



Linda S. Adams
Secretary for
Environmental Protection

Air Resources Board

Mary D. Nichols, Chairman
9480 Telstar Avenue, Suite 4
El Monte, California 91731 www.arb.ca.gov



Arnold Schwarzenegger
Governor

June 22, 2009

Reference No. A-2009-242

Mr. David A. Miller, President
Miller Catalyzer Corporation
3295 Depot Road
Hayward, CA 94545

Dear Mr. Miller:

This is in response to your application for exemption from the prohibitions in Vehicle Code (VC) Sections 27156 and 38391 for Miller Catalyzer Corporation's (Miller) Series 69000 three-way catalytic converter (TWC) for 1995 and older model year non-OBD II passenger cars equipped with one catalytic converter per exhaust bank, categorized as pre-OBD II PC-1 application.

Enclosed, please find Executive Order No. D-353-62, permitting the advertisement, sale, and installation of Miller's Series 69000 aftermarket TWC on 1995 and older model year non-OBD II PC-1 passenger cars equipped with a single catalytic converter per exhaust bank. Any changes to the catalytic converter must be evaluated and approved by the Air Resources Board. No claim of any kind, such as "Approved by the Air Resources Board" is permitted with respect to this Executive Order in any advertising or other oral or written communication.

If you have any questions, please contact Ms. Rose Castro, Manager, Aftermarket Parts Section, at (626) 575-6848.

Sincerely,

Annette Hebert, Chief
Mobile Source Operations Division

Enclosure

The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our Website: <http://www.arb.ca.gov>.

California Environmental Protection Agency

**State of California
AIR RESOURCES BOARD**

EXECUTIVE ORDER D-353-62

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

Miller Catalyzer Corporation
"Series 69000 Three-way Catalytic Converter"

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 (Miller) 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 69000 three-way catalytic converter (TWC) for installation on 1995 and older model year non-on-board diagnostic II (non-OBD II) passenger cars equipped with one catalytic converter per exhaust bank, and categorized as PC-1 application. The catalytic converter 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 converter complies 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, and testing conducted at Automotive Testing and Development Services (ATDS).

WHEREAS, emissions tests conducted at ATDS, Ontario, California, using a 2000 3.8L Chevrolet Camaro, test group YGMXV03.8043, certified to the passenger car, Low Emission Vehicle emission standards (PC, LEV), showed that the vehicle met the applicable emission standards with Series 69000 TWC (1 unit) installed. The following are the test results in grams per mile:

	<u>NMOG</u>	<u>CO</u>	<u>NOx</u>	<u>Remarks</u>
PC 100K LEV standards	0.090	4.2	0.3	
Series 69000 TWC Test 1	0.057	0.4	0.1	Pass
Series 69000 TWC Test 2	0.064	0.1	0.1	Pass

THEREFORE, IT IS HEREBY RESOLVED that Miller Catalyzer Corporation's Series 69000 TWC is exempted from the prohibitions in Vehicle Code Sections 27156 and 38391 for installation on appropriate PC-1 passenger cars subject to the following conditions:

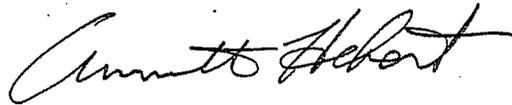
1. No changes are permitted to the catalytic converter as described in the application for exemption. Any changes to the catalytic converter or any of their components and other factors addressed in this Executive Order must be evaluated and approved by the Air Resources Board prior to marketing in California.
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 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 catalytic converter 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 converter and is only a finding that the catalytic converter is exempt from the prohibitions in Vehicle Code Sections 27156 and 38391.
4. Miller Catalyzer Corporation's installation instructions for the new catalytic converter must conform to requirements in Section (h) of the "California Evaluation Procedures for New Aftermarket Catalytic Converters," adopted on October 25, 2007.
5. Installation of the catalytic converter 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 converter 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," adopted on October 25, 2007.
7. Miller Catalyzer Corporation and its vendors may not advertise the new aftermarket catalytic converter as "high flow" or "easy flow" catalytic converter or use any phrase that could make them appear to perform better than the original equipment manufacturer 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. The new catalytic converter substrate may not be sold or supplied to a third party by Miller Catalyzer Corporation, its associates, vendors, other businesses, and individuals associated with Miller Catalyzer Corporation, 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 as specified under Section (f)(4) of the "California Evaluation Procedures for New Aftermarket Catalytic Converters," as adopted on October 25, 2007.

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 22 day of June 2009.



Annette Hebert, Chief
Mobile Source Operations Division