U.S. Department of Transportation

National Highway Traffic Safety Administration

ODI RESUME

OFFICE OF DEFECTS INVESTIGATION

NHTSA

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Investigation: EQ 12-001
Prompted by: 11E-045
Date Opened: 02/01/2012 **Date Closed:** 12/10/2012
Investigator: Alexander Ansley
Approver: Jennifer Timian
Subject: Sure Power Battery Separator Fires

MANUFACTURER & PRODUCT INFORMATION

Manufacturer: SURE POWER INDUSTRIES, INC.
Products: Multiple Models Shipped February 2009 through June 2011
Population: 14,990

Problem Description: Certain battery separators can experience an internal circuit board capacitor failure that may lead to a fire.

ACTION / SUMMARY INFORMATION

Action: Close EQ

Summary:

Please see the attached closing resume by selecting the paperclip icon in the top left corner of this PDF document.

EQ12-001 Sure Power EQ –Closing Resume

On October 20, 2011, Sure Power, Inc. (Sure Power) notified the NHTSA that it had decided certain Sure Power battery separators contain a safety related defect. Sure Power stated that certain battery separators, shipped to various distributors and vehicle manufacturers between February 2009 and June 2011, may experience an internal circuit board capacitor failure. A circuit board capacitor failure could lead to overheating, smoke, and, possibly, a fire during or following use. This matter was assigned recall number 11E-045.

On February 9, 2012, the Recall Management Division (RMD) mailed information request (IR) letters to four (4) manufacturers that were listed in Sure Power's Defect Report as purchasers of this equipment, but had not yet filed any subsequent recalls with NHTSA. Three (3) manufacturers submitted written responses describing their units as exported, not actually included in the recall population, or not incorporated into motor vehicles. One (1) company, Executive Coach Builders, recalled their affected vehicles through recall number 12V-070.

On March 6, 2012, RMD mailed an IR letter to the capacitor supplier named in Sure Power's Defect Report, AVX Corporation (AVX), requesting a purchaser list of companies receiving these defective capacitors. RMD was promptly contacted by Sure Power who clarified that, although the defect manifests itself in the AVX capacitor, the cause of the defect was actually due to improper placement of those capacitors on the circuit board. On March 21, 2012, Sure Power filed a supplement to its 11E-045 recall clarifying the cause of the defect. As AVX's capacitors did not contribute to the defective condition, RMD mailed another letter to AVX on March 22, 2012, withdrawing RMD's March 6th request for a list of purchasers.

Sure Power's original defect report only identified purchasers known to be vehicle manufacturers. These customers represented a fraction of the recall population (2,570 battery separators out of almost 15,000 Sure Power recalled). RMD mailed an IR letter to Sure Power on April 19, 2012, requesting a complete list of purchasers. On May 3, 2012, Sure Power submitted its purchaser list, detailing thirty-seven (37) companies identified as manufacturers and distributors, to NHTSA's Office of the Chief Counsel (NCC) under a request for confidential treatment that was eventually granted.

On June 5, 2012, RMD mailed IR letters to the thirty-seven (37) companies identified in Sure Power's purchaser list. On July 23, 2012, a second IR letter was mailed to ten (10) companies that did not respond to RMD's first letter. In total, eighteen (18) responses explained various dispositions including recalled units only being exported, units only be retailed to non-vehicle manufacturers, units returned to Sure Power, units installed into non-vehicle applications, etc. One (1) company, Idle Free Systems, recalled motor vehicle equipment they manufactured with these battery separators through recall number 12E-027. Fifteen (15) companies further distributed the recalled battery separators and they provided purchaser lists as requested. RMD did not receive responses from three (3) companies – two (2) whose letters were undeliverable and one (1) company, BR Wholesale Inc., that did not respond to either letter it was sent.

On August 16, 2012, RMD mailed IR letters to an additional twenty-three (23) companies that were discovered through the above mailing, researched, and likely found to be vehicle or motor vehicle equipment manufacturers. On September 20, 2012, a second IR letter was mailed to nine (9) companies that did not respond to the first letter. In total, fifteen (15) companies submitted written responses explaining battery separator dispositions that did not require further safety recalls, (e.g., units only

installed on used vehicles, all product returned back to Sure Power, etc.) Five (5) companies issued safety recalls for vehicles they manufactured with the defective Sure Power products. RMD did not receive sufficient responses from two (2) companies -- one (1) whose letter was undeliverable and the other company, Van Specialties, did submit a Part 577 customer notification letter to RMD and did attempt to contact their affected customers, but no Part 573 Report recalling those affected vehicles was ever submitted to RMD, despite multiple requests.

In total, eight (8) manufacturers filed subsequent safety recalls for their products:

12E-027 Idle Free Systems, Inc.
12V-070 Executive Coach Builders
12V-420 NBC Truck Equipment, Inc
12V-421 Showhauler Trucks Inc.
12V-426 Trails West Manufacturing of Idaho
12V-428 Forest River, Inc.
12V-452 Geo. Heiser Body Co., Inc.
12V-562 Phenix Enterprises, Inc.

In summary, sixty-five (65) companies were contacted, resulting in eight (8) additional safety recalls. Fifty-five (55) companies submitted responses explaining various battery separator dispositions that did not include new vehicle installations or motor vehicle equipment, and so are not required to conduct a safety recall. Two (2) companies did not respond to RMD and will be referred to NHTSA's NCC for possible enforcement action.

This Equipment Query is closed.