

Safety Defect and Noncompliance Report Guide for Vehicles
PART 573 Defect and Noncompliance Responsibility and Reports¹

On 12/8/2009, 2008, Sutphen [MFR] decided that (a defect which relates to motor vehicle safety)(a noncompliance with Federal Motor Vehicle Safety Standard No. _____) 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: 12/8/09

Furnish the manufacturer's identification code for this recall (if applicable): _____

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.

Sutphen Corporation 6450 Eiterman Road
Dublin, OH 43016 USA

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

Allen Shaw Service Manager

Telephone Number: 866/287-5549 Fax No.: _____

Name and Title of Person who prepared this report.

RAND Smith
ENGINEERING MANAGER

Signed:



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

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): Sutphen Model Years Involved: 07/08/09 Model(s): _____

Production Dates: Beginning: 07 Ending: 09

VIN Range: Beginning: See Attached Ending: _____

Vehicle Type: TRUCK Bodystyle: Fire Fighting

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

Cummins ISL Engine

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.

Approx. 6%

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 Potentially Involved</u>
Fire Fighting Truck	'07-'09	29

Total Number Potentially Affected by the Recall: 29

4. Furnish the approximate percentage of the total number of vehicles estimated to actually contain the defect or noncompliance: 100%

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:

All vehicles that use an engine recalled by Cummins
vehicles are matched to recalled engine.

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.

Regeneration Switch could be in "inhibit" mode
And still Regen.

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

Algorithms in the software allow this to occur

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

Hot EXHAUST GASSES may be expelled From the
vehicle when they ARE NOT expected
(NOTE: EXCESSIVELY HOT)

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

NONE

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

CUMMINS INC

500 JACKSON STREET

COLUMBUS, IN 47201 USA

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

STEVE BUTLER Director - product safety

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.

Reference NHTSA 09E-046

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.

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.

Commins will make a software change to their ECU at their expense.

The change will eliminate the potential of excessively hot gasses from being generated while the inhib.T switch is activated

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.

Excessively Hot Exhaust Gasses will not be generated while the inhibit switch is active

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

The software change will prevent this occurrence.

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.

All software issues will be cured by Cummins in the field.

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.

Cummins has been in contact with the vehicle owners and are in the process of changing the software. Software will monitor these progress.

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.

CUST ST/PR	CUST POSTAL CO	CUST COUNTRY	CUSTOMER #	DIST NUMB	DIST NAME	DIST ADDRESS	DIST CITY	DIST ST/PR	DIST POSTAL CO
NY	13905	USA		2020	CUMMINS NORTH-EAST, INC.	100 ALLIED DRIVE	DEDHAM	MA	2026
FL	34461	USA		2001	CUMMINS POWER SOUTH, LLC.				
FL	34461	USA		2001	CUMMINS POWER SOUTH, LLC.				
VA	22801	USA		2411	CUMMINS ATLANTIC, LLC.	263 SIMMONS DR	CLOVERDALE	VA	24077
GA	30004	USA		2930	CUMMINS POWER SOUTH, LLC.	5534 HWY 21	SAVANNAH	GA	31407
GA	30004	USA		2930	CUMMINS POWER SOUTH, LLC.	5534 HWY 21	SAVANNAH	GA	31407
GA	31402	USA							
GA	31402	USA							
OH	45828	USA		2850	CUMMINS BRIDGEWAY, LLC.	3415 COLISEUM BLVD WEST	FORT WAYNE	IN	46808
IN	46514	USA		2852	CUMMINS CROSSPOINT, LLC.				
MI	48220	USA		2850	CUMMINS BRIDGEWAY, LLC.				
OH	43103	USA		2850	CUMMINS BRIDGEWAY, LLC.	7585 NORTHFIELD RD	CLEVELAND	OH	44146
OH	44654	USA		2371	CUMMINS BRIDGEWAY, LLC.				
OH	43067	USA		2850	CUMMINS BRIDGEWAY, LLC.				
IN	46001	USA		2650	CUMMINS CROSSPOINT, LLC.				
KY	40351	USA		3610	CUMMINS CROSSPOINT, LLC.	9820 BLUEGRASS PKWY	LOUISVILLE	KY	40299
PA	17362	USA		3742	CUMMINS POWER SYSTEMS, INC.				
NY	13770	USA							
FL	33411	USA		2001	CUMMINS POWER SOUTH, LLC.				
FL	33411	USA		2001	CUMMINS POWER SOUTH, LLC.				
PA	15904	USA		2364	CUMMINS BRIDGEWAY, LLC.	3 ALPHA DRIVE	PITTSBURGH	PA	15238
MA	2563	USA		2020	CUMMINS NORTH-EAST, INC.	100 ALLIED DRIVE	DEDHAM	MA	2026
MA	12020	USA		2024	CUMMINS NORTH-EAST, INC.	101 RAILROAD AVE	ALBANY	NY	12205
CA	96019	USA		2041	CUMMINS WEST, INC.				
MA	1075	USA		2021	CUMMINS NORTH-EAST, INC.	177 ROCUS ST	SPRINGFIELD	MA	1104
OH	43016	USA		2850	CUMMINS BRIDGEWAY, LLC.				
OH	43016	USA		2850	CUMMINS BRIDGEWAY, LLC.				
FL	32162	USA		2850	CUMMINS BRIDGEWAY, LLC.				
OH	45322	USA		2025	CUMMINS NORTH-EAST, INC.	6193 EASTERN AVE	SYRACUSE	NY	13211
NY	14502	USA		3520	CUMMINS NPOWER, LLC.				
IL	60060	USA							
IN	46992	USA		2852	CUMMINS CROSSPOINT, LLC.	3415 COLISEUM BLVD WEST	FORT WAYNE	IN	46808

ESN	DEH NAME	VIN NUM	MODEL	CALIBRATION	CUSTOMER NAME	ADDRESS 1	ADDRESS 2	CITY
73008157	SUTPHEN CORPORATION	1S9A1BLD994003187	ISL 425	AU90006.40	CHOCOQUIT CENTER FIRE COMPANY	1011 MIDDLE STELLA ROAD		BINGHAMPTON
46989499	SUTPHEN CORPORATION	1S9A1HLD791003135	ISL 370	AU90085.36	CITRUS COUNTY FIRE DEPARTMENT	3600 W. SOVEREIGN PATH		LECANO
46989513	SUTPHEN CORPORATION	1S9A1HLD691003143	ISL 370	AU90085.36	CITRUS COUNTY FIRE DEPARTMENT	3600 W. SOVEREIGN PATH		LECANO
46908812	SUTPHEN CORPORATION	1S9A1BLDX81003156	ISL 425	AU90006.40	CITY OF HARRISONBURG FIRE DEPT	345 S. MAIN ST.		HARRISONBURG
46763299	SUTPHEN CORPORATION	1S9A1BLD171003139	ISL 425	AU90006.40	CITY OF ROSWELL	1810 HEMBRER RD		ALPHARETTA
46900351	SUTPHEN CORPORATION	1S9A1BLDX611003157	ISL 425	AU90006.40	CITY OF SAVANNAH	1810 HEMBRER RD		SAVANNAH
46997446	SUTPHEN CORPORATION	1S9A1BLD891003156	ISL 400	AU90089.35	CITY OF SAVANNAH	PO BOX 1027		SAVANNAH
46997452	SUTPHEN CORPORATION	1S9A1BLD091003152	ISL 400	AU90089.35	CITY OF SAVANNAH	PO BOX 1027		SAVANNAH
46997453	SUTPHEN CORPORATION	1S9A1BLD091003152	ISL 400	AU90089.35	CITY OF SAVANNAH	PO BOX 1027		SAVANNAH
46994243	SUTPHEN CORPORATION	1S9A1HL0591003148	ISL 370	AU90085.36	COLDWATER FIRE DEPARTMENT	610 W. SYCAMORE STREET		COLDWATER
46997482	SUTPHEN CORPORATION	1S9A1HL0591003156	ISL 425	AU90006.40	ELKHART FIRE DEPARTMENT	500 EAST STREET		ELKHART
46994249	SUTPHEN CORPORATION	1S9A1HL0591002144	ISL 370	AU90085.36	FERRISLE FIRE DEPARTMENT	1635 LIVERNOIS		FERRISLE
46908657	SUTPHEN CORPORATION	1S9A3LLE992003153	ISL 370	AU90085.36	HARRISON TOWNSHIP FIRE DEPT	3625 STATE ROUTE 752		ASHVILLE
46992726	SUTPHEN CORPORATION	1S9A1BLD791003195	ISL 425	AU90006.40	HOLMES FIRE DISTRICT	8478 STATE ROUTE #39		MILLERSBURG
73008123	SUTPHEN CORPORATION	1S9A1BLD791003195	ISL 400	AU90089.35	LIBERTY TOWNSHIP FIRE DEPT.	2184 MAIN STREET		RAYMOND
73008130	SUTPHEN CORPORATION	1S9A1HL0591003185	ISL 400	AU90089.35	MONROE TOWNSHIP FIRE DEPT.	212 S. HARRISON STREET		ALEXANDRIA
46989030	SUTPHEN CORPORATION	1S9A1HL0591003120	ISL 370	AU90085.36	MOOREHEAD FIRE DEPARTMENT	105 EAST MAIN STREET		MOREHEAD
46994238	SUTPHEN CORPORATION	1S9A1BLD591003146	ISL 400	AU90089.35	NASHVILLE FIRE DEPARTMENT	116 NASHVILLE BLVD.		SPRING GROVE
73003814	SUTPHEN CORPORATION	1S9A1BLDX91003174	ISL 425	AU90006.40	NORWICH FIRE DEPARTMENT	31 EAST MAIN STREET		NORWICH
73008102	SUTPHEN CORPORATION	1S9A1HL0591003201	ISL 370	AU90085.36	PALM BEACH FIRE DEPARTMENT	2601 VISTA PARKWAY		WEST PALM BEACH
73008109	SUTPHEN CORPORATION	1S9A1HL0591003202	ISL 370	AU90085.36	PALM BEACH FIRE DEPARTMENT	2601 VISTA PARKWAY		WEST PALM BEACH
46989554	SUTPHEN CORPORATION	1S9A1BLD291003167	ISL 425	AU90006.40	RICHLAND TOWNSHIP FIRE DEPARTMENT	1321 SCALP AVE.		JOHNSTOWN
46989528	SUTPHEN CORPORATION	1S9A1BLD594003131	ISL 425	AU90006.40	SANDWICH FIRE DEPARTMENT	115 ROUTE 6A		SANDWICH
46989528	SUTPHEN CORPORATION	1S9A1BLD194003062	ISL 370	AU90085.36	SARATOGA EMERGENCY S	25 WEST HIGH STREET		BALLSTON SPA
46989422	SUTPHEN CORPORATION	1S9A1BLD491003123	ISL 425	AU90006.40	SHASTA LAKE FIRE PROTECTION	4128 ASHBY COURT		SHASTA LAKE
46997476	SUTPHEN CORPORATION	1S9A1BLD791003164	ISL 400	AU90089.35	SOUTH HADLEY FIRE DEPARTMENT	144 NEWTON STREET		SOUTH HADLEY
73003818	SUTPHEN CORPORATION	1S9A1BLD191003189	ISL 425	AU90006.40	STOCK TRUCK / SUTPHEN CORP.	6450 EITERMAN ROAD		DUBLIN
46989518	SUTPHEN CORPORATION	1S9A1HL0591003128	ISL 425	AU90006.40	SUTPHEN CORPORATION	6450 EITERMAN ROAD		DUBLIN
46994213	SUTPHEN CORPORATION	1S9A1HL0591003142	ISL 370	AU90085.36	THE VILLAGES	1231 BONITA BLVD.		DUBLIN
46989036	SUTPHEN CORPORATION	1S9A1BLD191003158	ISL 425	AU90006.40	UNION FIRE DEPARTMENT	118 NORTH MAIN STREET		CITY OF UNION
73008148	SUTPHEN CORPORATION	1S9A3LLE992003181	ISL 425	AU90006.40	VILLAGE OF MACEDOON FIRE DEPARTMENT	1 CANAL PARK DRIVE		MACEDOON
73008142	SUTPHEN CORPORATION	1S9A3LLE992003183	ISL 425	AU90006.40	VILLAGE OF MUNDELEIN	1000 N. MIDLOTHIAN ROAD		MIDLOTHIAN
73008136	SUTPHEN CORPORATION	1S9A1HL0591003199	ISL 400	AU90089.35	WABASH FIRE DEPARTMENT	100 NORTH WABASH STREET		WABASH
46923327	SUTPHEN CORPORATION	1S9A1HL0591003012	ISL 425	AU90082.34				
46929079	SUTPHEN CORPORATION	1S9A1HL0591003012	ISL 400	AU90006.40				
46989508	SUTPHEN CORPORATION	1S9A1HL0591003139	ISL 370	AU90085.36				

DIST COUNTRY	DIST PHONE	BLD DATE
US	(781) 329-1750	6/22/09
		3/17/09
US	(540) 966-3189	6/9/08
US	(404) 763-0151	6/8/07
US	(404) 763-0151	5/19/08
US	(280) 482-3691	4/9/09
		4/28/09
		4/9/08
US	(440) 439-6800	4/1/08
		6/22/09
		6/22/09
US	(502) 491-4263	3/12/09
		4/9/08
		6/22/09
		6/22/09
US	(412) 820-8300	6/2/09
US	(781) 329-1750	3/17/08
US	(518) 459-1710	5/13/08
		3/12/09
US	(413) 737-2659	4/28/09
		6/2/09
		3/17/09
US	(315) 437-2751	3/12/09
		6/22/09
		6/22/09
US	(250) 482-3691	6/22/09