

Conditions for Spare Filter Swapping for Nett Technologies Incorporated (Nett) VorTEQ™ 100 DPF Systems

Relating to Conditional Verification Letter 13-944-1757

Effective Date: March 3, 2014

Component Swapping means the movement of designated parts between different vehicles/applications utilizing the same diesel emission control strategy (DECS) as defined in the *Verification Procedure, Warranty and In-Use Compliance Requirements for In-Use Strategies to Control Emissions from Diesel Engines, California Code of Regulations (CCR)*, Title 13, Section 2701. No component of the VorTEQ™ 100 DPF system can be swapped from the original installation vehicle to another vehicle while under manufacturer warranty. A spare diesel particulate filter (DPF) may be used during cleaning of the originally installed filter but upon completion of cleaning, the original filter must be promptly re-installed on the vehicle.

DPF swapping is subject to the following terms and conditions:

- The owner of the DECS must receive written authorization from Nett allowing the practice of DPF swapping.
- Swapping only applies to the temporary use of spare DPFs. Original installation filters can only be installed on the original installation vehicle.
- Spare filters must have the label with the appropriate part number for spare filters.
- The spare DPF must be properly maintained as specified in the Nett owner's manual.
- Nett must provide detailed written instructions in the owner's manual and installation manual to the authorized end-user regarding how to swap and install spare filters. Nett may not include any prohibitions or limitations to the required warranty (Sections 2706(i) and 2707), nor can the instructions direct the owner of the DECS to conduct any activity which violates the terms of the governing verification or any other applicable regulation.
 - Within ten days of a written request by ARB, Nett must provide an exact copy of these instructions in their entirety.
- Nett must provide written instructions for assessing if the VorTEQ™ 100 DPF system and spare DPF still meet the verified emissions reductions and instructions for device movement to prevent installation on an inappropriate vehicle.
- Prior to the installation of either the spare DPF or original DPF, the exhaust system must be inspected for the presence of lubricating oil, fuel, or other engine related fluids.
- Swapping must occur within the same common ownership fleet.

- The spare DPF must be of the same model and incorporate the same flange type as the original DPF. The swapped filters must belong to verified configurations covered under the conditional verification letter or Executive Order.
- The spare DPF must directly fit in place of the original DPF in the correct filter orientation without modification of the existing installation.
- The end user and installer must verify that the vehicle meets the terms of the original verification.
- The vehicle/engine from which the original filter was removed must remain in compliance with the terms and conditions of the applicable conditional verification letter or Executive Order and have all DECS components present and functional.
- The spare VorTEQ™ 100 DPF must be installed by the procedure described within the VorTEQ™ 100 DPF installation manual.
- If the installer of the spare or original DPF is not the same as the installer who did the original installation of the DECS, the new installer must assume the installation warranty responsibilities defined in Section 2707 for the remainder of the original warranty period or until another installer installs the spare or original DPF. If the original installation warranty has expired or has less than one year remaining, the installer must issue a new warranty to guard against potential installation defects. The new installation warranty must meet the requirements of Section 2707 except that the minimum period is reduced to one year from the date of installation. Any transfer of a DECS or component by an installer that does not offer this installation warranty is not considered a valid installation.
- Nett must maintain accurate records of the vehicles and systems subject to the swapping policy. This must include: vehicle identification number, VorTEQ™ 100 DPF system serial numbers per the engine label, and DPF serial number for every spare VorTEQ™ 100 DPF within a common ownership fleet. Nett must provide these records within 30 days of the written request by ARB.
- No party shall advertise, sell, lease, or offer for sale or lease a used verified VorTEQ™ 100 DPF system or component.

Conditions for Re-Designation of Nett Technologies Incorporated (Nett) VorTEQ™ 100 DPF Systems

Relating to Conditional Verification Letter 13-944-1757

Effective Date: March 3, 2014

Re-designation means the movement of a used verified diesel emission control strategy (DECS) from an appropriate engine/application and installation onto another engine/application meeting the terms and conditions of the DECS conditional verification letter or Executive Order within the same common ownership fleet as defined in the *Verification Procedure, Warranty and In-Use Compliance Requirements for In-Use Strategies to Control Emissions from Diesel Engines*, Title 13, *California Code of Regulations* (CCR), Sections 2700-2711 (Procedure). Re-designation of a VorTEQ™ 100 DPF system is permitted only under the following terms and conditions:

- The owner of the DECS must receive written authorization from Nett allowing the practice.
- The re-designation must be performed by Nett or its authorized dealer.
- The system must not be more than ten years old, based on the date of manufacture listed on the system label. Re-designation of devices of unknown age is prohibited.
- Re-designation must occur within the same common ownership fleet as defined in Section 2701 of the Procedure.
- The end user and installer must verify that the new recipient vehicle meets the terms of the original verification.
- All pre-installation compatibility assessment criteria required by Nett must be met and documented prior to the re-designation to a new vehicle. The installer must ensure that the recipient engine meets Nett's pre-installation compatibility criteria required by Section 2706(t)(1) of the Procedure. If a VorTEQ™ 100 DPF system verified under a previous conditional verification letter or Executive Order is selected for re-designation to an engine or application that has been excluded under the current governing document, the re-designation must not be performed.
- The re-designated system must remain in compliance with the terms and conditions of the applicable conditional verification letter or Executive Order and have all DECS components present and functional.
- A DECS installed on a vehicle that is repowered may remain installed provided:
 - The replacement engine meets all the terms and conditions of the applicable governing conditional verification letter or Executive Order,
 - The VorTEQ™ 100 DPF is not more than ten years old (based on the date and month of manufacture) and,

- The appropriate DECS engine label is affixed on a visible location on the replacement engine.
- Nett must provide detailed written instructions in the owner's manual and installation manual to the authorized end-user regarding appropriate re-designation practices. Nett may not include any prohibitions or limitations to the required warranty (Section 2706(i)(3)(F) and 2707 of the Procedure), nor can the instructions direct the owner of the DECS to conduct any activity which violates the terms of the governing conditional verification letter or Executive Order series or any other applicable regulation.
 - Within ten days of a written request by ARB, Nett must provide an exact copy of these instructions in their entirety.
- Nett must provide written instructions for assessing if the VorTEQ™ 100 DPF system still meets its verified emissions reduction, and instructions for device movement to prevent installation on an inappropriate vehicle.
- Re-designation applies to the entire system, not component parts.
- The re-designated VorTEQ™ 100 DPF system must belong to a verified configuration covered under the conditional verification letter or Executive Order.
- If the installer of the re-designated VorTEQ™ 100 DPF system is not the same as the installer who did the original installation of the DECS, the new installer must assume the installation warranty responsibilities defined in Section 2707 of the Procedure for the remainder of the original warranty period or until another installer re-designates the system. If the original installation warranty has expired or has less than one year remaining, the installer must issue a new warranty to guard against potential installation defects. The new installation warranty must meet the requirements of Section 2707 of the Procedure except that the minimum period is reduced to one year from the date of installation. Any transfer of a DECS or component by an installer that does not offer this installation warranty is not considered a valid installation.
- Nett must maintain accurate records of the vehicles and systems subject to the re-designation policy. This must include: end user contact information, vehicle identification number, VorTEQ™ 100 DPF system serial number, and operating hours and mileage. Nett must be able to track re-designation throughout the fleet. Nett must provide these records within 30 days of the written request by ARB.
- No party shall advertise, sell, lease, or offer for sale or lease a used verified VorTEQ™ 100 DPF system or component.
- Any party which removes a verified VorTEQ™ 100 DPF system from an engine/application must remove the verified DECS engine label. If the engine label cannot be removed whole, it must be destroyed.
- Any party which re-designates a verified VorTEQ™ 100 DPF to another engine/application which was never previously retrofit with that exact system must obtain and properly install an appropriate DECS engine label.

- Any party which removes a verified VorTEQ™ 100 DPF system from an engine/application must ensure the engine/application returns to its original factory configuration.
- The system can only be installed on a vehicle that conforms to all the terms and conditions of the governing conditional verification letter or Executive Order.
- The installation of the re-designated system must be performed according to the procedures listed in the VorTEQ™ 100 DPF system installation manual.
- Any re-designated system must have a verified DECS label as shown on the Nett VorTEQ™ 100 DPF system website below:

<http://www.arb.ca.gov/diesel/verdev/companies/nett/vorteq100.htm>.