

**STATEMENT FROM DONALDSON COMPANY INC.  
ON THE AIR RESOURCES BOARD'S  
PROPOSED AMENDMENTS TO THE VERIFICATION PROCEDURE,  
WARRANTY AND IN-USE COMPLIANCE REQUIREMENTS FOR IN-USE  
STRATEGIES TO CONTROL EMISSIONS FROM DIESEL ENGINES.**

**August 23, 2012**

---

Donaldson Company Inc. is pleased to provide comments on ARB's proposed amendments to the verification procedure, warranty and in-use compliance requirements for existing on-road, off-road and stationary diesel fueled vehicles and equipment. Donaldson is a worldwide filtration solution provider to the transportation industry. Our Exhaust/Emissions business has been producing VDECs for both the California and EPA market for more than a decade. We have designed and manufactured hundreds of thousands of emission systems for both the OEM and retrofit customers.

While Donaldson appreciates the proposed changes to lessen the cost impact of the in-use compliance requirements, the numerous changes and additions to the rules more than offset the cost benefit to the manufacturers. In addition, several of the rule changes increase the business risk of producing these devices without providing any measurable benefit to California's clean air efforts.

Donaldson understands the pressure ARB is under to address the safety of retrofit systems. Unfortunately, the proposed rule generate a potentially unequal playing field where its possible that some devices are subject to more stringent scrutiny than other devices. Section 2706 (w) 2 allows ARB to require both safety testing and design modifications. However, there are no criteria or established procedures identified. Without such procedures or standards, there is no way for a manufacturer to determine what is acceptable and what is not from ARBs perspective. As with most devices it is conceivable to generate a test that uses unrealistically harsh conditions that result in a device failure. This section makes it possible for a test or design to be imposed on one device that wouldn't apply to others. We would propose that any safety rules be based on accepted industry standard practices, are objective, and apply equally to all devices whether OEM or retrofit produced.

Donaldson agrees that the vehicle pre-assessment described in section 2706 (t) is in the best interest of all parties. However, 2706 (t) (4) imposes a 15 day window before device installation on the timeframe that a basic engine assessment must be conducted. This timeframe is unnecessarily prescriptive and imposes a burden on the commercial relationship between the manufacturer, installer, and end user. The timeframe for completing a basic engine assessment should be left to those that are responsible for the accuracy and timeliness of the installation.

Section 2708 (b) makes it more difficult to obtain a verification by requiring every test meet the emissions target rather than a simple average. While this is not a significant impact for Level 3 PM reduction, it is more problematic for NOx reduction. There is currently one VDEC approved by ARB that exceeds 50% NOx reduction. This verification was granted in 2005. Making it more difficult to achieve a target NOx reduction would appear counter-productive, when there are few NOx reduction VDECs currently available. We also question if this approach to require every test pass the standard has been previously applied to emissions testing. Using an average is industry accepted practice with most tests that involve some degree of variability. For example, the SAE standard J1667 which is used for opacity testing and relied upon to determine acceptable engine performance, uses an average of 3 tests with a boundary on the testing variability.

Donaldson has made a significant investment in the development of products and business infrastructure to supply the California retrofit market with emission reduction technologies. We believe that there is still a good fit between the products we provide and the need for clean air devices. However, the added costs required to comply with ever changing ARB rules is making it more difficult to justify ongoing investment in the retrofit product line. We would urge ARB to assess each of the new rules discussed above as well as those identified by the Manufacturers of Emissions Controls Association for their absolute need and benefit as they pertain to the performance and reliability of VDECs.

Contact:

Gary Simons

Director, Technology Development

Donaldson Company Inc.

PO box 1299

Minneapolis, MN 55440

952 887-3195

Email – [gary.simons@donaldson.com](mailto:gary.simons@donaldson.com)