



U.S. Department  
of Transportation

**National Highway  
Traffic Safety  
Administration**

OCT 18 2012

1200 New Jersey Avenue SE.  
Washington, DC 20590

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

David D. Dillon, Senior Manager  
Product Investigation and Campaigns  
Chrysler Group LLC  
800 Chrysler Drive CIMS 482-00-91  
Auburn Hills, MI 48326-2757

NVS-212po  
EA12-005

Dear Mr. Dillon:

This letter is to inform you that the Office of Defects Investigation (ODI) of the National Highway Traffic Safety Administration (NHTSA) has opened an Engineering Analysis (EA12-005) to investigate allegations of crash related fire hazards associated with the fuel storage systems on model year (MY) 1993-2004 Jeep Grand Cherokee, MY 1993-2001 Jeep Cherokee, MY 2002-2007 Jeep Liberty and to request certain information. Please note that additional information regarding this investigation may be requested in a subsequent letter (e.g., for peer vehicle or other pertinent information).

This office opened this Engineering Analysis after reviewing information in the Defect Petition (DP09-005) and the Preliminary Evaluation (PE10-031). The Fatality Analysis Reporting System (FARS) database was also utilized.

This office has received 15 vehicle owner questionnaires (VOQs) reporting a vehicle crash that allegedly involved either a fuel tank leak and/or a fire potentially related to a fuel tank leak. Nine (9) VOQs were associated with the Grand Cherokee, one (1) VOQ was associated with the Cherokee, and five (5) VOQs (including one duplicate) were associated with the Liberty model. There were a total of 12 injuries and eight deaths associated with these VOQs. Copies of the 15 VOQ reports have been emailed to you for your information and the VOQ numbers are listed at the end of this letter.

Unless otherwise stated in the text, the following definitions apply to these information requests:

- **Subject vehicles:** All MY 1993-2004 Jeep Grand Cherokee, MY 1993-2001 Jeep Cherokee and MY 2002-2007 Jeep Liberty vehicles manufactured for sale or lease in the United States.
- **Subject components:** The fuel storage system, including the fuel tank, fuel filler hose, fuel filler neck, interconnecting devices, and any other related components.



- **Chrysler:** Chrysler Group LLC, and all predecessor corporations, and all of its past and present officers and employees, whether assigned to principal offices or any field or other location, including all divisions, subsidiaries (whether or not incorporated) and affiliated enterprises and all of headquarters, regional, zone and other offices and their employees, and all agents, contractors, consultants, attorneys and law firms and other persons engaged directly or indirectly (e.g., employee of a consultant) by or under the control of Chrysler (including all business units and persons previously referred to), who are or, on or after July 1, 1992, were involved in any way with any of the following related to the alleged defect in the subject vehicles:
  - a. Design, engineering, analysis, modification or production (e.g. quality control);
  - b. Testing, assessment or evaluation;
  - c. Consideration or recognition of potential or actual defects, reporting, record-keeping and information management, (e.g., complaints, field reports, warranty information, part sales), analysis, claims, or lawsuits; or
  - d. Communication to, from or intended for zone representatives, fleets, dealers, or other field locations, including but not limited to people who have the capacity to obtain information from dealers.
  
- **Alleged defect:** A fire or liquid fuel leak occurring during or after the subject vehicle experienced an impact to the rear of the vehicle, regardless of what the subject vehicle was struck by (e.g., another vehicle, a pole, tree, or bridge abutment, etc.).
  
- **Document:** “Document(s)” is used in the broadest sense of the word and shall mean all original written, printed, typed, recorded, or graphic matter whatsoever, however produced or reproduced, of every kind, nature, and description, and all non-identical copies of both sides thereof, including, but not limited to, papers, letters, memoranda, correspondence, communications, electronic mail (e-mail) messages (existing in hard copy and/or in electronic storage), faxes, mailgrams, telegrams, cables, telex messages, notes, annotations, working papers, drafts, minutes, records, audio and video recordings, data, databases, other information bases, summaries, charts, tables, graphics, other visual displays, photographs, statements, interviews, opinions, reports, newspaper articles, studies, analyses, evaluations, interpretations, contracts, agreements, jottings, agendas, bulletins, notices, announcements, instructions, blueprints, drawings, as-builts, changes, manuals, publications, work schedules, journals, statistical data, desk, portable and computer calendars, appointment books, diaries, travel reports, lists, tabulations, computer printouts, data processing program libraries, data processing inputs and outputs, microfilms, microfiches, statements for services, resolutions, financial statements, governmental records, business records, personnel records, work orders, pleadings, discovery in any form, affidavits, motions, responses to discovery, all transcripts, administrative filings and all mechanical, magnetic, photographic and electronic records or recordings of any kind, including any storage media associated with computers, including, but not limited to, information on hard drives, floppy disks, backup tapes, and zip drives, electronic communications, including, but not limited to, the Internet and shall include any drafts or revisions pertaining to any of the foregoing, all other things similar

to any of the foregoing, however denominated by Chrysler, and any other data compilations from which information can be obtained, translated if necessary, into a usable form and any other documents. For purposes of this request, any document which contains any note, comment, addition, deletion, insertion, annotation, or otherwise comprises a non-identical copy of another document shall be treated as a separate document subject to production. In all cases where original and any non-identical copies are not available, "document(s)" also means any identical copies of the original and all non-identical copies thereof. Any document, record, graph, chart, film or photograph originally produced in color must be provided in color. Furnish all documents whether verified by Chrysler or not. If a document is not in the English language, provide both the original document and an English translation of the document.

- **Other Terms:** To the extent that they are used in these information requests, the terms "claim," "consumer complaint," "dealer field report," "field report," "fire," "fleet," "good will," "make," "model," "model year (MY)," "notice," "property damage," "property damage claim," "rollover," "type," "warranty," "warranty adjustment," and "warranty claim," whether used in singular or in plural form, have the same meaning as found in 49 CFR 579.4.

In order for my staff to evaluate the alleged defect, certain information is required. Pursuant to 49 U.S.C. § 30166, please provide numbered responses to the following information requests. Insofar as Chrysler has previously provided a document to ODI, Chrysler may produce it again or identify the document, the document submission to ODI in which it was included and the precise location in that submission where the document is located. When documents are produced, the documents shall be produced in an identified, organized manner that corresponds with the organization of this information request letter (including all individual requests and subparts). When documents are produced and the documents would not, standing alone, be self-explanatory, the production of documents shall be supplemented and accompanied by explanation.

Please repeat the applicable request verbatim above each response. After Chrysler's response to each request, identify the source of the information and indicate the last date the information was gathered.

1. State within the body of the response letter a summary table, by model and model year, the number of subject vehicles Chrysler has manufactured for sale or lease in the United States. Separately, for each subject vehicle manufactured to date by Chrysler, state the following:
  - a. Vehicle identification number (VIN);
  - b. Model;
  - c. Model year;
  - d. Date of manufacture (in "dd/mm/yyyy" date format);
  - e. Date warranty coverage commenced (in "dd/mm/yyyy" date format);
  - f. The State in the United States where the vehicle was originally sold or leased (or delivered for sale or lease);

- g. The stowed location (e.g., in the rear cargo area, below the cargo area floor, or mounted on the exterior of the rear door) and the size (full or space-saver) of the OE supplied spare tire;
- h. Whether the vehicle was manufactured with a brush guard, skid guard/plate, or other covering for the underside of the fuel tank (i.e., a protective guard);
- i. Whether the vehicle was manufactured with a tow hitch or tow receiver, and if so the duty/class of the hitch or receiver, and
- j. Whether the vehicle was manufactured with an electrical harness/connector for trailer lighting purposes.

Provide the table in Microsoft Access 2007, or a compatible format, entitled "SUBJECT VEHICLE PRODUCTION DATA."

2. State the number of each of the following, received by Chrysler, or of which Chrysler is otherwise aware, which relate to, or may relate to, the alleged defect in the subject vehicles:
  - a. Consumer complaints;
  - b. Field reports, including dealer field reports;
  - c. Reports involving a crash, fire, injury, or fatality, based on claims against the manufacturer involving a death or injury, and notices received by the manufacturer alleging that a death or injury was caused by a possible defect in a subject vehicle;
  - d. Property damage claims;
  - e. Third-party arbitration proceedings where Chrysler is or was a party to the arbitration; and
  - f. Lawsuits, both pending and closed, in which Chrysler is or was a defendant or codefendant.

For subparts "a" through "f" state the total number of each item (e.g., consumer complaints, field reports, etc.) separately. Multiple incidents involving the same vehicle are to be counted separately. Multiple reports of the same incident are also to be counted separately (i.e., a consumer complaint and a field report involving the same incident in which a crash occurred are to be counted as a crash report, a field report and a consumer complaint).

In addition, for items "c" through "f," provide a summary description of the alleged problem and causal and contributing factors and Chrysler's assessment of the problem, with a summary of the significant underlying facts and evidence including any and all photographic evidence, third-party post-crash/inspection reports, deposition materials, etc. For items "c" through "f" identify the parties to the action, as well as the caption, court, docket number, and date on which the complaint or other document initiating the action was filed, and details of the resolution of the matter.

Include reports in which the subject vehicle was struck in the rear by another vehicle, or the subject vehicle itself, through its own momentum or movement, struck another vehicle or object, such as a tree, pole, or bridge abutment. As used here, the term rear includes crashes in which the subject vehicle is struck by another vehicle, or strikes an object, at an angle that included the rear of the vehicle (i.e., clock points 5, 6, or 7), and is not limited to direct

crashes to the rear of the subject vehicle. Fire reports where the ignition source was from other than the crash are responsive and are to be included in your response. Reports of fuel leaks or fires where no crash occurred, such as fuel leaks that occur in garages or from punctures from running over objects in the road (but unrelated to a crash), are not within the scope of this request. Also, reports in which the fuel leak or fire originated in the engine compartment area, or where the fire was caused by an electrical issue (e.g., dash wiring or seat heater) or from a non-vehicle related source (e.g., a lit cigarette, or a lit match), as opposed to a fuel leak, are also outside the scope of this request.

3. Separately, for each item (complaint, report, claim, notice, or matter) within the scope of your response to Request No. 2, state the following information:
  - a. Chrysler's file number or other identifier used;
  - b. The category of the item, as identified in Request No. 2 (i.e., consumer complaint, field report, etc.);
  - c. Cause: 1) Whether the alleged defect occurred due to the failure of or damage to a subject component or 2) Chrysler's assessment of the cause of the fire or fuel leak, or 3) whether the alleged defect occurred due to an unknown, undetermined, or ambiguous causation.
  - d. Vehicle owner or fleet name (and fleet contact person), address, and telephone number;
  - e. Vehicle's VIN;
  - f. Vehicle's model;
  - g. Vehicle's model year;
  - h. Vehicle's mileage at time of incident;
  - i. Chrysler's estimate of the impact speed of the striking vehicle or object that contacted the rear of the subject vehicle;
  - j. The basis and/or analysis that substantiates the estimate provided in item i;
  - k. Incident date;
  - l. Report or claim date;
  - m. Whether a fire is alleged;
  - n. Whether property damage is alleged;
  - o. Number of alleged injuries, if any; and
  - p. Number of alleged fatalities, if any.

Provide this information in Microsoft Access 2007, or a compatible format, entitled "REQUEST NUMBER TWO DATA."

4. Produce copies of all documents related to each item within the scope of Request No. 2. The documents requested specifically include, but are not limited to, the following:
  - a. Any police reports relating to, or that may relate to, the crash, fuel leak or fire;
  - b. Any and all accident reconstruction reports and documents prepared by or for Chrysler or by or for any other party;
  - c. Any and all reports and exhibits related to the alleged defect prepared by expert witnesses in support of a claim against Chrysler or in anticipation of testimony in any state or federal proceeding in which Chrysler was a party;

- d. Transcripts and/or video recordings and exhibits of any and all depositions of persons designated as experts in any state or Federal proceeding related the alleged defect in which Chrysler was a party;
- e. Transcripts and/or video recordings of any and all depositions of Chrysler employees in any state or Federal proceeding relating to the alleged defect in which Chrysler was a party; and,
- f. Any and all documents consulted, created, or relied upon by Chrysler supporting its characterization or conclusions related to the causation of any fuel related leak and/or fire related to the alleged defect.

Organize the documents separately by category (i.e., consumer complaints, field reports, etc.) and describe the method Chrysler used for organizing the documents.

5. Describe all assessments, analyses, tests, test results, design studies, studies, surveys, simulations, investigations, inquiries and/or evaluations (collectively, "actions") that relate to, or may relate to, the alleged defect in the subject vehicles, and including all development tests and all testing to Federal Motor Vehicle Safety Standard (FMVSS) No. 301, that have been conducted, are being conducted, are planned, or are being planned by, or for, Chrysler. For each such action, provide the following information:
  - a. Action title or identifier;
  - b. The actual or planned start date;
  - c. The actual or expected end date;
  - d. Brief summary of the subject and objective of the action;
  - e. Results and related documents for FMVSS 301 testing including video and photos;
  - f. Engineering group(s)/supplier(s) responsible for designing and for conducting the action; and
  - g. A brief summary of the findings and/or conclusions resulting from the action.

For each action identified, provide copies of all documents related to the action, regardless of whether the documents are in interim, draft, or final form. Organize the documents chronologically by action.

6. Describe all modifications or changes made by, or on behalf of, Chrysler in the design, material composition, location, routing, manufacture, quality control, supply, or installation of the subject components and other components in close proximity ("close proximity" is defined as within a 6 inch radius from the external surface of any part of the subject components), from the start of production of the subject vehicles to date, which relate to, or may relate to, the alleged defect in the subject vehicles. Include all versions, routings, placements and designs of fuel filler hoses and associated components and brackets. Also include all changes in the location, orientation or material of the fuel tank. Also include non-subject components located near the subject components which have been or could be sources of impingement, piercing, puncturing or disconnection of the subject components in a rear impact crash (including, but not limited to the chassis or frame components, suspension components such as sway bars and track bars, differentials, tow hitch

components, and all associated hardware, such as bolts and brackets). For each such modification or change, provide the following information:

- a. The date or approximate date on which the modification or change was incorporated into vehicle production;
  - b. A detailed description of the modification or change;
  - c. The reason(s) for the modification or change;
  - d. The part numbers (service and engineering) of the original component;
  - e. The part number (service and engineering) of the modified component;
  - f. Whether the original unmodified component was withdrawn from production and/or sale, and if so, when;
  - g. When the modified component was made available as a service component;
  - h. Whether the modified component can be interchanged with earlier production components;
  - i. The supplier of each modified component; and,
  - j. The models and model years of vehicles affected by the modification.
7. Produce copies of all documents that relate to, or may relate to, the alleged defect in the subject vehicles, that Chrysler has issued to any dealers, regional or zone offices, field offices, fleet purchasers, or other entities. This includes, but is not limited to, bulletins, advisories, informational documents, training documents, or other documents or communications, with the exception of standard shop manuals. Also include the latest draft copy of any communication that Chrysler is planning to issue within the next 120 business days.
8. For each subject vehicle model and model year, provide the following:
- a. Model, model year, and platform designation (e.g., ZJ, WJ, etc.);
  - b. Type of material the fuel tank is composed of (e.g., HDPE plastic);
  - c. Side, rear, and top view drawings showing the placement of the subject components and related components that secure them in the vehicle;
  - d. A bottom view drawing or photograph showing the full vehicle undercarriage in the fully built configuration including the locations of the subject components.
  - e. Overall length of vehicle (in/cm);
  - f. Wheel base (in/cm);
  - g. Track width (in/cm);
  - h. Curb weight (lb/kg);
  - i. Gross vehicle weight rating (lb/kg);
  - j. Front gross axle weight rating (lb/kg);
  - k. Rear gross axle weight rating (lb/kg);
  - l. Interior volume (passenger and storage area);
  - m. Horizontal distance (in/cm) from aft most point of the rear axle to forward most point of the fuel tank;
  - n. Horizontal distance (in/cm) from aft most point of the fuel tank to the aft most point of the vehicle's rear bumper;

- o. Vertical distance (in/cm) from bottom/lower most surface of the fuel tank to bottom/lower most surface of vehicle's rear bumper at center line position (positive value indicates the tank surface is above bumper, negative value below the bumper);
- p. Vertical distance (in/cm) from the ground/road surface to the bottom/lower surface of i) the vehicle's rear bumper at center line position, and ii) the vehicle's tow hitch at center line position (when equipped with a tow hitch);
- q. If not originally equipped with, whether or not a protective guard for the fuel tank was optionally available, and if so, the part number of the optionally available protective guard; and
- r. Whether the vehicle was equipped with an ORVR/Onboard Refueling Vapor Recovery system.

Where a significant production change has occurred within a model year (e.g., a change in fuel tank material) provide additional detail to describe the change and when (production date and VIN range) it was implemented. Where a response is applicable to multiple models or model years (e.g., photos or drawings of subject components) provide a single response and refer to it as required. If a response involves multiple or varying values (e.g., curb weights, GVWR, GAWR), provide minimum and maximum values and/or a range of expected values. Also provide expected tolerances (e.g., dimensional, weight, etc.) if applicable. Lastly, provide Chrysler's assessment of makes and models that were direct market competitors (or peers) to each model and model year subject vehicle (i.e., provide the competitor make and model names), and explain Chrysler's rationale for identifying these vehicles as competitors.

- 9. Provide information on each unique version of skid guard, brush guard, or other protective guard manufactured, marketed, or sold by Chrysler intended for use with the subject vehicle fuel tank and installed either as original equipment, or available as optional equipment. For each unique version of guard, provide the following information:
  - a. The part number (both service and engineering) of the guard;
  - b. Whether it was offered as original equipment, optional equipment, or both;
  - c. A drawing or photograph of the guard;
  - d. If an optional guard, the date or approximate date on which it was offered for sale;
  - e. If an optional guard, the model year(s) of vehicles on which it could be installed;
  - f. If an optional guard, the total number of guards sold, by part number and month of sale;
  - g. Whether the guard was withdrawn from production and/or sale, and if so, when;
  - h. Whether the guard can be interchanged with other versions, and if so, the part numbers of the interchangeable guard; and
  - i. The name and address of the supplier of the guard;

Also, provide the above information for any new or modified version of the guard that Chrysler is aware of which may be offered for sale within the next 120 days.

- 10. Furnish Chrysler's assessment of the alleged defect in the subject vehicles, including:
  - a. The causal or contributory factor(s);



- b. The failure mechanism(s);
- c. The failure mode(s);
- d. The risks to motor vehicle safety that it poses; and,
- e. The reports included with this inquiry.

This letter is being sent to Chrysler pursuant to 49 U.S.C. § 30166, which authorizes NHTSA to conduct any investigation that may be necessary to enforce Chapter 301 of Title 49 and to request reports and the production of things. It constitutes a new request for information. Chrysler's failure to respond promptly and fully to this letter could subject Chrysler to civil penalties pursuant to 49 U.S.C. § 30165 or lead to an action for injunctive relief pursuant to 49 U.S.C. § 30163. (Other remedies and sanctions are available as well.) Please note that maximum civil penalties under 49 U.S.C. § 30165 have increased as a result of the recent enactment of the Transportation Recall Enhancement, Accountability, and Documentation (TREAD) Act, Public Law No. 106-414 (signed November 1, 2000). Section 5(a) of the TREAD Act, codified at 49 U.S.C. § 30165(b), provides for civil penalties of up to \$6,000 per day, with a maximum of \$16,375,000 for a related series of violations, for failing or refusing to perform an act required under 49 U.S.C. § 30166. See 49 CFR 578.6 (as amended by 71 Fed. Reg. 28279 (May 16, 2006)). This includes failing to respond to ODI information requests.

If Chrysler cannot respond to any specific request or subpart(s) thereof, please state the reason why it is unable to do so. If on the basis of attorney-client, attorney work product, or other privilege, Chrysler does not submit one or more requested documents or items of information in response to this information request, Chrysler must provide a privilege log identifying each document or item withheld, and stating the date, subject or title, the name and position of the person(s) from, and the person(s) to whom it was sent, and the name and position of any other recipient (to include all carbon copies or blind carbon copies), the nature of that information or material, and the basis for the claim of privilege and why that privilege applies.

Chrysler's response to this letter, in duplicate, together with a copy of any confidentiality request, must be submitted to this office by December 13, 2012. **All business confidential information must be submitted directly to the Office of Chief Counsel as described in the following paragraph and should not be sent to this office.** In addition do not submit any business confidential information in the body of the letter submitted to this office. Please refer to EA12-005 in Chrysler's response to this letter and in any confidentiality request submitted to the Office of Chief Counsel. If Chrysler finds that it is unable to provide all of the information requested within the time allotted, Chrysler must request an extension from me at (202) 366-0139 no later than five business days before the response due date. If Chrysler is unable to provide all of the information requested by the original deadline, it must submit a partial response by the original deadline with whatever information Chrysler then has available, even if an extension has been granted.

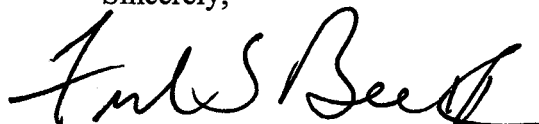
If Chrysler claims that any of the information or documents provided in response to this information request constitute confidential commercial material within the meaning of 5 U.S.C. § 552(b)(4), or are protected from disclosure pursuant to 18 U.S.C. § 1905, Chrysler must submit supporting information together with the materials that are the subject of the confidentiality

request, in accordance with 49 CFR Part 512, as amended (69 Fed. Reg. 21409 et seq; April 21, 2004), to the Office of Chief Counsel (NCC-110), National Highway Traffic Safety Administration, Room W41-227, 1200 New Jersey Avenue, S.E., Washington, D.C. 20590. Chrysler is required to **submit two copies of the documents containing allegedly confidential information (except only one copy of blueprints) and one copy of the documents from which information claimed to be confidential has been deleted.** Please remember that the word "CONFIDENTIAL" must appear at the top of each page containing information claimed to be confidential, and the information must be clearly identified in accordance with 5 U.S.C. § 512.6.

Please send email notification to Peter C. Ong ([peter.ong@dot.gov](mailto:peter.ong@dot.gov)) and to [ODI\\_IRresponse@dot.gov](mailto:ODI_IRresponse@dot.gov) when Chrysler sends its response to this office and indicate whether there is confidential information as part of Chrysler's response.

If you have any technical questions concerning this matter, please call Peter C. Ong of my staff, at (202) 366-0583.

Sincerely,



Frank S. Borris, II Director  
Office of Defects Investigation  
Enforcement

VOQ report numbers: Cherokee (1): 10409104, Grand Cherokee (9): 506249, 549376, 734783, 869217, 10009553, 10335943, 10351589, 10351980, 10357528; Liberty (5): 10138726, 10149256, 10181332, 10357195, 10366653 (duplicate of 10357195)