

# Ford Motor Company

James P. Vondra, Director  
Automotive Safety Office  
Environmental & Safety Engineering

June 8, 2006

Mr. Stephen Wood  
Acting Chief Counsel  
National Highway Traffic Safety Administration  
Room 5219  
400 Seventh Street, S.W.  
Washington, D.C. 20590

Dear Mr. Wood:

**Subject: Request Under 49 CFR Part 512 for Confidential Treatment of Information**

Two copies of confidential information referenced in the Ford Motor Company (Ford) May 24, 2006, response to the agency's April 21, 2006, May 12, 2006, and May 16, 2006 e-mails requesting additional information relating to the subject investigation, EA04-034, are attached. Also attached for your reference is a copy of Ford's response to the ODI's information requests.

This letter provides support for Ford's claim of confidentiality in accordance with 49 CFR Part 512.8. Ford and Hayes-Lemmerz (the wheel supplier) request confidential treatment for the documents included in Appendix A (filename: 2006-06-08 Confidential Appendix A) because the documents are not customarily released to the public and because the documents contain confidential business information, the disclosure of which would likely cause substantial competitive harm to Ford or Hayes-Lemmerz (as contemplated in 49 CFR § 512.15, 5 and U.S.C. § 552(b)(4)). In response to direction provided by your office concerning prior confidentiality submissions, the confidential documents in this submission are organized into categories as set forth in Attachment I.

As stated on the enclosed Certificate in Support of Request for Confidentiality executed by Thomas Heck, Director of Product Engineering, Hayes-Lemmerz International, the enclosed documents were released to Ford with the understanding that they would remain confidential. Documents of the types listed are maintained under a record keeping system which are intended to control dissemination of this material within Hayes-Lemmerz and Ford, and to assure that the material is not disseminated outside of Hayes-Lemmerz and Ford, except as described in the attached certifications, which are made pursuant to 49 CFR Part 512.4(b). Neither NHTSA nor other Federal agencies nor Federal courts have made determinations relating to the confidentiality of the submitted information or similar information, to the best of our knowledge. A compact disc containing electronic copies of documents provided in



June 8, 2006

Appendix A is labeled "CONFIDENTIAL." Individual document pages of documents contained on the disc are also labeled "ENTIRE PAGE CONFIDENTIAL."

Ford and Hayes-Lemmerz request that these documents be granted confidential treatment by the agency for a period of ten years. Earlier disclosure of these documents, in Ford's opinion, would result in substantial competitive harm.

In the event that the agency should conclude that all or part of the submitted information is not to be given confidential treatment, Ford asks the agency to provide reasonable notice of not less than ten working days prior to any contemplated disclosure in order that Ford may pursue such legal remedies as it may choose. Please direct all written notices to me at Ford Motor Company, Suite 500, Fairlane Plaza South, 330 Town Center Drive, Dearborn, Michigan 48126. Please direct all non-written communication to Mr. Paul Fabian who may be contacted by telephone at (313) 621-1656.

Thank you for your continuing courtesy.

Sincerely,



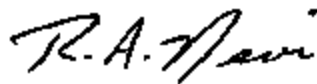
James P. Vondale

Attachment

**CERTIFICATE IN SUPPORT OF REQUEST  
FOR CONFIDENTIALITY**

I, R. A. Nevi, pursuant to the provisions of 49 CFR Part 512, state as follows:

1. I am Assistant Director, Global Automotive Safety Compliance, Automotive Safety Office, and I am authorized by Ford Motor Company (Ford) to execute documents of this nature on behalf of Ford;
2. The information contained in the attachment to Ford's letter to NHTSA's Office of the Chief Counsel dated June 8, 2006 contains confidential and proprietary data and is submitted with the claim that it is entitled to confidential treatment under 5 U.S.C., § 552(b)(4);
3. A member of my staff has inquired of the responsible Ford personnel who have authority in the normal course of business to release the type of information for which a claim of confidentiality has been made to ascertain whether such information has ever been released outside Ford;
4. Based upon such inquiries, to the best of my knowledge, information and belief, the information for which Ford has claimed confidential treatment has never been released or become available outside Ford except as hereinafter specified:
  - These documents were obtained from a supplier with the expectation that they will be kept confidential.
  - Portions of these documents may have been or may be shared with Ford suppliers with the expectation that they will be kept confidential.
  - During the course of defending itself in litigation, Ford may have been, or may be required to produce such information.
5. I make no representations beyond those contained in this certificate and, in particular, I make no representations as to whether this information may become available outside Ford because of unauthorized or inadvertent disclosure, except as stated in Paragraph 4; and
6. I certify under penalty of perjury that the foregoing is true and correct. Executed on this the 8th day of June 2006.



R. A. Nevi

Certificate in Support of Request for Confidentiality

I, Tom Heck, pursuant to the provisions of 49 CFR part 612, state as follows:

- (1) I am Director of Engineering for Hayes Lemmerz International, Inc. ("Hayes"), and I am authorized by Hayes to execute this certificate on its behalf.
- (2) I certify that the information contained in the documents referenced on Attachment I that is being submitted to the agency by Ford Motor Company in connection with NHTSA investigation EA04-034 is confidential and proprietary data that it is entitled to confidential treatment under 5 U.S.C. 552(b)(4). The basis for the claim of confidentiality is set forth in the attached.
- (3) I hereby request that the information contained in the documents be protected for a period of Ten (10) years.
- (4) This certification is based on the information provided by the responsible Hayes personnel who have authority in the normal course of business to release the information for which a claim of confidentiality has been made to ascertain whether such information has ever been released outside of Hayes-Lemmerz.
- (5) Based upon that information, to the best of my knowledge, information and belief, the information for which Hayes has claimed confidential treatment has never been released or become available outside Hayes, except as hereinafter specified:
  - Portions of these documents may have been or may be shared with Ford and/or other customers or suppliers of Hayes with the expectation that they will be kept confidential.
- (6) I make no representations beyond those contained in this certificate and, in particular, I make no representations as to whether this information may become available outside Hayes.
- (7) I certify under penalty of perjury that the foregoing is true and correct.

Executed on this 30 day of MAY, 2006.



Tab	Document Type	Document Description	Reason for Confidential Treatment
	Weld Inspection and Repair Specifications	Internal Hayes-Lemmerz weld inspection and repair specifications used to evaluate and maintain manufacturing quality	Public disclosure of information concerning or revealing Hayes-Lemmerz's weld inspection and repair specifications could result in substantial competitive harm if used by competitors to improve their own products and processes without the need to invest the substantial resources invested by Hayes-Lemmerz. Additionally, this information is being provided to NHTSA voluntarily and is not customarily released to the public by Hayes-Lemmerz.
	Welding Process Layout Diagrams	Internal Hayes-Lemmerz welding process layout diagrams describing the manufacturing process	Public disclosure of information revealing Hayes-Lemmerz's manufacturing process could result in substantial competitive harm if used by competitors to improve or modify their own products and processes without the need to invest the substantial resources invested by Hayes-Lemmerz. Additionally, this information is being provided to NHTSA voluntarily and is not customarily released to the public by Hayes-Lemmerz.



DISPOSE of Copies (Black Stamped) by:	
RETAIN Record Copy (Red Stamped) Thru:	2010
Schedule Number: 16.11	

James P. Vondale, Director  
Automotive Safety Office  
Environmental & Safety Engineering

Fairlane Plaza South  
390 Town Center Drive  
Dearborn, MI 48126-2738 USA

May 24, 2006

Mr. Jeffrey Quandt, Chief  
Vehicle Control Division  
Office of Defects Investigation Safety Assurance  
National Highway Traffic Safety Administration  
400 Seventh Street, S.W.  
Washington D.C. 20590

Dear Mr. Quandt:

Subject: EA04-034:NVS-213dsy

This is in response to the agency's April 21, 2006, May 12, 2006, and May 16, 2006, emails requesting additional information relating to the subject investigation. We have listed each of your requests, followed by our response.

April 21, 2006 email

Request 1

HL made a presentation to NHTSA describing their Sedalia operations. A copy of the presentation was offered to NHTSA; I declined the document and advised that I would rely on HL/Ford ASO to make a determination as to what to submit to NHTSA and whether it required confidentiality or not. I will leave that with you.

Response

The Hayes-Lemmerz (HL) presentation material offered to the agency during the April 18, 2006, review at the HL Sedalia facility contains confidential information describing the HL manufacturing operations and organization and does not contain information relating to the subject investigation or the alleged defect. Ford has elected not to submit a copy of the presentation to the agency at this time, but would be pleased to provide a copy should the agency desire a copy in the future.

Request 2

You advised that Ford was nearly ready to submit the data from the HL crack propagation study (which used a wheel from the PA State Police) including the wheel maps that were shown to us at Sedalia. Please advise when this has been mailed, including the shipping details, so that I can track its progress.



Response

Your office has confirmed receipt of the requested information that was submitted to the agency on April 20, 2006.

Request 3

I asked HL and Ford to see if the wheel from the Glynco, GA incident can be located; I provided details of the vehicle it was removed from and the dealership it was returned to. If the wheel can be located, Bill and I would like to inspect it during our visit to the Northville facility. Please do not do any destructive testing prior to this.

Response

The wheel from the Glynco, GA incident was returned to Ford and provided to HL as part of the warranty parts return program. The wheel was reviewed at HL during the agency's May 10 and 11, 2006, visit. We have instructed HL to process the wheel similar to other warranty return wheels. Ford and HL have no plans at this time to conduct any destructive testing.

Request 4 & 5

Bill and I need to change the date of our visit to HL's Northville facility to May 10 and 11 (not May 2 and 3); please advise any problems. The primary purpose of the trip is to review and inspect wheels returned from field service under the warranty extension programs. We can discuss and agree an agenda for the visit over the coming days.

For the visit to Northville, I requested that Ford/HL make the following 4 wheels available for inspection;

- a. CHP training facility incident.
- b. Pa State Police crash wheel (the remains that are left over from the CL analysis, Bill has not seen this).
- c. First crack propagation study performed by HL.
- d. Second crack propagation study by Ford (assuming it is completed).

Response

The wheels described above were reviewed during the agency's May 10 and 11, 2006, visit to HL's Northville facility, except the second crack propagation study wheel, which had not completed testing.

Request 6

You advised that HL will be producing wheel maps for each field return wheel they inspect; Bill and I will want to review these maps during our visit; at some point I will want to get copies of them.

Response

Preliminary copies of approximately 130 wheel maps that HL produced were provided during the agency's May 10 and 11, 2006, visit to the HL Northville facility. A complete copy of the wheel maps will be provided when the inspections are complete.

Request 7

Bill and I will want to review the process HL used to test for and identify multiple cracks in the field return wheels.

Response

The process was demonstrated to the agency during the May 10 and 11, 2006, visit to the HL Northville facility.

Request 8

Bill requested a new shot peen level wheel for assessment purposes at the VRTC facility. He can collect it during the Northville visit.

Response

HL provided a shot peen level wheel and wheel component parts to the agency on May 11, 2006.

Request 9

Per HL's request, we can discuss which wheels need to be retained at HL and which ones can be discarded.

Response

Ford will continue to work with the agency to determine the disposition of the warranty return parts.

Request 10

I made a request for an update to the warranty and complaint data for wheel fracture reports (similar to what was last provided on 9/26/2005); we discussed a pre-April 1, 2006, repair date cutoff (last submission was pre September 1, 2005, cutoff).

Response

A copy of updated warranty, field and customer reports is provided electronically in Appendix A (filename: 2006\_05\_24\_Appendix\_A) on the enclosed CD. Each report is categorized similar to our responses dated June 1, 2005, and September 28, 2005. Reports received from September 1, 2005, through April 1, 2006, were reviewed individually to identify reports alleging a cracked wheel, and categorized accordingly. None of the reports allege a rapid air loss or a loss of vehicle control.

May 12, 2006 email

Request 1

Per our discussion at Hayes yesterday, ODI is requesting a copy of the document we reviewed concerning weld inspection and repair processes used at the Sedalia facility. I understand the document is confidential and that Ford will submit the response to NHTSA's OCC per the usual practice.

Response

The weld inspection and repair specification will be submitted under separate cover with a request for confidentiality to the agency's Office of Chief Counsel.

May 16, 2006 email

Request A

**Glynco wheel:** I can confirm that the VIN of the Glynco, GA (FLETC) incident vehicle was 3X [REDACTED] RO mileage 5,298. The wheel we identified at HL appears to be the Glynco wheel; I labeled it NS11 with a white marker. After testing at HL (see item E), please ensure the wheel is retained until we can discuss further analysis/next steps

Response

The Glynco wheel will be processed similar to the other warranty return wheels: no destructive testing is planned.

Request B

**Warranty details:** I was unable and/or neglected to obtain the warranty details for the following 5 wheels (large crack wheels). Can you provide the dealer name/phone number and RO number for the following wheel claims (ASAP is possible)?

- 1) VIN 3X [REDACTED] (Omaha NE) – I marked this wheel NS2.
- 2) VIN 4X [REDACTED] (Omaha NE) – This wheel was marked by HL as WR83
- 3) VIN 4X [REDACTED] - This wheel was marked by HL as WR89.
- 4) VIN 4X [REDACTED] - This wheel was marked by HL as WR2.
- 5) VIN 4X [REDACTED] - This wheel was marked by HL as WR61.

Response

The requested information is provided in the warranty claim data provided in Appendix A

Request C

**Manufacturing line layout/weld operations:** On the morning of 5/11 (before you arrived) Chris Putz briefly described the layout and welder configurations for the S14, S15, and S16 assembly lines used at Sedalia. I need HL to provide a brief description of each line explaining the general operation, operator(s) process, and layout (drawing or

Request G

**Disposal of 'CD' Level Wheels:** We spoke about this yesterday regarding 'CD' wheels currently occupying space at the Northville facility. When we first arrived, Chris advised that HL had tested about 130 wheels to date (using the process he later demonstrated to us). He subsequently provided 65 wheel maps and advised these were all of the 'CF' and 'AA' level wheels tested at this time. Per our discussion, can you have HL confirm that the other 65 wheels tested were 'CD' specification wheels? If this is the case, then ODI would request that HL retain two randomly chosen skids (~40 wheels) of untested 'CD' level wheels until further notice (with the return paperwork intact); ODI has no objection to Ford/HL discarding the remaining 'CD' level wheels (tested and untested ) as you choose. You mentioned that you would have HL collect the warranty return paperwork prior to disposal of the 'CD' wheels.

Response

HL has confirmed that of the 130 warranty return wheels inspected, approximately 65 were CF or AA and 65 were CD design level. HL will collect the warranty return paperwork for the CD wheels, and retain 40 randomly selected CD wheels that have not been inspected.

If you have questions, please contact me.

Sincerely,



R. A. Nevi  
Assistant Director  
Global Automotive Safety and Compliance

Attachments