State of California
AIR RESOURCES BOARD

EXECUTIVE ORDER D-69-8

Relating to Exemptions Under Section 27156
of the Vehicle Code

Condensator, Inc.
Condensator, Model DX

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-02-003;

IT IS ORDERED AND RESOLVED: That the installation of the Condensator, Model DX, manufactured and marketed by the Condensator, Inc., 11276 Vista Avenue, Grass Valley, California 95945 has been found not to reduce the effectiveness of the applicable vehicles pollution control system and, therefore, is exempt from the prohibitions of Section 27156 of the Vehicle Code for 2003 and older model-year diesel fueled vehicles, excluding those with turbocharged engines equipped with catalytic converters and/or exhaust gas recirculation (EGR) systems.

The Condensator, Model DX, consists of two plastic separators which hold absorbent beads that trap heavy particles, pressure relief valve, adapter for the crankcase breather outlet, and the necessary hose and fittings. It replaces the road draft exhaust tube, allowing the crankcase blow-by gases to circulate through the plastic separators where oil and other heavy particles are trapped and gases are recirculated into the engine's air intake system. Regular maintenance requires disposal of the heavy particles and periodic cleaning of the separators.

This Executive Order is valid provided that the installation instructions for the Condensator, Model DX will not recommend tuning the vehicle to specifications different from those submitted by the device manufacturer.

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

This Executive Order shall not apply to any Condensator, Model DX advertised, offered for sale, sold with, or installed on a new motor vehicle prior to or concurrent with transfer to an ultimate purchaser.

Marketing of the Condensator, Model DX using any identification other than that shown in this Executive Order or marketing of the Condensator, Model DX 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 Condensator, Model DX 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 Condensator, Model DX may have on any warranty either expressed or implied by the vehicle manufacturer.

This Executive Order is issued based on an engineering evaluation which showed that crankcase blow-by gases routed into the air intake system would not adversely affect exhaust emissions of the affected diesel engines. Based on the operating principles of the Condensator, no On-Board Diagnostic II (OBD II) compatibility test was required.

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 THE CONDENSATOR, INC.'S CONDENSATOR, MODEL DX.

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 2ND day of July 2003.

Allen Lyons, Chief
Mobile Source Operations Division