

Timian, Jennifer (NHTSA)

From: Timian, Jennifer (NHTSA)
Sent: Thursday, October 07, 2010 3:24 PM
To: 'NASSER.ZAMANI@DAIMLER.COM'
Cc: 'Glassman, Jacqueline S.'
Subject: Concerns with DTNA recalls

Mr. Zamani:

We have noticed that a number of the defect and noncompliance notification and information reports DTNA has provided the agency of late contain chronologies that could be interpreted to suggest that DTNA is not making timely defect or noncompliance decisions on its vehicles. This information could also be construed to suggest DTNA is not timely notifying the agency of its safety defect or noncompliance decisions, and by association, the public. Here are some examples:

On September 1, 2010, DTNA notified us that it would be recalling certain MVP-EF Thomas Built school buses, as well as certain non-school bus applications, due to the potential for unexpected engine shutdown or loss of vehicle lighting and windshield wipers in those vehicles. See 10V-396 and 10V-397. The chronologies indicated DNTA began receiving complaints in February of this year, and that DTNA made production changes in July to prevent against this problem. Why did it take DTNA so long to make its defect decision and to notify us? Also, I note that DTNA did not identify the number of complaints or their respective dates of receipt, as is required by 573.6(c)(6). Please explain the reasonableness of the timing associated with DTNA's September 1, 2010, filing. Please also file a supplementary 573 that provides the missing information.

Also on September 1, 2010, DTNA reported that it would be recalling certain Minotour school buses, and non-school bus applications, due to the potential for a short circuit to occur, and therefore a fire, since there was the risk that the main body power cabling on those buses could be cut by an unprotected edge on the passenger's side inner-fender. See 10V-393 and 10V-394. In its chronologies, DTNA said only that there was a fire on a bus in September 2009 and that a production change was made to re-route the cabling in February 2010. Please explain why DTNA did not notify NHTSA of this safety defect until September, including in your explanation information to explain why DTNA did not make a defect decision and notify the agency shortly after the fire or once it had decided a change in production was necessary.

DTNA notified us in April 2010 that it would be recalling certain model year 2008 through 2011 Freightliner Columbia, Cascadia, Coronado, Century, M2, Sterling 9500, and Western Star 4900 vehicles due to fuel leaks linked to cracked fuel flanges. DTNA said it had identified a cracked fuel flange in July 2009, and that subsequent testing (no date given) showed the cracking was secondary to fuel pressure spikes due to blockage. See 10V-189 and 10E-016. When was the subsequent testing conducted? And why did DTNA wait until April 2010 to make a defect decision and notify NHTSA?

On March 16, 2010, DTNA notified NHTSA that certain model year 2008 through 2010 Freightliner Columbia, FLD, Sterling 9500, and Western Star 4900 emergency vehicles could experience sudden and unexpected engine may shut downs due to overheating of the diesel particulate filter. See 10V-112 and 10E-005. DTNA said it had received a complaint of diesel particulate filter-related engine shutdown in October 2008, and that in April 2009 it had released updated software. Why didn't DTNA make its defect decision and notify NHTSA after it received the October 2008 complaint? Why did DTNA wait almost one year to notify NHTSA and after it had implemented a remedy for the defect?

We urge DTNA to provide more detailed and informative chronologies in the future, as well as better inform as to the chronology of principal events that served as the basis for the company's defect or noncompliance decisions in the safety recalls discussed below.

We remind DTNA in case it was unclear that it is obligated to notify NHTSA of any safety defect within five days of when it made, *or should have made*, its defect decision. We suggest that DTNA consider adjustments and improvements, as applicable, to its internal procedures to avoid unnecessary delays in rendering important safety defect decisions and communicating those decisions to us.

I would appreciate DTNA's explanations as soon as possible. Also, to the extent that any chronologies should be supplemented, please provide those to RMD.ODI@dot.gov with a cc to me.

Thank you,

Jennifer T. Timian
Acting Chief, Recall Management Division (NVS-215)
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DAIMLER

Daimler Trucks North America
Nasser Zamani
Senior Manager
Compliance and Regulatory Affairs

November 2, 2010

Jennifer Timian
Acting Chief, Recall Management Division
National Highway Traffic Safety Administration
U.S. Department of Transportation
1200 New Jersey Avenue, S.E.
Washington DC 20590

Re: Concerns with DTNA Recalls

Dear Ms. Timian:

This letter is in response to your October 7, 2010 email requesting additional information regarding certain recalls recently initiated by Daimler Trucks North America (DTNA). We appreciate your bringing the Agency's questions to our attention.

DTNA has a long history of working cooperatively and transparently with NHTSA and values its interaction with NHTSA staff. This ongoing dialogue assists in the early identification of potential issues and assures both NHTSA and DTNA have a full understanding of all relevant factors. DTNA has a dedicated office responsible for overseeing the investigation of any potential safety issues and a robust process through which these issues are analyzed and decisions are made regarding compliance and the safety of our vehicles and owners. Recall decisions are made as quickly as sufficient information is available to DTNA to make an appropriate determination. As always, DTNA will continue to seek to further expedite the investigation and determination process while maintaining the integrity of the analysis to ensure that proper repairs are ultimately made.

With respect to the specific questions contained in your October 7, 2010 e-mail, please see the information set forth below.

S60 DPF Over-Temperature Shutdown

On March 16, 2010, DTNA notified NHTSA of a decision to conduct a safety recall to reflash the software in certain emergency responder vehicles to restore the original design parameters of the engine which prevent the engine from shutting down when detecting an overheated diesel particulate filter and to instead restore the series of warning lights as an alert to the driver of this condition. The series of warning lights include combinations of DPF Regeneration Light, Check Engine Light, and a Stop Engine Light. NHTSA has raised questions regarding the timing of this action.

First, it is important to note that although DTNA often uses a safety recall campaign to initiate field actions involving these types of vehicles, this field action does not involve any issue affecting highway safety. As the Agency is aware, diesel particulate filters (DPF) are carefully monitored to ensure that if the DPF ever approaches overheating, warnings are provided to the driver and – if unheeded – the engine is automatically derated or shut down to protect the emission control system and the engine. For certain emergency vehicles, such as fire trucks, the original engine design does not include a derated shut down to protect the engine since the concern to allow emergency responders to act overrides the engine protection priority. Accordingly, the engine shut-down feature applicable to other vehicles is not included in the design of emergency vehicles.

In October 2008, Detroit Diesel received a report regarding an engine shut down in the production facility of a chassis being built into a fire truck. After reviewing the situation, Detroit Diesel determined that, contrary to original design protocols, certain emergency responder vehicles had been built with an engine shut-down software protocol rather than the emergency responder vehicle software protocol. A software upgrade was developed to return these vehicles to their original design by providing warning lights to alert the driver to an overheated DPF. This protocol allows the driver to decide, during an emergency circumstance, whether to continue with the public safety mission or to shut down the vehicle's engine.

Neither software protocol presents a safety risk. Under the typical protocol, the driver receives a substantial number of warnings that the DPF has not regenerated and is approaching overheating before engine shut-down is initiated. Emergency vehicles also receive warning that the DPF has overheated but are permitted to continue to operate if the emergency situation so demands. Thus, since both systems are routinely operational in the vehicle population, there was no adverse safety consequence in the vehicles as sold. Accordingly, when a decision was made in April 2009 to install a software change, to March 16, 2010, when the Part 573 Notice was filed with NHTSA, no safety issue was presented and the normal process and implementation time for a field campaign that utilizes the safety recall process to assure maximum response was followed.

Low Pressure Fuel Flange

On April 30, 2010, DTNA notified NHTSA of a safety recall to prevent the possibility of fuel leaks from clogged fuel filters in vehicles equipped with certain heavy duty engines. The timing and process of this action is set forth below.

In July 2009, during normal durability testing, a test vehicle was found to have developed a fuel leak near the fuel filter location. The leak was identified as resulting from a crack at the low pressure fuel flange. This situation had not occurred in prior extensive durability testing, or in customer vehicles. Accordingly, a review began to determine the cause of the situation and whether it was limited to the durability vehicle.

During the August to November 2009 timeframe, analysis of the low pressure fuel flange material and engine design was undertaken. The issue identified was a clogged fuel filter in the durability vehicle that may have increased fuel pressure which led to increased pressure in the fuel system and flange beyond design parameters. As the Agency is aware, during the end of 2009 and into 2010, there was a great deal of information coming to light in the press and from field data regarding the variability in diesel fuel quality and the impact of having no federal standards to regulate bio-diesel fuel quality. In addition, as of early 2010, only 9 warranty claims were identified in the field that may have been related to a clogged fuel filter.

In February 2010, an additional fuel leak occurred during long-term highway durability testing caused by a clogged fuel filter, and a car following the test truck slid as a result of the fuel loss. Following this incident, the information surrounding the situation and all other relevant data was gathered and

presented to the Company for a decision regarding a potential recall. DTNA promptly notified NHTSA of that decision.

Minotour Power Cable Routing

On September 1, 2010, DTNA notified NHTSA of its decision to conduct a safety recall to inspect the power cable routing on certain Minotour vehicles built on a Ford cutaway chassis between May 2004 and February 2010. DTNA first learned of a possible issue with the power cable routing upon receiving a report from the Agency in October 2009, of an incident in a DC school bus. DTNA investigated the single incident and determined that the cable had been frayed as a result of routing too near a sheet metal edge of the body.

DTNA's investigation also identified the fact that, at the time of initial production, specific instructions with regard to the power cable routing were not provided to production employees. This conclusion meant that vehicle power cables could potentially have been routed in a manner similar to that in the DC vehicle at issue. Other routing patterns would not pose similar chafing risks. For this reason, DTNA sought out fleets of vehicles for inspection. A fleet of 12 vehicles were inspected in November 2009 and another fleet of 11 vehicles were inspected in January 2010 with no routing issues identified. It was apparent, therefore, that while no specific instructions had been provided, DTNA production employees generally routed the power cables to avoid contact with body panel sharp edges. Thus, as of January 2010, the evidence in the field indicated that the issue was limited to the particular DC bus in question and did not likely pose a wider concern.

In February 2010, DTNA initiated a body power system redesign intended primarily to upgrade the circuit protection and to improve access to the circuit breakers. Included in this redesign were detailed instruction drawings and standardization of the wire routing. This improvement package provided routing specifications that ensured the power cable routing would not allow abrading of the power cable by the fender well edge and removed the potential for further individual routing issues.

In March 2010, DTNA became aware that the DC school system was conducting its own survey of its fleet for potential power cable routing issues. DTNA remained in contact with the fleet. The fleet reported to DTNA that 50 buses raised routing concerns but the fleet provided no information identifying any abraded cables or pictures or identifying any other safety concern. Further investigation by DTNA revealed that the vehicles purchased for the DC fleet were built in September 2005 and that the fleet purchased the vast majority of the vehicles built that month. As a result, similarities in the cable routing were explained. Accordingly, even though the routing was similar, no additional field incidents had occurred and no additional safety concerns were raised. In addition, there was no basis for concluding that the routing found in the DC vehicles was replicated in a broader population, particularly since prior investigation of two other fleets had found no concerns.

DTNA nonetheless continued to investigate and encouraged its field personnel to seek out potentially affected vehicles and to inspect the power cable routing pattern. In June 2010 a DTNA field engineer reported inspecting 18 buses. None had power cable damage or abrasion but the engineer recommended rerouting the cables in 3 of the vehicles.

As a result of this additional investigation, DTNA decided it prudent to inspect all Ford Minotour buses built prior to the initiation of the circuit protection upgrade in February 2010. Following this decision, DTNA gathered all field data, prepared a management briefing package, and presented the issue through its Committee process. The result of this process was a decision to conduct an inspection campaign under the auspices of a safety recall. Significantly, no additional field incidents have been reported and a relatively small number of vehicles have been found to have been built with potentially problematic power cable routing.

MVP-EF Megafuse Junction Box

Also on September 1, 2010, DTNA notified NHTSA of its decision to conduct a safety recall relating to 1173 MVP-EF model buses built between September 12, 2008 and July 16, 2010, to remedy corrosion impacting cables surrounding the Megafuse Junction Box. DTNA was first made aware of corrosion in February 2010 through reports from vehicle fleets in Clarkston, Michigan and Durham, North Carolina. The fleet in Durham reported approximately 16 vehicles of 276 vehicles with cable corrosion. The fleet in Clarkston reported one engine shut down.

Accordingly, DTNA initiated an investigation to determine the root cause and potential consequence of the reported corrosion. At the time the investigation was started, DTNA had only received 5 warranty claims relating to the Megafuse Junction Box. Each of those claims suggested that the result of the corrosion was simply an inability of the vehicle to start. The investigation also revealed that vehicles experiencing corrosion all had been ordered without mud-flaps, an unusual situation which exacerbated the potential for and rate of corrosion.

Engineering analysis explained the adverse impact at vehicle start-up since the corrosion interrupted the power source and resulted in an inadequate level of amps to start the ignition. Impacted vehicles, therefore, could not reach the roadways. Accordingly, DTNA had no engineering indication to suggest that the corrosion under investigation might lead to on-road stalling.

DTNA continued to work with the two vehicle fleets that had reported corrosion to rectify their concerns, including providing mud-flaps and replacement equipment as necessary. In May-June 2010, DTNA was informed of a report of a corrosion-induced engine shut-down. DTNA investigated the situation and determined that although no engine start was a likely outcome of a corrosion situation, an engine shut-down could not be excluded. Accordingly, DTNA presented the issue to the Recall Advisory Committee on August 18, 2010, which recommended that the issue be addressed as a safety recall, and the Company made a decision to recall on August 25, 2010.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Nasser Zamani". The signature is fluid and cursive, with the first name "Nasser" being more prominent than the last name "Zamani".

Nasser Zamani