

State of California  
AIR RESOURCES BOARD

EXECUTIVE ORDER D-280-28  
Relating to Exemptions under Section 27156  
of the Vehicle Code

AirTek, Inc. (d.b.a. Catco)  
"Series 412000 OBD II Compliant Three-way Catalytic Converter"

WHEREAS, Vehicle Code Sections 27156 and Section 2222(h), Title 13, California Code of Regulations (hereafter "CCR"), authorize the California Air Resources Board and its Executive Officer to exempt new aftermarket catalytic converters from the prohibitions of Vehicle Code Section 27156.

WHEREAS, AirTek, Inc. (AirTek) of 4410 W. 37<sup>th</sup> Avenue, Hobart, Indiana 46342, has applied to the Air Resources Board for exemption from the prohibitions in Vehicle Code Section 27156 to market its new aftermarket Series 412000 three-way catalytic converter (TWC) for installation on selected 1996 through 2000 model year BMW passenger cars equipped with on-board diagnostic II (OBD-II) systems as specified in Appendix D-280-28 and incorporated herein. The Series 412000 TWC will be used for single (one unit) or dual (two units) exhaust system applications for selected BMW passenger cars.

Series 412000 TWC may also be installed on non-OBD II vehicles (1995 and older) similar in engine and exhaust configuration to those listed in Appendix D-280-28.

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, Air Resources Board finds that the above aftermarket catalytic converter complies with the California Vehicle Code Section 27156 and Title 13, California Code of Regulations, Section 2222(h). The emissions performance of the catalytic converter was based on durability bench-aging by Southwest Research Institute, San Antonio, Texas, using Air Resources Board-modified RAT-A bench-aging cycle for 75 hours, as specified in the "Optional Evaluation Procedures for New Aftermarket Non-original Equipment Catalytic Converters Equipped with On-Board Diagnostic II (OBD II) Systems."

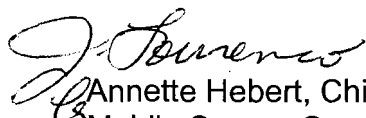
WHEREAS, previous emissions and OBD II compatibility tests conducted by AirTek, Inc. using a vehicle of a weight classification and exhaust configuration similar to those listed in Appendix D-280-28 and certified to Low Emission Vehicle (LEV) standards resulted in the issuance of Executive Order D-280-16, it was determined that the installation of Series 412000 TWC on the vehicles listed in Appendix D-280-28 meets the requirements of California regulations for aftermarket catalytic converters.

IT IS HEREBY RESOLVED that the above catalytic converter is exempt from the prohibitions in Vehicle Code Section 27156 for installation on the vehicles listed in Appendix D-280-28 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 its components, and other factors addressed in this 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 these products 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 AirTek, Inc., 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 of Vehicle Code Section 27156.
4. AirTek, Inc.'s installation instructions for the new catalytic converter must conform to requirements in Paragraphs I and X of the "Optional Evaluation Procedures for New Aftermarket Non-original Equipment Catalytic Converters Equipped with On-Board Diagnostic II (OBD II) Systems."
5. Upon installation, the catalytic converter must carry a manufacturer's warranty for 50,000 miles on the substrates and 50,000 miles or five years on the shell and end pipes.
6. AirTek, Inc. and its vendors may not advertise the new aftermarket catalytic converter as a "performance, high or easy flow" catalytic converter or use any phrase that could make them appear to perform better than an OEM catalytic converter.
7. The new aftermarket catalytic converter substrate may not be sold or supplied to a third party by AirTek, its associates, vendors, other businesses, and individuals associated with AirTek, to be assembled in a different facility and marketed under this Executive Order.
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 Air Resources Board prior to shipment.
9. AirTek must submit the required quality audit and production quantity reports for its aftermarket catalytic converter semi-annually, covering the periods January 1 through June 30, and July 1 through December 31.

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 15<sup>th</sup> day of July 2008.

  
Annette Hebert, Chief  
Mobile Source Operations Division

## AIRTEK INC'S SERIES 412000 OBD II TWC FOR BMW PC VEHICLES

No.	Model Year	Vehicle Model	Engine Size	Engine Family	Certification Level	Weight Class	Exhaust Type	Total Converters	Converter Type	Monitored	Universal	Direct Fit
1	1996	318i, 318is, 318iC, 318iAC, 318iA, 318isA, 318ti, 318tiA, Z3, Z3A	1.9L	TBM1.9VJGKEK	Tier1	PC	S	1	TWC	1	412005	412078
2		328iA, 328isA, 328iAC, 328is, 328iC, M3	2.8L & 3.2L	TBM2.8VJGKEK	TLEV		D	2	2TWC	2	412084 left or right	TBD
3	Z3, Z3A	2.8L	VBM2.8VJGKFK	S			1	TWC	1	412005		
4	1997	328i, 328is, 328iA, 328isA, 328i convertible, 328iA convertible, M3, M3A, 528iA, 528i	2.8L & 3.2L	VBM2.8VJGKEK			D	2	2TWC	2	412084 left or right	
5		1998	318i, 318iC, 318iA, 318iAC, 318isA, 318tiA, 318ti, 318is, Z3, Z3A	1.9L	WBMXV01.9M44		S	1	TWC	1	412005	412078
6	323is, 323i convertible, 323isA, 323iA convertible, Z3, Z3A, Z3 coupe, Z3 coupe A		2.5L & 2.8L	WBMXV02.8Z35	D		2	2TWC	2	412084 left or right	TBD	
7	528i, 528iA		2.8L	WBMXV02.8M52	D		2	2TWC	2	412084 left or right		