State of California
AIR RESOURCES BOARD

EXECUTIVE ORDER D-535U-7

Relating to Exemptions under
Sections 38390 and 38391 of the Vehicle Code

Cleaire Advanced Emission Controls
Allmetal

Pursuant to the authority vested in the Air Resources Board by Part 5, Division 26 of the Health and Safety Code and Sections 38390, 38391, and 38395 of the Vehicle Code; and

Pursuant to the authority vested in the undersigned by Sections 39515 and 39516 of the Health and Safety Code and Executive Order G-02-003;

IT IS ORDERED AND RESOLVED: That installation of the Allmetal diesel particulate filter, manufactured by Cleaire Advanced Emission Controls of 14333 Wicks Boulevard, San Leandro, California 94577, has been found not to reduce the effectiveness of the applicable engine pollution control system, and therefore, the Allmetal diesel particulate filter is exempt from the prohibitions in Sections 38390 and 38391 of the Vehicle Code for installation on 1996 through 2008 model-year off-road compression-ignition engines rated from 100 to 350 kW with displacements of 5 to 18 liters. This exemption applies to engines certified to Tier 1 or more stringent emission standards, excluding those engines originally equipped with an exhaust gas recirculation system.

The Allmetal diesel particulate filter consists of a diesel oxidation catalyst (P/N CJD-23-70) located upstream of an un-catalyzed metal filter (P/N CJF-301).

This Executive Order is only valid provided the engines meet the following operating conditions: (1) the engine exhaust temperature is greater than 260 degrees Celsius for at least 25 percent of the typical duty cycle and (2) the engine is operated using ultra low sulfur diesel with a maximum sulfur content of 15 parts per million by weight.

This Executive Order is based on emission testing Cleaire Advanced Emission Controls conducted with the Allmetal diesel particulate filter.

This Executive Order is valid provided that installation instructions for the Allmetal diesel particulate filter do not recommend tuning the engines to specifications different from those of the engine manufacturer.

Changes made to the design or operating conditions of the Allmetal diesel particulate filter, as exempt by the Air Resources Board, which adversely affect the performance of the engine's pollution control system, shall invalidate this Executive Order.

Marketing of the Allmetal diesel particulate filter using identification other than that shown in this Executive Order or for an application other than that listed in this

Executive Order shall be prohibited unless prior approval is obtained from the Air Resources Board.

This Executive Order shall not apply to any Allmetal diesel particulate filter advertised, offered for sale, sold with, or installed on an engine, vehicle, or equipment prior to or concurrent with transfer to an ultimate purchaser.

This Executive Order does not constitute any opinion as to the effect the use of the Allmetal diesel particulate filter may have on any warranty either expressed or implied by the engine manufacturer.

No claim of any kind, such as "Approved by the Air Resources Board," may be made with respect to the action taken herein in any advertising or other oral or written communication.

In addition to the foregoing, the Air Resources Board reserves the right in the future to review this Executive Order and the exemption provided herein to assure that the exempted add-on or modified part continues to meet the standards and procedures of California Code of Regulations, Title 13, Section 2474, et seq.

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 OR ANY ALLEGED BENEFITS OF CLEAIRE ADVANCED EMISSION CONTROLS' ALLMETAL DIESEL PARTICULATE FILTER.

Violation of any of the above conditions shall be grounds for revocation of this Executive Order. The Executive Order may be revoked only after a ten-day written notice of intention to revoke the Executive Order, in which period the holder of the Executive 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 Executive Order may not be revoked until a determination is made after a hearing that grounds for revocation exist.

Executed at El Monte, California, this 23RD day of December 2008.

Raphael Susnowitz

for Annette Hebert, Chief
Mobile Source Operations Division