California Environmental Protection Agency AIR RESOURCES BOARD	CUMMINS, INC.	EXECUTIVE ORDER A-021-0328-1 New Engines for Diesel or Incomplete Medium-Duty Vehicles

Pursuant to the authority vested in the Air Resources Board by Health and Safety Code (HSC) Division 26, Part 5, Chapter 2; and pursuant to the authority vested in the undersigned by HSC Sections 39515 and 39516 and Executive Order G-45-9; and

Pursuant to the December 15, 1998 Settlement Agreement between the Air Resources Board and the manufacturer, and any modifications thereof to the Settlement Agreement;

IT IS ORDERED AND RESOLVED: That the following engine and emission control systems produced by the manufacturer are certified as described below for use in diesel or incomplete medium-duty vehicles with a manufacturer's gross vehicle weight rating (GVWR) from 8,501 to 14,000 pounds. Production engines shall be in all material respects the same as those for which certification is granted.

MODEL YEAR	ENGINE FAMILY	ENGINE SIZE (liter)	FUEL TYPE	STANDARDS & TEST PROCEDURE	EMISSION STANDARD CATEGORY
2002	2CEXA0359BAZ	5.9	Diesel	Diesel	Tier 1

SPECIAL FEATURES & EMISSION CONTROL SYSTEMS	ON-BOARD DIAGNOSTIC	ENGINE MODELS / CODES (rated power in horsepower, hp)
DDI, TC, CAC, PCM	Partial Compliance	ISB235 / CPL2866, CPL2905, CPL2903, CPL2497, CPL8033, CPL8031 (235 hp); ISB245 / CPL2907, CPL2495, CPL8035 (245 hp)

ABBREVIATIONS: OC=oxidizing catalyst TWC=three-way catalyst O2S=oxygen sensor HO2S=heated O2S DDI=direct diesel injection IDI=indirect diesel injection TC/SC=turbo/super charger CAC=charge air cooler SPL=smoke puff limiter PCM=powertrain control module ECM=engine control module EM=engine modification 2 (prefix)=parallel 2(suffix)=in series

The following are the exhaust emission standards (STD), or family emission limit(s) (FEL) as applicable, and certification levels (CERT) for this engine family for hydrocarbons (HC) or non-methane hydrocarbons (NMHC), oxides of nitrogen (NOx), or NMHC+NOx, carbon monoxide (CO), particulate matter (PM), and formaldehyde (HCHO) in grams per brake horsepower-hour (g/bhp-hr) under the "Federal Test Procedure" (FTP) (Title 13, California Code of Regulations, (13 CCR) Section 1956.8), and under the "Euro III Test Procedure" (EURO) in the Settlement Agreement, including a EURO's "Not-to-Exceed" NOx standard:

															EURO'S NOT-TO-EXCEED NOx STD	5.0
* = not applicable	HC		NMHC		NOx		NMHC+NOx		CO		PM		HCHO			
	FTP	EURO	FTP	EURO	FTP	EURO	FTP	EURO	FTP	EURO	FTP	EURO	FTP	EURO		
(DIRECT) STD	*	1.3	*	*	*	4.0	3.9	*	14.4	15.5	0.10	0.10	*	*		
AVERAGE STD	*	*	*	*	*	*	*	*	*	*	*	*	*	*		
FEL	*	*	*	*	*	*	*	*	*	*	*	*	*	*		
CERT	*	0.03	*	*	*	3.6	3.6	*	0.1	0.3	0.08	0.06	*	*		

BE IT FURTHER RESOLVED: That certification to the FEL(s) listed above, as applicable, is subject to the following terms, limitations and conditions. The FEL(s) is the emission level declared by the manufacturer and serves in lieu of an emission standard for certification purposes in any averaging, banking, or trading (ABT) programs. It will be used for determining compliance of any engine in this family and compliance with such ABT programs.

BE IT FURTHER RESOLVED: That the listed engine models have been certified to the **optional** emission standards and test procedures in 13 CCR Section 1956.8 applicable to diesel or incomplete medium-duty vehicles with a GVWR from 8,501 to 14,000 pounds and, therefore, shall be subject to 13 CCR Section 2139(c) (in-use testing of engines certified for use in diesel or incomplete medium-duty vehicles with a 8,501-14,000 pound GVWR).

BE IT FURTHER RESOLVED: That for the listed engine models, the manufacturer has submitted the materials to demonstrate certification compliance with 13 CCR Sections 1965 (emission control labeling), 1968.1 or 1968.1(m)(6.2) (on-board diagnostic systems; full or partial compliance), and 2035 et seq. (emission control system warranty).

BE IT FURTHER RESOLVED: That the listed engine models are conditionally certified subject to the following conditions: (1) The Settlement Agreement is in effect; and, (2) The manufacturer is in compliance with all applicable certification requirements of the Settlement Agreement and any modifications thereof.

Engines certified under this Executive Order shall conform to all applicable California emission regulations and all requirements under the Settlement Agreement and any modifications thereof.
The Bureau of Automotive Repair will be notified by copy of this Executive Order.
This Executive Order hereby supersedes Executive Order A-021-0328 dated November 15, 2001.

Executed at El Monte, California on this 19th day of December 2001.

R.B. Summerfield, Chief
Mobile Source Operations Division