

Safety Defect and Noncompliance Report Guide for Vehicles  
**PART 573 Defect and Noncompliance Responsibility and Reports<sup>1</sup>**

**08V-621**  
**(8 pages)**

On November 14, 2008, M.H.Eby Inc decided that (a defect which relates to motor vehicle safety) (a noncompliance with Federal Motor Vehicle Safety Standard No. 49CFR 573.6 exists in the motor vehicles listed below, and is furnishing notification to the National Highway Traffic Safety Administration in accordance with 49 CFR Part 573 Defect and Noncompliance Responsibility and Reports.

Date this report was prepared: 11/18/2008

Furnish the manufacturer's identification code for this recall (if applicable): N/A

1. Identify the full corporate name of the fabricating manufacturer of the vehicle being recalled. If the recalled vehicle is imported, provide the name and mailing address of the designated agent as prescribed by 49 U.S.C. §30164.

M.H.EBY INC,  
\_\_\_\_\_  
1194 E MAIN ST. PO BOX 127 BLUE BALL, PA 17506  
\_\_\_\_\_

Identify the corporate official, by name and title, whom the agency should contact with respect to this recall.

Alvin Nolt  
\_\_\_\_\_  
Warranty  
\_\_\_\_\_

Telephone Number: (717) 354-1458 Fax No.: (717) 355-2114

Name and Title of Person who prepared this report.

Alvin Nolt  
\_\_\_\_\_  
Warranty  
\_\_\_\_\_

Signed: Alvin Nolt

 \_\_\_\_\_

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DEFECTS INVESTIGATION  
RECALL MGMT DIV.

<sup>1</sup> Each manufacturer must furnish a report, to the Associate Administrator for Enforcement, for each defect or noncompliance condition which relates to motor vehicle safety.

This guide was developed from 49 CFR Part 573, "Defect and Noncompliance Responsibility and Reports" and also outlines information currently requested. Any questions, please consult the complete Part 573 or contact Mr. George Person at (202) 366-5210, by FAX at (202) 366-7882, or by E-Mail to [RMD.ODI@dot.gov](mailto:RMD.ODI@dot.gov).

**I. Identify the Vehicle Models Involved in the Recall**

**2. Identify the Vehicles Involved in the Recall, for each make and model or applicable vehicle line (provide illustrations or photographs as necessary to describe the vehicle), provide:**

Make(s): EBY Model Years Involved: 2009 Model(s): SM1GLP

Production Dates: Beginning: 5/15/2008 Ending: 5/19/2008

VIN Range: Beginning: 4A2LD532293002566 Ending: N/A

Vehicle Type: GROUND LOADER Bodystyle: PUNCH PANEL

**Descriptive information which characterizes/distinguishes the recalled vehicles from those model vehicles not included in the recall:**

This trailer has a Neway suspension with Arvin Meritor axles

Make(s): \_\_\_\_\_ Model Years Involved: \_\_\_\_\_ Model(s): \_\_\_\_\_

Production Dates: Beginning: \_\_\_\_\_ Ending: \_\_\_\_\_

VIN Range: Beginning: \_\_\_\_\_ Ending: \_\_\_\_\_

Vehicle Type: \_\_\_\_\_ Bodystyle: \_\_\_\_\_

**Descriptive information which characterizes/distinguishes the recalled vehicles from those model vehicles not included in the recall:**

Make(s): \_\_\_\_\_ Model Years Involved: \_\_\_\_\_ Model(s): \_\_\_\_\_

Production Dates: Beginning: \_\_\_\_\_ Ending: \_\_\_\_\_

VIN Range: Beginning: \_\_\_\_\_ Ending: \_\_\_\_\_

Vehicle Type: \_\_\_\_\_ Bodystyle: \_\_\_\_\_

**Descriptive information which characterizes/distinguishes the recalled vehicles from those model vehicles not included in the recall:**

**Identify the approximate percentage of the production of all the recalled models manufactured by your company between the inclusive dates of manufacture provided above, that the recalled model population represents. For example, if the recall involved Vehicles equipped with certain items of equipment from January 1, 1996 through April 1, 1997, then what was the percentage of the recalled Vehicles of all Vehicles manufactured during that time period.**

## II. Identify the Recall Population

3. Furnish the total number of vehicles recalled potentially containing the defect or noncompliance.

| <u>Model</u> | <u>Year</u> | <u>Number of Vehicles<br/>Potentially Involved</u> |
|--------------|-------------|----------------------------------------------------|
| SM1GLP       | 2009        | 1                                                  |
|              |             |                                                    |
|              |             |                                                    |
|              |             |                                                    |
|              |             |                                                    |
|              |             |                                                    |
|              |             |                                                    |

Total Number Potentially Affected by the Recall: 1

4. Furnish the approximate percentage of the total number of vehicles estimated to actually contain the defect or noncompliance: less than 1%

Identify and describe how the recall population was determined--in particular how the recalled models were selected and the basis for the beginning and final dates of manufacture of the recalled vehicles:

In accordance with 49CFR 573.6, concerning certain wheel end studs supplied by B&D Thread Rolling and assembled into hubs shipped to Arvin Meritor OEM and Aftermarket customers between April 7, 2008 and May 19, 2008

### **III. Describe the Defect or Noncompliance**

**5. Describe the defect or noncompliance. The description should address the nature and physical location of the defect or noncompliance. Illustrations should be provided as appropriate.**  
Suspect wheel end studs were improperly tempered, potentially rendering them brittle and susceptible to fracture

**Describe the cause(s) of the defect or noncompliance condition.**

It was determined that a power outage at the heat treat facility caused the furnace to shut down.

Parts from the lot number NC-11 were in the furnace and the process control protocol for power outage was not followed causing improper heat treatment

**Describe the consequence(s) of the defect or noncompliance condition.**

If one wheel stud fractures, the remaining wheel studs are required to carry more load. If left in this loaded condition, the remaining wheel studs may also fracture even if they are properly manufactured. The time between initial bolt fracture and subsequent bolt fracture will be dependent on loading and duty cycle and is unpredictable.

**Identify any warning which can (a) precede or (b) occur.**

Upon a visual inspection fractured wheel studs may occur

**If the defect or noncompliance is in a component or assembly purchased from a supplier, identify the supplier by corporate name and address.**

Arvin Meritor, Inc.

2135 West Maple Road

Troy, Michigan 48084-7186

**Identify the name and title of the chief executive officer or knowledgeable representative of the supplier:**

Caroline Powell    Quality Manager

#### IV. Provide the Chronology in Determining the Defect/Noncompliance

*If the recall is for a defect, complete item 6, otherwise item 7.*

6. With respect to a defect, furnish a chronological summary (including dates) of all the principle events that were the basis for the determination of the defect. The summary should include, but not be limited to, the number of reports, accidents, injuries, fatalities, and warranty claims.

7. With respect to a noncompliance, identify and provide the test results or other data (in chronological order and including dates) on which the noncompliance was determined.

5/16/08: Great Dane trailer reports fractured studs in hubs. These hubs were on TL axles assembled into Ride Sentry suspensions.

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5/19/08: Spartan Motors and North American Bus Industries (NABI) reported fractured bolts in hubs

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5/20/08: Suspect parts were received at Arvin Meritor.

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5/21/08: Analysis of the bolts revealed 48 HRC compared to specification limits of 33-39 HRC. Arvin Meritor representatives visited Commercial Steel Treating (heat treat facility) to review process control and historical data. It was determined that the power outage at the heat treat facility caused the furnace to shut down. Parts from lot number NC-11 were in the furnace and the process control protocol for power outage was not followed causing improper heat treatment.

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5/23/08: Containment actions were initiated at certain OEM locations (Spartan Motors, NABI, Cottrell, Great Dane Wayne and Manac Trailers) to identify scope of issue and gather additional information.

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5/30/08: Arvin Meritor upper management reviews the information and decides to pursue an effort to campaign product affected from April 7, 2008 and May 19, 2008

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## V. Identify the Remedy

8. A description of the manufacturer's program for remedying the defect or noncompliance. This program shall include a plan for reimbursing an owner or purchaser who incurred costs to obtain a remedy for the problem addressed by the recall within a reasonable time in advance of the manufacturer's notification of owners, purchasers and dealers, in accordance with §573.13 of this part. A manufacturer's plan may incorporate by reference a general reimbursement plan it previously submitted to NHTSA, together with information specific to the individual recall. Information required by §573.13 that is not in a general reimbursement plan shall be submitted in the manufacturer's report to NHTSA under this section. If a manufacturer submits one or more general reimbursement plans, the manufacturer shall update each plan every two years, in accordance with §573.13. The manufacturer's remedy program and reimbursement plans will be available for inspection by the public at NHTSA headquarters.

Suspect trailer to be brought into M.H.Eby Inc service facility for inspection, upon inspection if  
any of the wheel studs in question are present replacement will take place at that time

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**9. Furnish a description of the manufacturer's remedy for the defect or noncompliance. Clearly describe the differences between the recall condition and the remedy.**

M.H.Eby will be inspecting wheel end studs looking for the recalled stud in question NC-11, if this condition does exist in any wheel end stud it will at that time be replaced

**Clearly describe the distinguishing characteristics of the remedy component/assembly versus the recalled component/assembly.**

The affected wheel studs recalled in question have a lot number head marking of NC-11

**Identify and describe how and when the recall condition was corrected in production. If the production remedy was identical to the recall remedy in the field, so state. If the product was discontinued, so state.**

Same as field remedy

## **VI. Identify the Recall Schedule**

**10. Furnish a schedule or agenda (with specific dates) for notification to other manufacturers, dealers/retailers, and purchasers. Please, identify any foreseeable problems with implementing the recall.**

Verbal communication with the purchaser of the trailer has been made on 11/13/2008, official recall notification will be made through a recall letter, scheduling will then take place.

## **VII. Furnish Recall Communications**

**11. Furnish a final copy of all notices, bulletins, and other communications that relate directly to the defect or noncompliance and which are sent to more than one manufacturer, distributor, or purchaser. This includes all communications (including both original and follow-up) concerning this recall from the time your company determines the defect or noncompliance condition on, not just the initial notification. *A DRAFT copy of the notification documents should be submitted to this office by Fax (202-366-7882) or by E-Mail to RMD.ODI@dot.gov for review prior to mailing.***

**Note that these documents are to be submitted separately from those provided in accordance with Part 579.5 requirements.**