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2013 NOV 12 A 8:54
OFFICE OF DEFECTS &
INVESTIGATIONS

November 7, 2013

Mr. Jeffrey Quandt
Vehicle Integrity Division
Office of Defects Investigation
National Highway Traffic Safety Administration
1200 New Jersey Avenue S.E.
Washington, D.C. 20590

Re: PE13-029; NVS 213swm

Dear Mr. Quandt:

Enclosed is Nissan's partial response to the referenced NHTSA Information Request of September 12, 2013 concerning the Agency's investigation of 2013 model year Nissan Pathfinder vehicles and 2013 Infiniti JX vehicles for transmission oil cooler hose detachment.

This response covers questions 1 through 6 of the Information Request. Per our discussion, questions 7 through 13 will be answered by November 23, 2013.

The attached reply responds by first stating each question, then the response. Please contact us if you have any questions.

Sincerely,



Donald Neff
Manager
Technical Compliance

Enclosures

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Response to
PE13-029

INTRODUCTION

In responding to this Information Request ("IR"), information has been obtained from those places within Nissan likely to contain such information in the regular and ordinary course of business. When a particular Request seeks "documents" as defined in the IR, reasonable, good faith searches have also been made of corporate records in those places likely to maintain them in the regular and ordinary course of business. Nissan has searched for and produced records that were created up to and on the date the IR was released, September 12, 2013. Nissan appreciates the agency's consideration in extending the due date for responses to Requests 7 through 13 until November 23, 2013.

The definitions of "documents" and "Nissan", however, are unreasonably broad, vague and ambiguous in the context of the information sought by this IR. For example, "calendars", "appointment books", "financial statements" and "personnel records" would not contain owner complaints, field reports or other information sought by Request 2 pertaining to the alleged defect. Therefore, searches were not made for such "documents", inasmuch as they would not likely contain responsive information. In addition, Nissan has not provided information from persons or entities over which it does not ordinarily exercise control. Nissan understands this IR to seek information on vehicles manufactured for sale in the United States.

Responses are provided after each request, and Attachments are utilized as appropriate. The source of information used as a basis for the data in each Attachment, including the date the data were updated and retrieved, is identified at the beginning of each Attachment, as applicable. If a document itself is the source for the requested information and it is provided, we assume no further source identification is called for. If a document, drawing or component is requested, or if no responsive information is available, we assume no further source identification is called for.

With regard to claims of privilege, Nissan understands that it is acceptable to the Agency for Nissan to identify specific categories of privileged documents rather than any specific document. These specific categories are: 1) communications between outside counsel and Nissan Legal Department employees, other Nissan employees, or other Nissan-represented parties in litigation and claims; 2) communications between Nissan Legal Department employees and other Nissan employees or other Nissan-represented parties in litigation or claims; 3) notes and other work product of outside counsel or of Nissan Legal Department employees concerning communications with Nissan employees or consultants, and the work product of those employees or consultants done for or at the request of outside counsel or Legal Department employees; and 4) other categories to be identified later as necessary. For any privileged documents that are not included in these categories, such documents, if any, will be specifically identified on a separate privilege index at a later time. To the extent that a document is furnished, Nissan is not asserting a privilege claim for that document, although the disclosure of such document does not waive the attorney-client privilege or work-product protection with respect to other documents prepared in connection with the specific litigation or claim or other litigation or claims. In addition, in submitting such documents, we reserve our right to claim the attorney-client privilege and/or work-product protection with respect to analyses that may be prepared subsequently in connection with these and other cases. Also, we understand documents specifically related to the preparation of the responses are not sought.

Nissan believes NHTSA's policy is to protect the privacy of individuals under exemption 6 of the Freedom of Information Act, 5 U.S.C. Section 552(b)(6). We understand that name, address, and other personal information of owners or other individuals, including Nissan personnel, contained in any of the attachments in this response will not be made available to the public. Therefore, Nissan is not requesting confidential treatment for this information pursuant to 49 CFR, Part 512, but we believe any private information concerning individuals should not be made public.

* * * * *

1. State, by model, the number of subject vehicles Nissan has manufactured for sale or lease in the United States. Separately, for each subject vehicle manufactured to date by Nissan, state the following:
- Vehicle identification number (VIN);
 - Make;
 - Model;
 - Model Year;
 - Date of manufacture;
 - Date warranty coverage commenced; and
 - The State in the United States where the vehicle was originally sold or leased (or delivered for sale or lease).

Provide the table in Microsoft Access 2010, or a compatible format, entitled "PRODUCTION DATA." See Enclosure 1, Data Collection Disc, for a pre-formatted table which provides further details regarding this submission.

Table 1. Production Data Summary

MAKE	MODEL	UNITS
NISSAN	PATHFINDER	79,910
INFINITI	JX	43,318

The information requested in 1.a through 1.g is provided, when known, in a Microsoft Access database titled "PE13-029 Production Data" on a DVD enclosed as Attachment A.

2. State the number of each of the following, received by Nissan, or of which Nissan is otherwise aware, which relate to, or may relate to, the alleged defect in the subject vehicles:
- Consumer complaints, including those from fleet operators;
 - Field reports, including dealer field reports;
 - Reports involving a crash, injury or fatality;
 - Reports involving a fire;
 - Property damage claims; and
 - Third-party arbitration proceedings where Nissan is or was a party to the arbitration; and
 - Lawsuits, both pending and closed, in which Nissan is or was a defendant or codefendant.

For subparts "a" through "g" 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 "g," provide a summary description of the alleged problem and causal and contributing factors and Nissan's assessment of the problem, with a summary of the significant underlying facts and evidence. For items "f" and "g," 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.

- a) Consumer complaints, including those from fleet operators:

68 complaints from Nissan's Consumer Affairs database, representing 63 unique VIN's.

- b) Field reports, including dealer field reports:

148 Dealer field reports, representing 147 unique VINs

50 Field Reports, representing 50 unique VINs

1 Incident Investigation Report

- c) Reports involving a crash, injury, or fatality, based on claims against the manufacturer involving a death or injury, notices received by the manufacturer alleging or proving that a death or injury was caused by a possible defect in a subject vehicle, property damage claims, consumer complaints, or field reports:

There were no reports of crash, injury or fatality found in the subject vehicles that were related to the alleged defect.

- d) Reports involving a fire:

There are no fires; however there was one incident in which it was claimed that a fire in the engine area occurred (reported both as Dealer Field Report and Incident Investigation Report). When investigated, it was determined that this event involved only smoke. The vehicle sustained no thermal damage and there was no evidence of a thermal event.

- e) Property damage claims, alleged to have resulted from alleged defect:

There are no property damage claims.

- f) Third-party arbitration proceedings where Nissan is or was a party to the arbitration:

There are no third party arbitration proceedings.

- g) Lawsuits, both pending and closed, in which Nissan is or was a defendant or codefendant:

There are no lawsuits.

The answers given to Request Number Two above were gathered from Nissan's data and are current as of September 12, 2013.

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. Nissan'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. Vehicle owner or fleet name (and fleet contact person), address, and telephone number;
- d. Vehicle's VIN;
- e. Vehicle's make, model and model year;
- f. Vehicle's mileage at time of incident;
- g. Incident date;
- h. Report or claim date;
- i. Whether a crash is alleged;
- j. Whether a fire is alleged;
- k. Whether property damage is alleged;
- l. Number of alleged injuries, if any; and
- m. Number of alleged fatalities, if any.

Provide this information in Microsoft Access 2010, or a compatible format, entitled "REQUEST NUMBER TWO DATA." See Enclosure 1, Data Collection Disc, for a pre-formatted table which provides further details regarding this submission.

The information requested in 3.a through 3.m is provided, when known, in a Microsoft Access database titled "PE13-029 Complaint Data" on a DVD enclosed as Attachment A.

4. Produce copies of all documents related to each item within the scope of Request No. 2. Organize the documents separately by category (i.e., consumer complaints, field reports, etc.) and describe the method Nissan used for organizing the documents. Describe in detail the search criteria used by Nissan to identify the documents identified in response to Request No. 2.

The requested documents are on a CD enclosed as Attachment A. The documents are organized by category.

5. State, by model and model year, a total count for all of the following categories of claims, collectively, that have been paid by Nissan to date that relate to, or may relate to, the alleged defect in the subject vehicles: warranty claims; extended warranty claims; claims for good will services that were provided; field, zone, or similar adjustments and reimbursements; and warranty claims or repairs made in accordance with a procedure specified in a technical service bulletin or customer satisfaction campaign.

Separately, for each such claim, state the following information:

- a. Nissan's claim number;
- b. Vehicle owner or fleet name (and fleet contact person) and telephone number;
- c. VIN;
- d. Repair date;

- e. Vehicle mileage at time of repair;
- f. Repairing dealer's or facility's name, telephone number, city and state or ZIP code;
- g. Labor operation number;
- h. Problem code;
- i. Replacement part number(s) and description(s);
- j. Concern stated by customer;
- k. Whether the dealer submitted a claim for towing for the vehicle within five days of the repair to the subject components;
- l. Nissan's assessment of whether the repair was related to a hose detachment (state criteria for this assessment before and after the subject bulletins were issued);
- m. Cause and correction; and
- n. Comment, if any, by dealer/technician relating to claim and/or repair.

Provide this information in Microsoft Access 2010, or a compatible format, entitled "WARRANTY DATA." See Enclosure 1, Data Collection Disc, for a pre-formatted table which provides further details regarding this submission.

Table 2. Warranty Data Summary

MAKE	MODEL	WARRANTY COUNT
NISSAN	Pathfinder	183
INFINITI	JX	31

The information requested in 5.a through 5.n is provided, when known, in a Microsoft Access database titled "PE13-029 Warranty Data" on a DVD enclosed as Attachment A.

For 5.l, claims that clearly indicated that the hose detached are marked as such, but it is believed that many of the others are likely also detachments even though it cannot be verified by the technician comments. The warranty system does not contain specific "cause and correction" data, so this information must be inferred from the problem coding and parts information supplied in response to 5.h, 5.i and 5.n.

6. Describe in detail the search criteria used by Nissan to identify the claims identified in response to Request No. 5, including the labor operations, problem codes, part numbers and any other pertinent parameters used. Provide a list of all labor operations, labor operation descriptions, problem codes, and problem code descriptions applicable to the alleged defect in the subject vehicles. State, by make and model year, the terms of the new vehicle warranty coverage offered by Nissan on the subject vehicles (i.e., the number of months and mileage for which coverage is provided and the vehicle systems that are covered). Describe any extended warranty coverage option(s) that Nissan offered for the subject vehicles and state by option, model, and model year, the number of vehicles that are covered under each such extended warranty.

The requested new vehicle warranty coverage documents are on a DVD enclosed as Attachment C. All vehicles are still covered by the new vehicle warranty.

The search criteria used by Nissan to identify the claims identified in response to Request No. 5 are set forth in Attachment B.

Descriptions of each labor operation code, problem code, and part number are given in the Warranty Data table.

7. Produce copies of all service, warranty, and other documents that relate to, or may relate to, the alleged defect in the subject vehicles, that Nissan 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 Nissan is planning to issue within the next 120 days.

Nissan will supplement this portion of the response at a later date.

8. Describe all assessments, analyses, tests, test results, studies, surveys, simulations, investigations, inquiries and/or evaluations, including those related to the creation of the Subject Bulletins (collectively, "actions") that relate to, or may relate to, the alleged defect in the subject vehicles that have been conducted, are being conducted, are planned, or are being planned by, or for, Nissan. 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. Engineering group(s)/supplier(s) responsible for designing and for conducting the action; and
 - f. 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.

Nissan will supplement this portion of the response at a later date.

9. Describe all modifications or changes made by, or on behalf of, Nissan in the design, material composition, manufacture, quality control, supply, or installation of the subject component, from the start of production to date, which relate to, or may relate to, the alleged defect in the subject vehicles. 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 number(s) (service and engineering) of the original component;
 - e. The part number(s) (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; and
 - h. Whether the modified component can be interchanged with earlier production components.

Also, provide the above information for any modification or change that Nissan is aware of which may be incorporated into vehicle production within the next 120 days.

Nissan will supplement this portion of the response at a later date.

10. State the number of each of the following that Nissan has sold that may be used in the subject vehicles by component name, part number (both service and engineering/production), model and model year of the vehicle in which it is used and month/year of sale (including the cut-off date for sales, if applicable):
- a. Radiator assembly; and
 - b. Transmission cooler hose.

For each component part number, provide the supplier's name, address, and appropriate point of contact (name, title, and telephone number). Also identify by make, model and model year, any other vehicles of which Nissan is aware that contain the identical component, whether installed in production or in service, and state the applicable dates of production or service usage.

Nissan will supplement this portion of the response at a later date.

11. Provide the following information regarding the subject system, subject components, and subject bulletins:
- a. Describe the operation of the transmission oil cooling system in the subject vehicles, including a flow diagram and the range of operating temperatures and pressures under nominal and severe use conditions;
 - b. Describe in detail all differences between the original equipment transmission cooler hoses and the service parts listed in the subject bulletins;
 - c. Describe in detail all differences between the original equipment radiators and the service parts listed in the subject bulletins;
 - d. Describe in detail all differences between the original equipment hose clamps or hose clamp systems and the parts listed in the subject bulletins;
 - e. Describe all testing performed by Nissan to validate the service parts used in the subject bulletins;
 - f. Describe all changes in engineering specifications for the subject system and components that may be related to the alleged defect;
 - g. Identify the transmission oil used in the subject vehicles and state the hot surface ignition temperature of the oil;
 - h. Nissan's assessment of the leak/spray path of the transmission oil when the hose has detached from the radiator; and
 - i. The nominal and maximum surface temperatures for those components when the vehicle is being driven and in the hot soak condition (i.e., period when the vehicle has stopped after driving).

Nissan will supplement this portion of the response at a later date.

12. Provide one sample part for each of the following:
- a. Each version of transmission cooler hose used in the subject vehicles as original equipment or service parts;

- b. Each version of tube end/hose fitting used for the subject transmission cooler hoses at the radiator and at the transmission assembly;
- c. Each version of hose clamp used for the subject transmission cooler hoses at the radiator fitting and at the transmission fitting.

Nissan will supplement this portion of the response at a later date.

- 13. Furnish Nissan's assessment of the alleged defect in the subject vehicle, including:
 - a. The causal or contributory factor(s) for the transmission cooler hose leak condition (provide separate responses for leakage conditions with and without hose detachment for each item of Request #13);
 - b. The failure mechanism(s) for the transmission cooler hose leak condition;
 - c. The effect of the leak conditions on transmission operation;
 - d. The risk to motor vehicle safety posed by transmission oil leakage and transmission failure, including:
 - i) The vehicle speeds at which the conditions (1) can occur, and (2) are most likely to occur; and
 - ii) The risk of vehicle fire from leaked transmission fluid;
 - e. What warnings, if any, the operator and the other persons both inside and outside the vehicle would have that the alleged defect was occurring or subject component was malfunctioning; and
 - f. The reports included with this inquiry.

Nissan will supplement this portion of the response at a later date.

ATTACHMENT A

CD with Information Related to Requests 1, 3, 4 and 5

This attachment contains a CD containing the information related to Request Numbers 1, 3, 4 and 5. The information was obtained from the Consumer Affairs database, the Tech Line Database, the legal department database and the field reports database as of September 12, 2013. The databases and Legal Files are updated daily.

ATTACHMENT B

Warranty Claims Data

Warranty claims data were gathered from Warranty database as of September 12, 2013.

The search criteria used by Nissan to identify the claims identified in response to Request Nos. 5 is as follows:

For the purpose of this response the warranty data was queried using the following PFP (Primary Failed Part) Numbers:

21631 (HOSE-AUTO TRANS)
21635 (HOSE-RAD TO OIL COOL)
21636 (HOSE-OIL CLEANER)

The customer and technician verbatim for the resulting data was further reviewed to ensure relevance to the request. Descriptions of the parts, trouble codes, and labor operation codes are included in the data attached in Attachment A responsive to Request 5.

ATTACHMENT C

New Vehicle Warranty Coverage Documents