

State of California
AIR RESOURCES BOARD

EXECUTIVE ORDER D-520-1

Relating to Exemptions Under Section 27156
of the Vehicle Code

Evergreen Performance
PowerAid Throttle Body Spacer

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 Section 39515 and Section 39516 of the Health and Safety Code and Executive Order G-45-9;

IT IS ORDERED AND RESOLVED: That the installation of the PowerAid Throttle Body Spacer, manufactured and marketed by Evergreen Performance, 14840 N. 74th Street, Scottsdale, Arizona 85260 has been found not to reduce the effectiveness of the applicable vehicle pollution control system and, therefore, is exempt from the prohibitions of Section 27156 of the Vehicle Code for the vehicle applications listed in Exhibit A.

The PowerAid Throttle Body Spacer is an aluminum spacer plate, approximately one inch thick with machined helical grooves on the inside ports, and is installed under the vehicle's throttle body or carburetor.

This Executive Order is valid provided the installation instructions for the PowerAid Throttle Body Spacer will not recommend tuning the vehicle to specifications different from those of the vehicle manufacturer.

This Executive Order shall not apply to any Evergreen Performance's PowerAid Throttle Body Spacer advertised, offered for sale, sold with, or installed on a new motor vehicle prior to or concurrent with transfer to an ultimate purchaser.

Changes made to the design or operating conditions of the PowerAid Throttle Body Spacer, as exempt by the Air Resources Board, which adversely affect the performance of the vehicle's pollution control system shall invalidate this Executive Order.

Marketing of the PowerAid Throttle Body Spacer using any identification other than that shown in this Executive Order or marketing of the PowerAid Throttle Body Spacer for an application other than those listed in this Executive Order shall be prohibited unless prior approval is obtained from the Air Resources Board. Exemption of the PowerAid Throttle Body Spacer 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 does not constitute any opinion as to the effect the use of the PowerAid Throttle Body Spacer may have on any warranty either expressed or implied by the vehicle manufacturer.

This Executive Order is granted based on an engineering evaluation which determined that the PowerAid Throttle Body Spacer will have no adverse impact on tailpipe emissions if tested in accordance with the Cold-Start CVS-75 Federal Test Procedure. Furthermore, On-Board Diagnostic II (OBD II) testing, using a 2000 4.7L Dodge Dakota, a 2000 5.3L GM truck, a 2000 3.4L Toyota Tacoma, and a 2001 5.4L Ford F-150, showed that the PowerAid Throttle Body Spacer does not affect the vehicle's ability to perform its OBD II monitoring functions. However, the ARB finds that reasonable grounds exist to believe that use of the PowerAid Throttle Body Spacer may adversely affect emissions of motor vehicles when operating under conditions outside the parameters of the previously prescribed test procedures. Accordingly, the ARB reserves the right to conduct additional emission tests, in the future, as such tests are developed, that will more adequately measure emissions from all cycle phases. If such test results demonstrate that the PowerAid Throttle Body Spacer adversely affect emissions during off-cycle conditions (defined as those conditions which are beyond the parameters of the Cold-Start CVS-75 Federal Test Procedure), this Executive Order shall be effectively rescinded as of the date the test results are validated. Further, if such test results or other evidence provides the ARB with reason to suspect that the PowerAid Throttle Body Spacer will affect the durability of the emission control system, Evergreen Performance 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 part demonstrates adequate durability.

In addition to the foregoing, the ARB 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 Title 13, California Code of Regulations, 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 EVERGREEN PERFORMANCE'S POWERAID THROTTLE BODY SPACER.

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.

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 the order, in 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 29th day of August 2001.



R. B. Summerfield, Chief
Mobile Source Operations Division

Exhibit A

Part No. Applications

10-701 1989 and older vehicles equipped with a 4 BBL Holley carburetor
100-702 1989 and older vehicles equipped with a 2 BBL Holley carburetor
100-705 1989 and older vehicles equipped with a 4 BBL Quadrajet carburetor
200-512 1999-2001 GM trucks equipped with a 4.8, 5.3, or 6.0L engine
200-520 1996-1999 GM trucks equipped with a 5.0 or 5.7L engine
200-522 1985-1992 GM passenger cars equipped with a 5.7L engine
200-522 1985-1991 Corvette
200-530 1996-2001 GM trucks equipped with a 7.4L engine
200-540 1987-1995 GM trucks equipped with 4.3, 5.0, or 5.7L engine.
200-550 1991-1995 GM trucks equipped with a 7.4L engine
200-551 1987-1990 GM trucks equipped with a 7.4L engine
200-580 1996-2001 GM trucks equipped with a 4.3L engine
200-581 1987-1993 GM trucks equipped with a 4.3L TBI engine
200-582 1986-1990 GM trucks equipped with a 2.8L engine
200-583 1996-1999 GM Lumina equipped with a 3.1L engine
300-560 1992-2001 Chrysler trucks equipped with a 3.9, 5.2, or 5.9L engine
300-561 1987-2000 Voyager equipped with a 3.0 or 3.8L engine
300-565 1994-2001 Chrysler trucks equipped with a V10 engine
300-570 1997-2001 Chrysler trucks equipped with a 3.9, 5.2, or 5.9L engine
300-575 2000-2001 Chrysler trucks equipped with a 4.7L engine
300-510 1991-1999 Jeep YJ & XJ vehicles equipped with a 4.0L engine
300-511 1987-1995 Jeep vehicles equipped with a 2.5L engine
400-517 1998 Explorer/Mountaineer with a 5.0L engine
400-518 1996-2000 Crown Victoria equipped with a 4.6L engine
400-519 1994-1996 Mustang equipped with a 3.8L engine
400-525 1986-1987 Mustang equipped with a 5.0L engine
400-526 1988-1993 Mustang equipped with a 5.0L engine
400-527 1987-1995 Ford trucks equipped with a 5.0 or 5.8L engine
400-528 1988-1995 Ford trucks equipped with a 7.5L engine
400-529 1994-1995 Mustang equipped with a 5.0L engine
400-590 1997-2001 Ford trucks equipped with a 4.6L engine
400-591 1997-2001 Ford trucks equipped with a 5.4L engine
400-592 1999-2001 Ford trucks equipped with a V10 engine
400-593 1987-1996 Ford trucks equipped with a 6 cyl. engine
400-594 1999-2001 Mustang equipped with a 3.8L engine
400-595 1999-2001 Ford trucks equipped with a 7.3L engine
400-596 1997-2001 Ford trucks equipped with a 4.2L engine
400-597 1999-2001 Ford trucks equipped with a 5.4L engine
510-502 1995-1999 Toyota trucks equipped with a 3.4L engine
500-505 1999-2001 Nissan trucks equipped with a 3.0L engine

EVALUATION SUMMARY

Manufacturer Name: Evergreen Performance

Name of Device: PowerAid Throttle Body Spacer

Background:

Evergreen Performance of 14840 N. 74th St., Scottsdale, Arizona 85260, has applied for an exemption from the prohibitions in Section 27156 of the California Vehicle Code (VC) for the PowerAid Throttle Body Spacer designed for 2001 and older applicable Chrysler, Ford, General Motors, Nissan, and Toyota vehicles. The vehicle application excludes those certified to the Supplemental Federal Test Procedures (SFTP) standards.

Recommendation:

Grant exemption to Evergreen Performance as requested and issue Executive Order D-520-1.

Device Description:

The PowerAid Throttle Body Spacer is an aluminum spacer plate, approximately one inch thick with machined helical grooves on the inside ports. It is installed either under the vehicle's throttle body or carburetor. The manufacturer claims the PowerAid Throttle Body Spacer creates a vortex of air in the intake manifold, thereby improving the air/fuel mixture. However, the installation of the device does not increase or decrease the amount of air that flows into the engine from its stock configuration.

Discussion/Basis for the Recommendation:

A 2000 4.7L Dodge Dakota, a 2000 5.3L GM truck, a 2000 3.4L Toyota Tacoma, and a 2001 5.4L Ford F-150, were used for the evaluation of the PowerAid Throttle Body Spacer. The test vehicles were certified to the Low-Emission Vehicle (LEV) emission standards and equipped with an enhanced evaporative system. Testing was conducted by staff at the ARB, and consisted of on road driving in the modified configuration to set all On-Board Diagnostics (OBD) II readiness indicators. No emissions testing was required since the PowerAid Throttle Body Spacer does not affect the amount of metered air flowing into the engine. Therefore, during closed-loop operation, no significant impact on emissions is expected from the installation of the device. Results of the OBD II testing showed all readiness indicators were set and no DTC codes were stored on the test vehicles. Evergreen Performance met the requirements for a VC 27156 exemption for the PowerAid Throttle Body Spacer.