State of California
AIR RESOURCES BOARD

EXECUTIVE ORDER D-353-4

Relating to Exemptions under Section 27156
of the Vehicle Code

Miller Catalyzer Corporation
"Series 3000 Three-way Catalytic Converter"

WHEREAS, Vehicle Code Sections 27156 and 38391, and Title 13, California Code of Regulations (hereafter "CCR") Section 2222(h), authorize the California Air Resources Board (ARB) and its Executive Officer to exempt new aftermarket catalytic converters from the prohibitions of Vehicle Code Section 27156.

WHEREAS, Miller Catalyzer Corporation (Miller) of 3295 Depot Road, Hayward, California 94545, has applied to the ARB for exemption from the prohibitions in Vehicle Code Sections 27156 and 38391 to market its Series 3000 new aftermarket three-way catalytic converter (TWC) for the following applications, except for vehicles equipped with an on-board diagnostic II (OBD-II) system (Title 13, CCR, Section 1968.1):

Converter Type	Series Number	Converter Use	Max. Eng. Size	Max. Veh. Test Wt.
TWC	3000	TWC	3.8L (232 CID)	3,750 lbs.

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 ARB finds that the above aftermarket catalytic converter complies with the California Vehicle Code Section 27156 and Title 13, California Code of Regulations, Section 2222(h). Emission performance of the catalytic converter was based on durability bench-aging by Delphi Energy and Chassis Systems using ARB-modified RAT A bench-aging cycle in lieu of the AMA driving cycle (Reference Appendix IV, Title 40, part 86, Code of Federal Regulations (June 28, 1977)).

WHEREAS, emissions tests conducted at Automotive Testing and Development Services, Inc. (ATDS), Ontario, California, using a 1995 Buick Le Sabre 3.8L showed the following conversion efficiencies which meet the minimum requirements for new aftermarket catalytic converters:

Pollution Component	TWC (% Efficiency)
HC: Min. Requirement	70
Miller's Series 3000	73.9
CO: Min. Requirement	70
Miller's Series 3000	71.1
NOx: Min. Requirement	60
Miller's Series 3000	70.2

IT IS HEREBY RESOLVED that the above catalytic converter is exempt from the prohibitions in Vehicle Code Section 27156 for installation on the approved application vehicles subject to the following conditions:

1. No changes are permitted to the catalytic converter as described in the application for exemption. Any changes to the catalytic converter or any of its components, and other factors addressed in this order must be evaluated and approved by the ARB prior to marketing in California.

2. Marketing of the catalytic converter using identifications other than those shown in the exemption application, and in this Executive Order, or marketing of the catalytic converter for application other than the ones shown in this Executive Order shall be prohibited unless prior approval is obtained from the ARB. Exemption of this product shall not be construed as an exemption to sell, offer for sale, or advertise any components of the catalytic converter as individual devices.

3. Any oral or written references to this Executive Order or its content by Miller, 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 catalytic converter and is only a finding that the catalytic converter is exempt from the prohibitions of Vehicle Code Section 27156.

4. Miller's installation instructions for the new catalytic converter must conform to requirements in Paragraphs I and IX of California Evaluation Procedures for New Aftermarket Non-Original Equipment Catalytic Converters.

5. Upon installation, the catalytic converter must carry a manufacturer's warranty for 25,000 miles on the substrates and 50,000 miles or five years on the shell and end pipes.

6. Miller and its vendors may not advertise the new aftermarket catalytic converter as a "pure flow, high flow, or easy flow" catalytic converter or use any phrase that could make it appear to perform better than an OEM catalytic converter.

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.

Executed at El Monte, California, this 18TH day of August 2004.

Allen Lyons, Chief
Mobile Source Operations Division