Pursuant to the authority vested in the Air Resources Board by Health and Safety Code (HSC), Div. 26, Part 5, Chap. 2; and pursuant to the authority vested in the undersigned by HSC Sections 39515-39516 and Executive Order G-02-003;

IT IS ORDERED AND RESOLVED: That the following exhaust and evaporative emission control systems produced by the manufacturer are certified as described below. Production vehicles shall be in all material respects the same as those for which certification is granted.

MODEL YEAR	TEST GROUP	VEHICLE TYPE (PC=passenger car; LDT=light-duty truck; MDV=medium-duty vehicle; LVW=loaded vehicle weight; ALVW=adjusted LVW)	EXHAUST EMISSION STANDARD CATEGORY (LEV=low emission vehicle; TLEV= transitional LEV; ULEV=ultra LEV; SULEV=super ULEV)	EXHAUST / EVAPORATIVE USEFUL LIFE (UL) (miles)	FUEL TYPE (CNG/LNG=compressed/ liquefied natural gas; LPG=liquefied petroleum gas)
2009	9MBXT03.0U2A	LDT > 6000 # GVW 3751 – 5750 # ALVW	LEV II ULEV	120K / *	Diesel

No.	EVAPORATIVE FAMILY (EVAF)	No.	SPECIAL FEATURES & EMISSION CONTROL SYSTEMS (ECS)	* = not applicable
1	*	1	DDI, TC, CAC, EGR, OC, DPF, SCR, NOS(2), OBD(P)	
2	*	2	*	
3	*	3	*	
4	*	4	*	

OC/TWC=oxidizing/3-way cat. ADSTWC=adsorbing TWC WU= warm-up cat. O2S/HO2S=oxygen sensor/heated O2S AFS/HAFS=air-fuel ratio sensor/heated AFS EGR=exhaust gas recirculation DDI=Direct Diesel Injection SCR=Selective Catalytic Reduction NOS=NOx Sensor DPF= Diesel Particulate Filter AIR/PAIR=secondary air injection/pulsed AIR MFI/SFI= multiport fuel injection/sequential MFI TBI= throttle body injection TC/SC=turbo /super charger CAC=charge air cooler OBD (F) / (P)=full /partial on-board diagnostic prefix 2=parallel (2) suffix=series

EVAF No.	ECS No.	ENGINE SIZE (L)	VEHICLE MAKES & MODELS	VEHICLES SUBJECT TO SFTP STANDARDS ARE UNDERLINED
*	1	3.0	Mercedes-Benz: ML 320 BLUETEC / R 320 BLUETEC	

The exhaust and evaporative emission standards (STD) and certification emission levels (CERT) for the listed vehicles are as follows (compliance with the 50 °F testing requirement (for TLEV, LEV, ULEV, SULEV) may have been met based on the manufacturer's submitted compliance plan in lieu of testing). Any debit in the manufacturer's "NMOG Fleet Average" (PC and LDT) or "Vehicle Equivalent Credit" (MDV) compliance plan shall be equalized as required. (For bi-, dual- or flexible-fueled vehicles, the STD and CERT in parentheses are those applicable to testing on gasoline test fuel.)

NMOG FLEET AVERAGE [g/mi]		NMOG @ RAF=0.94 CH4 RAF = 0.0043		NMOG or NMHC STD [g/mi]	CH4=methane NMOG=non-CH4 organic gas NMHC=non-CH4 hydrocarbon CO=carbon monoxide NOx=oxides of nitrogen HCHO=formaldehyde PM=particulate matter RAF=reactivity adjustment factor 2/3 D [g/test]=2/3 day diurnal+hot-soak RL [g/mi]=running loss ORVR [g/gallon dispensed]=on-board refueling vapor recovery g=gram mg=milligram mi=mile K=1000 miles F=degrees Fahrenheit SFTP=supplemental federal test procedure									
CERT	STD	NMOG CERT [g/mi]	NMHC CERT [g/mi]		CO [g/mi]		NOx [g/mi]		HCHO [mg/mi]		PM [g/mi]		Hwy NOx [g/mi]	
0.040	0.047				CERT	STD	CERT	STD	CERT	STD	CERT	STD	CERT	STD
	@ 50K	0.018	*	0.040	0.3	1.7	0.03	0.05	0.3	8	0.002	0.01	0.004	0.07
	@ UL	0.021	*	0.055	0.3	2.1	0.03	0.07	0.4	11	0.002	0.01	0.004	0.09

CO [g/mi] @ 20°F & 50K		SFTP 1 = @ 4K (SULEV, ULEV, LEV) or 50K (Tier 1, TLEV) SFTP 2 = @ UL (Tier 1, TLEV)		NMHC+NOx [g/mi] (composite)		CO [g/mi] (composite)		NMHC+NOx [g/mi] [US06]		CO [g/mi] [US06]		NMHC+NOx [g/mi] [SC03]		CO [g/mi] [SC03]	
				CERT	STD	CERT	STD	CERT	STD	CERT	STD	CERT	STD	CERT	STD
CERT	*		SFTP 1	*	*	*	*	0.23	0.40	0.007	10.5	0.05	0.31	0.01	3.5
STD	*		SFTP 2	*	*	*	*	*	*	*	*	*	*	*	*

@ UL	EVAPORATIVE FAMILY 1				EVAPORATIVE FAMILY 2				EVAPORATIVE FAMILY 3				EVAPORATIVE FAMILY 4			
	3-D	2-D	RL	ORVR	3-D	2-D	RL	ORVR	3-D	2-D	RL	ORVR	3-D	2-D	RL	ORVR
CERT	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
STD	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*

BE IT FURTHER RESOLVED: That for the listed vehicle models, the manufacturer has attested to compliance with Title 13, California Code of Regulations, (13 CCR) Sections 1965 [emission control labels], 1968.1 [on-board diagnostic, full or partial compliance], 2035 et seq. [emission control warranty], 2235 [fuel tank fill pipes and openings] (gasoline and alcohol fueled vehicles only), and "High-Altitude Requirements" and "Inspection and Maintenance Emission Standards" (California Exhaust Emission Standards and Test Procedures for 2001 and Subsequent Model PC, LDT and MDV).

BE IT FURTHER RESOLVED: That the listed vehicle models are conditionally certified in accordance with 13 CCR Section 1968.2(i)(3) (malfunction and diagnostic system) because the on-board diagnostic II system of the listed vehicle models has been determined to have eleven deficiencies. The listed vehicle models are approved subject to the manufacturer paying a fine of $225 per vehicle for the third through eleventh deficiencies in the listed test group that is produced and delivered for sale in California. On a quarterly basis, the manufacturer shall submit to the Air Resources Board reports of the number of vehicles produced and delivered in California and pay the full fine owed for that quarter pursuant to this conditional certification. Payments shall be made payable to the State Treasurer for deposit in the Air Pollution Control Fund no later than thirty (30) days after the end of each calendar quarter during the 2009 model-year production period. Failure to pay the quarterly fine, in full, in the time provided, may be cause for the Executive Officer to rescind this conditional certification, effective from the start of the quarter in question, in which case all vehicles covered under this conditional certification for that quarter and all future quarters would be deemed uncertified and subject to a civil penalty of up to $5000 per vehicle pursuant to HSC Section 43154.

BE IT FURTHER RESOLVED: The test group listed in this Executive Order is certified based on the manufacturer's reported emissions and attestation that it meets all applicable certification requirements currently in effect and enforceable for the 2009 model year, as described above. A January 16, 2007 Order currently enjoins the Executive Officer from enforcing any provision of California Health and Safety Code section 43018.5(b)(1) concerning certification to the requirements for 2009 and subsequent model passenger cars, light-duty trucks, and medium-duty vehicles adopted pursuant to AB 1493. (Document 606, Case No. 1:04-CV-06663-AWI-GSA, U.S. Dist. Ct. E. Dist. of CA (Fresno Div.).) If said injunction ceases to be in effect, the manufacturer will have 45 days from ARB notification to demonstrate compliance with AB 1493 requirements, including the determination of the greenhouse gas values for the test group listed in this Executive Order. Nothing in this Executive Order is intended to constitute enforcement of any requirement under AB 1493 for 2009 model year vehicles.

Vehicles certified under this Executive Order shall conform to all applicable California emission regulations. The Bureau of Automotive Repair will be notified by copy of this Executive Order.

Executed at El Monte, California on this 14 day of March 2008.

Annette Hebert, Chief
Mobile Source Operations Division