



Air Resources Board



Matthew Rodriguez
Secretary for
Environmental Protection

Mary D. Nichols, Chair
9480 Telstar Avenue, Suite 4
El Monte, California 91731 • www.arb.ca.gov

Edmund G. Brown Jr.
Governor

October 6, 2015

Dr. Brad Edgar
President
Red Fox Resources
1001 42st, Suite 200
Oakland, CA 94608

Reference No. RAS-15-039

Dear Dr. Edgar:

Thank you for contacting us regarding Red Fox Resources, which you state is engaged in the disposal and recycling of used emission control parts in the heavy-duty industry. These parts include, for example, diesel oxidation catalysts, diesel particulate filters, and Selective Catalytic Reduction (SCR) systems, both diesel emission control system (DECS) parts as well as original engine manufacturer equipment (OEM) parts.

We understand you have received feedback from some of your customers who are concerned about selling used heavy-duty diesel and natural gas emission control parts in California due to the California Anti-tampering Law, Vehicle Code Section 27156 (VC 27156), which prohibits the removal or modification of existing emission control systems or components from vehicles or engines, or the sale and use of parts that modify the design or performance of OEM emission control parts that have not been exempted by ARB. Manufacturer must apply for and obtain an exemption from VC 27156 before they can legally sell or install any non-OEM parts on an engine. More details on these regulations can be found on ARB's website at <http://www.arb.ca.gov/msprog/decsinstall/eobuyer beware.htm>.

The sale or purchase of used heavy-duty diesel and natural gas emission control systems or parts for the purposes of disposal or recycling is not prohibited by VC 27156, but as stated above, sale of such parts for installation in motor vehicles or motor vehicle engines is prohibited unless such parts are exempted from VC 27156. We understand that Red Fox Resources provides a release of liability to the seller, such that the responsibility for properly disposing of the part and preventing its reuse is transferred to your company at the time of the transaction. The disposal of material after recycling in California must meet California's Hazardous Waste Handling and Disposal regulations.

The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our website: <http://www.arb.ca.gov>.

California Environmental Protection Agency

Dr. Brad Edgar
October 6, 2015
Page 3

If you have any additional questions, please contact Kathleen Mead, Retrofit Implementation Advocate at (916) 324-9550 or by e-mail at kathleen.mead@arb.ca.gov.

Sincerely,



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

cc: Kathleen Mead
Air Pollution Specialist
Emissions Compliance, Automotive Regulations and Science Division