

State of California
AIR RESOURCES BOARD

EXECUTIVE ORDER D-393-16

Relating to Exemptions under
Section 27156 of the Vehicle Code

Johnson Matthey
Partial Continuously Regenerating Technology Particulate Filter

Pursuant to the authority vested in the Air Resources Board 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 Partial Continuously Regenerating Technology (PCRT) particulate filter, manufactured by Johnson Matthey of 380 Lapp Road, Malvern, Pennsylvania 19355, has been found not to reduce the effectiveness of the applicable vehicle pollution control system, and therefore, the PCRT particulate filter is exempt from the prohibitions in Section 27156 of the Vehicle Code for installation on heavy-duty on-road vehicles equipped with 1987 through 2004 model-year 4-stroke diesel engines.

This Executive Order excludes all engines equipped with an exhaust gas recirculation system and/or an aftertreatment emission control system such as a catalytic converter or a diesel particulate filter.

This Executive Order is only valid provided the engines meet the following operating conditions: (1) the engine exhaust temperature is greater than or equal to 240 degrees Celsius for 40 percent of the typical duty cycle, (2) the NOx to PM ratio is at least 8, and (3) the engine is operated using diesel fuel with a maximum sulfur content of 500 parts per million by weight.

This Executive Order is based on emissions and field tests conducted by Johnson Matthey with the PCRT particulate filter. Testing showed that the PCRT particulate filter does not adversely affect the exhaust emissions of the test engines. The same emissions impact is expected when the PCRT particulate filter is installed on heavy-duty vehicles equipped with any of the engines listed above.

This Executive Order is valid provided that installation instructions for the PCRT particulate filter do not recommend tuning the engine to specifications different from those of the engine manufacturer.

Changes made to the design or operating conditions of the PCRT particulate filter, as exempt by the Air Resources Board, which adversely affect the performance of the vehicle's pollution control system, shall invalidate this Executive Order.

Marketing of the PCRT particulate filter 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 Air Resources Board.

This Executive Order shall not apply to any PCRT particulate filter 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 PCRT particulate filter may have on any warranty either expressed or implied by the engine 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 Air Resources Board 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 JOHNSON MATTHEY'S PARTIAL CONTINUOUSLY REGENERATING TECHNOLOGY PARTICULATE FILTER.

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 9th day of September 2005.


Allen Lyons, Chief
Mobile Source Operations Division