

**State of California  
AIR RESOURCES BOARD**

**EXECUTIVE ORDER DE-11-004**

Pursuant to the authority vested in the California 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 section 39515 and 39616 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:

HUSS Umwelttechnik GmbH

ARB has reviewed HUSS' request for verification of the HUSS FS-MK 40S and 50S active diesel particulate filters (DPF). 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 the HUSS DPF system reduces emissions of diesel particulate matter (PM) consistent with a Level 3 device (greater than or equal to 85 percent reductions) (California Code of Regulations (CCR), title 13, sections 2702(f) and (g) and section 2708(b)) and is compliant with the 20 percent nitrogen dioxide (NO<sub>2</sub>) emissions limit for 2009 (13 CCR section 2706(a)) and as such merits designation as a "Level 3 Plus" system per section 2702(f).

This verification is subject to the following terms and conditions:

- The engine must be in its original configuration, manufactured from model year 1998 or later, having one of the engine family numbers listed in Attachment 1.
- The engine must be used in a Carrier transport refrigeration unit (TRU) or Thermo King TRU except models with 4 toggle switches (SBI, SBII, and some SBIII).
- The engine must not employ exhaust gas recirculation.
- The engine must not have a pre-existing oxidation catalyst.
- The engine must not have a pre-existing diesel particulate filter.
- The engine must be four-stroke.
- The engine must be naturally-aspirated.
- The engine must be well maintained and not consume lubricating oil at a rate greater than one quart per 50 engine hours.
- HUSS shall change the designations of the TRU version DPF to MK 35 (formally FS-MK 40S) and MK 50 (formally FS-MK 50S).
- HUSS, their distributors, or installers shall review actual operating conditions prior to retrofitting an engine with the HUSS DPF to ensure compliance with the terms and conditions of this Executive Order. HUSS shall supply a TRU engine inspection checklist and data sheet with each DPF, to ensure compatibility. Using the checklist, the installer shall review the DPF's candidate engine actual operating conditions

(e.g. lube oil consumption, injector service) prior to retrofitting the TRU with the HUSS DPF, specifically, to determine if the candidate engine is suitable for installation of a HUSS DPF. HUSS will also conduct training for installers, on an as-needed basis. The installer shall record the results on the data sheet, and the data sheet must be retained by the dealer point of sale for a minimum of four (4) years (warranty period).

- Lube oil, or other oil, must not be mixed with the fuel.
- The product must not be operated with fuel additives, as defined in section 2701 of title 13 of the CCR, unless explicitly verified for use with the fuel additive(s).
- The product must not be used with any other systems or engine modifications without ARB and manufacturer approval.
- The other terms and conditions specified below.

**Table 1: Conditions for the HUSS DPF**

<b>Parameter</b>	<b>Value</b>
Application	Thermo King and Carrier transport refrigeration units
Engine Type	Diesel, four-stroke, direct injection, naturally aspirated, without exhaust-gas recirculation (EGR).
Engine lube oil consumption rate	Less than one quart per 50 engine hours. A high lube oil consumption rate may cause premature clogging of the filter.
Fuel injector service	Injectors must be serviced at time of HUSS DPF installation if they have not been serviced within the past 3,000 engine hours.
Fuel	CARB ultra-low sulfur diesel fuel (less than 15 ppm sulfur) or biodiesel blends. (See further fuel requirements below.)
PM Verification Level	Level 3 Plus classification: At least 85 percent reduction of PM and no more than 20 percent NO <sub>2</sub> increase from baseline.

The HUSS DPF consists of an active regeneration filter with backpressure control system, an exhaust system insulation package, and a backpressure warning indicator. These components shall be installed exactly as described in HUSS' Application for Verification of HUSS FS-MK 40S and MK 50S TRU Level 3 plus Filter. The parts list for the HUSS DPF is included in Attachment 2.

This Executive Order is valid provided that the diesel fuel used in conjunction with the device complies with title 13, California Code of Regulations (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 (ASTM) specification D6751 applicable for 15 ppm sulfur content.
- The diesel fuel portion of the blend complies with title 13, CCR, sections 2281 and 2282.
- 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.

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

IT IS ALSO ORDERED AND RESOLVED: That installation of the HUSS DPF has been found not to reduce the effectiveness of the applicable engine pollution control system, and therefore, HUSS DPF is exempt from the prohibitions in section 27156 of the Vehicle Code for installation on the TRU engines listed in Attachment 1. This exemption is only valid provided the engines meet the aforementioned conditions. Changes made to the design or operating conditions of the HUSS DPF, as exempted by ARB, which adversely affect the performance of the engine's pollution control system, shall invalidate this Executive Order.

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

Marketing of the HUSS DPF using identification other than that shown in this Executive Order or for an application or operating conditions other than that listed in this Executive Order shall be prohibited unless prior approval is obtained from ARB.

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

As specified in the Diesel Emission Control Strategy Verification Procedure (title 13 CCR section 2706 (g)), ARB assigns each diesel emission control strategy a family name. The designated family name for the verification, as outlined above is:

**CA/HUS/2011/PM3+/NOO/TR/DPF01**

Additionally, as stated in the Diesel Emission Control Strategy Verification Procedure, HUSS is responsible for honoring the required warranty (CCR, title 13, section 2707).

In addition, ARB reserves the right in the future to review this Executive Order, 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.

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

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

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

Executed at Sacramento, California, this 22 day of August, 2011.

James N. Goldstene  
Executive Officer  
by

  
Richard W. Corey, Chief  
Stationary Source Division

Attachment 1: HUSS Engine Family List  
Attachment 2: HUSS Parts List