U.S. Department of Transportation

**National Highway Traffic Safety Administration**

# ODI RESUME

OFFICE OF DEFECTS INVESTIGATION

NHTSA

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**Investigation:** EQ 15-002
**Prompted by:**
**Date Opened:** 03/13/2015 **Date Closed:** 04/17/2015
**Investigator:** Cynthia Glass
**Approver:** Jennifer Timian
**Subject:** Exhaust System Raincap May Detatch

## MANUFACTURER & PRODUCT INFORMATION

**Manufacturer:** Cummins Inc.
**Products:** Ecofit Tier2 DOC Raincap
**Population:** 485

**Problem Description:** The raincap lid may detach during transport or during stationary engine operation.

## ACTION / SUMMARY INFORMATION

**Action:** This EQ investigation is closed.

**Summary:**

The closing report is attached.

# EQ 15-002: Raincap Assembly May Detatch
# Closing Report

## BACKGROUND

In a Part 573 Safety Recall Report dated January 27, 2015, Cummins, Inc. (Cummins) notified the NHTSA that it decided a defect exists in certain Cummins Emission Solution Ecofit Tier2 DOC Raincaps part numbers 4354195, A048L539, 4352927, A047A112, and 89486A, manufactured December 17, 2012, to October 29, 2014. The affected raincaps are used on exhaust after-treatment systems. The raincap lid may detach during transport or during stationary engine operation. If the raincap lid detaches during transport it can fall into the roadway, increasing the risk of a vehicle crash. If the raincap lid detaches during stationary engine operation, it can fall, increasing the risk of personal injury. The raincap lid may also be very hot, further increasing the risk of personal injury. This matter was assigned recall number 14E-083.

In their 573 Defect Notification Report, Cummins identified Mercury Products Corporation (Mercury) as its supplier for the raincap assembly. On March 13, 2015, the Recall Management Division (RMD) opened this Equipment Query (EQ) Investigation in order to write to Mercury and make them aware of Cummins' defect decision; to remind Mercury of their responsibilities under Federal Law as an equipment manufacturer; and, to obtain information as to Mercury's sale and distribution of the raincap assemblies so that additional recall decisions could be made and the associated campaigns promptly conducted where necessary.

## MERCURY PRODUCTS CORPORATION'S RESPONSE

In a letter dated March 25, 2015, Mercury responded to the information request letter and reported that of the 485 exhaust system raincaps manufactured by Mercury, 484 of these parts were sold to Cummins, and one was sold to a distributor. Mercury believes that the defective products are fully contained within the scope of the Cummins recall #14E-083 and a recall by Mercury is not warranted. Mercury's response letter is attached.

## RECALL MANAGEMENT DIVISION ACTION

All vehicle and motor vehicle equipment manufacturers who purchased the subject mounting brackets have been identified and have either filed recall reports and are conducting recalls, or have provided responses explaining why they are not conducting recalls. Accordingly, this equipment query investigation is closed. Copies of documents associated with this investigation, including responses to IR letters, can be found in this Equipment Query's document repository by clicking the "Associated Documents" button.

March 25, 2015

**Via E-mail**

Ms. Cynthia Glass
General Engineer, RMD
U.S. Department of Transportation
National Highway Traffic Safety Administration
1200 New Jersey Avenue SE
Washington, DC 20590

Subject: Safety Recall 14E-083
Identification Number EQ 15-002
Part Nos. 4354195, A048L539, 4352927, A047A112 and 89486A[1]

Dear Ms. Glass:

Further to our discussion on Monday, March 23, 2015, Mercury Products Corp. ("Mercury") hereby responds to NHTSA's request for information in investigation EQ 15-002, regarding Cummins, Inc. (Cummins, Inc. and its affiliated companies (collectively "Cummins")) and the above-referenced part numbers. As we discussed, of the 485 exhaust system raincaps manufactured by Mercury, 484 of these parts were sold to Cummins, and one was sold to a distributor. Since all but 1 unit was sold to Cummins and Cummins was the party initiating the Recall on the above part numbers that are the subject of the equipment query investigation, we believe that the products are fully contained within the scope of the Cummins Recall, (14E-083), and we're not exposed to the general public.

Accordingly, Mercury is not conducting a recall on this issue.

Please do not hesitate to contact me if we can be of any further assistance.

Regards,

Bruce C. Havel, President
Mercury Products Corp.

[1] Note: Cummins' part nos. 4354195 and 4352927 do not correspond to any Mercury Products Corp. part nos. in inventory.