

State of California  
AIR RESOURCES BOARD

EXECUTIVE ORDER D-631  
Relating to Exemptions Under Section 27156  
Of the vehicle Code

AREO-NOX USA, LLC  
"AERO-NOX"

WHEREAS, Vehicle Code Sections 27156 and 38391, and Section 2222(e), Title 13, California Code of Regulations, authorize the California Air Resources Board and its Executive Officer to exempt add-on and modified aftermarket devices from the prohibitions of Vehicle Code Section 27156.

WHEREAS, Aero-Nox USA, LLC of 898 Appian Way, Fairfield, California 94534, has applied to the Air Resources Board for exemption from the prohibitions in Vehicle Code Sections 27156 and 38391 for Ecotech Environmental Technologies, Inc.'s Aero-Nox electronic device.

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, the Air Resources Board finds that:

1. The Aero-Nox consists of two components, the reactor installed in the engine compartment and electrically connected to the vehicle's 12-volt battery, and the reactor ring, which is installed inline of the air intake pipe near the intake manifold and electrically connected to the reactor.
2. The air intake pipe is part of the required motor vehicle pollution control system.
3. The Aero-Nox is intended for use with a required pollution control system of any vehicle powered by an internal combustion engine.
4. The Aero-Nox by being installed in the air intake pipe constitutes a modification of the original configuration of the air intake system.
5. The Aero-Nox is a device subject to the prohibitions of Vehicle Code Section 27156 and an add-on part as defined by Title 13, CCR Section 1900 (b)(1).
6. The Aero-Nox does not reduce the effectiveness of any required motor vehicle pollution control system.
7. The Air Resources Board, in exercise of technical judgement, is aware of no basis on which the Aero-Nox will provide either a reduction in emissions or an improvement in fuel economy.
8. The Air Resources Board cannot determine if the installation of Aero-Nox may cause the vehicle manufacturer to void the new vehicle warranty.

9. The Aero-Nox is not a certified motor vehicle pollution control device pursuant to Health and Safety Code Section 43644.
10. The Air Resources Board by granting an exemption to Aero-Nox USA, LLC for the Aero-Nox does not recommend or endorse in any way the Aero-Nox for emissions reduction, fuel economy, or any other purpose.

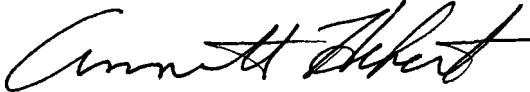
IT IS HEREBY RESOLVED that the Aero-Nox is exempt from the prohibitions of Vehicle Code Section 27156 for installation on 2008 and older model-year diesel vehicles subject to the following conditions:

1. No changes are permitted to the Aero-Nox device as described in the application for exemption. Any changes to the Aero-Nox or any of its component, or 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 Aero-Nox without a permanent label showing the Executive Order number or marketing of the Aero-Nox for an application other than the one stated in this Executive Order shall be prohibited unless prior approval is obtained from the Air Resources Board. Exemption of this product shall not be construed as an exemption to sell, offer for sale, or advertise any components of the Aero-Nox as an individual device.
3. Any oral or written references to this Executive Order or its content by Aero-Nox USA, LLC, 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 emissions reduction claims for the Aero-Nox and is only a finding that the Aero-Nox is exempt from the prohibitions of Vehicle Code Section 27156.
4. This exemption shall not apply to any device, apparatus, or mechanism advertised, offered for sale, sold with, or installed on a motor vehicle prior to or concurrent with transfer to an ultimate purchaser.
5. No claim of any kind, such as "Approved by the Air Resources Board" may be made with respect to this Executive Order in any advertising or other oral or written communication.

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 OF THE AERO-NOX.

Violation of any of the above conditions shall be grounds for revocation of this order. The order may be revoked only after 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 recommendation is made, after the hearing, that grounds for revocation exist.

Executed at El Monte, California, this 15 day of February 2008.

  
Annette Hebert, Chief  
Mobile Source Operations Division