

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

On March 11th, 2011, Mertz Manufacturing, LLC decided that (a defect which relates to motor vehicle safety)(a noncompliance with Federal Motor Vehicle Safety Standard No. 49) exists in the Trailers listed on the attached spread sheet, 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:** 11/8/2011

**Furnish the manufacturer's identification code for this recall (if applicable):** EQ11-004

**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.**

Mertz Manufacturing, LLC. 1701 North Waverly Road, Ponca City OK. 74602

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

Roy Heath, Engineering Director

**Telephone Number:** (580)767-8465 **Fax No.:** (580)767-8411 E-Mail: rheath@mertzok.com

**Name and Title of Person who prepared this report.**

Roy Heath, Engineering Director

Signed: *Roy Heath*

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<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.

## **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):** Trailer **Model Years Involved:** 2010-2011 **Model(s):** Halliburton Trailers only

**Production Dates: Beginning:** Nov 2010 **Ending:** March 2011

**VIN Range: Beginning:** See Spread Sheet Attached for VIN numbers and status.

**Vehicle Type:** Trailer **Bodystyle:** Dedicated Equipment Trailer

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

Halliburton Dedicated Equipment Trailers only, all other trailers manufactured by Mertz use a different supplier for the Slack Adjusters.

**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. (60%)**

## **II. Identify the Recall Population**

3. **Furnish the total number of vehicles recalled potentially containing the defect or noncompliance**  
257 trailers that need to be inspected, each trailer has 4 Slack Adjusters

**Total Number Potentially Affected by the Recall:** 257

4. **Furnish the approximate percentage of the total number of vehicles estimated to actually contain the defect or noncompliance:** 20%

**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:**

Shipment of the Slack Adjusters from the supplier were received Nov 2010 and was for 735 parts. When Mertz was notified on March 14th our first step was to inspect all trailers in our plant or in process. We also inspected all stock material and removed any Slack Adjusters from Inventory that matched the Manufacturing code dates identified in the recall. We used the month the parts were received as our start month and the month of March as our ending month to capture the VIN of trailers made during those month.

### **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.**

Slack Adjusters supplied by Gunitite could have a possible casting flaw that could result in a broken slack adjuster.

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

Casting issue with the supplier of the Slack Adjuster

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

Brake pad clearance will not automatically be adjusted causing the clamping force between the brake pad and the drum to be less. There are 4 Slack Adjusters on each trailer identified, each act independently.

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

Would not be noticed until Trailer was inspected

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

Accuride (Gunitite), 7140 Office Circle. Evansville, IN. 47716.

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

William Noll, Vice President, Corporate Quality, (812)962-5024

#### **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.**

- a) Received Notice from Supplier on March 14<sup>th</sup>, 2011
- b) Sorted out all inventory and work in process at or plant by March 14<sup>th</sup>.
- c) March 16<sup>th</sup> people were sent to our customer to inspect all trailers in their plant.
- d) March 18<sup>th</sup> Mertz created a Quality report and tracking spread sheet of all trailers that are to be inspected. This was supplied to the customer and they sent out a field service notice to inspect.

**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.**

Mertz has no test data, this is an issue the supplier of the Slack Adjusters identified. Any test data would be included in their report to NHTSA Ref. # EQ11-004

#### **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.**

Mertz has sent letters and tracking information to our customer (Halliburton) and has offered to pay for the labor to change out Slack Adjusters that fall under the manufacturing code identified. Mertz has also been sending replacements at no charge to the customer. All Slack Adjusters that are part of the recall are being returned to Gunitite for credit. For those that are not being returned pictures are being provided showing that they have been destroyed by the process Gunitite identified.

**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.**

The Manufacturer has been replacing the Slack Adjusters returned or destroyed with new Slack Adjusters that are not an issue.

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

The Manufacturing casted code is completely different. (Ref: EQ11-004)

**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 Slack Adjusters were replace with known good Slack Adjusters.

**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.**

Mertz is working with Halliburton to confirm all units identified have been inspected. Timing to close out all unit inspected is March 2012. (Some of the units identified are no longer in the country)

**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](mailto: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.**