



**SAFETY DEFECT AND NONCOMPLIANCE REPORT GUIDE FOR EQUIPMENT
PART 573 - DEFECT AND NONCOMPLIANCE REPORT¹**

On February 5, 2010, Nova Bus decided that a defect which relates to motor vehicle safety) (a noncompliance with Federal Motor Vehicle Safety Standard No. ____) exists in items of motor vehicle equipment listed below, and is furnishing notification to the National Highway Traffic Safety Administration in accordance with 49 CFR Part 573 **Defect and Noncompliance Reports**.

Date this report was prepared: March 19, 2010

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

Identify the full corporate name of the fabricating manufacturer/brand name/trademark owner of the recalled item of equipment. If the recalled item of equipment is imported, provide the name and mailing address of the designated agent as prescribed by 49 U.S.C. §30164.

Nova Bus, a division of Volvo Group Canada, 1000 Industriel Blvd, Saint-Eustache, Quebec, J7R 5A5, Canada

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

Jean Fournier, Nova Bus Warranty & Publications Manager

Telephone Number: 450 472-6410 ext. 6610

Fax No.: 450 472-5560

Name and Title of Person who prepared this report: Chantal Rodrigue, technical writer

Signed: _____

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

This guide was developed from 49 CFR Part 573, "Defect and Noncompliance Reports" and also outlines information currently requested. Any questions, please consult the complete Part 573 or contact Mr. Jon White at (202) 366-5226 or by FAX at (202) 366-7882.

I. Identify the recalled items of equipment

1. Identify the items of equipment involved in this recall, for each make and model or applicable item of equipment product line (provide illustrations or photographs as necessary to describe the item of equipment), provide:

Generic name of the item: Oil cooler o-rings

Make: N/A

Model: N/A

Part Number: N/A

Size: N/A

Function: Ensure sealing of hydraulic fittings.

Other information which characterizes/distinguishes the items of equipment to be recalled:

O-rings installed on Modine Roof-Mounted radiator for T-Drive vehicles.

Make: _____

Model: _____

Part Number: _____ Size: _____

Function: _____

Other information which characterizes/distinguishes the items of equipment to be recalled:

Make: _____

Model: _____

Part Number: _____ Size: _____

Function: _____

Other information which characterizes/distinguishes the items of equipment to be recalled:

2. 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 Widgets equipped with certain items of equipment from January 1, 1996, through April 1, 1997, then what was the percentage of the recalled Widgets of all Widgets manufactured during that time period. 100 %

II. Identifying the recall population

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

Model	Year	Number of Items Potentially Involved
Nova LFS (40 ft T-Drive transit bus)	2007 to 2010	415
Nova LFS Artic (60 ft T-Drive transit bus)	2008 to 2010	176
Nova LFS HEV (40 ft hybrid T-Drive transit bus)	2009 to 2010	117

Total Number Potentially Affected by the Recall: 708 vehicles (104 in USA; 604 in Canada)

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

All vehicles with T-Drive configuration, because they are equipped with a Modine roof-mounted radiator. The recalled o-rings are part of the radiator assembly.

III. Describe the defect or noncompliance

7. **The description should address the nature and physical location of the defect or noncompliance. Illustrations should be provided as appropriate.**

The recalled O-rings are installed:

a) in the fittings of the oil cooler inlet tube (2 per tube), located on the radiator See Figure 1;

b) in the fittings of the oil cooler outlet tube (2 per tube), located on the radiator. See Figure ;

c) in one of the fitting of the oil return hose (1 per hose), in the engine compartment. See Figure 2.

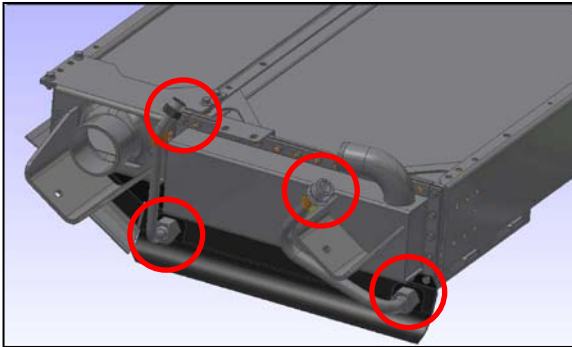


Figure 1 -
Location of O-rings on Inlet/Outlet Tube Fittings

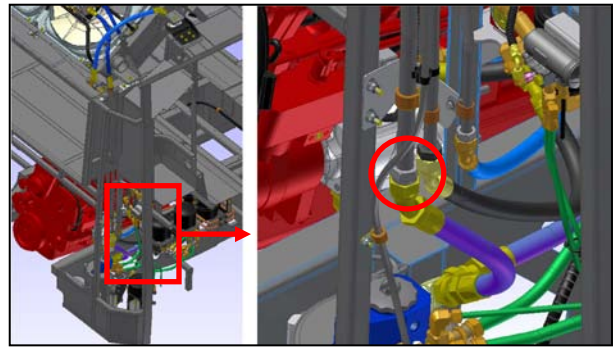


Figure 2 -
Location of O-rings on Inlet/Outlet Tube Fittings

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

The wrong type of o-ring was installed at these locations by the radiator manufacturer, Modine. The o-rings must be Viton type o-rings.

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

The o-rings may be unsuitable for this type of application and may rapidly deteriorate. In the event of a deterioration of these o-rings, the seal is no longer secure and there is a possibility that leaking or seepage of hydraulic oil may occur. Such an occurrence could cause serious damage to a vehicle.

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

No warning.

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

Manufacturer: Modine.

Address: Wells Fargo Bank Minnesota, N.A. St. Paul, Minnesota 55164-0854

IV. Provide the Chronology in Determining the Defect/Noncompliance

If the recall is for a defect, complete item 12, otherwise item 13.

12. 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.

13. 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.

N/A

V. Identify the Remedy

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

Viton O-rings will be installed at the targeted locations.

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

Viton O-rings will be installed at the targeted locations.

3. **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.**

The recall condition was corrected in production as soon as the problem was determined (February 5, 2010)

The recall remedy in production is the same as the recall remedy in the field.

VI. Identify the Recall Schedule

1. **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.**

Clients will be noticed through a Nova Bus Recall Campaign, via a document intitled CR1461A. The replacement procedure for the O-Rings will be included in this document.

VII. VII. Furnish Recall Communications

1. **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) for review prior to mailing.**
2. **Note: These documents are to be submitted separately from those provided in accordance with Part 573.8 requirements.**

The Privacy Act of 1974 - Public Law 93-5 79, As Amended: This information is requested pursuant to the authority vested in the National Highway Traffic Safety Act and subsequent amendments. You are under no obligation to respond to this questionnaire. Your response maybe used to assist the NHTSA in determining whether a manufacturer should take appropriate action to correct a safety defect. If the NHTSA proceeds with administration enforcement or litigation against a manufacturer, your response, or statistical summary thereof, may be used in support of the agency's action.