

**State of California
AIR RESOURCES BOARD**

EXECUTIVE ORDER DE-09-005-02

Pursuant to the authority vested in the Air Resources Board (ARB) by Health and Safety Code, Division 26, Part 5, Chapter 2; and pursuant to the authority vested in the undersigned by Health and Safety Code Sections 39515 and 39516 and Executive Order G-02-003;

Relating to Exemptions under Section 27156 of the Vehicle Code, and Verification under Sections 2700 through 2710 of Title 13 of the California Code of Regulations (CCR)

Cleaire Advanced Emission Controls, Limited Liability Corporation (LLC)
(Cleaire) Vista™ Diesel Particulate Filter System (Vista)

ARB has reviewed Cleaire's request for verification of Vista. Based on an evaluation of the data provided, and pursuant to the terms and conditions specified below, the Executive Officer of ARB hereby finds that Vista reduces emissions of diesel particulate matter (PM) consistent with a Level 3 device (greater than or equal to 85 percent reductions) (Title 13, CCR, Sections 2702 (f) and Section 2708) and is compliant with the 2009 nitrogen dioxide emissions limit. Accordingly, the Executive Officer determines that the system merits verification and, subject to the terms and conditions specified below, classifies Vista as a Level 3 plus system for heavy-duty on-road vehicles using heavy-duty engines from the engine families listed in Attachment 1.

The aforementioned verification is subject to the following terms and conditions:

- The engine must be originally manufactured from model year 1993 through 2006 and have an engine family name listed in Attachment 1.
- The engine must be used by an on-road motor vehicle with a manufacturer's Gross Vehicle Weight Rating of over 14,000 pounds.
- The engine must be certified for on-road applications.
- The engine must have a maximum displacement of 13 liters.
- Only one filter may be installed per engine.
- The engine must be in its original certified configuration.
- The engine must have a PM certification level of at most 0.1 grams per brake horsepower-hour (g/bhp-hr), and greater than 0.01 g/bhp-hr.
- The engine must not be certified as having exhaust gas recirculation.
- The engine must not have a pre-existing oxidation catalyst from the original equipment manufacturer.
- The engine must not have a pre-existing diesel particulate filter (DPF) from the original equipment manufacturer.
- The engine must have a four-stroke combustion cycle.
- The engine may be turbocharged or naturally aspirated.

- The engine may be mechanically or electronically controlled.
- The engine must be well maintained and not consume lubricating oil at a rate greater than that specified by the engine manufacturer.
- Lube oil, or other oil, must not be mixed with the fuel.
- The engine must be operated on fuel that has a sulfur content of no more than 15 parts per million by weight.
- Vista must not be operated with fuel additives, as defined in Section 2701 of Title 13, of the CCR, unless explicitly verified for use with fuel additive(s).
- Vista must not be used with any other systems or engine modifications without ARB and manufacturer approval.
- The system must be installed with a backpressure monitor to notify the operator when the backpressure limit is reached. The notification must occur and be clearly visible to the operator while the vehicle or equipment is in use.
- The system may be re-designated in its entirety to other vehicles or equipment within a common ownership fleet if authorized by Cleaire. A system re-designation must be performed in accordance with Section 2706, Title 13, CCR and the policy document found here:
<http://www.arb.ca.gov/diesel/verdev/swap/swap.htm>
- The other terms and conditions specified below.

IT IS ALSO ORDERED AND RESOLVED: That installation of Vista, manufactured by Cleaire Advanced Emission Controls, LLC, 14775 Wicks Boulevard, San Leandro, California 94577-6779, has been found not to reduce the effectiveness of the applicable vehicle pollution control system, and therefore, Vista is exempt from the prohibitions in Section 27156 of the Vehicle Code for installation on heavy-duty on-road vehicles using engines from the engine families listed in Attachment 1.

This exemption is only valid provided the engines meet the aforementioned conditions.

ARB reserves the right in the future to review this Executive Order and the exemption and verification provided herein to assure that the exempted and verified add-on or modified part continues to meet the standards and procedures of CCR, Title 13, Section 2222, et seq, and CCR, Title 13, Sections 2700 through 2710.

The Vista™ system consists of the following major system components, listed in order from exhaust inlet to outlet as they are arranged within the exhaust system of the vehicle: one catalyzed exhaust flow conditioner, one inlet cone and diesel fuel burner assembly, one silicon carbide wall-flow DPF, and one outlet cone. The Vista™ system also includes a backpressure monitor and warning system. The major components of the Vista™ system are identified in Attachment 2. Schematics of the approved product and engine labels are shown in Attachment 3.

The Vista™ system is comprised of a single silicon carbide wall-flow DPF designed to filter the exhaust from a single engine. Vista™ systems with multiple DPFs, including designs with two or more filter components canned together or multiple individually-canned filter components in parallel or in series (or any combination thereof), are not

valid under this Executive Order. Channeling exhaust from a single engine through multiple Vista™ systems, deployed in parallel or in series or any combination thereof, is also not valid under this Executive Order.

No changes are permitted to the device. ARB must be notified, in writing, of any changes to any part of Vista. Any changes to the device must be evaluated and approved in writing by ARB. Failure to do so shall invalidate this Executive Order.

Cleaire must ensure that the installation of Vista conforms to all applicable industrial safety requirements.

Prior to sale of a Vista system, Cleaire must provide each prospective owner/purchaser of Vista with a written estimate of the number of hours of vehicle operation that will typically elapse before regeneration is required. Cleaire must also provide, in writing, the length of time of a typical regeneration event.

Changes made to the design or operating conditions of Vista, as exempted by ARB, which adversely affect the performance of the vehicle's pollution control system, shall invalidate this Executive Order.

This Executive Order is valid provided that installation instructions for Vista do not recommend tuning the vehicle to specifications different from those of the vehicle manufacturer.

Marketing of Vista 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 written approval is obtained from ARB.

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

A copy of this Executive Order must be provided to the ultimate purchaser at the time of sale.

As specified in Section 2706 (j) (Title 13, CCR) of the Verification Procedure, Warranty and In-Use Compliance Requirements for In-Use Strategies to Control Emissions from Diesel Engines (Procedure), ARB assigns each Diesel Emission Control Strategy a family name. The designated family name for the verification as outlined above is:

CA/CLE/2009/PM3+/N00/ON/DPF01

As stated in the Procedure, Cleaire is responsible for recordkeeping requirements (Section 2702), honoring the required warranty (Section 2707), and conducting in-use compliance testing (Section 2709).

Proper engine maintenance is critical for the proper functioning of the diesel emission control strategy. The owner of the vehicle on which the diesel emission control strategy is installed is strongly advised to adhere to all good engine maintenance practices. Failure to document proper engine maintenance, including keeping records of the engine's oil consumption, may be grounds for denial of a warranty claim.

This Executive Order is valid provided that the diesel fuel used in conjunction with the device complies with Title 13, CCR, Sections 2281 and 2282, and if biodiesel is used, the biodiesel blend shall be 20 percent or less subject to the following conditions:

- The biodiesel portion of the blend complies with the American Society for Testing and Materials specification D6751 applicable for 15 parts per million sulfur content;
- The diesel fuel portion of the blend complies with Title 13, CCR, Sections 2281 and 2282; and
- The use of biodiesel applies to devices verified to reduce only diesel particulate matter.

Other alternative diesel fuels such as, but not limited to, ethanol diesel blends and water emulsified diesel fuel are excluded from this Executive Order.

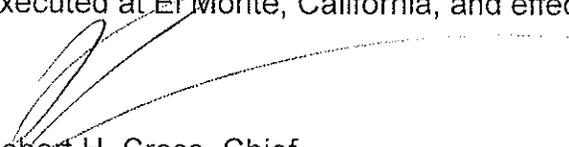
Systems verified under this Executive Order shall conform to all applicable California emissions regulations.

This Executive Order does not release Cleaire from complying with all other applicable regulations.

Violation of any of the above conditions shall be grounds for revocation of this Executive Order.

This Executive Order hereby supersedes Executive Order DE-09-005-01 (dated December 10, 2009) and Executive Order DE-09-005 (dated April 6, 2009).

Executed at El Monte, California, and effective this 18th day of January 2011.



Robert H. Cross, Chief
Mobile Source Control Division

Attachment 1: ARB Approved Engine Families for the Cleaire Vista System

Attachment 2: Parts List for the Cleaire Vista System

Attachment 3: Label for the Cleaire Vista System