



U.S. Department of Transportation
**National Highway Traffic Safety
Administration**



1200 New Jersey Avenue SE.
Washington, DC 20590

JUN 08 2018

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Jeffery Marsee
Vehicle Compliance
Isuzu Technical Center of America, Inc.
46401 Commerce Center Drive
Plymouth, MI 48170

NEF-104mm
DP18-001

Dear Mr. Marsee:

This letter is to inform you that the Office of Defects Investigation (ODI) of the National Highway Traffic Safety Administration (NHTSA) has opened Defect Petition DP18-001 to evaluate a request to investigate allegations of corrosion induced failures of the fuel tank shield or shield/tank mounts resulting in the fuel tank detachment from the vehicle in model year (MY) 2001 through 2004 Rodeo and MY 2002 through 2004 Axiom vehicles manufactured by the Isuzu Motors Ltd., and to request certain information.

This office received a defect petition letter requesting ODI to investigate allegations of fuel tank separation due to corrosion of the fuel tank shield or shield/tank mounts on a MY 2004 Rodeo vehicle. The petition referenced a similar allegation on a MY 2001 Rodeo, which contains the same fuel tank retention system as the petitioner vehicle.

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

- **Subject vehicles:** All MY 2001 through MY 2004 Isuzu Rodeo and MY 2002 through MY 2004 Axiom vehicles.
- **Subject components:** All components designed to retain the fuel tank and tank shield to the vehicle, either as original equipment or service replacement parts.
- **Alleged defect:** Corrosion failure of fuel tank retention components resulting in complete or partial detachment of the fuel tank from the vehicle.
- **Isuzu:** Isuzu Motors Ltd., including Isuzu Technical Center of America, Inc., and all of its past and present officers and employees, whether assigned to its principal offices or any of its field or other locations, including all of its divisions, subsidiaries (whether or not incorporated) and affiliated enterprises and all of their 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 Isuzu (including all business units and persons

previously referred to), who are or, on or after January 1, 2007, 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.
- **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 Isuzu, 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 Isuzu 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,” “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 Isuzu has previously provided a document to ODI, Isuzu 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 Isuzu’s response to each request, identify the source of the information and indicate the last date the information was gathered.

1. State, by model year, the number of subject vehicles Isuzu has manufactured for sale or lease in the United States. Separately, for each subject vehicle manufactured to date by Isuzu, state the following:
 - a. Vehicle identification number (VIN);
 - b. Make;
 - c. Model;
 - d. Model Year;
 - e. Date of manufacture;
 - f. Date warranty coverage commenced;
 - g. Whether the subject vehicle was included in the scope of Isuzu rear suspension link recalls 10V-436 or 13V-547 (“10V436,” “13V547,” or “Not Included”);
 - h. If included in 10V-436 or 13V-547, the recall completion date;
 - i. If included in 10V-436 or 13V-547, the recall completion mileage;
 - j. If included in 10V-436 or 13V-547, the state where the vehicle was registered;
 - k. If included in 10V-436 or 13V-547, the labor operation number for the remedy performed; and
 - l. United States state or territory where the vehicle was originally sold or leased (or delivered for sale or lease).

Provide this information separately in Microsoft Access 2010, or a compatible format, entitled “PRODUCTION DATA.”

2. State the number of each of the following, received by Isuzu, or of which Isuzu is otherwise aware, which relate to, or may relate to, the alleged defect in the subject vehicles:
 - a. Consumer complaints, including those from fleet operators;
 - b. Field reports, including dealer field reports;
 - c. Reports involving a crash, injury or fatality;

- d. Reports of partial and full fuel tank detachments due to the alleged defect;
- e. Reports of subject component replacement conducted to prevent the alleged defect;
- f. Reports of fuel tank leaks due to the dislocation of the fuel tank;
- g. Reports involving a fire;
- h. Property damage claims;
- i. Third-party arbitration proceedings where Isuzu is or was a party to the arbitration; and
- j. Lawsuits, both pending and closed, in which Isuzu is or was a defendant or codefendant.

For subparts "a" through "h," 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 "h," provide a summary description of the alleged problem and causal and contributing factors and Isuzu's assessment of the problem, with a summary of the significant underlying facts and evidence, including any pictures or video referenced or retained. For items "i" and "j," 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.

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. Isuzu'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), street address, email 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 the alleged retention failure was associated with a crash event;
 - j. Whether tank contact with the ground is alleged;
 - k. Whether fuel leakage is alleged;
 - l. Whether fire is alleged;
 - m. Whether property damage is alleged;
 - n. Number of alleged injuries, if any;
 - o. Number of alleged fatalities, if any; and
 - p. Isuzu's assessment of the cause of the tank detachment.

Provide this information separately in Microsoft Access 2010, 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. Organize the documents separately by category (i.e., consumer complaints, field reports, etc.)

and describe the method Isuzu used for organizing the documents. Describe in detail the search methods and search criteria used by Isuzu to identify the items in response to Request No. 2.

5. State, by model and model year, a total count for all of the following categories of claims, collectively, that have been paid by Isuzu to date that relate to, or may relate to, the alleged defect and/or the subject components 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. Isuzu's claim number;
- b. Vehicle owner or fleet name (and fleet contact person), street address, email address 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(s);
- h. Problem code(s);
- i. Replacement part number(s) and description(s);
- j. Concern stated by customer;
- k. Cause as stated on the repair order; and
- l. Correction as stated on the repair order.

Provide this information separately in Microsoft Access 2010, or a compatible format, entitled "WARRANTY DATA."

6. Describe in detail the search methods and search criteria used by Isuzu to identify the claims in response to Request No. 5, including the labor operations, problem codes, diagnostic trouble 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, diagnostic trouble codes and diagnostic trouble code descriptions applicable to the alleged defect in the subject vehicles. State whether the diagnostic trouble codes are automatically reported to the warranty database electronically or manually entered into the warranty database by a claims administrator.

State, by model year, the terms of the recall repair warranty coverage offered by Isuzu 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 ISUZU offered for the subject vehicles that may be applicable to the alleged defect and state by option, model, and model year, the number of vehicles that are covered under each such extended warranty.

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 Honda 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 Honda is planning to issue within the next 120 days.
8. Describe all assessments, analysis, tests, test results, studies, surveys, simulations, investigations, inquiries and/or evaluations (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, Honda. For each such action, provide the following information:
 - a. Action title or identifier;
 - b. The actual or planned start date;
 - c. Summary of the subject and objective of the action;
 - d. Engineering group(s)/supplier(s) responsible for designing and conducting the action; and
 - e. A summary of the findings and/or conclusions resulting from the action.

For each action identified, provide in the summary the likelihood of the failure mode due to a sudden failure or progressive failure due to the alleged defect. Produce copies of all documents related to the actions, regardless of whether the documents are in interim, draft, or final form. Organize the documents chronologically by action.

9. Describe all modifications or changes made by, or on behalf of, Honda in the design, material composition, manufacture, quality control, supply, or installation of the subject components, 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 Honda is aware of which may be incorporated into vehicle production within the next 120 days.

10. State the number of tank shields that Honda has sold that may be used in the subject vehicles by component name, part number (both service and engineering/production), state or region of sale, and month/year of sale (including the cutoff date for sales, if applicable).

For each component part number, provide the supplier's name, address, and appropriate point of contact (name, title, and telephone number). In addition, state the models and model years of all vehicles using the part and provide a description of Isuzu's parts distribution system, including the locations of all parts distribution centers and the states/regions served by each center. If Isuzu made any changes in the production or supply of service parts for any of the subject components, provide a chronology of all such changes, including dates when parts were no longer available from Isuzu.

11. Furnish Isuzu's assessment of the alleged defect in the subject vehicles, including:
 - a. A detailed description of the fuel tank retention system in the subject vehicles;
 - b. All corrosion related failure mechanism(s) of the fuel tank retention system that could result in detachment of the fuel tank and/or tank shield during normal expected use or in a crash event;
 - c. The failure mode(s), including post-crash retention integrity assessment;
 - d. The risk to motor vehicle safety that it poses;
 - 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 components were experiencing corrosion degradation; and
 - f. The VOQ reports referenced in this inquiry.

Legal Authority for This Request

This letter is being sent to Isuzu 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.

Civil Penalties

Isuzu's failure to respond promptly and fully to this letter could subject Isuzu 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.) The Vehicle Safety Act, as amended, 49 U.S.C. § 30165(a)(3), provides for civil penalties of up to \$21,000 per violation per day, with a maximum of \$105,000,000 for a related series of daily violations, for failing or refusing to perform an act required under 49 U.S.C. § 30166. *See* 49 CFR 578.6 (as amended by Fixing America's Surface Transportation Act (the "FAST Act"), Pub. L. 114-94, § 24110(a)(2), 129 Stat. 1312 (Dec. 4, 2015)). This includes failing to respond completely, accurately, and in a timely manner to ODI information requests.

If Isuzu 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, Isuzu does not submit one or more requested documents or items of information in response to this information request, Isuzu 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.

Confidential Business Information

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 DP18-001 in Isuzu's response to this letter and in any confidentiality request submitted to the Office of Chief Counsel.

If Isuzu 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, Isuzu 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, to the Office of Chief Counsel (NCC-100), National Highway Traffic Safety Administration, Room W41-227, 1200 New Jersey Avenue, S.E., Washington, D.C. 20590. Isuzu 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 phrase "ENTIRE PAGE CONFIDENTIAL BUSINESS INFORMATION" or "CONTAINS CONFIDENTIAL BUSINESS INFORMATION" (as appropriate) must appear at the top of each page containing information claimed to be confidential, and the information must be clearly identified in accordance with 49 CFR 512.6. If you submit a request for confidentiality for all or part of your response to this IR, that is in an electronic format (e.g., CD-ROM), your request and associated submission must conform to the new requirements in NHTSA's Confidential Business Information Rule regarding submissions in electronic formats. *See* 49 CFR 512.6(c) (as amended by 72 Fed. Reg. 59434 (October 19, 2007)).

If you have any questions regarding submission of a request for confidential treatment, contact Otto Matheke, Senior Attorney, Office of Chief Counsel at otto.matheke@dot.gov or (202) 366-5253.

Due Date

Isuzu's response to this letter, in duplicate, together with a copy of any confidentiality request, must be submitted to this office by **July 27, 2018**. Isuzu's response must include all non-confidential attachments and a redacted version of all documents that contain confidential information. If Isuzu finds that it is unable to provide all of the information requested within the time allotted, Isuzu must request an extension from me at (202) 366-5207 no later than five business days before the response due date. If Isuzu 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 Isuzu then has available, even if an extension has been granted.

Please send email notification to Matthew Martens at matthew.martens@dot.gov and to ODI_IRresponse@dot.gov when Isuzu sends its response to this office and indicate whether there is confidential information as part of Isuzu's response.

If you have any technical questions concerning this matter, please call Matthew Martens of my staff at (202) 366-2252.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jeffrey L. Quandt', with a stylized, flowing script.

Jeffrey L. Quandt, Chief
Vehicle Defect Division D
Office of Defects Investigation

Enclosures: Sent under secure file transfer: copies of the subject reports referenced in the introductory of this letter identified by the following ODI reference numbers:

11091788, 11084098, 10992150, 10845523, 10824247, 10597729, 10594770, 10558538, 10550870, 10544001, 10436344, 10424477, 10399930, 10393933, 10393246, 10386578, 10374811, 10356153, 10339599, 10329133, 10322095, 10316008, 10296208, 10283640, 10275653

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