

State of California
AIR RESOURCES BOARD

EXECUTIVE ORDER D-710-2

Relating to Exemptions under
Section 27156 of the Vehicle Code

ESW CleanTech, Inc.
CMM Diesel Oxidation Catalyst

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 CMM diesel oxidation catalyst, manufactured by ESW CleanTech, Inc. of 6755 Mira Mesa Boulevard, Suite 123-122, San Diego, California 92121, has been found not to reduce the effectiveness of the applicable engine emission control system, and therefore, the CMM diesel oxidation catalyst is exempt from the prohibitions in Section 27156 of the Vehicle Code for installation on on-road heavy-duty vehicles equipped with 1994 through 2006 model-year diesel engines with displacements from 5.9 to 16 liters. This Executive Order excludes all engines originally equipped with an aftertreatment emission control system such as a catalytic converter or a diesel particulate filter. The CMM diesel oxidation catalyst may be used on engines operated using biodiesel blends containing no more than 20 percent biodiesel by volume.

The CMM diesel oxidation catalyst consists of a diesel oxidation catalyst, muffler, pressure sensor, temperature sensor, and an electronic controller. Major components of the CMM diesel oxidation catalyst are identified in Attachment A.

This Executive Order is based on emission testing originally conducted by Cleaire Advanced Emission Controls with the CMM diesel oxidation catalyst. The test data and the CMM diesel oxidation catalyst have been transferred to ESW CleanTech, Inc. as part of a purchase agreement.

This Executive Order is valid provided that installation instructions for the CMM diesel oxidation catalyst 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 CMM diesel oxidation catalyst, as exempted 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 CMM diesel oxidation catalyst 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 CMM diesel oxidation catalyst advertised, offered for sale, sold with, or installed on a motor vehicle or an engine 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 CMM diesel oxidation catalyst 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 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 ESW CLEANTECH, INC.'S CMM DIESEL OXIDATION CATALYST.

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 16th day of June 2013.


Erik White, Chief
Mobile Source Operations Division

Attachment A

CMM Diesel Oxidation Catalyst			
	Part	Qty	Part Number
1	Cleaire Muffler Module	1	CMM-301x
2	Diesel Oxidation Catalyst	1	CJD-20-10 or CJD-27-10
3	MLC (Monitor Logger Controller)	1	CMKM-5.0x or CMKM-6.0x
4	Pressure Transducer	1	CUE-45
5	Thermocouple	1	CMA-4

Note: "x" denotes installation-specific variables

