

State of California
AIR RESOURCES BOARD

EXECUTIVE ORDER D-584

Relating to Exemptions under Section 27156
of the Vehicle Code

Tested Products
"Used OEM Catalytic Converters"

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 used original equipment manufacturer (OEM) catalytic converters from the prohibitions of Vehicle Code Section 27156.

WHEREAS, Tested Products of 14645 Keswick Street, Van Nuys, California, 91405, has applied for exemption from the prohibitions in Vehicle Code Sections 27156 and 38391 to market in California bench-screened used OEM catalytic converters for installation on vehicles similar to the ones from which they were salvaged. Tested Products shall salvage used OEM catalytic converters, including those monitored by the on-board diagnostics II (OBD II) system; perform bench screening test to determine if the catalytic converters meet the required minimum conversion efficiency; replace end pipes, if necessary; and catalog catalytic converters for sale and installation on vehicles with the same engine family or test group as the ones from which the catalytic converters were recovered.

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, ARB finds that Tested Products screens used OEM catalytic converters using test procedures, which are compliant with California Vehicle Code Section 27156 and Title 13, California Code of Regulations, Section 2222(i).

WHEREAS, Cold-start CVS-75 Federal Test Procedures (FTP) test results conducted at the Automotive Testing and Development Services, Inc. (ATDS), Ontario, California, using a 1999 2.2L Chevrolet S10 equipped with an OBD II-monitored TWC, and a 1989 5.0L Chevrolet Camaro equipped with a TWC + OC, showed conversion efficiencies that are within 15 percent of those obtained from Tested Products' bench screening test procedures, which meet the correlation criteria specified by ARB.

IT IS HEREBY RESOLVED that used OEM catalytic converters bench screened by Tested Products are exempt from the prohibitions in Vehicle Code Section 27156 for installation on appropriate vehicles subject to the following conditions:

1. Used OEM catalytic converters to be marketed by Tested Products in California must attain the minimum conversion efficiencies as shown below, within the

specified time after the engine exhaust is switched from the straight pipe to pass through the catalytic converter.

Minimum Conversion Efficiency (%) for Used OEM Catalytic Converters

<u>Converter Type</u>	<u>HC</u>	<u>CO</u>	<u>NOx</u>	<u>Test Duration (sec)</u>
TWC	70	70	60	60
TWC + OC	70	70	50	60
OC	70	70	N/A	60
Precats (OBD II)	70	70	60 for TWC	60
Precats (non-OBD II)	40	40	N/A for OC	60

2. This exemption **does not** authorize Tested Products to open used OEM catalytic converters, modify their internal components, or switch substrates from one shell to another. The exemption allows the replacement of end pipes only, when necessary.
3. No changes are permitted to the used OEM catalytic converters as described in the application for exemption. Any changes to the used OEM catalytic converters or any of their components, and other factors addressed in this order must be evaluated and approved by ARB.
4. Marketing of used OEM catalytic converters using identifications other than those shown in the exemption application, and in this Executive Order, or marketing of the catalytic converters for applications other than the ones shown in this Executive Order shall be prohibited unless prior approval is obtained from ARB. Exemption of this product shall not be construed as an exemption to sell, offer for sale, or advertise any component of the catalytic converter as an individual device.
5. Any oral or written references to this Executive Order or its contents by Tested Products, 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 used OEM catalytic converters and is only a finding that the catalytic converters are exempt from the prohibitions of Vehicle Code Section 27156.
6. Tested Products' installation instructions for the new catalytic converters must conform to requirements in Paragraphs I and IX of the "California Evaluation Procedures for New Aftermarket Non-original Equipment Catalytic Converters."
7. Tested Products will provide a warranty of 25,000 miles for non-OBD II catalytic converters and 50,000 miles for OBD II catalytic converters, as specified in its warranty statements submitted to ARB.
8. Tested Products may not advertise or refer to bench screened used OEM catalytic converters as "remanufactured" catalytic converters.
9. Tested Products must submit for review to ARB, its quality audit data or quality control procedures, as well as its production quantity data for each catalytic converter type it has tested. The information should include the number of used

OEM catalytic converters that have been returned for warranty replacement or refund. This information must be submitted on a semi-annual basis, no later than July 30 and January 30 of each production year.

10. Tested Products' bench screening test procedures will cease to be in effect should ARB adopt a more stringent bench screening test procedure, change the required minimum conversion efficiencies for any of the pollutants, or a new vehicle technology requires a different testing methodology.

Violation of any of the above conditions shall be grounds for revocation of this order. The order may be revoked only after a 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 2nd day of February 2005.


for Allen Lyons, Chief
Mobile Source Operations Division