to perform better than an OEM catalytic converter.
7. The new aftermarket catalytic converter substrate may not be sold or supplied to a third party by Miller, its associates, vendors, other businesses, and individuals associated with Miller, to be assembled in a different facility and marketed under this Executive Order.
8. Any marketing arrangement of the new aftermarket catalytic converter by a third party, which involves the use of packaging identification different from the ones described in this Executive Order must be approved by Air Resources Board prior to shipment.

9. Miller must submit the required quality audit and production quantity reports for its aftermarket catalytic converter 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-353-36

Miller Catalyzer Corporation, Catalytic Converter Series 60000, For Ford Passenger Cars and LDT1 Trucks															
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	1995	Mazda B2300 2WD/4WD, Ford Ranger 2WD/4WD	2.3L	SFM2.318G1EK	Tier 1	LDT1	S	1	TWC	1	60000	TBD			
2		Mazda B3000 2WD, Ranger 2WD	3.0L	SFM3.018G1EK				2	TWC(2)	2					
3		Ranger 2WD, Mazda B4000 2WD	4.0L	SFM4.018G1EK											
4	1996	Aspire (3 Door, 5 Door)	1.3L	TFM1.3V8G1EK		PC	D	1	TWC	1					
5		Escort, Tracer	1.8L	TFM1.8VJG1EK											
6		Escort, Tracer	1.9L	TFM1.9V8GKEK											
7		Contour, Mystique	2.0L	TFM2.0VJG1EK		LDT1									
8	1996	Mazda B2300 2WD/4WD, Ford Ranger 2WD/4WD	2.3L	TFM2.318G1EK	Tier 1	LDT1	D	2	2TWC	2					
9		Mazda B3000 2WD, Ranger 2WD	3.0L	TFM3.018G1EK					TWC(2)						
10		Taurus Sedan, Taurus Wagon, Sable Sedan, Sable Wagon		TFM3.0V8GKEK											
11		Taurus Sedan, Taurus Wagon, Sable Sedan, Sable Wagon		TFM3.0VJG1EK											
12		Ranger 2WD, Mazda B4000 2WD		4.0L		TFM4.018G1EK		LDT1							
13	1997	Aspire (3 Door, 5 Door)	1.3L	VFM1.3V8G1EK	TLEV	PC	S	1	TWC	1					
14		Escort, Escort Wagon, Tracer, Tracer Wagon	VFM2.0V8G2EK												
15		Escort, Escort Wagon, Tracer, Tracer Wagon	VFM2.0V8G3FK												
16		Contour, Mystique	VFM2.0VJG1EK	Tier 1	LDT1	D	2	2TWC	2						
17		Ranger 2WD, Mazda B2300 2WD	VFM2.318G1EK												
18		Ranger 2WD, Mazda B3000 2WD	VFM3.018G1EK												
19	1997	Taurus Sedan, Taurus Wagon, Sable Sedan, Sable Wagon	3.0L	VFM3.0V8G2EK	TLEV	PC	D	2	2TWC	2					
20		Taurus Sedan		VFM3.0V8NKGK	Tier 1			LDT1	D	1			TWC	1	
21		Taurus Sedan, Taurus Wagon, Sable Sedan, Sable Wagon		VFM3.0VJG1EK											
22		Taurus Sedan, Taurus Wagon, Sable Sedan, Sable Wagon		VFM3.0V8G3EK						LEV					
23		Ranger 2WD, Mazda B4000 2WD		4.0L	VFM4.018G1EK			LDT1							
24	1998	Contour, Mystique	2.0L	WFMXXV02.0AFA	Tier 1	PC	S	1	TWC	1					
25		Contour, Mystique		WFMXXV02.0AGA				TLEV							
26		Escort, Escort Wagon, Tracer, Tracer Wagon		WFMXXV02.0ATA											
27		Escort		WFMXXV02.0BTA											

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Miller Catalyst Corporation, Catalytic Converter Series 60000, For Ford Passenger Cars and LDT1 Trucks													
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	
28	1998	Taurus Sedan	3.0L	WFMXXV03.0AEA	Tier 1	PC	D	2	2TWC	2	60000	TBD	
29		Taurus Sedan, Taurus Wagon, Sable Sedan, Sable Wagon		WFMXXV03.0CAA	LEV								
30		Taurus Sedan, Taurus Wagon, Sable Sedan, Sable Wagon		WFMXXV03.0PAA	Tier 1								
31	1999	Contour, Mystique	2.0L	XFMXXV02.0VDC	TLEV		S	1	TWC	1			
32		Escort ZX2		XFMXXV02.0VDN	TLEV								
33		Escort ZX2		XFMXXV02.0VG5	LEV								
34		Escort, Escort Wagon, Tracer, Tracer Wagon	3.0L	XFMXXV02.0VGC	Tier 1		D	2	2TWC	2			
35		Taurus Sedan, Taurus Wagon, Sable Sedan, Sable Wagon		XFMXXV03.0VBZ	Tier 1								
36		Taurus Sedan, Taurus Wagon, Sable Sedan, Sable Wagon		XFMXXV03.0VGC	LEV								
37	2000	Contour, Mystique	2.0L	YFMXXV02.0VDC	TLEV		S	1	TWC	1			
38		Focus 4-door (2 Valve), Focus Wagon (2 Valve), Escort		YFMXXV02.0VF2	LEV								
39		Focus 3-Door (4 Valve), Focus Wagon (4 Valve), Fous 4-Door (4 Valve)		YFMXXV02.0VF3	LEV								
40		Escort ZX2		YFMXXV02.0VF5	LEV								
41		Lincoln LS6 (manual)		YFMXXV03.0VD2	TLEV								
42		Lincoln LS6	3.0L	YFMXXV03.0VF2	LEV		D	2	2TWC	2			
43		Lincoln LS8		YFMXXV03.9VF5	LEV								
44		Cougar (manual transmission)		IFMXXV02.0VD5	TLEV								
45	2001	Lincoln LS6 (manual)	3.0L	IFMXXV03.0VD2	LEV		S	1	TWC	1			
46		Lincoln LS6 (auto)		IFMXXV03.0VF2	LEV								
47		Lincoln LS8		IFMXXV03.9VF5	LEV								
48		Cougar (manual transmission)	2.0L	2FMXXV02.0VD5	TLEV		S	1	TWC	1			
49		Escort, Escort ZX2, Focus, Focus Wagon		2FMXXV02.0VF3	LEV								
50		Focus SVT		2FMXXV02.0VF4	LEV								
51		Escort, Escort ZX2, Focus, Focus Wagon		2FMXXV02.0VF6	LEV								
52	2002	Lincoln LS6 (manual)	3.0L	2FMXXV03.0VD2	TLEV		D	2	2TWC	2			
53		Lincoln LS6 (auto)		2FMXXV03.0VF2	LEV								
54		Lincoln LS8, Ford Thunderbird		2FMXXV03.9VF5	LEV								
55	2003	Escort ZX2	2.0L	3FMXXV02.0VF3	LEV		S	1	TWC	1			
56		Lincoln LS6		3FMXXV03.0VF2	LEV								
57	2004	Lincoln LS8, Ford Thunderbird	3.9L	4FMXXV03.9IH5			D	2	2TWC	2			