

State of California
AIR RESOURCES BOARD

EXECUTIVE ORDER D-393-8

Relating to Exemptions under
Section 27156 of the Vehicle Code

Johnson Matthey
CEM and DCC Catalytic Converters

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 CEM and DCC Catalytic Converters, 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 CEM and DCC Catalytic Converters are exempt from the prohibitions in Section 27156 of the California Vehicle Code for installation on 1987-2003 model-year 4-stroke turbocharged or naturally-aspirated on-road heavy-duty diesel engines rated between 50 and 750 horsepower, certified to particulate matter emission standards of 0.60 g/bhp-hr or less and not otherwise equipped with an aftertreatment emission control system such as a catalytic converter or a diesel particulate filter.

This Executive Order is based on emission tests conducted by Johnson Matthey with the CEM Catalytic Converter. Test data showed that the CEM Catalytic Converter has no adverse impact on exhaust emissions. The same emissions impact is expected when the DCC Catalytic Converter is installed on any of the engines in this exemption.

This Executive Order is valid provided that installation instructions for the CEM and DCC Catalytic Converters do not recommend tuning the vehicle to specifications different from those of the vehicle manufacturer.

Changes made to the design or operating conditions of the CEM and DCC Catalytic Converters, 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 CEM and DCC Catalytic Converters 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 CEM and DCC Catalytic Converters 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 CEM and DCC Catalytic Converters may have on any warranty either expressed or implied by the vehicle manufacturer.

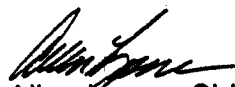
No claim of any kind, such as "Approved by the Air Resources Board," may be made with respect to the action taken herein in any advertising or other oral or written communication.

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 JOHNSON MATTHEY'S CEM AND DCC CATALYTIC CONVERTERS.

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 18TH day of June 2003.



Allen Lyons, Chief
Mobile Source Operations Division