State of California
AIR RESOURCES BOARD

EXECUTIVE ORDER D-634-2

Relating to Exemptions under
Section 27156 of the Vehicle Code

H2XOP, Inc.
Hydrogen Enrichment System

Pursuant to the authority vested in the Air Resources Board by Section 27156 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 Hydrogen Enrichment System, manufactured by H2XOP, Inc. (3199-D Airport Loop Dr. Costa Mesa, CA 92626), has been found not to reduce the effectiveness of the applicable vehicle pollution control systems, and therefore, the Hydrogen Enrichment System (HES 210) is exempt from the prohibitions in Section 27156 of the Vehicle Code for installation on 1984-2006 model year Caterpillar, Cummins, Detroit Diesel, International and Daimler Chrysler heavy-duty diesel engines from 7.2 liters to 16.2 liters.

The HES 210 device consists of a metal case containing a 3-gallon ABS water reservoir, various electrical components, electrical wiring and connectors, and a rubber supply hose for the hydrogen gas.

This Executive Order is granted based on previous Heavy-Duty Federal Test Procedure (FTP) Transient Cycle tests, Euro III European Stationary Cycle (ESC) test, and "Not-to-Exceed" (NTE) test conducted by H2XOP, Inc. with the HES 210 device.

If evidence provides the Air Resources Board with reasons to suspect that the HES 210 device will affect the durability of the emission control system, H2XOP shall be required to submit durability data to show that the durability of the vehicle emission control system is not, in fact, affected and/or that the add-on or modified parts demonstrate adequate durability.

This Executive Order is valid provided that installation instructions for the HES 210 device do not recommend tuning the vehicles to specifications different from those of the vehicle manufacture.

Changes made to the design or operating conditions of the HES 210 device, as exempt by the Air Resources Board, which adversely affect the performance of the vehicle's emission control system, shall invalidate this Executive Order.

Marketing of the HES 210 device 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.

Exemption of the HES 210 device shall not be construed as exemption to sell, offer for sale, or advertise any component of the kit as an individual device.

This Executive Order shall not apply to any HES 210 device advertised, offered for sale, sold with, or installed on a motor vehicle 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 HES 210 device may have on any warranty either expressed or implied by the vehicle 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 2222, 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 H2XOP, INC.'S HES 210 DEVICE.

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 the hearing that grounds for revocation exist.

Executed at El Monte, California, this 18 day of February 2010.

Annette Hebert

Annette Hebert, Chief
Mobile Source Operations Division