

State of California
AIR RESOURCES BOARD

EXECUTIVE ORDER D-142
Relating to Exemptions under Section 27156
of the Vehicle Code

CUMMINS ENGINE COMPANY, INC.
CUMMINS INJECTOR P/N 3026074

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-45-5;

IT IS ORDERED AND RESOLVED: That the installation of the Cummins injector part number 3026074 manufactured by Cummins Engine Company, Inc., of Columbus, Indiana 47202, has been found not to reduce the effectiveness of required motor vehicle pollution control devices and, therefore, is exempt from the prohibitions of Section 27156 of the Vehicle Code for 1979 model-year Cummins heavy-duty diesel engine family 172C, CPL 0434.

This Executive Order is valid provided that installation instructions for this device will not recommend tuning the vehicle to specifications different from those submitted by the device manufacturer.

Changes made to the design or operating conditions of the device, as exempted by the Air Resources Board, that adversely affect the performance of a vehicle's pollution control system shall invalidate this Executive Order.

Marketing of this device using an identification other than that shown in this Executive Order or marketing of this device for an application other than those listed in this Executive Order shall be prohibited unless prior approval is obtained from the Air Resources Board. Exemption of a kit shall not be construed as an exemption to sell, offer for sale, or advertise any component of a kit as an individual device.

This Executive Order does not constitute any opinion as to the effect that the use of this device may have on any warranty either expressed or implied by the vehicle manufacturer.

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 THE CUMMINS ENGINE COMPANY, INC. INJECTOR PART NUMBER 3026074.

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

Section 17500 of the Business and Professions Code makes untrue or misleading advertising unlawful, and Section 17534 makes violation punishable as a misdemeanor.

Section 43644 of the Health and Safety Code provides as follows:

"43644. (a) No person shall install, sell, offer for sale, or advertise, or, except in an application to the state board for certification of a device, represent, any device as a motor vehicle pollution control device for use on any used motor vehicle unless that device has been certified by the state board. No person shall sell, offer for sale, advertise, or represent any motor vehicle pollution control device as a certified device which, in fact, is not a certified device. Any violation of this subdivision is a misdemeanor."

Any apparent violation of the conditions of this Executive Order will be submitted to the Attorney General of California for such action as he deems advisable.

Executed at El Monte, California, this 4th day of November, 1983.



K. D. Drachand, Chief
Mobile Source Division

STATE OF CALIFORNIA

AIR RESOURCES BOARD

EVALUATION OF CUMMINS ENGINE COMPANY, INC.'S INJECTOR
P/N 3026074 FOR EXEMPTION FROM THE PROHIBITIONS IN
VEHICLE CODE SECTION 27156 IN ACCORDANCE WITH
SECTION 2222, TITLE 13, OF THE CALIFORNIA
ADMINISTRATIVE CODE

NOVEMBER 1, 1983

Issue Date: November 1, 1983

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ADMINISTRATIVE CODE

by

MOBILE SOURCE DIVISION

State of California
AIR RESOURCES BOARD
9528 Telstar Avenue
El Monte, CA 91731

(This report has been reviewed by the staff of the California Air Resources Board and approved for publication. Approval does not signify that the contents necessarily reflect the views and policies of the Air Resources Board, nor does mention of trade names or commercial products constitute endorsement or recommendation for use.)

SUMMARY

Cummins Engine Company, Inc. has requested an exemption from the prohibitions in California Vehicle Code Section 27156 for their injector part number 3026074. They have requested that the injector, which is presently certified for use on California 1980 through 1983 Cummins engines, engine family 172D, be allowed to be installed on 1979 model-year Cummins heavy-duty diesel engine family 172C, CPL 0434. The purpose of the newer injector, according to Cummins, is to reduce injector carboning during closed throttle conditions.

Since the 3026074 injector is utilized on certified 1980 through 1983 engines, the staff is of the opinion that it will have no adverse effect on emissions from 1979 model-year engines of the same displacement.

The staff recommends that Cummins Engine Company, Inc. be granted an exemption as requested and that Executive Order D-142 be issued.

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WITH SECTION 2222, TITLE 13, OF THE CALIFORNIA ADMINISTRATIVE CODE

I. INTRODUCTION

Cummins Engine Company, Inc., of Columbus, Indiana 47202, has requested an exemption from the prohibitions in California Vehicle Code Section 27156 for their injector part number 3026074. They have requested that the injector, which is presently certified for use on California 1980 through 1983 Cummins engines, engine family 172D, be allowed to be installed on 1979 model-year Cummins heavy-duty diesel engine family 172C, CPL 0434. The purpose of the newer injector, according to Cummins, is to reduce injector carboning during closed throttle conditions.

II. CONCLUSION

Since the 3026074 injector is utilized on certified 1980 through 1983 engines, the staff is of the opinion that it will have no adverse effect on emissions from 1979 model-year engines of the same displacement.

III. RECOMMENDATIONS

The staff recommends that Cummins Engine Company, Inc. be granted an exemption as requested and that Executive Order D-142 be issued.

IV. CUMMINS INJECTOR P/N 3026074

Cummins injector part number 3026074 is intended to replace the original equipment manufacturer (OEM) injector part no. 3022155 on the 1979 Cummins heavy-duty diesel engine family 172C, CPL 0434, during engine rebuild or injector replacement. Cummins stated that the performance of the replacement and the OEM injectors are identical.

V. EVALUATION

Cummins did not submit any test data to show that the replacement injector will have possible effects on emissions.

In response to Cummins' request, the staff reviewed Cummins certification documents and found that injector 3026074 is used on the 1980 through 1983 California-certified engines, engine family 172D, which has the same engine displacement as the 1979 engine family 172C, CPL 0434.

VI. DISCUSSION

Cummins has complied with the Air Resources Board (ARB) engine change policy (ARB Mail Out No. 81-040) pertaining to heavy-duty vehicles for the exemption as requested.