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

NHTSA

April 9, 2025

Mr. Michael Zimmerman
General Manager
Natural Gas Fuel Systems, LLC dba CCFT
1051 Republic Drive, Suite 200
Roanoke, TX 76262

Subject: Information Request ID PE25003-01

Dear Mr. Michael Zimmerman:

This letter is to inform you that the Office of Defects Investigation (ODI) of the National Highway Traffic Safety Administration (NHTSA) has opened a Preliminary Evaluation (PE25003) to investigate allegations of compressed natural gas (CNG) fuel leaks in certain CNG fuel systems manufactured by Natural Gas Fuel Systems, LLC dba Cummins Clean Fuel Technologies (CCFT), and to request certain information.

This office has received one report alleging a fuel leak from a faulty fuel tank that needed to be replaced. An inquiry into the complaint revealed that the vehicle experienced a CNG fuel leak from a Luxfer Type 4 CNG 60 diesel gallon equivalent (DGE) 26x108 size fuel container. The container was used in a side-mount system built and installed by CCFT. A strong odor alerted the driver of the fuel leak, which emanated from a fracture at the fuel container's threaded aluminum alloy fixed end boss. The subject report reference number is included in Enclosure 2 below.

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

- **Subject vehicles**: all motor vehicles manufactured for sale or lease in the United States, including, but not limited to, the District of Columbia, and current U.S. territories and possessions, equipped with subject and/or peer components.

- **Subject components**: all CCFT CNG fuel systems manufactured since January 1, 2020, for use on the subject vehicles, that were originally equipped with one or more Luxfer Type 4 CNG fuel containers in a side-mount configuration.

- **Peer components**: all CCFT CNG fuel systems manufactured since January 1, 2020, for use on the subject vehicles, that were originally equipped with one or more Luxfer Type 4 CNG fuel containers in back-of-cab, front-of-body, roof-mount, tailgate-mount or any other mounting configuration besides side-mount.

- **Alleged defect**: fracture at the fuel container's threaded aluminum alloy fixed end boss.

- **Luxfer**: Luxfer Inc. and Luxfer Canada Ltd.

- **CCFT**: Natural Gas Fuel Systems, LLC, Cummins Clean Fuel Technologies, Natural Gas Fuel Systems, Inc., Momentum Fuel Technologies, all of their past and present officers and employees, whether assigned to their principal offices or any of their field or other locations, including all of their 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 CCFT (including all business units and persons previously referred to), who are or were involved in any way as of January 1, 2020, 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, lawsuits or arbitrations; 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 CCFT, 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 CCFT 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 C.F.R. § 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 CCFT has previously provided a document to ODI, CCFT 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 CCFT's response to each request, identify the source of the information and indicate the last date the information was gathered.

1. State the number of subject vehicles CCFT has equipped with subject and/or peer components. Separately, for each subject vehicle equipped to date by CCFT, state the following:
    a. Vehicle identification number (17-character VIN);
    b. Make;
    c. Model;
    d. Model Year;

e. For each component system type (e.g. side-mount, back-of-cab, front-of-body, roof-mount, tailgate, other), provide type, part number and serial number installed as original equipment;
f. For each component system type, provide quantity and model numbers of the Luxfer CNG Type 4 fuel containers installed as original equipment;
g. Date CCFT warranty coverage commenced (MM/DD/YYYY);
h. The customer or fleet name listed on the CCFT purchase order; and
i. The customer or fleet State in the United States listed on the CCFT purchase order (postal abbreviation).

Provide the table in Microsoft Access 2010, or a compatible format, entitled "PRODUCTION DATA." A pre-formatted data collection file, which provides further details regarding this submission, will be provided to you.

2. State the number of each of the following, received by CCFT, or of which CCFT 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 involving a fire or explosion;
    e. Property damage claims; and
    f. Third-party arbitration proceedings, both pending and closed, where CCFT is or was a party to the arbitration; and
    g. Lawsuits, both pending and closed, in which CCFT 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 CCFT'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.

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. CCFT'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), email address and telephone number (please use distinct fields for each data type);
d. Vehicle owner or fleet street address, city, state (postal abbreviation), and ZIP code (please use distinct fields for each data type);
e. Vehicle's 17-character VIN;
f. Vehicle's make, model and model year (please use distinct fields for each data type);
g. Vehicle's mileage at time of incident (numeric data type);
h. Fuel container serial number;
i. Incident date (MM/DD/YYYY);
j. Report or claim date (MM/DD/YYYY);
k. Whether a crash is alleged;
l. Whether a fire or explosion is alleged;
m. Whether property damage is alleged;
n. Number of alleged injuries, if any; and
o. Number of alleged fatalities, if any.

Provide this information in Microsoft Access 2010, or a compatible format, entitled "REQUEST NUMBER TWO DATA." A pre-formatted data collection file, which provides further details regarding this submission, will be provided to you.

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 CCFT used for organizing the documents. Describe in detail the search methods and search criteria used by CCFT 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, 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. CCFT's claim number;
   b. Whether the claim was paid;
   c. Vehicle owner or fleet name (and fleet contact person), email address and telephone number (please use distinct fields for each data type);
   d. Vehicle owner or fleet street address, city, state (postal abbreviation), and ZIP code (please use distinct fields for each data type);
   e. 17-character VIN;
   f. Repair date (MM/DD/YYYY);
   g. Vehicle mileage at time of repair (numeric data type);
   h. Repairing dealer's or facility's name, telephone number, city and state or ZIP code (please use distinct fields for each data type);

i. Labor operation number(s);
j. Problem code(s);
k. Replacement part number(s) and description(s);
l. Concern stated by customer;
m. Cause as stated on the repair order;
n. Correction as stated on the repair order; and
o. Additional comments, 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." A pre-formatted data collection file, which provides further details regarding this submission, will be provided to you.

6. Describe in detail the search methods and search criteria used by CCFT to identify the claims in response to Request No. 5, including the labor operations, problem codes, part numbers and any other pertinent parameters used.

7. 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.

8. State the terms of the warranty coverage offered by CCFT on the subject components and peer components (i.e., the number of months and mileage for which coverage is provided, which subcomponents are also covered, and any limitations and exclusions). Describe any extended warranty coverage option(s) that CCFT offered and state the number of subject components and peer components that are covered under each such extended warranty.

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

   Additionally, ODI is aware of a service bulletin published on CCFT's website, "Technical Service Bulletin Veriflo Adjustment 8-17-23," that does not appear to have been previously provided to the agency in accordance with 49 C.F.R. § 579.5 Manufacturer Communications. Please produce copies of all such required documents via the Manufacturer Communications Portal, or provide a date by which time CCFT will be in compliance. Please describe the business process and quality controls CCFT has enacted, or plans to enact, in order to ensure compliance with the 49 C.F.R. § 579.5 reporting requirements.

10. Describe all assessments, analyses, 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, CCFT. 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.

11. Describe all modifications or changes made by, or on behalf of, CCFT 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 subject component 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 CCFT is aware of which may be incorporated into vehicle production within the next 120 days.

12. State the number of each of the following that CCFT has sold that may be used in the subject vehicles by component name, part number and month/year of sale (including the cut-off date for sales, if applicable):
    a. Replacement CNG fuel containers; and
    b. Any kits that have been released, or developed, by CCFT for use in service repairs to the subject component/assembly to address the alleged defect condition.

    For each component part number, provide the supplier's name, address, and appropriate point of contact (name, title, and telephone number).

13. Furnish CCFT'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 risk to motor vehicle safety that it poses, including whether any resulting violation of 49 C.F.R. § 396.3 that meets the Commercial Vehicle Safety Alliance (CVSA) North American Standard Out-Of-Service Criteria due to any CNG fuel leakage, represents a safety defect per se;
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.

Legal Authority for This Request

This letter is being sent to CCFT 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. It constitutes a new request for information.

Civil Penalties

CCFT's failure to respond promptly and fully to this letter could subject CCFT 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, 49 U.S.C. § 30165(a)(3), provides for civil penalties of up to $27,874 per violation per day, with a maximum of $139,356,994 for a related series of daily violations, for failing or refusing to perform an act required under 49 U.S.C. § 30166. See 49 C.F.R. § 578.6(a)(3). This includes failing to respond completely, accurately, or in a timely manner to ODI information requests.

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

If CCFT's response contains any information that you claim is confidential business information, CCFT must submit its request for confidential treatment and any files containing CBI to NHTSA's Office of the Chief Counsel Via the CBI Portal or a secure electronic file transfer link. Please see enclosure 1 for additional instructions on submitting a request for confidential treatment that is compliant with 49 C.F.R. Part 512 (specifically, a request for confidential treatment must include the four required parts that are discussed in enclosure 1).

If you choose not to submit your request for confidential treatment and any files containing CBI directly to NHTSA's Office of the Chief Counsel via the CBI Portal, please notify the investigator referenced in this IR to ensure that the secure file transfer link for your request for confidential treatment and any files containing CBI are directed to the Office of the Chief Counsel accordingly.

In addition to submitting a request for confidential treatment and any files containing CBI directly to NHTSA's Office of the Chief Counsel, CCFT must submit a copy of its request for confidential treatment and any files containing CBI directly to ODI via the Safety Defect Investigations (SDI) Portal. For each file submitted through the SDI Portal where CBI is being requested, CCFT must check the "Contains CBI" box. In addition, CCFT, must submit a redacted version of each file for which CBI is being requested. The requests for confidential treatments and certification documents are not considered confidential so these documents should not be marked as "Contains CBI".

Please refer to PE25003-01 in CCFT's response to this letter and in the request for confidential treatment that CCFT may submit.

Due Date

CCFT's to this letter must be submitted to this office by May 23, 2025. If CCFT finds that it is unable to provide all of the information requested within the time allotted, CCFT must request an extension using the Safety Defects Investigations (SDI) Portal no later than five business days before the response due date. ODI will consider each due date extension request and CCFT will receive ODI’s decision via the SDI Portal. If CCFT 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 CCFT then has available, even if an extension has been granted.

If you have any technical questions concerning this matter, please call Kyle Bowker of my staff at (202) 366-9597.

Sincerely,

Josh Neff

Joshua Neff, Chief
MHDVD Division
Office of Defects Investigation

Enclosure 1, Information for Requests for Confidential Treatment.

Enclosure 2, The subject report referenced in the introduction of this letter may be viewed at the NHTSA.gov website using the following ODI reference number: 11621765.

ENCLOSURE 1 - INFORMATION FOR REQUESTS FOR CONFIDENTIAL TREATMENT

If you believe that your response contains any material that you claim is confidential business information, submit these materials to NHTSA's Office of the Chief Counsel in accordance with 49 C.F.R. Part 512. **All requests for confidential treatment must be submitted directly to the Office of the Chief Counsel via the Confidential Business Information (CBI) Portal or a secure file transfer link for your submission addressed to the Office of the Chief Counsel. If you are not currently registered for the CBI Portal, you may send a registration request to cbi-helpdesk@dot.gov. In addition to directly submitting the files to the Office of the Chief Counsel, you will also need to submit a copy of your request and files containing CBI directly to ODI through the Safety Defect Investigations (SDI) Portal.**

Requests for confidential treatment are governed by Part 512. A current version of this regulation is available on the internet at http://www.ecfr.gov by selecting Title 49 "Transportation," selecting "Parts 500 - 599" and then selecting Part 512 "Confidential Business Information."

How to request confidential treatment:

NHTSA is currently treating electronic submission as an acceptable method for submitting confidential business information to the agency under Part 512. If you claim that any of the information or documents provided in your response constitutes confidential business information within the meaning of 5 U.S.C. § 552(b)(4), or are protected from disclosure pursuant to 18 U.S.C. § 1905, you must request a secure file transfer link from the ODI contact listed in your Information Request. ODI will copy a representative from the Office of the Chief Counsel on the secure file transfer link for your request for confidential treatment. You must submit supporting information together with the materials that are the subject of the confidentiality request, in accordance with Part 512, to the Office of the Chief Counsel. Do not send a hardcopy of a request for confidential treatment to NHTSA's headquarters.

Your request must include a request letter that contains supporting information, pursuant to Part 512.8. Your request must also include a certificate, pursuant to Part 512.4(b) and Part 512, Appendix A.

You are required to submit one unredacted "confidential version" of the information for which you are seeking confidential treatment. Pursuant to Part 512.6, the words "ENTIRE PAGE CONFIDENTIAL BUSINESS INFORMATION" or "CONFIDENTIAL BUSINESS INFORMATION CONTAINED WITHIN BRACKETS" (as applicable) must appear at the top of each page containing information claimed to be confidential. In the latter situation, where not all information on the page is claimed to be confidential, identify each item of information for which confidentiality is requested within brackets: "[ ]."

You are also required to submit one redacted "public version" of the information for which you are seeking confidential treatment. Pursuant to Part 512.5(a)(2), the redacted "public version" should include redactions of any information for which you are seeking confidential treatment (i.e., the only information that should be unredacted is information for which you are not seeking confidential treatment).

For questions about a request for confidential treatment, please contact Dan Rabinovitz in the Office of the Chief Counsel at Daniel.Rabinovitz@dot.gov or (202)366-8534.