

**State of California
AIR RESOURCES BOARD**

EXECUTIVE ORDER D-353-55

Relating to Exemptions under Section 27156 and 38391
of the Vehicle Code

Miller Catalyzer Corporation
"Series 60000 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 60000 three-way catalytic converters (TWC) on selected 1995 through 2004 model year Volvo passenger cars equipped with on-board diagnostic II (OBD-II) systems as specified in Appendix D-353-55 and incorporated herein. Series 60000 TWC will be used for single exhaust system (one or two units) applications.

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 75 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-353-55 and certified to Low Emission Vehicle (LEV) standards resulted in the issuance of Executive Orders D-353-24, it was determined that the installation of Series 60000 on the vehicles listed in Appendix D-353-55 meets the requirements of California regulation for aftermarket catalytic converters.

THEREFORE, IT IS HEREBY RESOLVED that Miller Catalyzer Corporation's 60000 TWCs are exempted from the prohibitions in Vehicle Code Sections 27156 and 38391 for installation on the approved vehicle applications specified in Appendix D-353-55 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-353-33 dated August 8, 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 10 day of December 2008.



Annette Hebert, Chief
Mobile Source Operations Division

APPENDIX D-353-55

Miller Catalyzer Corporation, Catalytic Converter Series 60000, For Volvo Passenger Cars												
No.	Model Year	Vehicle Model	Engine Size	Engine Family (Test Group)	Certification Level	Weight Class	Exhaust Type	Total Converters	Converter Type	Monitored	Universal	Direct Fit
1		940 Sedan, 940 Wagon	2.3L	SVV2.3V7GAEA								TBD
2		940 Turbo, 940 Sedan, 940 Wagon	2.5L /2.9L	SVV2.3V7GFEA	Tier 1							60529
3	1995	960 Sedan, 960 Wagon	2.3L	SVV2.3VJGFEA								TBD
4		850 Turbo, 850 Sedan, 850 Wagon	2.4L	SVV2.4VJGFEK								60519
5		850 Sedan, 850 Wagon	2.3L	TVV2.3VJGFEK								TBD
6		850, 850 Wagon (Turbo)	2.4L	TVV2.4VJGFEK								60519
7	1996	850, 850 Wagon	2.9L	TVV2.9VJGFEL	T1EV							60526
8		960, 960 Wagon	2.3L	VVV2.3VJGFEK	Tier 1							TBD
9		850 Turbo	2.4L	VVV2.4VJGFEK	T1EV							60519
10	1997	850	2.9L	VVV2.9VJGFEL	Tier 1							60526
11		960	2.4L	WVXXV2.43TFF								60528
12		S70, V70	2.3L /2.4L	WVXXV2.43PA1	T1EV							TBD
13	1998	S70 GLT, V70 GLT, C70, S70 T5, V70 T5, C70 Convertible	2.9L	WVXXV2.92EVA	Tier 1							60526
14		S90, V90	2.3L /2.4L	WVXXV2.43AWD								TBD
15		V70 AWD, V70XC AWD, V70R AWD	2.3L /2.4L	XVXXV2.43PA2	LEV	PC	S	1	TWC	1	N/A	60528
16		S70, V70, C70	2.4L	XVXXV2.43AW2	T1EV							60528
17		V70, V70XC, S70	2.4L	XVXXV2.43TF2								TBD
18	1999	S70, V70	2.8L	XVXXV2.78EN2	LEV							60528
19		S80	2.9L	XVXXV2.92BU2	T1EV							TBD
20		S80	2.3L /2.4L	YVXXV2.43PA3								60528
21		V70, V70XC, S70, C70	2.4L	YVXXV2.43TF3	LEV							60528
22	2000	S70, V70	2.9L	YVXXV2.92BU3								60528
23		S80	2.8L	YVXXV2.78EN3	T1EV							TBD
24		S40, V40	1.95L	YVXXV1.95MJ1								60528
25		V70 T5 Wagon, S60 Sedan, C70 Coupe, C70 Convertible	2.3L	1VXXV2.43L5T	LEV							TBD
26	2001	V70 AWD Wagon, V70 2.4T Wagon, S60 Sedan, C70 Coupe, C70 Convertible	2.4L	1VXXV2.92L6N								TBD
27		S80 2.9, S80 2.9 Executive	2.8L	1VXXV2.78T6T	T1EV							TBD
28		S80 T6, S80 T6 Executive	1.9L	1VXXV1.95L4T	LEV							TBD
29		S40, V40										TBD

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No.	Model Year	Vehicle Model	Engine Size	Engine Family (Test Group)	Certification Level	Weight Class	Exhaust Type	Total Converters	Converter Type	Monitored	Universal	Direct Fit
30	2002	S60 T5, V70 T5	2.3L	2VVXXV2.43L5T	LEV	PC	S	1	TWC	1	N/A	TBD
		S60 2.4T, V70 2.4T, S60 AWD, V70 AWD, C70	2.4L									
		S40 1.9T, V40 1.9T	1.9L									
31			1.9L	2VVXXV1.95L4T								
32		S40, V40	1.9L	3VVXXV1.95L1T								
33	2003	V70 T5, S60 T5, C70 Convertible	2.3L	3VVXXV2.43L1T	LEV	PC	S	1	TWC	1	N/A	TBD
		V70 2.4T, S60 2.4T, C70 Convertible	2.4L									
		V70 T5, S60 T5, C70 Convertible	2.3L									
34	2004	C70 Convertible	2.4L	4VVXXV2.52L1T	LEV	PC	S	2	TWC(2)	2	N/A	TBD
		V70 R AWD, S60 R AWD	2.5L									
35		S40, V40	1.9L	4VVXXV1.95L1T								