

State of California  
AIR RESOURCES BOARD

EXECUTIVE ORDER D-759

Relating to Exemptions under  
Section 27156 of the Vehicle Code

Mishimoto Automotive  
Performance Intercooler Kits

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 Sections 39515 and 39516 of the Health and Safety Code and Executive Order G-14-012;

IT IS ORDERED AND RESOLVED: That the installation of the Mishimoto Automotive Performance Intercooler Kits, produced and marketed by Mishimoto Automotive, 18 Boulden Circle, Suite 14, New Castle, Delaware 19720, has been found not to reduce the effectiveness of the applicable vehicle pollution control systems, and therefore, is exempt from the prohibitions in Section 27156 of the Vehicle Code for installation on those vehicles listed in the attached Exhibit A.

The Mishimoto Automotive Performance Intercooler Kits may include the following main components: performance intercooler, Charge pipe kit, Cold-side Intercooler Pipe Kit, Hot-side Intercooler Pipe Kit, and Lower and/or Upper Intercooler pipe Kits, and (as applicable), assorted mounting brackets, and hardware.

This Executive Order is valid provided that installation instructions for the Mishimoto Automotive Performance Intercooler Kits do not recommend tuning the vehicles to specifications different from those of the vehicle manufacturer.

Changes made to the design or operating conditions of the Mishimoto Automotive Performance Intercooler Kits, as exempt by the Air Resources Board, which adversely affect the performance of the vehicles' emission control system, shall invalidate this Executive Order.

Marketing of the Mishimoto Automotive Performance Intercooler Kits using any 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 approval is obtained from the Air Resources Board. Exemption of the Mishimoto Automotive Performance Intercooler Kits shall not be construed as exemption to sell, offer for sale, or advertise any component of the system as an individual device.

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

This Executive Order does not constitute any opinion as to the effect the use of the Mishimoto Automotive Performance Intercooler Kits may have on any warranty either expressed or implied by the vehicle manufacturer.

This Executive Order is granted based on emission test results in the modified configuration using the Cold-Start CVS-75 Federal Test Procedure, Supplemental Federal Test Procedure (US06), and an examination of the On-Board Diagnostic II (OBD II) system. A 2015 Ford Mustang with a turbocharged 2.3 liter engine (FFMXVO2.3VJW, LEV-III ULEV 70) was used for the evaluation of the Performance Intercooler Kits. Results from emissions testing conducted at the SEMA Garage Emissions Compliance Center, are shown below (in grams per mile):

2015 Ford Mustang 2.3L Turbo					
FTP	150k	NMOG + NOx	CO	NOx	HCHO
	Emission Level (w. DF applied)	0.05	0.42	0.029	0.0002
	STD	0.07	1.7	NA	0.004
Composite (FTP + US06 + SC03)		NMOG + NOx	CO		
	Emission Level	0.029	0.40		
	STD	0.140	4.2		

The emission test results in the modified configuration were below the applicable certification standards. Examination of the OBD II system showed the Performance Intercooler Kit does not affect OBD II operation.

The Air Resources Board 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 California Code of Regulations, Title 13, Section 2222, et seq. Further, if test results or other evidence provides the Air Resources Board with reason to suspect that the Mishimoto Automotive Performance Intercooler Kits will affect the durability of emission control systems, Mishimoto Automotive shall be required to submit durability data to show that the durability of vehicle emission control systems are not, in fact, affected and/or that the add-on or modified parts demonstrate adequate durability.

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 MISHIMOTO AUTOMOTIVE'S PERFORMANCE INTERCOOLER KITS.

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 Executive Order. The Executive Order may be revoked only after a ten day written notice of intention to revoke the Executive Order, in which period the holder of the Executive 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 Executive Order may not be revoked until a determination is made after the hearing that grounds for revocation exist.

Executed at El Monte, California, this 26 day of February 2016.

A handwritten signature in black ink, appearing to read "Annette Hebert". The signature is fluid and cursive, with the first name being more prominent.

Annette Hebert, Chief  
Emissions Compliance, Automotive Regulations and Science Division

Exhibit A

MAKE	MODEL	MODEL YEAR	DISP (L)	PART NUMBER
Ford	Mustang	2015	2.3	MMINT-MUS4-15 MMICP-MUS4-15 MMICP-MUS4-15C MMICP-MUS4-15H
Subaru	WRX	2015-2016	2.0	MMINT-WRX-15 MMTMIC-WRX-15 MMICP-WRX-15
Subaru	Impreza WRX/STI	2002-2006	2.0/2.5	MMTMIC-WRX-01
Subaru	Impreza WRX/AWD	2008-2015	2.5	MMTMIC-STI-08 MMTMIC-WRX-08
BMW	135i, 335i, 335Ci, 335is	2007-2013	3.0	MMINT-E90-07
Dodge	Neon SRT4	2003-2005	2.4	MMINT-SRT4-03
Hyundai	Genesis	2010-2012	2.0	MMINT-GEN4-10 MMINT-GEN4-10R
Mitsubishi	Lancer Evolution	2008-2015	2.0	MMINT-EVO-10X MMICP-EVO-10L MMICP-EVO-10U MMINT-EVO-10K
Mitsubishi	Lancer Evolution	2003-2006	2.0	MMINT-LAN-789 MMICP-EVO-01 MMINT-EVO-01X