State of California
AIR RESOURCES BOARD

EXECUTIVE ORDER D-353-52
Relating to Exemptions under Section 27156 and 38391
of the Vehicle Code

Miller Catalyzer Corporation
"Series 31000 Three-way Catalytic Converters"

WHEREAS, Vehicle Code Sections 27156 and 38395, and Title 13, California Code of Regulations (hereafter "CCR") Section 2222(h), authorize the California Air Resources Board and its Executive Officer to exempt new aftermarket catalytic converters from the prohibitions of Vehicle Code Section 27156 and 38391.

WHEREAS, Miller Catalyzer Corporation of 3295 Depot Road, Hayward, California 94545, has applied to the Air Resources Board for exemption from the prohibitions in Vehicle Code Sections 27156 and 38391 to market its new aftermarket Series 31000 three-way catalytic converters (TWC) on selected 1995 through 2004 model year Land Rover light-duty trucks 2 (LDT2) and medium-duty vehicles equipped with on-board diagnostic II (OBD-II) systems as specified in Appendix D-353-52 and incorporated herein. Series 31000 TWC will be used for single catalytic converter application (one per bank) and may be sold as a universal or direct fit system.

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 the above aftermarket catalytic converters comply with the California Vehicle Code Sections 27156 and 38395 and Title 13, California Code of Regulations, Section 2222(h). Emission performance of the catalytic converter was based on durability bench-aging by Umicore Automotive Catalysts using the Air Resources Board-modified RAT-A bench-aging cycle for 100 hours as specified in Appendix A to the "California Evaluation Procedures for New Aftermarket Catalytic Converters" as adopted on October 25, 2007.

WHEREAS, previous emissions and OBD II compatibility tests conducted by Miller Catalyzer Corporation using a vehicle of weight classification and exhaust configuration similar to those listed in Appendix D-353-52 and certified to Low Emission Vehicle (LEV) standards resulted in the issuance of Executive Orders D-353-13, it was determined that the installation of Series 31000 on the vehicles listed in Appendix D-353-52 meets the requirements of California regulation for aftermarket catalytic converters.

THEREFORE, IT IS HEREBY RESOLVED that Miller Catalyzer Corporation's 31000 TWCs are exempted from the prohibitions in Vehicle Code Sections 27156 and 38391 for installation on the approved vehicle applications specified in Appendix D-353-52 subject to the following conditions:

1. No changes are permitted to the catalytic converters as described in the application for exemption. Any changes to the catalytic converters or any of their components, and 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 catalytic converters using identifications other than those shown in the exemption application, and in this Executive Order, or marketing of the catalytic converters for application other than the ones shown in this Executive Order shall be prohibited unless prior approval is obtained from the Air Resources Board. Exemption of these products shall not be construed as an exemption to sell, offer for sale, or advertise any components of the catalytic converters as individual devices.

3. Any oral or written references to this Executive Order or its content by Miller Catalyzer Corporation, 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 converters and is only a finding that the catalytic converters are exempt from the prohibitions of Vehicle Code Sections 27156 and 38391.

4. Miller Catalyzer Corporation's installation instructions for the new catalytic converters must conform to requirements in Section (h) of the "California Evaluation Procedures for New Aftermarket Catalytic Converters," as adopted October 25, 2007.

5. Installation of the catalytic converters shall not cause the relocation of an oxygen sensor. Oxygen sensors must be installed in the same location, position and orientation as prescribed in the original equipment manufacturer's configurations.

6. Upon installation, the catalytic converters must carry a manufacturer's warranty for five (5) years or 50,000 miles as prescribed in Section (f)(2) of the "California Evaluation Procedures for New Aftermarket Catalytic Converters," as adopted October 25, 2007.

7. Miller Catalyzer Corporation and its vendors may not advertise the new aftermarket catalytic converters as "high flow or easy flow" catalytic converters or use any phrase that could make them appear to perform better than the original equipment manufacturer (OEM) catalytic converters.

8. Any marketing arrangement of the new aftermarket catalytic converter by a third party, which involves the use of packaging identification different from the ones described in this Executive Order, must be approved by the Air Resources Board prior to shipment.

9. Miller Catalyzer Corporation, its associates, vendors, other businesses and individuals associated with Miller Catalyzer Corporation may not sell or supply new aftermarket catalytic converter substrates to a third party to be assembled in a different facility and marketed under this Executive Order without approval from the Air Resources Board.

10. Miller Catalyzer Corporation shall comply with the quality control procedures and reporting requirements in Section (f)(5) of the "California Evaluation Procedures for New Aftermarket Catalytic Converters," as adopted October 25, 2007.

11. Quality control reports must be submitted on a quarterly basis and warranty information reports on a semi-annual basis, starting with periods covering January 1 through March 31, 2009 and January 1 through June 30, 2009, respectively.

12. Miller Catalyzer Corporation must provide a permanent label or stamp as specified under Section (f)(1) of the "California Evaluation Procedures for New Aftermarket Catalytic Converters," as adopted on October 25, 2007.

13. Miller Catalyzer Corporation's vehicle application catalog must conform with the requirements specified under Section (f)(4) of the "California Evaluation Procedures for New Aftermarket Catalytic Converters," as adopted on October 25, 2007.

Executive Order D-353-30 dated July 31, 2008, is hereby superseded and of no further force and effect.

Violation of any of the above conditions shall be grounds for revocation of this order. The order may be revoked only after a 30-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 30 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 12th day of December 2008.

J. Burenco

for Annette Hebert, Chief
Mobile Source Operations Division

Miller Catalyzer Corporation, Catalytlic Converter Series 31000, For Land Rover LDT2 amd MDV

No.	Model Year	Vehicle Model	Engine Size	EngineFamily (Test Group)	Certification Level	Weight Class	Exhaust Type	Total Converters	Converter Type	Monitored	Universal	Direct Fit
1	1995	Ranger Rover County, Discovery, Defender 90	4.27L /3.95L	SLR4.2H7G0EA	Tier 0	MDV2	D	2	2TWC	2	31212	TBD
2		Range Rover	4.0L	SLR4.0H8G0EK								
3		Discovery, Range Rover County, Defender 90	3.95L	SLR4.287GBFA								
4	1996	Discovery, Range Rover County	3.95L / 4.55L	TLR4.6H8G1EK	Tier 1							
5		Discovery, Range Rover		TLR4.658GFFK								
6	1997	Ranger Rover, Discovery, Defender 90		VLR4.658GFEK								
7		Discovery	3.95L	VLR4.058GFFK								
8	1998	Range Rover, Discovery	3.95L / 4.55L	WLRXT04.6001								
9	1999	Range Rover, Discovery		XLRXT04.6001								
10		Range Rover, Discovery		XLRXT04.6002								
11	2000	Discovery Series II, Range Rover		YLRXT04.6002	LEV							
12	2001	Discovery Series II	4.0L	1LRXT04.6001								
		Range Rover	4.0L /4.6L									
13	2002	Freelander	2.5L	2LRXT02.5001		LDT2						
14		Ranger Rover, Discovery Series II	4.0L	2LRXT04.6001		MDV2						
		Ranger Rover	4.6L									
15		Discovery Series II	4.0L	2LRXT04.6003								
16	2003	Freelander	2.5L	3LRXT02.5001		LDT2						
17		Freelander (5-door, 3-door)		3LRXT02.5002								
18		Range Rover	4.4L	3LRXT04.4001		MDV3						
19	2004	Discovery Series II	4.6L	4LRXT04.6001		MDV2						
20		Range Rover	4.4L	4LRXT04.4001		MDV3						