

State of California
AIR RESOURCES BOARD

EXECUTIVE ORDER D-584-1

Relating to Exemptions under Section 27156
of the Vehicle Code

Tested Products (d.b.a. DEC)
"Used OEM Catalytic Converters"

WHEREAS, Vehicle Code Sections 27156 and 38391, and Section 2222(i) of California Code of Regulations (CCR) Title 13, authorize the California Air Resources Board and its Executive Officer to exempt used tested original equipment manufacturer (OEM) catalytic converters from the prohibitions of Vehicle Code Section 27156.

WHEREAS, Tested Products of 14645 Keswick Street, Van Nuys, California 91405, has applied to the Air Resources Board for exemption from the prohibitions in Vehicle Code Sections 27156 and 38391 to market its used bench screened OEM catalytic converters for installation on vehicles similar to the ones from which they were salvaged in California. Tested Products shall salvage OEM catalytic converters, including those monitored by the on-board diagnostic II (OBD II) system, perform the bench screening test to determine if they meet the required conversion efficiency, replace the end pipes, if necessary, and catalog them for sale and installation on vehicles with the same engine family as the ones from which the catalytic converters were recovered.

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 Tested Products laboratory screens used OEM catalytic converters using test procedures acceptable to the Air Resources Board and, therefore, complies with California Vehicle Code Section 27156 and Section 2222(i) of Title 13, CCR.

WHEREAS, conversion efficiency correlation tests conducted at Automotive Testing and Development Services, Inc. (ATDS), Ontario, California, using a 1999 2.2L Chevrolet S-10 certified with OBD II TWC, and a 1989 5.0L Chevrolet Camaro certified with TWC + OC showed that the conversion efficiencies obtained from Tested Products' bench screening were within 15 percent of those obtained from cold-start CVS-75 FTP test as specified by Air Resources Board.

IT IS HEREBY RESOLVED that used catalytic converters bench screened by Tested Products are exempt from the prohibitions in Vehicle Code Section 27156 for installation on appropriate vehicles subject to the following conditions:

1. Used OEM catalytic converters marketed in California must attain the minimum conversion efficiencies shown below within the specified time after the engine exhaust is switched from the straight pipe to pass through the catalytic converter:

Minimum Conversion Efficiency (%) for Bench Screened Used OEM Catalytic Converters				
Converter Type	HC	CO	NOx	Test Duration (sec)
OC	70	70	N/A	60
TWC	70	70	60	60
TWC + OC	70	70	50	60
Precatalyst (OBD II)	70	70	60 for TWC	60
Precatalyst (non-OBD II)	40	40	N/A for OC	60

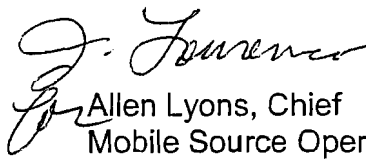
2. This exemption does not authorize Tested Products to open used OEM catalytic converters, modify their internal components, or switch substrates from one shell to another. The exemption allows the replacement of the end pipes only, if necessary.
3. No changes are permitted to the used OEM catalytic converters as described in the application for exemption. Any changes to the used OEM catalytic converters or any of their components, and other factors addressed in this order must be evaluated and approved by Air Resources Board prior to marketing in California.
4. Marketing of the used OEM catalytic converters using identifications other than those shown in the exemption application, and in this Executive Order, or marketing of the used OEM catalytic converters for installation on vehicles other than those from which they were recovered shall be prohibited unless prior approval is obtained from 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 used OEM catalytic converters as individual devices.
5. Any oral or written references to this Executive Order or its content by Tested Products, 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 used OEM catalytic converters and is only a finding that the used OEM catalytic converters are exempt from the prohibitions of Vehicle Code Section 27156.
6. Tested Products' installation instructions for the used OEM catalytic converters must conform to requirements in Paragraphs I and IX of California Evaluation Procedures for New Aftermarket Non-Original Equipment Catalytic Converters.
7. Tested Products must abide by the warranty of 25,000 miles for non-OBD II catalytic converters and 50,000 miles for OBD II catalytic converters, which it specifies in the warranty card submitted to Air Resources Board with its application.
8. Tested Products may not advertise or refer to the bench screened used OEM catalytic converters as "remanufactured" catalytic converters.

9. Tested Products must submit to the Air Resources Board for review its quality audit data or quality control procedures, as well as its production quantity data for each catalytic converter type tested. The information should include the number of used OEM catalytic converters returned for warranty replacement or refund. This information must be submitted on a semi-annual basis no later than July 30 and January 30 for each production year.
10. Tested Products will be required to adopt new bench test procedures or demonstrate the adequacy of the existing procedures should Air Resources Board determine that new bench test procedures may be more appropriate for testing used OEM catalytic converters based on the following: (a) If a new regulation requires a change in the test procedures or in required minimum conversion efficiency of any of the pollutants, (b) If new information shows that the current procedures have become inadequate due to new vehicle or test equipment technology.

Violation of any of the above conditions shall be grounds for revocation of this order. The order may be revoked only after 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.

Executive Order No. D-584 dated February 2, 2005, is hereby superseded and of no further force and effect.

Executed at El Monte, California, this 15th day of August 2005.


Allen Lyons, Chief
Mobile Source Operations Division