

State of California  
AIR RESOURCES BOARD

EXECUTIVE ORDER D-352-2

Relating to Exemptions Under Section 27156  
Of the Vehicle Code

Advanced Power Systems International Inc.  
Fitch Fuel Catalyst

WHEREAS, Vehicle Code Sections 27156 and 38391, and Title 13, California Code of Regulations (hereafter "CCR") Section 2222(e), authorize the California Air Resources Board and its Executive Officer to exempt add-on and modified aftermarket devices from the prohibitions of Vehicle Code Section 27156.

WHEREAS, Advanced Power Systems International Inc. of 339 Main Street, Torrington, CT 06790-5056, has applied to the Air Resources Board for exemption from the prohibitions in Vehicle Code Sections 27156 and 38391 for the Fitch Fuel Catalyst manufactured for use on the 2008 model year and older gasoline-powered vehicles listed in the attached Exhibit A.

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, the Air Resources Board finds that:

1. The Fitch Fuel Catalyst is an add-on device that is attached to the fuel line in a gasoline-powered motor vehicle. The device's housing is made of aluminum and contains multiple nylon trays that hold several discs comprised of a proprietary metal composition.
2. The fuel line is part of the required motor vehicle pollution control system.
3. The Fitch Fuel Catalyst is intended for use with a required motor vehicle pollution control system.
4. The Fitch Fuel Catalyst by being installed around the fuel line alters the original design of a motor vehicle pollution control system. Fitch Fuel Catalysts for 2005 model year and later vehicles listed in Exhibit A are installed with "quick connect" kits that do not require manual splicing of the stock fuel lines. Universal bolt-on kits that do require manual splicing are used for all older vehicles.
5. The Fitch Fuel Catalyst is a device subject to the prohibitions of Vehicle Code Section 27156 and add-on parts as defined by Title 13, CCR, section 1900(b)(1).

6. The Fitch Fuel Catalyst does not reduce the effectiveness of any required motor vehicle pollution control system.
7. The Fitch Fuel Catalyst will not have an adverse effect on emissions based on testing conducted on a 2008 model year Ford Focus (Test Group 8FMXV02.0VZP) certified to the Low Emission Vehicle II Super Ultra Low Emission Vehicle (LEV II SULEV) and Supplemental Federal Test Procedure (SFTP) standards. The exhaust emission test results are shown below:

Federal Test Procedure:

	<u>NMOG</u>	<u>CO</u>	<u>NOX</u>
Standards (g/mi)	0.010	1.0	0.02
Device (g/mi) with df's applied	0.007	0.3	0.01

SFTP (US06 Cycle):

	<u>NMHC+NOX</u>	<u>CO</u>
Standards (g/mi)	0.14	8.0
Device (g/mi)	0.004	3.3

SFTP (SC03 Alternative AC2 Cycle):

	<u>NMHC+NOX</u>	<u>CO</u>
Standards (g/mi)	0.20	2.7
Device (g/mi)	0.04	0.6

The installed Fitch Fuel Catalyst also did not affect the test vehicle's ability to perform its on-board diagnostic system monitoring properly.

8. The Air Resources Board has not determined what effect the use of the Fitch Fuel Catalyst may have on any warranty; either expressed or implied, by the manufacturer of a motor vehicle on which the device is installed.
9. The Fitch Fuel Catalyst is not a certified motor vehicle pollution control device pursuant to Health and Safety Code Section 43644.
10. The Air Resources Board by granting an exemption to Advanced Power Systems International Inc. for the Fitch Fuel Catalyst does not recommend or endorse in any way the Fitch Fuel Catalyst for emissions reduction, fuel economy, or any other purpose.

IT IS HEREBY RESOLVED that the Fitch Fuel Catalyst is exempt from the prohibitions of Vehicle Code Section 27156 for installation on the 2008 model year and earlier gasoline-powered vehicles listed in Exhibit A subject to the following conditions:

1. No changes are permitted to the Fitch Fuel Catalyst as described in the application for exemption. Any changes to the Fitch Fuel Catalyst or any of its components, or 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 Fitch Fuel Catalyst without a permanent label showing the Executive Order number or marketing of the Fitch Fuel Catalyst for an application other than the one stated in this Executive Order shall be prohibited unless prior approval is obtained from the 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 Fitch Fuel Catalyst as an individual device.
3. Any oral or written references to this Executive Order or its content by Advanced Power Systems International Inc., 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 emissions reduction claims for the Fitch Fuel Catalyst and is only a finding that the Fitch Fuel Catalyst is exempt from the prohibitions of Vehicle Code Section 27156.
4. This exemption shall not apply to any device, apparatus, or mechanism advertised, offered for sale, sold with, or installed on a motor vehicle prior to or concurrent with transfer to an ultimate purchaser.
5. No claim of any kind, such as "Approved by the Air Resources Board" may be made with respect to this Executive Order in any advertising or other oral or written communication.

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 OF THE FITCH FUEL CATALYST.

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 recommendation is made, after the hearing, that grounds for revocation exist.

Executed at El Monte, California, this 22 day of June 2009.



Annette Hebert, Chief  
Mobile Source Operations Division

**Exhibit A**  
**(E.O.# D-352-2)**

<b>Make</b>	<b>Models - including P/U, SUV, passenger vehicles</b>	<b>Gasoline (no hybrids)</b>	<b>Model Year</b>	<b>Fitch Fuel Catalyst Model options (Engine Size Dependent) *</b>
Acura	all	x	2005 - 2008	F300, F400, F500,
Acura	all	x	1990 - 2004	F300, F400, F500,
Alfa Romeo	all	x	1965 - 2003	F300, F400, F500,
Aston Martin	all	x	1965 - 2002	F300, F400, F500, F750,F1000
Audi	all	x	1992 - 2004	F300, F400, F500, F750,F1000
BMW	all	x	1975 - 2004	F300, F400, F500, F750,F1000
BMW	all	x	2005 - 2008	F300, F400, F500, F750,F1000
Buick	all	x	1985 - 2008	F300, F400, F500, F750,F1000
Cadillac	all	x	1985 - 2008	F300, F400, F500, F750,F1000
Chevy	all	x	1985 - 2008	F300, F400, F500, F750,F1000
Chrysler	all	x	1985 - 2008	F300, F400, F500, F750,F1000
Datson	all	x	1975 - 2000	F300, F400, F500,
Dodge	all	x	1985 - 2008	F300, F400, F500, F750,F1000
Eagle	all	x	1980 - 2004	F300, F400, F500,
Fiat	all	x	1975 - 2004	F300, F400, F500,

\* Bolt on OEM quick connects kits are offered to vehicles having OEM quick connect fittings (2005 MY and later). Universal kit is strictly offered to vehicles OUT OF WARRANTY (2004 MY and earlier) as indicated on Advanced Power Systems website.

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<b>Make</b>	<b>Models - including P/U, SUV, passenger vehicles</b>	<b>Gasoline (no hybrids)</b>	<b>Model Year</b>	<b>Fitch Fuel Catalyst Model options (Engine Size Dependent) *</b>
Ford	all	x	1985 - 2008	F300, F400, F500, F750, F1000
Geo	all	x	1980 - 2004	F300
GMC	all	x	1985 - 2008	F300, F400, F500, F750, F1000
Honda	all	x	2005 - 2008	F300, F400, F500,
Honda	all	x	1972 - 2004	F300, F400, F500,
Hummer	all	x	2001 - 2008	F300, F400, F500, F750, F1000
Infiniti	all	x	2005 - 2008	F300, F400, F500, F750
Infiniti	all	x	1990 - 2004	F300, F400, F500, F750
Isuzu	all	x	2005 - 2008	F300
Isuzu	all	x	1985 - 2004	F300
Jaguar	all	x	2007 - 2008	F300, F400, F500, F750
Jaguar	all	x	1960 - 2003	F300, F400, F500, F750
Jeep	all	x	1985 - 2008	F300, F400, F500,
Kia	all	x	1997 - 2003	F300
Land Rover	all	x	2007 - 2008	F300, F400, F500,

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Land Rover		x	1970 - 2003	F300, F400, F500,
Lexus	all	x	2005 - 2008	F300, F400, F500, F750
Lexus		x	1984 - 2004	F300, F400, F500, F750
Lincoln	all	x	1985 - 2008	F300, F400, F500,
Mazda	all	x	2006 - 2008	F300
Mazda		x	1975 - 2003	F300
Mercury	all	x	1985 - 2008	F300, F400, F500, F750, F1000
Merkur	all	x	1990 - 2004	F300, F400, F500,
Mini Cooper	all	x	2006 - 2008	F300, F400, F500,
Mitsubishi	all	x	1990 - 2003	F300, F400, F500, F750
MG	all	x	1970 - 2004	F300
Nissan	all	x	2005 - 2008	F300, F400, F500,
Nissan	all	x	1975 - 2004	F300, F400, F500,
Oldsmobile	all	x	1985 - 2008	F300, F400, F500, F750, F1000
Opal	all	x	1975 - 2004	F300, F400, F500,

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Peugeot	all	x	1975 - 2004	F300, F400, F500,
Plymouth	all	x	1985 - 2008	F300, F400, F500, F750,F1000
Pontiac	all	x	1985 - 2008	F300, F400, F500, F750,F1000
Porsche	all	x	1975 - 2003	F300, F400, F500, F750,F1000
Renault	all	x	1975 - 2004	F300, F400, F500,
Saab	all	x	2000 - 2008	F300, F400, F500,
saab	all	x	1975 - 1999	F300, F400, F500,
Saturn	all	x	1985 - 2008	F300, F400, F500,
Scion	all	x	2006 - 2008	F300, F400, F500,
Subaru	all	x	2005 - 2008	F300, F400, F500,
Subaru	all	x	1975 - 2004	F300, F400, F500,
Suzuki	all	x	2007 - 2008	F300
Toyota	all except Prius/Yaris	x	2005 - 2008	F300, F400, F500,
Toyota	all	x	1975 - 2004	F300, F400, F500,
Volkswagon	all	x	2005 - 2008	F300, F400, F500,

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Volkswagon	all	x	1975 - 2004	F300, F400, F500,
Volvo	all	x	2005 - 2008	F300, F400, F500,
Volvo	all	x	1975 - 2004	F300, F400, F500,

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